

12.4 RESPONSES TO MOTIONS CARRIED AT THE ANNUAL GENERAL MEETING OF ELECTORS HELD ON 2 FEBRUARY 2023

Attachments: 1. Annual General Meeting of Electors Minutes 2 February 2023

RECOMMENDATION:

That Council NOTES and ENDORSES the following recommendations provided by Administration to the General Business motions carried at the Annual Meeting of Electors held on Thursday 2 February 2023 for the reasons outlined in the report.

1. **Motion 4.1 – Renaming Mount Hawthorn Community Centre Lesser Hall** -That Council REQUESTS the CEO investigate the cost and location options of a flag pole at the Mount Hawthorn Community Centre Lesser Hall entry and signage on the Mount Hawthorn Community Centre Lesser Hall to bring awareness and promotion to where the local RSL meetings occur and provides this information to Council as part of its 2023/24 Budget process.
2. **Motion 4.2(1) – Development Green Space** - That Council REQUESTS the CEO to present a review of the landscaping requirements in the City's Built Form Policy to Council by December 2023.
3. **Motion 4.2(2) – Rodenticide** - That Council REQUESTS that Administration limits the use of second-generation rodenticides for rodent control.
4. **Motion 4.3 – Citizenship Ceremonies** - That Council REQUESTS that citizenship ceremonies are not held on 26 January.
5. **Motion 4.4 – Britannia Reserve Pathway** – That Council REQUESTS Administration complete the condition survey and implement any required safety improvements.
6. **Motion 4.5 – Pedestrian Safety (Newcastle / Fitzgerald)** – That Council REQUESTS that Administration liaise with MRWA on the current issues in this area, and that in the interim planter boxes be placed on the footpath and the possibility of signage be investigated.
7. **Motion 4.6 – Menzies Street Traffic** – That Council REQUESTS that Administration explore with MRWA opportunities to apply for funding towards treating any safety issues on Menzies Street or adjacent streets, **and this be referred to the Sustainability and Transport Advisory Group for consideration.**
8. **Motion 4.7 – Remove Parking levy of \$1** – That Council REQUESTS that Administration continue gathering the data to inform the report requested by Council on \$1 for the first hour by April 2023 in time for setting the fees and charges for the 2023/24 Annual Budget.
9. **Motion 4.8 – Chemical Sprays** – That Council NOTES that the City is minimising the use of glyphosate but the complete elimination of glyphosates and other chemicals is not supported at this time as it would result in poor weed control outcomes and increased costs.
10. **Motion 4.11 – Speed Humps** - That Council REQUESTS that Administration undertakes a road condition assessment to underpin a program of maintenance and needs assessment for speed humps and other traffic interventions in local areas, **and report to Council Workshop on the findings of these assessments by end of 2023.**
11. **Motion 4.12 – Refund of rates** – That Council NOTES that the rates increase is to fund longer payback periods to Western Power for Underground Power Projects. All funds that remain in the Underground Power reserve at the completion of the project will be able to be used to support other projects.

12. **Motion 4.13(1) – Creation of cul-de-sac** - That Council REQUESTS that Administration works with the Department of Transport (DoT) and allows sufficient funds to include this area within the transport study of the Pickle District.
13. **Motion 4.13(2) – Removal of tree** – That Council NOTES that the tree in question has been pruned in accordance with the City’s Street Tree Policy and does not present any issues to support its removal.
14. **Motion 4.14 – Conservation Plan Hyde Park** – That Council REQUESTS that Administration review the Hyde Park Conservation Plan when developing the Hyde Park Master Plan, which is Action number 27 of the City’s Public Open Space strategy.
15. **Motion 4.15(1) – Complimentary parking** – That Council NOTES that data is being collected to support Council making an informed decision on this matter.
16. **Motion 4.15(2) – Commercial Waste** - That Council NOTES that Commercial rates have been frozen for two years, and the rate in the dollar is 16 per cent lower than for residential rates.
17. **Motion 4.16(1) – Capital Expenditure** – That Council NOTES the significant improvements made in the way the City budgets and reports on capital projects, and any funds carried forward or any adjustments are clearly outlined in the reports to Council.
18. **Motion 4.16(2) – Street Tree Selection Tool** - That Council NOTES that the Street Tree Selection Tool is available on the City’s website.
19. **Motion 4.16(3) – E-Waste** – That Council NOTES the various e-waste disposal options already available to residents and REQUESTS Administration to advertise these disposal options to increase community awareness.
20. **Motion 4.16(4) – Code of Conduct** – That Council NOTES that the role of the Mayor and of Council Members is clearly defined in the *Local Government Act 1995*.

PURPOSE OF REPORT:

To consider:

1. the motions carried at the City’s Annual Meeting of Electors (AME); and
2. the responses prepared by Administration addressing those motions carried.

BACKGROUND:

The AME was held at the Mt Hawthorn Main Hall on Thursday 2 February 2023 at 5:30pm. There were 24 electors present, 16 of which raised 23 general business motions, 20 of which were carried at the meeting. One motion was combined with another as it was of a similar intent. Two motions were submitted in writing, but were not moved at the meeting.

DETAILS:

Motion 4.1 – Renaming Mount Hawthorn Community Centre Lesser Hall

1. Mt Hawthorn RSL request City-of-Vincent consider the permanent display of the RSL logo above the entry to the Lesser Hall and renaming to RSL Hall Mount Hawthorn.

2. A flag pole at the hall entry would add ceremony to local commemorative festivals, community and RSL events.

Administration's response to the above-mentioned motions is set out below:

Background

Through generosity and City-Of-Vincent guidance; Mount Hawthorn Returned Services League enjoys regular access to Lesser Hall, Mt Hawthorn Community Centre. Given the number of organisations using the lesser hall, a change to *RSL Hall* would bring awareness and promotion of just where our local RSL meetings occur.

Hundreds of young families regularly enjoying Braithwaite Park would be alerted to the presence of the RSL sharing the information with eligible members of their families.

Comment

The City has a long standing relationship with the RSL and is a strong supporter of its events and activities.

With regard to the City's policy 4.1.18 Naming of City Facilities, Streets, Parkes, Reserves and Buildings, and Landgate's *Policies and Standards for Geographical Naming in Western Australia*, renaming of facilities is discouraged and should only be undertaken in exceptional circumstances.

Exceptional circumstances means if there is a high risk to community safety, such as, difficulty communicating a location to emergency services. Sufficient evidence would need to be supplied to support this claim.

Landgate's policy states that, "the changing of a name merely to correct or re-establish historical usage shall not be considered in itself a reason to change a name".

The Hall is provided by the City for community purposes the City must also consider other community groups who hire and use the facility, as issues could arise as a result of a facility name change for other community members and organisations who use the premises.

With regards to the request for permanent display of the RSL logo and for installation of a flagpole to display the RSL flag. As the facility is owned and operated by the City, signage relating to the RSL would be subject of the requirements of the Local Planning Policy: Signs and Advertising and would be classified as third party advertising which is prohibited. The City is unable to support these requests based on current policies.

Recommendation

That Council REQUESTS the CEO investigate the cost and location options of a flag pole at the Mount Hawthorn Community Centre Lesser Hall entry and signage on the Mount Hawthorn Community Centre Lesser Hall to bring awareness and promotion to where the local RSL meetings occur and provides this information to Council as part of its 2023/24 Budget process.

Reason for recommendation

The City appreciates the role of the RSL and understands the need to provide support to their continued use of the building. Renaming of the Mount Hawthorn Lesser Hall is not supported by Administration as the proposal is not considered an exceptional circumstance and is therefore not consistent with Landgate's *Policies and Standards for Geographical Naming in Western Australia*. However, the provision of signage and a flagpole is an option that Council could consider funding as part of the 2023/24 Budget process.

Motion 4.2(1) – Development Green Space

That developers, both private and public, be required to leave or allocate a certain percentage of the land to be 'green space', not covered by roads/driveways or building footprint for each new development or extension.

Administration’s response to the above-mentioned motion is set out below:

The City of Vincent already requires all developers to provide a certain percentage of their development site as 'green space' through its Local Planning Policy No. 7.1.1 – Built Form (Built Form Policy).

Following the adoption of the Built Form Policy by Vincent Council in 2016, the State Government amended the Residential Design Codes (R-Codes) to apply minimum 'green space' requirement to all residential and mixed use developments.

The City of Vincent will continue to work with the State Government to improve these requirements and is currently reviewing the Built Form Policy against the most recent version of the R-Codes to ensure adequate 'green space' and canopy coverage is being required.

1.2 Trees and Landscaping (cont.)

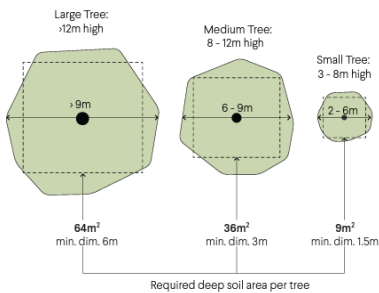


Figure 1.2d Deep soil area requirements by tree size

DEEMED-TO-COMPLY
Development satisfies the following deemed-to-comply requirements (C)

Table 1.2b Tree size and deep soil area

Tree size	Tree specifications			
	Canopy diameter at maturity	Tree height at maturity	Minimum deep soil area	Minimum deep soil area dimension
Small	2-6m	3-8m	9m ²	1.5m
Medium	6-9m	8-12m	36m ²	3m
Large	>9m	>12m	64m ²	6m

Refer to Figure 1.2d for the provision of deep soil area for tree requirements.

Recommendation

That Council REQUEST the CEO to present a review of the landscaping requirements in the City’s Built Form Policy to Council by December 2023.

Reason for the Recommendation

The recent changes to the R-Codes will supersede the green space’ provisions in the City’s Built Form Policy and it is necessary that the City review the policy so that Council make any amendments necessary to ensure an appropriate amount of 'green space' and canopy coverage is being required for all developments.

Motion 4.2(2) – Rodenticide

That the use of rodenticides be strongly discouraged, and in particular, the use of second generation rodenticides be banned from use in the City.

Administration’s response to the above-mentioned motion is set out below:

Background

The use of rodenticide was subject to a motion through the Western Australian Local Government Association’s Central Metropolitan Zone which resolved in April 2022 –

That:

1. *WALGA undertake a campaign with the State Government to take urgent action to legislate to restrict the sale of Second Generation Anti-coagulant Rodenticides (SGARs); and*
2. *WALGA undertake a campaign with Local Governments which provide rodent baiting to residents for the Local Governments to not provide this type of poison and specify on demolition permits or for health orders that this type of poison is not to be used.*

In considering the above motion WALGA has resolved –

That WALGA:

1. *provide information to Local Governments through EnviroNews and LGNews and also consider disseminating social media collateral to Local Government; and*
2. *continue to monitor progress with the Australian Pesticides and Veterinary Medicines Authority (APVMA) review.*

The use of rodenticide by the City is addressed below.

Comment

1. As part of the demolition process, applicants are required to bait their premises for rodents prior to works commencing. In May 2022, the City’s Building Services updated the permit template for Demolitions, to include the following advice: *The use of first-generation anticoagulant rodenticides is strongly recommended to reduce secondary poisoning occurring in non-target animals such as native birds of prey.*
2. Since May 2022, the City’s Health Services have switched products and now supply only ‘first generation anti-coagulant rodenticides’ (FGARs) as part of the ‘free rat bait’ program available to the City’s residents.
3. The City’s website <https://www.vincent.wa.gov.au/animals-and-pests.aspx> provides information to residents on non-baiting options to control rodents, but also specifies that if baiting is required, the City recommends the use of FGARs.
4. The City’s own program for control of rodents around City buildings and facilities will limit rodenticides to FGARs.

Recommendation

That Council REQUESTS that Administration limits the use of second-generation rodenticides for rodent control.

Reason for the Recommendation

The City currently takes the approach of limiting the use of second-generation rodenticides for rodent control.

Motion 4.3 – Citizenship Ceremonies

1. That Vincent Council does not hold citizenship ceremonies on 26 January.
2. That citizenship ceremonies be held before 26 January.
3. That the Vincent Council voice their support for the movement to change the date of Australia Day.

Administration's response to the above-mentioned motion is set out below:**Background**

In 2019, the Federal Government introduced the rule that all local governments must hold citizenship ceremonies on 26 January.

On 16 December 2022, this decision was reversed and local governments were granted the freedom to hold citizenship ceremonies on three days either side of 26 Jan, from 23 to 29 January.

Comment

At its December 2022 meeting, Council supported a motion brought forward by Cr Dan Loden to change the date of the City's 26 January Citizenship Ceremony.

The City was to write to the Federal Government to request the decision be put in the hands of individual local governments so their community's wishes could be considered.

Prior to sending this letter, all local governments were notified of the change to the Citizenship Ceremony Code.

The City of Vincent Citizenship Ceremony was held on 27 January 2023.

Recommendation

That Council REQUESTS that citizenship ceremonies are not held on 26 January.

Reason for Recommendation

That Council notes that:

1. The City of Vincent does not hold citizenship ceremonies on 26 January.
2. Ceremonies will take place either in the three days before or the three days after 26 January.
3. Council have voiced their support of this decision as can be found in the minutes of the December 2022 Council Meeting.

Motion 4.4 – Britannia Reserve Pathway

That the City limit the pathway within Britannia Reserve to Pedestrian use only, enforced by use of signage.

Administration’s response to the above-mentioned motion is set out below:

Background

It is noted that the Under 12 Cyclist restriction in Britannia Reserve was installed by the City to discourage the use of the path by cyclists but the City’s officers have no powers to enforce this restriction. Only the WA Police have the power under the State Government’s Road Traffic Act 1974 (WA) to enforce restrictions on cyclists. This includes the power to address poor rider behaviour, such as reckless riding, which is an offence under the Road Traffic Act 1974 and can be enforced by the WA Police.

Britannia Reserve is predominantly used for active recreation which includes soccer, rugby, cricket and as a dog exercise area. The reserve is bounded by Britannia Road, Mitchell Freeway, Bourke Street and Brentham Street as shown within the map below.



Footpaths cannot be designated “Pedestrians only”. Footpaths can be used for different modes of transportation including eRideables which are covered under legislation (***details can be obtained within the Government of Western Australia Department of Transport website***) to include:

- electric scooters (eScooters);
- electric unicycles;
- electric skateboards;
- electric roller-skates;
- one-wheel electric scooters; and
- hoverboards.

Comment

The footpath will undergo a condition survey and following this there will be consideration for footpath users such as:

- Wheelchairs
- Walking Aids
- Children

Signage and linemarking will also be reviewed as part of the condition survey and widening of the path be considered to improve cyclist and pedestrian use.

Recommendation

That Council REQUESTS Administration complete the condition survey and implement any required safety improvements.

Reason for the Recommendation

Restricting footpaths to pedestrians only is unenforceable by the City.

We encourage cyclists to be responsible and courteous of pedestrians at all times and share paths.

The City will conduct a condition survey on the Britannia Reserve pathway with the objective of creating a safer environment for all path users.

Motion 4.5 – Pedestrian Safety (Newcastle / Fitzgerald):

- 4.5.1 That the City of Vincent-addresses the safety issues for pedestrians at the corner of Fitzgerald Street and Newcastle Street in this financial year 2022/23.
- 4.5.2 That the City of Vincent places a bollard or visual deterrent to offer a pedestrian refuge and protection of the Heritage listed building on the corner Newcastle Street and Fitzgerald Street. (similar to what exists on the City of Perth side of the fore mentioned intersection).

Administration’s response to the above-mentioned motion is set out below:**Background**

Signalised intersections are the responsibility of Main Roads WA (MRWA). MRWA acknowledges that the intersection requires review and upgrading. The City is working with MRWA on the current issues presented to the City of Vincent by concerned business owners. A Road Safety Audit will be completed in March 2023. It is expected that long term upgrades will take 18 months or more to deliver if approved by Main Roads WA due to the complexity of the area, being a signalised intersection and sharing a boundary with the City of Perth. (see below map of the intersection and area, marked by the red line boundary).

The City has reviewed the area for any high risk and immediate safety issues, with planned footpath renewal works scheduled March/April 2023.

**Comment**

There are challenges with installing bollards (to Main Roads WA standards) to offer a pedestrian refuge and protection of the heritage listed building on the corner Newcastle Street and Fitzgerald Street. The offset distance required for a bollard to be installed behind the kerb would also require the awning to be offset by a greater distance. Currently the awning protrudes to the kerb face, which is the reason why traffic can and has damaged the awning previously.

While a permanent solution may be found through the work anticipated to be undertaken by MRWA, an interim solution has been discussed with the proposer of the above motions involving the use of planter boxes on the footpath and possible signage.

Recommendation

That Council REQUESTS that Administration liaise with MRWA on the current issues in this area, and that in the interim planter boxes be placed on the footpath and the possibility of signage be investigated.

Reason for the Recommendation

Improvements / modifications to the intersection of Newcastle and Fitzgerald Streets requires the collaboration of several stakeholders and is expected to take over eighteen months to achieve. The interim solution has the support of the proposer of the motion.

Motion 4.6 – Menzies Street Traffic

Menzies street - North Perth - Review current access and traffic flow. Consider changing to cul de sac or one way to reduce "rat run" effect and speeding cars.

Administration's response to the above-mentioned motion is set out below:

Background

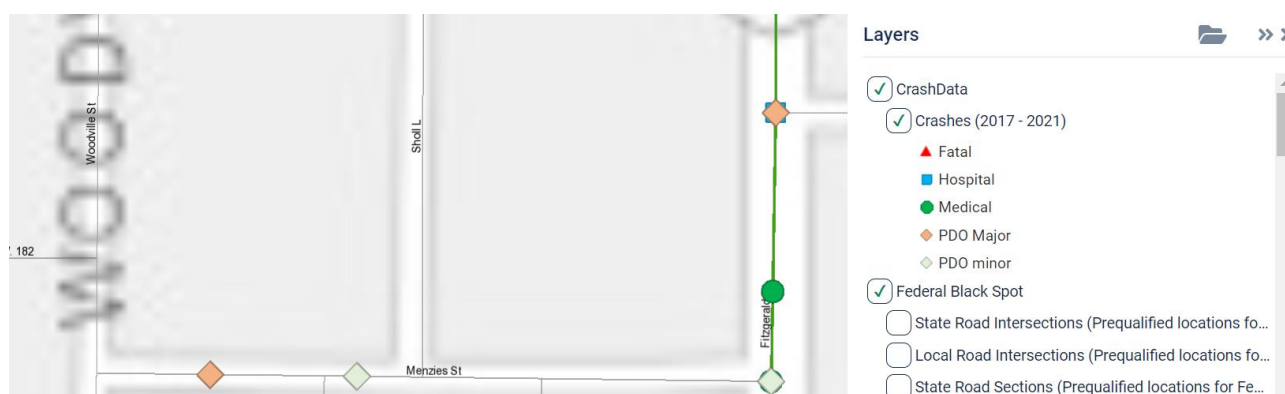
The City has assessed the street and Local Area Traffic Management (LATM) Warrant Scoring does not warrant any traffic intervention or treatments based on August 2018 traffic data.

Traffic data collected from 17 October 2018 to 24 October 2018 is as follows –

- **Traffic volume:** 917 vpd (vehicle per day).
- **Speed:** 85% is 42.3km/h (The 85th percentile speed is the speed that 85% of vehicles are travelling at, or slower, under free-flowing conditions).
- **Average speed:** 33.9km/h.
- **Class:** Heavy vehicles 3.4%.

Crash data for Menzies Street Mount Hawthorn is available from the Main Roads WA. There have been four crashes in total on Menzies Street, two off these four crashes at the intersection of Fitzgerald and Menzies Streets between 2017 and 2021 from Main Roads WA crash data (see map below)

There have been no crashes on the intersection of Woodville Street and Menzies Streets between 2017 and 2021 from Main Roads WA crash data.

**Comment**

Traffic counters are scheduled to be installed within the next 6 months to collect a new set of data on Menzies Street.

Subject to the results, the City will explore with Main Roads WA opportunities to apply for funding through the State Government Black Spot safety program towards treating any safety issues on Menzies Street or adjacent streets.

Recommendation

That Council REQUESTS that Administration explore with MRWA opportunities to apply for funding towards treating any safety issues on Menzies Street or adjacent streets.

Reason for the Recommendation

Existing (2018) data does not support Local Area Traffic Management intervention on Menzies Street and a new road traffic data is required to reassess this. The City will further investigate the traffic movements in Menzies Street and potential for Black Spot Road funding.

Motion 4.7 – Remove Parking levy of \$1

1. That Council immediately APPROVES the removal of the \$1 levy at the View Street and Rosemount Hotel car parks and does not discriminate between the parking facilities at Flinders and Coogee Street, Mount Hawthorn and the aforementioned in the heart of North Perth.
2. That Council APPROVES the parking facility at View Street and the Rosemount Hotel receives the same FREE three-hour parking as those in the heart of Mount Hawthorn.

Administration's response to the above-mentioned motions is set out below.

Background

At its meeting held 5 July 2022, Council resolved to do the following:

- APPROVE a fee of \$1 for the first hour parking, as detailed in the Proposed Fees and Charges 2022/2023; and
- REQUESTS Administration monitor the impact to the number of transactions and revenue following the change to \$1 for the first hour. This is to ascertain any detrimental impact on occupancy or use in City car parks and provide a report back to Council by April 2023 in time for setting the fees and charges for the 2023/24 Annual Budget.

At its 18 May 2021 meeting Council adopted the *Accessible City Strategy* which included action item 3.3.1:

To establish a business plan for the management of parking within Vincent with a view to the following:

- *Prepare precinct specific parking management plans with priority given to precincts already at capacity; and*
- *Expand paid parking using the 'demand responsive pricing' methodology.*

Comment

Administration is currently preparing a report on the impact of the \$1 for the first hour change which will be presented at a Council Workshop in time for the setting of the fees and charges for the 2023/24 Annual Budget.

The City is currently guided by the City's Car Parking Strategy adopted in 2010, and the various Precinct Parking Management Plans. These Plans are prepared to address specific car parking needs across the City, including restrictions such as duration times and paid parking for car parks and on street parking.

The changes to parking in North Perth were driven by increasing community concern surrounding a lack of parking and low turnover of vehicles. Parking surveys conducted in 2016 identified that paid parking should be implemented where peak occupancy exceeds 85%. This was the case in both View St and Wasley St car parks.

At the same time in Mount Hawthorn, the Coogee Street and Flinders Street car parks had been unrestricted, and a three hour parking limit was introduced. That change resulted in the car parks occupancy levels being below 85%.

The Precinct Parking Management Review Plan (which includes North Perth) is currently underway and will be presented to Council later this year.

Recommendation

That Council REQUESTS that Administration continue gathering the data to inform the report requested by Council on \$1 for the first hour by April 2023 in time for setting the fees and charges for the 2023/24 Annual Budget.

Reason for the Recommendation

Following on from the Council decisions on 18 May 2021 and 5 July 2022, Administration and the external consultant are compiling all relevant data that is required to support Council in making an informed decision.

Motion 4.8 – Chemical Sprays

Strongly advocates for the reduction and elimination of chemical sprays in local community parks, especially glyphosates.

Administration's response to the above-mentioned motion is set out below:**Background**

Wherever possible the City's Parks Team limit the use of glyphosate through integrated weed management techniques including the use of organic herbicides, mechanical removal, and suppression (use of mulch and groundcovers).

In some instances, the use of glyphosate is required for the control of certain weeds as it the only effective treatment (i.e. control of woody perennial weeds and running grasses).

All Parks Staff are trained in the application of chemicals and when applying in public open space, signage is displayed to notify public.

Comment

The Parks Team is continuously investigating and assessing options to further reduce the use of glyphosate. In addition, the Team is in the process of improving methods for community education and notification on the City's use of herbicides in public open space.

Wherever possible alternative weed control methods are used in preference to glyphosate. However, it should be noted that glyphosate is the most effective treatment for certain weeds.

Recommendation

That Council NOTES that the City is minimising the use of glyphosate but the complete elimination of glyphosates and other chemicals is not supported at this time as it would result in poor weed control outcomes and increased costs.

Reason for the Recommendation

Reducing the use of glyphosate in public open space is ongoing through the preferencing of alternative weed control treatments and methods.

Complete elimination of the use of glyphosate (and other chemicals) is not supported due to the requirement to use chemicals for certain weed control requirements (e.g. eco-zoning program implementation and maintenance).

Complete elimination would have significant budget implications and would likely result in poor weed control outcomes due to the ineffectiveness of alternative treatments and create an environment that is detrimental to community use and enjoyment of the City's green space and recreational areas.

Motions 4.9 and 4.10 did not have a mover. 4.9 was noted as a comment with no further action. 4.10 was noted in the minutes as a question and responded to by Administration.

4.11 Motion – Speed Humps

That the City of Vincent engages in a comprehensive assessment of all existing speed humps, recently proposed speed humps and all future speed humps in order gain better results for the local resident efficacy and efficiency co-existing with ease of movement in their own neighbourhood, the potential for removal of older speed humps and the adherence to Australian standards when implementing/planning any new speed humps.

Administration’s response to the above-mentioned motion is set out below:

Background

The City is currently undergoing a road condition assessment for all road assets. Following this assessment, a review of the current speed humps will be undertaken and a renewal program will be developed (review the need to have speed humps / approve to permanently remove).

Speed humps are designed to the applicable AS Standards and/or Main Roads WA standards.

Comment

The City has noted speed humps which need repaired, these are currently on the maintenance list of items to attend to through the Customer Request Management system (CRM). Administration intends to pursue a more holistic approach in respect to Local Area Traffic Management, with a priority based local area traffic study program laying the foundation for the review of existing and future traffic management interventions. Funding opportunities will be pursued to support this initiative.

Recommendation

That Council REQUESTS that Administration undertakes a road condition assessment to underpin a program of maintenance and needs assessment for speed humps and other traffic interventions in local areas.

Reason for the Recommendation

The road condition assessment will underpin a program of maintenance and need assessment for speed humps and other traffic interventions in local areas.

Motion 4.12 – Refund of rates

If the 2.1% is to fund longer payback periods to Western Power for other upcoming Underground Power Projects, I move that ratepayers within the previous Highgate East State Underground Power Project be refunded or credited towards their rates next year.

Administration's response to the above-mentioned motion is set out below:Background

In the 2022/23 Annual Budget the City included a 2.1% rate increase to build the underground power reserve to support longer payback periods to ratepayers. The underground power reserve will assist the City manage its cash flow requirements between the timing of cash calls from Western Power and the receipt of service charges from ratepayers.

Comment

The City raises funds through rating to deliver a range of projects to the wider Vincent community. The nature of these works means that at times certain projects will be geographically specific to a certain area and may not benefit all ratepayers at the time.

Similarly the ratepayers included in the previous Highgate East State Underground Power Project were provided with longer payback periods that were supported by all Vincent ratepayers at the time, even though there was no direct benefit to the broader community.

Recommendation

That Council NOTES that the rates increase is to fund longer payback periods to Western Power for Underground Power Projects. All funds that remain in the Underground Power reserve at the completion of the project will be able to be used to support other projects

Reason for recommendation

All funds that remain in the Underground Power reserve at the completion of the project will be able to be used to support other projects at the City subject to a decision from Council.

Motion 4.13(1) – Creation of cul-de-sac

City of Vincent take action to address local traffic issues that will be caused by the Bunnings Development approval, prior to construction of the development. Council consider installing a cul de sac at the laneway entrance approximately 50m from the intersection of Newcastle and Strathcona Streets.

Administration's response to the above-mentioned motion is set out below:Background

The Bunnings Development application required the applicant to submit a Traffic Impact Assessment (TIA) report which was reviewed by the City. The applicant's traffic engineering comments relating to Strathcona Street are noted below.

Safe Active Streets – *Strathcona Street and Golding Street are located approximately 40 metres and 80 metres to the east of the subject site are both designed as Safe Active Streets. This includes treatments such as speed humps, raised intersection plateaus and red asphalt marking, along with a speed limit of 30km/h.*

Conclusion – *The proposed development would be complementary to the function of the adjacent road network and no material impact is anticipated."*

The City's comments in relation to the above findings are below.

Vehicle Trips – *The Transport Guidelines state that an increase in traffic of greater than 100 vehicle trips in the peak hour would have a high impact. The applicant's TIA notes the development would result in 173 vehicle trips in the AM peak period, 290 vehicle trips in the PM peak period, and 368 vehicle trips in the weekend peak period, and would be considered to have a high impact based on this threshold.*

Trip Distribution – *These vehicle trips would be immediately distributed along Newcastle Street, Cleaver Street and Old Aberdeen Place. The use of these streets is consistent with this under the Main Roads WA road hierarchy which identifies District Distributor roads as accommodating high traffic volumes between residential and commercial areas, and Access Roads providing access to abutting properties."*

Comment

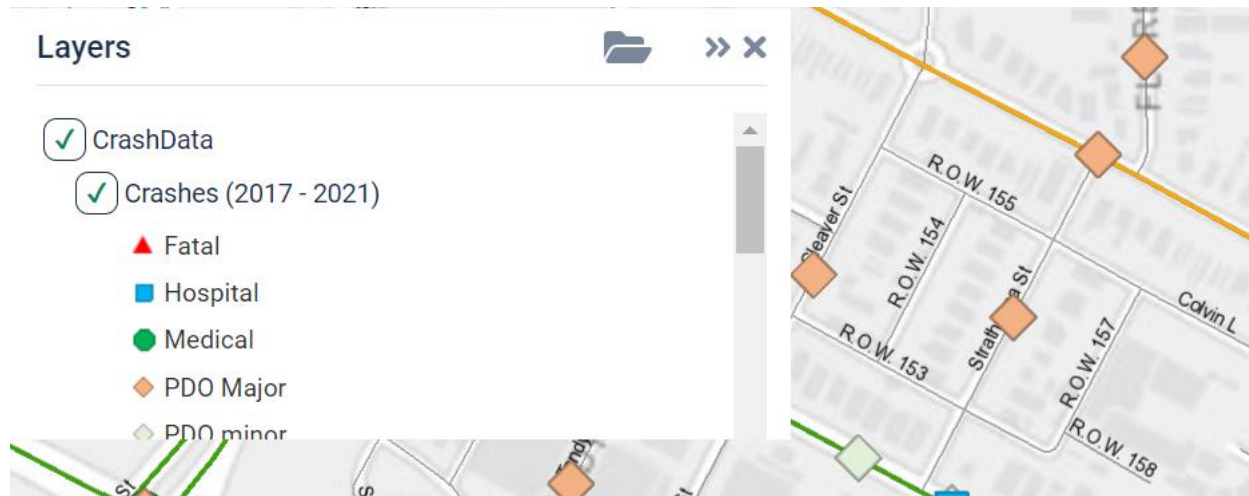
Reviewing the above information relating to the application, Administration does not believe any further Local Area Traffic Management is warranted on Strathcona Street. The Street has recently been converted to a Safe Active Street which has traffic calming throughout and has a posted legal speed limit of 30km/h.

Administration does not believe that projected traffic movements within the area necessitates the installation of a cul-de-sac on the laneway. The crash map from Main Roads WA does not show any crashes at the intersection of Strathcona Street and the laneway entrance (see crash map below).

Traffic data collected from 09 May 2018 to 16 May 2018 is as follows –

- **Traffic volume:** 956 vpd (vehicle per day).
- **Speed:** 85% is 48.8km/h (The 85th percentile speed is the speed that 85% of vehicles are travelling at, or slower, under free-flowing conditions).
- **Average speed:** 40.2 km/h.
- **Class:** Heavy vehicles 3.6%.

Administration requests that that funds are allocated to allow this area to be included into the Pickle District Transport study lead by the Department of Transport (DoT).



Recommendation

That Council REQUESTS that Administration works with the Department of Transport (DoT) and allows sufficient funds to include this area within the transport study of the Pickle District.

Reason for the Recommendation

Projected traffic movements in the area do not warrant immediate or short-term intervention.

Motion 4.13(2) – Removal of tree

Council remove the giant jacaranda on the verge in front of 89 Carr Street and replace with smaller species.

Administration's response to the above-mentioned motion is set out below:**Background**

The City carries out an annual street tree pruning program where trees are pruned to ensure appropriate clearances from powerlines and under pruned (if required) to ensure they are not obstructing the footpath. In addition, residents can request trees be cut back to the property line.

In accordance with the City's Street Tree Policy, tree removal is only supported for specific reasons including if the tree is dead, diseased beyond repair, structurally unsound or to allow for specific works where there is no alternative but to remove the tree (e.g. road widening, crossover installations).

Comment

The verge tree located in front of 89 Carr Street has been inspected by the City's Parks Team and is deemed to be in good health, pruned back from the property and providing the required clearance from the service power line.

Recommendation

That Council NOTES that the tree in question has been pruned in accordance with the City's Street Tree Policy and does not present any issues to support its removal.

Reason for the Recommendation

The tree on the verge in front of 89 Carr Street has been pruned in accordance with the City's Street Tree Policy and does not present any issues to support its removal. The tree is in good health and contributing to the overall streetscape by providing greening and canopy coverage.

Removal of this tree is not in keeping the City's relevant policies, plans and strategies and would have an overall negative impact on the streetscape.

Motion 4.14 – Conservation Plan Hyde Park

Move that the City of Vincent commission a new conservation plan for Hyde Park, utilising funding that it qualifies for from the Heritage Council of WA

Administration's response to the above-mentioned motion is set out below:

The Hyde Park Conservation Plan June 2003 (Kelsall Binet Architects with Irene Sauman, Historian and John Viska, Horticulturist) was presented to Council at its meeting held 27 April 2004 where it resolved –

That the Council;

- (i) RECEIVES the final report of the Hyde Park Conservation Plan dated June 2003, as 'Laid on the Table'; and*
- (ii) ADOPTS IN PRINCIPLE the recommendations and guidelines contained within the Conservation Plan for the purposes of retaining and conserving the cultural heritage significance of Hyde Park, subject to consideration of other factors relating to economic, social and environmental matters.*

The State Government's Heritage Grant Program offers funding assistance for the conservation, future planning and promotion of heritage places. It is currently closed for applications.

The State Heritage Grants stream subsidises the cost of physical conservation works, documentation and professional advice relating to the conservation of State Registered places.

Comment

It is almost twenty years since the publication of the current conservation plan for Hyde Park and the subsequent 'adoption in principle' by Council in 2004.

Action #27 of the City's Public Open Space Strategy identifies the development of the Hyde Park Master Plan which is scheduled for commencement in 2026 as follows:

- Prepare and implement Hyde Park Master Plan
- Prepare a long term Plan that considers:
 - Alignment with levels of service as per POS hierarchy.
 - Aboriginal and non-Aboriginal cultural history associated with the site.
 - Infrastructure upgrades aligned with regional POS and associated levels of service.
 - Improve amenities and capabilities to accommodate community events.
 - Improve key infrastructure including public toilets, path connections, gazebos, shade and playground/s.

A review or update of the Conservation Plan can be included in the above process (including seeking opportunities for funding).

Recommendation

That Council REQUESTS that Administration review the Hyde Park Conservation Plan when developing the Hyde Park Master Plan, which is Action number 27 of the City's Public Open Space strategy.

Reason for the Recommendation

Action #27 of the City's Public Open Space Strategy identifies the development of the Hyde Park Master Plan which can incorporate a review / update of the Conservation Plan.

Motion 4.15(1) – Complimentary parking

That Council returns to the former one hour complimentary policy as indicated being possible by Mayor Cole, in light of this significant loss of foot traffic Council acknowledge the loss of the competitive advantage, and therefore the former complimentary one hour free policy needs to be re-instated.

Administration's response to the above-mentioned motion is set out below:

At its meeting held 5 July 2022, Council resolved to do the following:

- APPROVE a fee of \$1 for the first hour parking, as detailed in the Proposed Fees and Charges 2022/2023; and
- REQUESTS Administration monitor the impact to the number of transactions and revenue following the change to \$1 for the first hour. This is to ascertain any detrimental impact on occupancy or use in City car parks and provide a report back to Council by April 2023 in time for setting the fees and charges for the 2023/24 Annual Budget.

At its 18 May 2021 meeting Council adopted the *Accessible City Strategy* which included action item 3.3.1:

To establish a business plan for the management of parking within Vincent with a view to the following:

- *Prepare precinct specific parking management plans with priority given to precincts already at capacity; and*
- *Expand paid parking using the 'demand responsive pricing' methodology.*

Comment

Administration is currently preparing a report on the impact of the \$1 for the first hour change which will be presented at a Council Workshop in time for the setting of the fees and charges for the 2023/24 Annual Budget.

The City is currently guided by the City's Car Parking Strategy adopted in 2010, and the various Precinct Parking Management Plans. These Plans are prepared to address specific car parking needs across the City, including restrictions such as duration times and paid parking for car parks and on street parking.

The Precinct Parking Management Review Plan is currently underway and will be presented to Council later this year.

Recommendation

That Council NOTES that data is being collected to support Council making an informed decision on this matter.

Reason for the Recommendation

Following on from the Council decisions on 18 May 2021 and 5 July 2022, Administration and the external consultant are compiling all relevant data that is required to support Council in making an informed decision.

Motion 4.15(2) – Commercial Waste

That Council explain why commercial business were charged for a non-provided service, and advise how much money was collected in the rescinding of the commercial waste service and refund rates collected in the 2021/22 year for services that were not provided.

Administration's response to the above-mentioned motion is set out below:Background

<https://www.vincent.wa.gov.au/residents/waste-recycling/commercial-waste.aspx>

The previous commercial waste and recycling service was an extension of the residential two-bin system, rather than a separate and tailored commercial waste service. It wasn't designed to meet the needs of different businesses nor encourage the diversion of waste from landfill. Additionally, the City is implementing a three-bin FOGO system from October 2021 and this service is not suitable for commercial businesses. Commercial waste companies are better placed to provide this service to businesses. They have economies of scale and can provide competitively priced services that are tailored to the needs of your business.

These services are designed to maximise recycling and diverting waste from landfill, which is an important consideration for the City that has set a vision of sending zero waste to landfill by 2028.

Comment

https://www.vincent.wa.gov.au/Profiles/vincent/Assets/ClientData/Documents/Council/Agendas/2022/20220517_Council_Meeting/Item_10_1_Waste_Strategy_8_-_Commercial_Waste_Collections_Update_.pdf

Further transitional support

When the City of Vincent ceased its commercial waste services this did have an impact on local businesses.

In June 2021, 74% of business respondents used the City of Vincent's waste services for some or all of their commercial waste. However, only 39% of respondents used the City's commercial waste services exclusively and 35% used City services for some of their waste, with top up services from external providers. 21% of business respondents did not use the City of Vincent for their waste service needs and 5% were unsure.

Businesses reported that they had experienced some challenges with the transition to a new service, including higher costs, inconvenience, more complicated systems and insufficient bins.

While it was anticipated that a service change may impact businesses, in terms of the inconvenience of having to seek new contracts for their waste services, the reported higher costs are more reflective of the fact that the business had previously had multiple bins or collection frequencies under the old collection system; a system with was subsidised by all ratepayers.

Having reviewed the report and verbatim feedback comments, it was apparent that not all businesses had taken advantage of the tailored waste options available to them – particularly those where waste is managed by the landlord or strata management.

The City does have waste minimisation tips available on the City's website and does also update businesses on any sustainability matters as part of the Business E-Newsletter.

FINANCIAL/BUDGET IMPLICATIONS:

The City has frozen Commercial rates for the last 2 years which has resulted in the rate in the dollar for Commercial rates now sitting at 16 per cent lower than Residential rates.

In addition, a commercial waste rebate of \$520 was provided in FY22 to assist with the changes in waste services.

Not repeating the commercial waste rebate in FY23 saved the City approximately \$920,000.

Recommendation

That Council NOTES that Commercial rates have been frozen for two years, and the rate in the dollar is ~~49~~ 16 per cent lower than for residential rates.

Reason for Recommendation

It is not recommended that any further transitional financial support for commercial ratepayers is required. The City will continue to provide educational support as part of normal business to ensure businesses are maximising waste recovery and minimising associated waste processing/disposal costs.

Motion 4.16(1) – Capital Expenditure

That the City undertakes a reconciliation of its capital expenditure budget going back to 2014 that shows exactly where the unspent funds have gone, and provides it to Council and the City’s ratepayers. I also request that the City commits to seeking independent analysis and advice in relation to the budgeting skills and delivery capacity of its project management team.

Administration’s response to the above-mentioned motion is set out below:

Background

In accordance with s6.2 of the Local Government Act 1995, the City is required to prepare an Annual Budget that includes estimated expenditure for that year. During the budget year the City conducts budget reviews and makes adjustments to respond to changing priorities and account for any impact to the initial estimates included in the Annual Budget.

During the period 2014-2022 mentioned above, the City has undertaken an annual budget process each year in line with the requirements of the Local Government Act 1995.

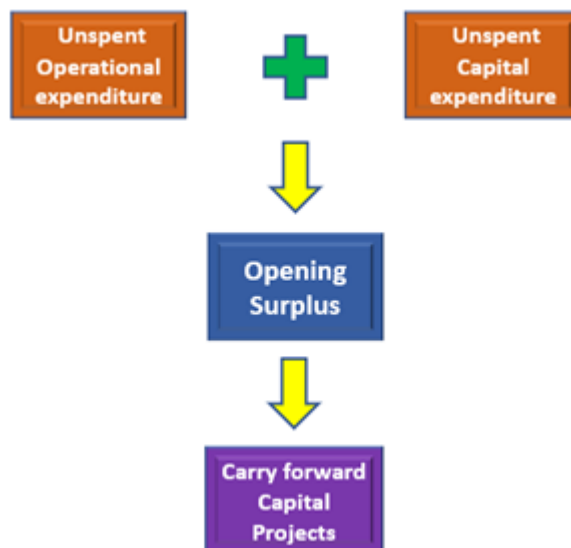
Comment

After the Annual Budget has been adopted by Council, the City is able to commence procurement for projects that are approved in the budget. The procurement timelines can range from a few weeks to several months depending on the size, scope and complexity of the project being undertaken by the Local Government.

The City conducts budget reviews during the year to respond to changing priorities and assess whether projects should proceed based on cost estimates received during the procurement process. All these factors can impact on which projects are delivered and in which financial year the funds are spent.

At the end of the financial year the City reviews unspent funds on capital projects. If a capital project is partially completed the funds will be carried forward to the following financial year to ensure the project is funded for completion. Capital projects that have not commenced and that will be completed in the future, will also be carried forward and included in the following year’s Annual Budget. The use of Carry Forward funds is approved by Council through an Annual Budget or a budget review.

As outlined in the diagram below, if unspent funds are carried forward they are included in following year’s Annual Budget. These funds will not be included in the following year’s rates charges as they have already been collected in the prior year. It is common for the same capital project to be included in more than one budget year through the use of carry forward funds.



Taking into account the use of carry forward funds and adjustments through budget reviews, the actual underspend in capital projects would be significantly lower than the ~\$49m calculated by comparing the original adopted annual budget and the actual spend for that financial year. Any additional unspent funds would have also been used to fund other services or projects and as a result would have reduced rate increases for the respective year.

The City has made a lot of improvement with the way it budgets and reports on capital projects. Details of actual spend and project status is reported on a monthly basis. Where funds are carried forward or an adjustment is required in a budget review, details are clearly outlined in the reports provided to Council.

The City of Vincent has had a history of low rating and under-expenditure on asset maintenance. This was identified in a series of external audit findings on the negative trend in the City's asset sustainability ratio.

The City has addressed this through a significant improvement in its long term financial and asset management capability including:

- A move away from annual capital works programs to a public Four Year Capital Works Program to provide greater transparency around projects and priorities: [Corporate Business Plan and Capital Works Program](#)
- Development of the [Asset Management and Sustainability Strategy](#).
- An updated [10 Year Long Term Financial Plan](#)
- A new [Governance Framework](#)
- A new Contract Management Framework
- A new Project Management Framework
- A new Risk Management Framework
- A new [Property Management Framework](#)
- A new [Revenue and Rating Plan](#)

These improvements are generating an overall increase in staff capability to manage the process of analysis, planning, designing, procuring, delivering and reporting on the capital works program.

Recommendation

That Council NOTES the significant improvements made in the way the City budgets and reports on capital projects, and any funds carried forward or any adjustments are clearly outlined in the report to Council.

Reason for Recommendation

The City has made significant improvements in the way it budgets and reports on capital projects. Details of actual spend and project status is reported on a monthly basis. Where funds are carried forward or an adjustment is required in a budget review, details are clearly outlined in the reports provided to Council.

Motion 4.16(2) – Street Tree Selection Tool

That the community expresses its disappointment at the continued failure of the Administration to publish or make publicly available the Tree Selection Tool in accordance with Council's decision of 5 April 2022 and requests that the tool be made publicly available by 31 March 2023.

Administration's response to the above-mentioned motion is set out below:Background

The City's Tree Selection Tool was developed in consultation with the community, Council and Administration to assist the City in selecting the right tree for each specific streetscape typology.

Comment

Since development of the tool, its use has generally been limited to new planting projects or when determining a replacement street tree theme in certain streets. In accordance with the City's Street Tree Policy, existing street tree themes are maintained and is not reliant on the tool.

Following on from the Council Decision of the 5 April 2022, the City's Parks Team have liaised with the ICT and Marketing Teams to determine the best way to make the tool public on the City's Website.

A new webpage has now been created that is dedicated to the Tree Selection Tool. The page which includes a link to the Tree Selection Tool, supporting Streetscape Typologies Map and instructions on how to use the Tool can be viewed on the below link:

<https://www.vincent.wa.gov.au/residents/environment/parks-and-streetscapes/trees/tree-selection-tool.aspx>

Recommendation**Supported.**Reason for the Recommendation

Following on from the Council decision on 5 April 2022, the Parks Team have completed developing a webpage on the City's website dedicated to the Tree Selection Tool.

Motion 4.16(3) – E-Waste

That the City provide e-waste drop off facilities in places that are convenient to City ratepayers.

Administration's response to the above-mentioned motion is set out below:**Background**

The City of Vincent already has a convenient disposal option for E-waste, via the City's Verge Valet Collection Service and other facilities are within reasonable travel distance.

Unlike larger local governments such as the Cities of Stirling, Wanneroo and Joondalup, the City of Vincent is relatively small and does not have the capacity to operate its own recycling centre without significant financial investment.

Comment

There are various options available for residents to dispose of their E-waste.

Vergeside Service

Residents can dispose of E-waste as part of the current on-demand verge collection service. Verge Valet Vincent: Verge Valet™ provides residents with year-round access to bulk collections at a time convenient to residents. E-waste items are part of the accepted items. For more information, see the City's brochure here: https://www.vergevalet.com.au/wp-content/uploads/2022/04/Verge-Valet_City-of-Vincent_6PP-DL.pdf

Recycling Centres

Free E-waste drop off for City of Vincent residents is also available at the Recycling Centre Tamala Park and the Recycling Centre Balcatta.

Retail

Dependent on material type, some private entities and commercial retail operators provide drop off options for e-waste. Office Works in Osborne Park and Subiaco offer "Bring it Back" options for Mobile Phones, Smart Watches and mobile phones accessories as well as Computer Recycling including computers, laptops, monitors, printers, keyboards, mice, hard drives, CDs, DVDs and cables (Limit of 5 computers or printers per customer).

The City of Vincent is also a member of the [Recycle Right App](#) which provides a simple and convenient way to find out which bin to put it in, find recycling centres and drop off points in Perth and get tips and advice on living more sustainably.

Recommendation

That Council NOTES the various e-waste disposal options already available to residents and REQUESTS Administration to advertise these disposal options to increase community awareness.

Reason for the Recommendation

There are various e-waste disposal options already available to residents. Administration will continue to advertise the existing e-waste disposal options to increase community awareness.

Motion 4.16(4) – Code of Conduct

That the Code of Conduct be amended to make it clear that Council Members, in particular the Mayor, can not purport to speak on behalf of the Council on any planning issue being determined by a third party unless that issue has been formally considered by Council and a formal opinion adopted.

Administration's response to the above-mentioned motion is set out below:**Background**

Council at its meeting [23 March 2021](#) approved by absolute majority the adoption of the [Code of Conduct for council members, committee members and candidates](#). The Code of Conduct was developed based on the *Local Government (Model Code of Conduct) Regulations 2021 (Model Code)*.

The Model Code provides:

- *a set of overarching principles to guide behaviour of Council members, committee members and candidates;*
- *specifies the standards of behaviour which reflect the principles; and*
- *the rules of conduct that relate to the principles and behaviours*

The Model Code does not include definition of the role of the Mayor and Council, this is established under sections 2.7 to 2.10 of the *Local Government Act 1995(LGA)* and covered in the City's [Governance Framework](#);

In accordance with section 2.10 of the LGA the role of a Council Member, including the Mayor, is to:

- *represent the interests of electors, ratepayers and residents of the district;*
- *provide leadership and guidance to the community in the district;*
- *facilitate communication between the community and the council;*
- *participate in the local government's decision-making processes at council and committee meetings; and*
- *perform such other functions as are given to a councillor by this Act or any other written law.*

All Development Assessment Panel (DAP) meetings are open to the public. It is available to any community member to present their concerns or express their views at the scheduled DAP meeting that the application will be determined. It is also available to non-DAP Elected Members to attend and speak at DAP meetings in either their private capacity as residents and ratepayers, or as a Council Member representing the interests of electors, ratepayers and residents of the district. This provides the forum for these representations to be heard directly by the DAP decision makers in informing the determination of the application and would not conflict with the role of a Council Member including the Mayor.

Recommendation

That Council NOTES that the role of the Mayor and of Council Members is clearly defined in the *Local Government Act 1995*.

Reason for the Recommendation

Administration does not recommend Council resolve to amend the Code of Conduct, Model Code or Governance framework to modify the role of the Mayor or Council Members as the role of the Mayor and Council Members is clearly defined by the *Local Government Act 1995*.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The AME of the City of Vincent was held in accordance with section 5.27 of the *Local Government Act 1995* (the Act). Section 5.33(1) of the Act requires that all decisions made at an Electors' Meeting are to be considered at the next practicable Ordinary Meeting of Council, which is the 5 April 2022 meeting.

Council must consider the motions from the AME but is not obliged to make a decision on all or any of those Motions. If Council chooses to make a decision in response to an AME Motion then reasons for that decision need to be recorded in the Minutes of the Council Meeting.

RISK MANAGEMENT IMPLICATIONS:

Low: It is low risk for Council to consider decisions made at the AGM in accordance with Section 5.33 of the *Local Government Act 1995*.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community

Our community is satisfied with the service we provide

Our community is aware of what we are doing and how we are meeting our goals

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

PUBLIC HEALTH IMPLICATIONS:

This item does not align with any of the priority health outcomes of the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.