



**CITY OF VINCENT**

# **NOTES**

**Council Briefing**

**18 July 2023**

## Table of Contents

<b>1</b>	<b>Declaration of Opening / Acknowledgement of Country</b> .....	<b>3</b>
<b>2</b>	<b>Apologies / Members on Approved Leave of Absence</b> .....	<b>3</b>
<b>3</b>	<b>Public Question Time and Receiving of Public Statements</b> .....	<b>3</b>
<b>4</b>	<b>Declarations of Interest</b> .....	<b>5</b>
5.9	Outcome of Advertising - Amendment 11 to Local Planning Scheme No.2 (Royal Perth Hospital Emergency Flight Path) .....	6
5.8	Outcomes Of Advertising: Character Area Guidelines .....	9
5.2	No. 33 (Lot: 73; D/P: 32) Smith Street, Highgate - Proposed Six Grouped Dwellings .....	10
5.1	No. 26 (Lot: 29; D/P: 4576) Moir Street, Perth - Proposed Alterations and Additions to Single House (Amendment to Approved) .....	14
5.10	Proposed Major Land Transaction, Leederville .....	15
6.4	RFT IE259/2023 Beatty Park Leisure Centre 12 & 30 Metre Pool Tile Renewal .....	16
8.2	Report and Minutes of the Audit Committee Meeting held on 29 June 2023 .....	17
5.3	No. 165 (Lot 5; D/P 63704) Lake Street, Perth - Alterations and Additions to Single House (Garage) .....	18
5.4	No. 742 Newcastle Street (Lot: 301; DP: 416772), Leederville - Unlisted Use (Signage Addition to Electric Lane - Amendment to Approved).....	20
5.5	Nos. 54-56 (Lots 4 and 3; S/P 7987) Lindsay Street, Perth - Proposed Alterations and Additions to Grouped Dwellings.....	21
5.6	Outcome of Advertising and Adoption of Amendments to Local Planning Policy No. 7.5.1 - Minor Nature Development.....	22
5.7	Amendment to the Municipal Heritage Inventory - No. 82 (Lots 42 & 43) Palmerston Street, Perth.....	23
6.1	Bike Plan 2022-2028.....	24
6.2	Approval to advertise draft Animal Amendment Local Law 2023 [ABSOLUTE MAJORITY DECISION REQUIRED] .....	25
6.3	Glyphosate Use in the City of Vincent .....	26
7.1	Financial Statements as at 31 May 2023.....	27
7.2	Authorisation of Expenditure for the Period 1 May 2023 to 31 May 2023 .....	28
7.3	Investment Report as at 31 May 2023 .....	29
7.4	Outcome of advertising and adoption of amendments to Recognition of Noongar Boodjar Culture and History Through Welcome to Country and Acknowledgement of Country.....	30
8.1	Appointment of the Western Australian Local Government Association (WALGA) - Central Metropolitan Zone - Council Representatives .....	31
8.3	Information Bulletin .....	32
<b>9</b>	<b>Motions of Which Previous Notice Has Been Given</b> .....	<b>33</b>
<b>10</b>	<b>Representation on Committees and Public Bodies</b> .....	<b>33</b>
<b>11</b>	<b>Confidential Items/Matters For Which the Meeting May be Closed</b> .....	<b>33</b>
<b>12</b>	<b>Closure</b> .....	<b>33</b>

**NOTES OF CITY OF VINCENT  
COUNCIL BRIEFING  
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,  
244 VINCENT STREET, LEEDERVILLE  
ON TUESDAY, 18 JULY 2023 AT 6.00PM**

<b>PRESENT:</b>	<p>Mayor Emma Cole Cr Susan Gontaszewski Cr Alex Castle Cr Jonathan Hallett Cr Dan Loden Cr Ashley Wallace Cr Ron Alexander Cr Suzanne Worner</p>	<p>Presiding Member South Ward North Ward South Ward North Ward South Ward North Ward North Ward</p>
<b>IN ATTENDANCE:</b>	<p>David MacLennan John Corbellini  Peter Varris  Rhys Taylor Jay Naidoo  Tara Gloster  Luke McGuirk  David Gerrard  Sarah Hill  Simon Moen Joslin Colli  Wendy Barnard</p>	<p>Chief Executive Officer Executive Director Strategy &amp; Development Executive Director Infrastructure &amp; Environment Chief Financial Officer Manager Development &amp; Design (electronically) (left at 7.20pm after Item 5.7) Executive Manager Urban Design &amp; Strategic Projects Manager Engineering (left at 7.40pm after Item 7.2) Coordinator Parks Strategy and Projects (left at 7.38pm after Item 6.3) Manager Parks (left at 7.39pm after Item 6.3) Jackson McDonald (Item 5.10 only) A/Executive Manager Corporate Strategy &amp; Governance Council Liaison Officer</p>
<b>Public:</b>	Approximately five members of the public.	

## **1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY**

The Presiding Member, Emma Cole, declared the meeting open at 6.00pm and read the following Acknowledgement of Country statement:

“The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past and present, and the City is proud to support the Uluru Statement from the Heart.”

## **2 APOLOGIES / MEMBERS ON APPROVED LEAVE OF ABSENCE**

An apology was received from Cr Ross Ioppolo.

## **3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS**

The following is a summary of questions and submissions received and responses provided at the meeting. This is not a verbatim record of comments made at the meeting.

### 3.1 Lewis Shugar of Perth– Item 5.9

- Stated that he is from Element represented the East Metropolitan Health Service
- Spoke in support of the recommendation
- Gave some background on the item
- Stated that without this amendment ongoing development within the City could compromise the safety of emergency helicopter flights, which could lead to the decommissioning of the helipad at Royal Perth Hospital, which could affect treatment of patients
- Urged Council to approve the recommendation

*The Presiding Member, Emma Cole, thanked Mr Shugar for his comments and asked what is the maximum a R160 site could go to in this area? Mr Shugar advised that R160 is in the current Scheme, and the draft North Claisebrook Planning Framework allows for up to 16 stories.*

### 3.2 Peter Holcz of Perth – Item 5.8

**Mr Holcz submitted the below comments in writing and spoke to them:**

#### **Orange and Hope Street history**

The streets of Orange Avenue and Hope Street form a short dog-leg where both sides of the streets are lined with pre-dominantly double fronted terraces dating back to the early 1900's. As well as other original character stand-alone houses from the same era this L shaped neighbourhood is a unique inner city example of original semi-detached workers houses located around the corner from the more notable 'baker's dozen' on Lake Street. Additions and alterations to some of the dwellings include the removal of original federation verandas that have been replaced with concrete porches, which reflect the influence of mid-century immigration patterns. More contemporary additions (including second storeys) generally preserve the heritage character and are in keeping with policy recommendations. Additions have been set back from the street so are not visible and therefore do not negatively impact this distinctive and intact urban fabric from both of these primary streetscapes.

#### **Nomination Process**

The nomination was submitted in April 2022. There are twenty-eight houses in the precinct proposed for Character Retention. At the time of the initial nomination process to determine whether the Orange and Hope Precinct would submit guidelines for Character Retention, six of these houses were rentals and one was unoccupied. Three houses were not able to be contacted for comment and it was not established if they were rental, or owner occupied. Of the eighteen known owner occupied houses, sixteen supported commencing the process, one was undecided, and another decided not to comment.

#### **Consultation Process**

There was a thorough consultation process.

1. Prior to the public meeting organised by the City Of Vincent for 10 October 2022, the residents on the email list (the residents) from the original nomination process were invited to a meeting on Saturday 1 October to discuss the process and what potential guidelines we would want to see. Copies of the relevant material from the City of Vincent were provided to the residents prior to the meeting.
2. The public meeting on 10 October 2022 was facilitated by Michael Flanagan. The public were informed of the meeting by the City of Vincent through newspaper consultation, a post on social media as well as letters going to landowners advising of an on-site meeting on 10 October 2022. The residents were also emailed regarding the public meeting. The meeting outlined how the process would work, what was meant by Character Retention and the required steps to develop Orange Avenue and Hope Street Character Area Guidelines. The meeting resolved to form a working group to progress the development of the guidelines.
3. Two working group meetings were held at the City of Vincent in November 2022 and April 2023.
4. The working group had additional meetings and communicated regularly through email with suggested modifications to the guidelines.
5. The residents were then emailed the penultimate version of the guidelines and were invited to a meeting on 13 May 2023 to comment and propose modifications.

6. Modifications were made and they, and the reasons for the modifications, were emailed to the residents. The final version of the guidelines was emailed to Michael Flanagan at the City of Vincent.
7. These guidelines were readvertised to reflect our feedback with less prescriptive deemed-to-comply criteria and now included key concepts of sympathetic design.  
When compared to the guidelines originally advertised for comment, the criteria removed included:
  - street walls and fences and associated local housing objectives;
  - roof pitch and street facing window provisions; and
  - materiality of new development.In their place, building height, street setback, streetscape provisions and guiding diagrams were included.
8. A further two emails were sent to residents encouraging them to comment on the guidelines through the City Of Vincent website.

### Concluding comments

In all, sixteen residents were on our emailing list, and we had eleven submissions support the guidelines and one objection. It should be noted that the objection was during the initial advertising period and prior to the final guidelines being advertised.

While it has been a lengthy process, it has been very thorough and has been rewarding to produce these guidelines, which are practical but also will assist in the character retention of Orange Avenue and Hope Street.

We have been deliberately pedantic in the development of these guidelines. We believe it still allows residents to develop their properties while preserving the unique character of the Orange and Hope Precinct.

I would like to acknowledge City of Vincent staff - the initial work of Cameron Hartley and the ongoing support of Michael Flanagan.

*The Presiding Member, Emma Cole, thanked Mr Holcz for his comments and for his advocacy on this matter. Mayor Cole stated that some of the matters mentioned, particularly the working group meetings, could be something that could be carried forward to other character retention applications.*

### 3.3 Nick Grindrod of Highgate – Item 5.2

- Spoke in support of the recommendation  
Mentioned that he is an owner/occupier of the property behind this development
- Requested that recommendation 10 be amended to specifically include the requirement to conduct dilapidation surveys of all townhouses at 324 Stirling Street, given the complex directly adjoins the development site
- Urges Council to approve the recommendation with that amendment

*The Presiding Member, Emma Cole, thanked Mr Grindrod for his comments.*

There being no further speakers, Public Question Time closed at approximately 6.10pm.

## 4 DECLARATIONS OF INTEREST

Cr Gontaszewski declared a proximity interest in Item 6.1 Bike Plan 2022-2028. The extent of her interest is that one of the proposed bike lanes is in proximity to her residential property. She is not seeking approval to participate in the debate or to remain in Chambers or to vote in the matter.

Cr Worner declared impartiality interest a Item 5.9 Outcome of Advertising - Amendment 11 to Local Planning Scheme No.2 (Royal Perth Hospital Emergency Flight Path). The extent of her interest is that the consultant, Element, is a supporter of Revelation Film Festival via a Board member. They offer support in grant applications, no financial support.

Cr Hallett declared a proximity interest in Item 6.1 Bike Plan 2022-2028. The extent of his interest is that Action 4.5 relates to a proposed bike lane which is in proximity to his residential property. He is not seeking approval to participate in the debate or to remain in Chambers or to vote in the matter.

## 5.9 OUTCOME OF ADVERTISING - AMENDMENT 11 TO LOCAL PLANNING SCHEME NO.2 (ROYAL PERTH HOSPITAL EMERGENCY FLIGHT PATH)

- Attachments:
1. Form 2A - Amendment 11
  2. Amendment No.11 Maps

### RECOMMENDATION:

1. **SUPPORTS** Amendment 11 to Local Planning Scheme No. 2 without modification, pursuant to Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, included in Attachment 1; and
2. **FORWARDS** all relevant information in accordance with Regulation 44 of the Planning and Development (Local Planning Schemes) Regulations 2015 to the Western Australian Planning Commission for approval.

At 6.14pm CEO left the meeting.

At 6.14pm CEO returned to the meeting.

### MAYOR COLE:

If this scheme amendment was adopted now and we wanted to amend the flight path in the future, what would the process for this be?

### EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

*Through the preparation of this amendment, the Department of Health worked closely with a range of stakeholders including the Department of Planning, Lands and Heritage; Department of Fire and Emergency Services; DevelopmentWA; the City of Perth; relevant technical professionals and the Civil Aviation Safety Authority. This has allowed a number of relevant matters to be considered as part of the ongoing refinement of the proposed emergency flight paths, as to determine the most appropriate alignment with respect to flight requirements, strategic land use planning and minimising the impact to existing development potential.*

*In order to amend this flight path in the future, considerable work would need to be undertaken to again address each of the relevant matters to the satisfaction of the stakeholders. The work required to address each of the relevant matters would need to be carried out by the party seeking amendment to the Scheme.*

### MAYOR COLE:

Can you please provide an analysis for the 16 storey height limit in the Draft North Claisebrook Planning Framework and if this is the appropriate height given consideration of the Leederville Precinct Structure Plan heights and the similar context of this area?

### EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT

*The two batching plant sites are located within the Cityscape sub-precinct of the Draft North Claisebrook Planning Framework (NCPF), which sets a maximum height limit of 16 storeys for these sites. The draft height limit of 16 storeys doubles the existing maximum heights set by the City's Local Planning Policy No. 7.1.1 – Built Form.*

*The proposed heights within the NCPF were selected to provide a gradual transition to account for changes in topography and the lower density area to the north through to the higher density areas to the south adjoining the Claisebrook Train Station and closest to the CBD. Starting in the north, the precinct transitions from a maximum height of 3 storeys stepping up to 4, 6, 8, 12 and then 16 storeys on the batching plant sites at the southern end of the precinct. This transition balances the need for increased density whilst at the same time, minimising impact to the established residential areas and allowing for a lower height around Gladstone Street Reserve.*

*Increasing the heights of the batching plant sites to a level seen in the Leederville PSP, would require greater heights in other areas of the precinct in order to manage this transition between different sub-precincts.*

*It should be noted that the 16-storey maximum height proposed in the draft NCPF for the area impacted by Scheme Amendment 11 is a conservative figure based upon Table 2.2 of the R Codes Volume 2 (**figure 1**) which considers developments varying these indicative heights. Based on this table, 16 storeys would lead to a development of an approximate height of 53 metres.*

**Table 2.2** Indicative building height

Storeys	Indicative overall building height in metres
2	9
3	12
4	15
5	18
6	21
7	24
8	27
9	30
10	33

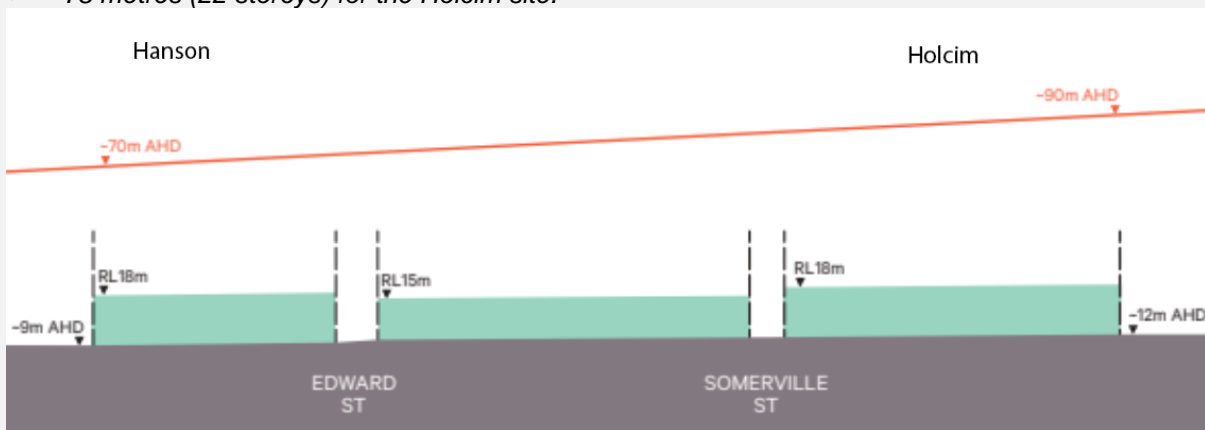
- Overall building heights are set by adding together the floor to ceiling heights for the desired number of storeys, with a nominal allowance of 4m for the ground floor and 3m for subsequent floors. Add at least 2m to the total to allow for rooftop articulation.

- Building height limits for higher density typologies: These default heights are provided as a conservative baseline and higher building height limits may be appropriate subject to detailed local planning.

**Figure 1: Table 2.2 Residential Design Codes Volume 2**

Amendment 11 proposes to limit the development potential for a number of landholdings by imposing height limits between 70AHD and 90AHD. The maximum development height that could be realistically achieved for the two concrete batching plants is approximately:

- 60 metres (18 storeys) for the Hanson site; and
- 78 metres (22 storeys) for the Holcim site.



**Figure 2: Height Impact Study of the Northern Corridor (Scheme Amendment Request)**

In relation to the NCPF, there is the potential for the final policy to adopt a maximum height as set by Amendment 11 to LPS2. This would allow for the two sites to reach the 18 and 22 storey heights that would be possible under Scheme Amendment 11, as set out above.

**MAYOR COLE:**

Why can't the flight path be moved further west to avoid the batching plant sites?

**EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT**

The Royal Perth Hospital (RPH) helicopter landing site is a strategically important helicopter landing site as defined under Guideline H of the National Airports Safeguarding Framework (Department of Infrastructure, Transport, Regional and Development and Communities).

Multiple emergency flightpath options were considered as part of the planning for the new helicopter landing site. More than 20 options were considered for the north-eastern flight path. The following matters were considered in determining the most appropriate flight paths:

- *Minimising the impact to private landholdings by taking advantage of major road and rail reservations and utilising the Swan River for a large proportion of the flight path.*
- *Considering the current and existing planning framework as to limit the impact to existing development potential as far as practical and reducing the impact to land that is of strategic importance to the State, DevelopmentWA, City of Perth and City of Vincent for future infill.*
- *Ensuring that all relevant aviation safety standards and requirements were met.*

*The flightpath proposed as part of Amendment 11 was chosen as it:*

- *Largely encompasses publicly owned land such as major roads, rail corridors, parks and the Swan River;*
- *Has the least impact to areas of private landholdings already identified for substantial development height (particularly areas still within the City of Perth to the immediate northwest of the helipad).*
- *Minimises the impact to areas of private development already earmarked for substantial development potential in the future, in particular the East Perth Power Station site, and large parcels of underutilised land to the immediate south of the Graham Farmer Freeway/Midland Railway Line.*
- *At the time the scheme amendment was lodged, its impact to Vincent was minimal as it allowed for heights more than double what the current framework prescribes.*
- *Limited the overall local government area of City of Vincent impacted, with only 14.7 percent of the north eastern flightpath impacting on the City of Vincent's local government area. The total area of the north eastern flightpath is 52.98ha, which only 7.76ha within the City of Vincent.*

*An alternative flight path that traversed in a more northerly direction was considered but this would still impact one of two batching plant sites. A much larger number of private landholdings would also be impacted in the City of Vincent, with the flightpath either continuing north or curving towards the Swan River once passed the Hansom batching plant site. Due to the helicopter flight design characteristics that need to be adhered to, a flightpath that travelled north, and then curved towards the Swan River once past the batching plant site/s would not be able to maximise the area of publicly owned land utilised as the proposed flightpath has been able to do. This results in the development potential of a much larger area of private landholdings being impacted in the long term.*



**5.8 OUTCOMES OF ADVERTISING: CHARACTER AREA GUIDELINES**

- Attachments:**
1. **Summary of Submissions**
  2. **Local Planning Policy: Character Area Guidelines**
  3. **Local Planning Policy: Heritage Area Guidelines**
  4. **Local Planning Policy: Character Areas and Heritage Areas**

**RECOMMENDATION:**

That Council:

**1. PROCEEDS with:**

**1.1. Local Planning Policy: Character Area Guidelines with modifications, included in Attachment 2, including the Character Area Guidelines for Orange Avenue and Hope Street and Character Area Guidelines for Lacey Street, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**

**1.2. Local Planning Policy: Heritage Area Guidelines with modifications, included in Attachment 3, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**

**2. REVOKES Local Planning Policy: Character Areas and Heritage Areas, included in Attachment 4, in accordance with Schedule 2, Part 2, Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and**

**3. PREPARES a notice of revocation for the following appendices, pursuant to Schedule 2, Part 2, Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:**

**3.1. Appendix 3 – Design Guidelines for Richmond on the Park;**

**3.2. Appendix 12 – Elven on the Park Design Guidelines;**

**3.3. Appendix 14 – Design Guidelines for No. 95 Chelmsford Road;**

**3.4. Appendix 15 – Joel Terrace Design Guidelines;**

**3.5. Appendix 16 – Design Guidelines Perth; and**

**3.6. Appendix 18 – Design Guidelines for William.**

**CR HALLETT:**

Should these guidelines be delayed until the Medium Density Code review has been completed.

**EXECUTIVE MANAGER URBAN DESIGN & STRATEGIC PROJECTS:**

*Orange Avenue and Hope Street is zoned Residential R50 and is prescribed a height limit of 3 storeys. Lacey Street is zoned Residential R80 and is prescribed a height limit of 4 storeys. As to maintain the existing character of the proposed character areas, the proposed guidelines seek to restrict development to a maximum height of 2 storeys. In accordance with clause 3.2.3(a) of Volume 1 of the R Codes, this modification will require approval of the Western Australian Planning Commission (WAPC). Should these character area guidelines be adopted by Council, Administration will forward them onto the WAPC for determination.*

**ADDITIONAL INFORMATION:**

*A new Recommendation 4 has been inserted as follows to outline next steps:*

*“4. NOTES in accordance with clause 3.2.3(a) of State Planning Policy 7.3 Residential Design Codes Volume 1, Administration will forward Orange Avenue and Hope Street Character Area Guidelines and the Lacey Street Character Area Guidelines to the Western Australian Planning Commission for determination.”*

**5.2 NO. 33 (LOT: 73; D/P: 32) SMITH STREET, HIGHGATE - PROPOSED SIX GROUPED DWELLINGS****Ward: South**

- Attachments:**
1. Consultation and Location Map
  2. Development Plans
  3. Streetscape Perspective
  4. Applicant's Urban Design Study
  5. Applicant's Life Cycle Assessment
  6. Summary of Submissions - Administration's Response
  7. Summary of Submissions - Applicant's Response
  8. Determination Advice Notes

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the development application for Six Grouped Dwellings at No. 33 (Lot: 73; D/P: 32) Smith Street, Highgate in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 8:

**1. Development Plans**

This approval is for Six Grouped Dwellings as shown on the approved plans dated 6 June 2023 and 20 June 2023. No other development forms part of this approval;

**2. Boundary Walls**

The surface finish of boundary walls shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

**3. External Fixtures**

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

**4. Colours and Materials**

4.1 Prior to the issue of a Building Permit, a schedule detailing the colour and texture of the building materials, demonstrating that the proposed development complements the surrounding area, and including the details on the finish and design of the front elevation and portal frame feature to Smith Street, shall be submitted to and approved by the City in consultation with the City's Design Review Panel. The development must be finished, and thereafter maintained, in accordance with the schedule approved by the City, prior to occupation or use of the development; and

4.2 The meter boxes are to be painted the same colour as the wall they are attached so as to not be visually obtrusive, to the satisfaction of the City;

**5. Landscaping**

5.1 All landscaping works shall be undertaken in accordance with the approved plans dated 6 June 2023, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City; and

5.2 No verge trees shall be removed without the prior written approval of the City. Verge trees shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared by the landowner and submitted to the City;

6. Privacy Screening

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the visual privacy requirements of the Residential Design Codes, to the satisfaction of the City;

7. Sight Lines

Walls, fences, and other structures truncated or reduced to no higher than 0.75 metres within 1.5 metres of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street, with the exception of:

- One pier at max width of 0.4 metres x 0.4 metres and 1.8 metres height, with decorative capping permitted to a height of 2.0 metres;
- Infill that provides a clear sight line;
- If a gate is proposed:
  - When closed: a minimum of 50 percent unobstructed view; or
  - When open: a clear sight line;

unless otherwise approved by the City;

8. Street Walls and Fences

Fencing infill panels above the approved solid portions of fence shall be visually permeable in accordance with the Residential Design Codes Volume 1, to the satisfaction of the City;

9. Parking and Access

9.1 The layout and dimensions of all driveways and parking areas shall be in accordance with AS2890.1;

9.2 All driveways, car parking and manoeuvring areas which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;

9.3 Prior to the occupation or use of the development, two visitor parking bays shall be permanently marked, maintained, and legally accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway, unless otherwise approved by the City;

9.4 No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within the access driveways or parking areas. All goods and materials are to be stored within the buildings or storage areas, where provided;

9.5 Prior to the first occupation of the development, the redundant or "blind" crossovers shall be removed, the verge area landscaped, and the kerb made good to the City's specifications and to the satisfaction of the City, at the applicant/owner's full expense; and

9.6 Prior to occupation or use of the development, lighting shall be installed throughout the pedestrian pathways, communal street and car parking areas in accordance with the Residential Design Codes, to the satisfaction of the City.

## 10. Construction Management

Prior to the issue of a Building Permit, a Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area (including demolition and/or forward works). The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- The delivery of and delivery times for materials and equipment to the site;
- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors;
- The impact on traffic movement;
- Dilapidation report of nearby surrounding properties (including No. 31 and No. 37 Smith Street);
- Notification to affected land owners; and
- Construction times.

The management plan shall be complied with for the duration of the construction of the development, to the satisfaction of the City; and

## 11. Clothes Drying Area

Each grouped dwelling shall be provided with a clothes drying area that shall be adequately screened in accordance with the Residential Design Codes, or with mechanical drying, prior to occupancy or use of the development and shall be completed to the satisfaction of the City.

## 12. Stormwater

All stormwater produced on the subject land shall be retained on site or connected to the City's drainage system at the expense of the applicant/landowner, to the satisfaction of the City.

### **CR GONTASZEWSKI:**

Could commentary be provided in relation to the dark cladding in terms of the contrast with the heritage building to the south?

### **MANAGER DEVELOPMENT & DESIGN:**

*Administration sought advice from the City's Heritage DRP Member, who advised that the dark coloured roof and wall cladding is desirable so that it contrasts with the copper dome of the Church. They stated that the landmark value of the Church, which is best appreciated from the streetscape and from a distance, is unlikely to be diminished by the use of this dark coloured cladding.*

*They agreed that it was appropriate for a detailed schedule of colours and materials to be provided, as recommended in Condition 4. This is to determine the final specified colour and the type of cladding, as they advised that the depth of corrugations and the texture can help with breaking up monolithic dark colours.*

*This information has been included under the 'Design Review Panel (DRP)' header in the officer report.*

### **CR LODEN:**

For the query raised in the gallery around the dilapidation report, could Administration please provide a response on whether this is appropriate to include and would they consider included it?

### **MANAGER DEVELOPMENT & DESIGN:**

*Yes this would be appropriate to include in accordance with the City's Policy No. 7.5.23 – Construction Management Plans.*

*The recommendation has been updated so that Condition 10 also requires a dilapidation report to be provided for No. 326 Stirling Street at the rear of the subject site.*

### **CR LODEN:**

Can an additional street tree be included on the adjacent verge to the south in front of the Church on the basis of the bulk and scale and the front setback discretion?

**MANAGER DEVELOPMENT & DESIGN:**

*The Parks Team will investigate the viability of planting an additional street tree outside of 31 Smith Street and include any possible planting in the City's annual street tree planting program*

**5.1 NO. 26 (LOT: 29; D/P: 4576) MOIR STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE (AMENDMENT TO APPROVED)****Ward: South****Attachments:**

1. Consultation and Location Plan
2. Development Plans
3. Heritage Impact Statement
4. Previous Development Approval

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to Single House (Amendment to Approved) at No. 26 (Lot: 29; D/P: 4576) Moir Street, Perth, subject to the following conditions:

1. All conditions, requirements, advice notes and plans detailed on the development approval 5.2020.452.1 granted on 14 December 2021 continue to apply to this approval except as follows:

- 1.1 Condition 1 is modified as follows:

1. This approval is for Alterations and Additions to Single House as shown on the approved plans dated 17 March 2023. No other development forms part of this approval.

<b>NO QUESTIONS</b>
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At 6.28pm the livestream was stopped to discuss the confidential attachments for Item 5.10 Proposed Major Land Transaction, Leederville, Item 6.4 RFT IE259/2023 Beatty Park Leisure Centre 12 & 30 Metre Pool Tile Renewal and Item 8.2 Report and Minutes of the Audit Committee Meeting held on 29 June 2023.

Manager Engineering left the meeting.

Manager Development & Design, Coordinator Parks Strategy and Projects and Manager Parks were put into the waiting room.

#### 5.10 PROPOSED MAJOR LAND TRANSACTION, LEEDERVILLE

- Attachments:
1. Major Land Transaction Business Plan - Confidential
  2. Major Land Transaction Business Plan - Appendix 1 - Confidential
  3. Heads of Agreement - Key Terms - Confidential

#### RECOMMENDATION

##### That Council:

1. **APPROVES** the Major Land Transaction Business Plan at Attachment 1 and 2 for state-wide public notice as per section 3.59 of the *Local Government Act 1995*, to invite and consider submissions on the Business Plan before Council considers whether to enter into a major land transaction under sections 3.58 and 3.59 of the *Local Government Act 1995*.
2. **AUTHORISES** the Chief Executive Officer to execute a Heads of Agreement with Hesperia in relation to the key terms as outlined in Attachment 3, provided that the Heads of Agreement is not a binding agreement to sell or undertake any redevelopment of the land due to the City's obligations under sections 3.58 and 3.59 of the *Local Government Act* that must be complied with before the City can agree to proceed with any major land transaction.

**CONFIDENTIAL RESPONSE PROVIDED SEPARATELY**

At 6.46pm, Simon Moen from Jackson McDonald left the meeting and did not return.

**6.4 RFT IE259/2023 BEATTY PARK LEISURE CENTRE 12 & 30 METRE POOL TILE RENEWAL**

Attachments: 1. Evaluation Summary - Confidential

**RECOMMENDATION:**

That Council:

1. NOTES the outcome of the evaluation process for Tender IE259/2023 Beatty Park Leisure Centre 12 & 30 Metre Pool Tile Renewal; and
2. ACCEPTS the tender submission of Paragon Construction Solutions Pty Ltd for Tender IE259/2023 Beatty Park Leisure Centre 12 & 30 Metre Pool Tile Renewal.

**CONFIDENTIAL RESPONSE PROVIDED SEPARATELY**



**8.2 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 29 JUNE 2023**

- Attachments:
1. Audit Committee Minutes 29 June 2023
  2. Audit Log Attachments - Confidential

**RECOMMENDATION:**

That Council:

1. RECEIVES the minutes of the Audit Committee Meeting of 29 June 2023, as at Attachment 1; and
2. ENDORSES the remaining recommendations contained within the Audit Committee minutes of 29 June 2023.

**CONFIDENTIAL RESPONSE PROVIDED SEPARATELY**

At 7.11pm the livestream recommenced.

Manager Engineering, Manager Development & Design, Coordinator Parks Strategy and Projects and Manager Parks rejoined the meeting.

### **5.3 NO. 165 (LOT 5; D/P 63704) LAKE STREET, PERTH - ALTERATIONS AND ADDITIONS TO SINGLE HOUSE (GARAGE)**

- Attachments:**
- 1. Consultation and Location Map**
  - 2. Development Plans**
  - 3. Determination Advice Notes**

#### **RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for and Alterations and Additions to Single House (Garage) at No. 165 (Lot: 5; D/P: 63704) Lake Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

#### **1. Development Plans**

This approval is for Alterations and Additions to Single House (Garage) as shown on the approved plans dated 21 December 2022. No other development forms part of this approval;

#### **2. Boundary Walls**

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls shall be fibre cement cladding, as shown on the approved schedule of materials, or material as otherwise approved, to the satisfaction of the City;

#### **3. Colours and Materials**

The colours, materials and finishes of the development shall be in accordance with the approved schedule of materials and colours that forms part of this approval, to the satisfaction of the City;

#### **4. Stormwater**

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

#### **5. Car Parking and Access**

**5.1 The layout and dimensions of all driveways and parking areas shall be in accordance with AS2890.1;**

**5.2 All driveways, car parking and manoeuvring areas which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;**

**5.3 No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within the access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided;**

#### **6. Right of Access Easement**

**Prior to use of the approved development, an easement benefit/burden shall be registered**

against the titles of Nos. 165 and 167 Lake Street, Perth to formalise the existing vehicle access arrangement over driveway areas and legal right of access, to the satisfaction of the City. All costs associated with the easement shall be at the owners/occupier's expense; and

7. Landscaping

All landscaping works shall be undertaken in accordance with the approved plans dated 21 December 2022, prior to the use of the approved development and maintained thereafter to the satisfaction of the City.

**NO QUESTIONS**

**5.4 NO. 742 NEWCASTLE STREET (LOT: 301; DP: 416772), LEEDERVILLE - UNLISTED USE (SIGNAGE ADDITION TO ELECTRIC LANE - AMENDMENT TO APPROVED)****Ward:** South**Attachments:**

1. Location Plan
2. Development Plans
3. Previously Approved Plans

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for a proposed Unlisted Use (Signage to Electric Lane – Amendment to Approved) at No. 742 (Lot: 301; D/P: 46772) Newcastle Street, Leederville in accordance with the plans provided in Attachment 2, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2022.190.1 dated 13 December 2022 continue to apply to this approval, except as follows:

1.1 Condition 1 is amended to update the reference to the date of the approved plans. There is no other amendment to this condition. Condition 1 is now as follows:

1. Development Plans

This approval is for Unlisted Use (Signage Addition to Electric Lane) as shown on the approved plans dated 4 July 2023. No other developments forms part of this approval; and

1.2 Condition 5 is amended to update the reference to ‘the land’ being No. 742 Newcastle Street, Leederville. There is no other amendment to this condition. Condition 5 is now as follows:

5. Access and Indemnity

Prior to the lodgement of a Building Permit for the proposed development on No. 742 Newcastle Street, Leederville (“the land”):

5.1 The applicant shall enter into an agreement for access and indemnity (Agreement) with the City of Vincent (“the City”) whereby the applicant:

5.1.1 Indemnifies the City against any loss or damage to any property or thing or death or injury to any person in accordance with the terms of the Agreement;

5.1.2 Agrees to take out and maintain a policy of public liability insurance with a reputable insurer in an amount satisfactory to the City; and

5.2 The applicant shall maintain at its cost the development constructed over the road reserve to the satisfaction of the City.

<b>NO QUESTIONS</b>
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**5.5 NOS. 54-56 (LOTS 4 AND 3; S/P 7987) LINDSAY STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO GROUPED DWELLINGS****Ward:** South**Attachments:**

1. Location Map
2. Development Plans
3. Determination Advice Notes

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for and Alterations and Additions to Grouped Dwellings at Nos. 54-56 (Lots: 4 and 3; S/P: 7987) Lindsay Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

**1. Development Plans**

This approval is for Alterations and Additions to Grouped Dwellings (Doors, Window and Street Wall) as shown on the approved plans dated 30 May 2023 and 5 July 2023. No other development forms part of this approval;

**2. External Fixtures**

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

**3. Colours and Materials**

The colours, materials and finishes of the development shall be in accordance with the approved schedule of colours and materials dated 5 July 2023 and which forms part of this approval, to the satisfaction of the City; and

**4. Stormwater**

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

<b>NO QUESTIONS</b>
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**5.6 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO LOCAL PLANNING POLICY NO. 7.5.1 - MINOR NATURE DEVELOPMENT**

- Attachments:**
1. **Local Planning Policy: Planning Exemptions**
  2. **Advertised Draft Local Planning Policy: Planning Exemptions**
  3. **Local Planning Policy: Planning Exemptions - Tracked Changes**

**RECOMMENDATION:**

**That Council:**

1. **PROCEEDS** with the Amendment to Local Planning Policy No. 7.5.1 – Minor Nature Development, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations*, as at Attachment 1; and
2. **PREPARES** and **PUBLISHES** the notice of revocation for Local Planning Policy No. 7.5.8 – Temporary Viewing Platforms, pursuant to Schedule 2, Part 2, Clause 6(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

<b>NO QUESTIONS</b>
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**5.7 AMENDMENT TO THE MUNICIPAL HERITAGE INVENTORY - NO. 82 (LOTS 42 & 43)  
PALMERSTON STREET, PERTH**

**Attachments:** 1. Place Record Form - No. 82 Palmerston Street, Perth

**RECOMMENDATION:**

**That Council:**

1. **RESOLVES** that No. 82 (Lots: 42 & 43) Palmerston Street, Perth be entered in the Municipal Heritage Inventory as Management Category A – Conservation Essential without modification pursuant to Schedule 2, Part 3, Clause 8(3)(d) of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
2. **NOTES** that Administration will notify the Heritage Council of Western Australia and each owner and occupier of the place of this decision pursuant to Schedule 2, Part 3, Clause 8(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

<b>NO QUESTIONS</b>
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At 7.20pm Manager Development & Design left the meeting and did not return.

At 7.20pm Cr Gontaszewski and Cr Hallett left the meeting due to a previously declared proximity interest.

**6.1 BIKE PLAN 2022-2028**

- Attachments:**
- 1. Survey Response Report Bike Plan 2023-2028**
  - 2. Bike Plan 2023-2028**

**RECOMMENDATION:**

**That Council ADOPTS the Bike Plan 2023 – 2028 as detailed in Attachment 2.**

**MAYOR COLE:**

Any changes made to bike plan in result of consultation?

**EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:**

*Information has been included in the report.*



At 7.23pm Cr Gontaszewski and Cr Hallett returned to the meeting.

## 6.2 APPROVAL TO ADVERTISE DRAFT ANIMAL AMENDMENT LOCAL LAW 2023

Attachments: 1. Animal Amendment Local Law 2023

### RECOMMENDATION:

That Council:

1. **AUTHORISES** the Chief Executive Officer to provide local public notice in accordance with section 3.12(3) of the *Local Government Act 1995*, for a period of at least 6 weeks, that:
  - 1.1 it is proposed to make the City of Vincent *Animal Amendment Local Law 2023* at Attachment 1;
  - 1.2 the purpose of this amendment local law is to amend certain provisions of the City of Vincent *Animal Local Law 2022*;
  - 1.3 The effect of this amendment local law is to provide further clarity of the requirements with which owners and occupiers of premises within the district must comply with in order to keep cats.
  - 1.4 Copies of the proposed amendment local law are available for inspection at the City's office, Library and Local History Centre and on its website;
2. **NOTES** that in accordance with Section 3.12(3)(b) of the *Local Government Act 1995* a copy of the proposed amendment local law and public notice will be provided to the Minister for Local Government;
3. **NOTES** that any submissions received as a result of the public notice provided as set out in recommendation 1 above will be presented to Council for consideration.

**NO QUESTIONS**

### 6.3 GLYPHOSATE USE IN THE CITY OF VINCENT

- Attachments:
1. WALGA Fact Sheet - Integrated Weed Management Practices
  2. WALGA Fact Sheet - Benefits and Limitations of Weed Control Methods

#### RECOMMENDATION:

That Council

1. **NOTES** the information contained within this report on the City's integrated weed management processes including:
  - 1.1 **The Australian Pesticide and Veterinary Medicines Authority regulations on the use of glyphosate;**
  - 1.2 **The City's use of glyphosate for weed control in public open space to maintain fit for purpose public open space; and**
  - 1.3 **Cost estimates for further reduction in the use of glyphosate.**

#### **MAYOR COLE:**

Much more targeted application of glyphosate? Does the City know what the volumes of usage over the last 5 years is? What volume have we been applying, where are we now? What impact would other measures have on the use?

#### **MANAGER PARKS:**

*Information has been included in report.*

#### **CR GONTASZEWSKI:**

Confirmation on appropriate standards on equipment, etc for team members using this, review of the document referred to and confirmation that the workers comply with the guidelines – Guide to management of Pesticides

#### **MANAGER PARKS:**

*Although Local Government employees are exempt from requiring a licence to apply herbicides under the Health (Pesticide) Regulations 2011, all Parks Staff are trained via an external licenced trainer in the safe handling and application of chemicals. In accordance with the regulations all chemicals are applied in accordance with the label, herbicide spraying records are kept (including locations, chemical, application rate and equipment used), Material Safety Data Sheets are available and Job Safety Analysis specific to herbicide applications have been developed.*

#### **CR CASTLE:**

Consider trialling the use of volunteers for manual weeding?

#### **MANAGER PARKS:**

*There are currently limited community groups within Vincent that carry out weed control. Although this is something that administration could explore further, there is currently no staff resources to do so. As weed growth explodes during early winter and spring, it is essential that control is carried out before seeding. It is therefore unlikely that community weeding groups would have the capacity to effectively remove all weeds in a timely manner prior to seeding and therefore risk the possibility of increased weed growth in subsequent years.*

**7.1 FINANCIAL STATEMENTS AS AT 31 MAY 2023**

**Attachments: 1. Financial Statements as at 31 May 2023**

**RECOMMENDATION:**

**That Council RECEIVES the Financial Statements for the month ended 31 May 2023 as shown in Attachment 1.**

<b>NO QUESTIONS</b>
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**7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 MAY 2023 TO 31 MAY 2023**

- Attachments:
1. Payments by EFT and Payroll - May 2023
  2. Payments by Direct Debit- May 2023
  3. Payments by Cheque- May 2023

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 May 2023 to 31 May 2023 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$5,192,473.42
Cheques	\$787.18
Direct debits, including credit cards	\$131,200.47
<b>Total payments for May 2023</b>	<b>\$5,324,461.07</b>

**CR GONTASZEWSKI:**

\$17523 for bain marie supplies? How many bain maries does this relate to? If it relates to a premises under lease, can you check if that is our cost, or will it be recouped?

**CHIEF FINANCIAL OFFICER:**

*This was for the replacement of the commercial oven (\$9,875) and deep fryer (\$5,855) plus a \$200 delivery fee ex GST at the Loftus Centre Café.*

*These were funded from the Loftus Recreation Centre Reserve account in accordance with the capital works provisions of the lease.*

*The description in the expenditure report has been updated to "Loftus Centre - Commercial oven & deep fryer"*

At 7.41pm Manager Engineering left the meeting and did not return.

**7.3 INVESTMENT REPORT AS AT 31 MAY 2023****Attachments: 1. Investment Statistics as at 31 May 2023****RECOMMENDATION:****That Council NOTES the Investment Statistics for the month ended 31 May 2023 as detailed in Attachment 1.****CR HALLETT:**

Cost of \$31k imagine Vincent subscription. Are we doing a review of whether that platform is fit for purpose?  
Can I have an update?

**EXECUTIVE MANAGER COMMUNICATIONS AND ENGAGEMENT:**

*In April 2022 we signed a three year agreement with Granicus (formerly Bang The Table). We will commence a full review and evaluation of the stakeholder engagement platforms of the market in mid-2024. We are in regular discussion with other local governments about online engagement suppliers and although there are a couple of new emerging contenders, it is generally considered that Granicus remains best of breed.*

**7.4 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO RECOGNITION OF NOONGAR BOODJAR CULTURE AND HISTORY THROUGH WELCOME TO COUNTRY AND ACKNOWLEDGEMENT OF COUNTRY**

- Attachments:**
1. **Recognition of Noongar Boodjar Culture through Welcome to Country and Acknowledgment of Country - Clean Version**
  2. **Recognition of Noongar Boodjar Culture Welcome to Country and Acknowledgment of Country - Marked Up Version**
  3. **Submissions**

**RECOMMENDATION:**

**That Council ADOPTS the Recognition of Noongar Boodjar Culture and History Through Welcome to Country and Acknowledgment of Country Policy at Attachment 1.**

**MAYOR COLE:**

Report could include details of the submission.

**EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:**

*The report has been updated.*

**8.1 APPOINTMENT OF THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) - CENTRAL METROPOLITAN ZONE - COUNCIL REPRESENTATIVES**

**Attachments:** Nil

**RECOMMENDATION:**

That Council APPOINTS the following Elected Member to represent the City of Vincent on the Western Australian Local Government Association (WALGA) – Central Metropolitan Zone and as voting delegates/proxy delegates for WALGA Annual General Meetings for the term 26 July 2023 to the next ordinary local government election, being 21 October 2023:

**Members/Voting Delegate:**

1. ....;

**MAYOR COLE:**

Add Cr Hallett's name to the recommendation

**A/EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:**

*Report has been updated.*

### 8.3 INFORMATION BULLETIN

- Attachments:**
1. Minutes of the Tamala Park Regional Council Meeting held on 22 June 2023
  2. Unconfirmed Minutes of the Mindarie Regional Council Meeting 1 June 2023
  3. Unconfirmed Minutes of the Mindarie Regional Council Special meeting held on 22 June 2023
  4. Unconfirmed Minutes of the Sustainability and Transport Advisory Group - 1 June 2023
  5. Unconfirmed Minutes Arts Advisory Group -7 June 2023
  6. Statistics for Development Services Applications as at the end of 30 June 2023
  7. Register of Legal Action and Prosecutions Monthly - Confidential
  8. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 30 June 2023
  9. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current
  10. Register of Applications Referred to the Design Review Panel - Current
  11. Register of Petitions - Progress Report - June 2023
  12. Register of Notices of Motion - Progress Report - June 2023
  13. Register of Reports to be Actioned - Progress Report - June 2023
  14. Council Workshop Items since 24 May.2023
  15. Council Meeting Statistics
  16. Council Briefing Notes - 13 June 2023
  17. Annual Place Plan Reviews - Beaufort Street, Leederville and Mount Hawthorn

#### RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated July 2023.

#### CR LODEN:

On the Development Application statistics, the report does not show how many applications were processed in a given year as well as the total value of that. Could you please make that data available to gauge work rate over the years?

#### EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:

*The below table provides a summary of development application determination numbers, values and processing days over the last three financial years.*

*Administration will update the development application statistics template next month to include a summary of the above totals from previous financial years to allow comparisons to be undertaken on workload trends.*

	2020/21	2021/22	2022/23
<b>Number of determined DA's</b>	403	360	356
<b>Total value of determined DA's</b>	\$216.7 million	\$142.9 million	\$416.54 million
<b>Average number of days to determine</b>	64 days	76 days	84 days

*Volume of development applications and value of those applications are indicators for work rate. Other indicators for work rate are not captured in that reporting. This includes:*

- *Complexity of applications increasing, with State Government exemptions in 2020 applying to simpler applications and introduction of the Medium Density Code that provides a new framework to assess the majority of residential development that the City deals with.*
- *Improvement in the quality of the City's development assessment processes, including community consultation practices that exceed minimum standards prescribed by the State Government and design review processes extending to smaller scale developments.*



**CR LODEN:**

Does generating the monthly development application statistics create significant workload for Administration?

**EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:**

*No, Administration have developed processes to undertake this work and it does not take significant time to populate this monthly. The monthly statistics are beneficial as they demonstrate workload trends, providing an ability to reflect upon and predict market trends which can inform resource needs or changes as well as assist in identifying improvement opportunities.*

**9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**10 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**11 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

**12 CLOSURE**

There being no further business the meeting closed at 7.48pm.