

**8.6 INFORMATION BULLETIN**

- Attachments:**
- 1. Minutes of the Tamala Park Regional Council Meeting held on 16 February 2023**
  - 2. Unconfirmed Minutes of the Mindarie Regional Council meeting held on 23 February 2023**
  - 3. Statistics for Development Services Applications as at the end of January 2023**
  - 4. Register of Legal Action and Prosecutions Monthly - Confidential**
  - 5. Register of Legal Action - Orders and Notices Quarterly - Confidential**
  - 6. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 23 February 2023**
  - 7. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current**
  - 8. Register of Applications Referred to the Design Review Panel - Current**
  - 9. Register of Petitions - Progress Report - February 2023**
  - 10. Register of Notices of Motion - Progress Report - February 2023**
  - 11. Register of Reports to be Actioned - Progress Report - February 2023**
  - 12. Council Workshop Items since 30 November 2022**
  - 13. Council Meeting Statistics**
  - 14. Council Briefing Notes - 7 February 2023**

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated March 2023.



## Meeting of Council

Thursday 16 February 2023

# MINUTES

**City of Stirling**  
**25 Cedric Street, Stirling**

*Constituent Members:*  
*Cities of Perth, Joondalup, Stirling, Vincent, and Wanneroo*  
*Towns of Cambridge and Victoria Park*

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**MEMBERSHIP**

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Alaine Haddon-Casey	
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Russ Fishwick Cr John Raftis
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale (DEPUTY CHAIR) Cr Bianca Sandri (CHAIR) Cr Karlo Perkov	Cr David Lagan
Town of Victoria Park	Cr Bronwyn Ife	Cr Claire Anderson
City of Vincent	Cr Ashley Wallace	Cr Jonathan Hallett
City of Wanneroo	Cr Brett Treby Cr Glynis Parker	Cr Linda Aitken Cr Vinh Nguyen

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**PRESENT**

<b>Chair</b>	Cr Bianca Sandri
<b>Deputy Chair</b>	Cr Suzanne Migdale
<b>Councillors</b>	Cr John Chester Cr Brent Fleeton Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Glynis Parker ( <i>from 6:15pm</i> ) Cr Karlo Perkov Cr Ashley Wallace
<b>Alternate Members</b>	Nil
<b>Staff</b>	Mr Chris Adams (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Mr Daniel Govus (Senior Governance Officer – City of Stirling) Ms Regan Clyde (Senior Governance Officer – City of Stirling)
<b>Apologies Councillors</b>	Cr Brett Treby
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Cr Alaine Haddon-Casey
<b>Consultants</b>	Mr Noel Ryan (Satterley Property Group) Mr Drew Tomkins (Satterley Property Group) Mr Alan Abel (Satterley Property Group)
<b>Apologies Participant Councils' Advisers</b>	Mr Kelton Hincks (Town of Cambridge) Mr Mat Humfrey (City of Joondalup) Mr David MacLennan (City of Vincent) Mr Daniel Simms (City of Wanneroo) Ms Michelle Reynolds (City of Perth) Mr Anthony Vuleta (Town of Victoria Park) Mr Stuart Jardine (City of Stirling)
<b>In Attendance Participant Councils' Advisers</b>	Mr Stevan Rodic (City of Stirling)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

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Minutes TPRC Council Meeting – 16 February 2023

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## 1. OFFICIAL OPENING

The Chair declared the meeting open at 6:01pm.

## 2. APOLOGIES AND LEAVE OF ABSENCE

**Apologies:** Cr Brett Treby  
**Absent:** Cr Alaine Haddon-Casey

### Leave of Absence

The Chair noted the following leave had been approved at the Audit and Risk Committee Meeting held 13 February 2023:

1. Cr Tony Krsticevic for the period 30 August 2023 to 18 October 2023 inclusive.
2. Cr Karlo Perkovic for the period 9 July 2023 to 11 August 2023 inclusive.

## 3. DISCLOSURE OF INTERESTS

Nil

## 4. PUBLIC STATEMENT/QUESTION TIME

Nil

## 5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

The Chair wished all Councillors a happy new year, noting this was the first in-person meeting in some time. The Chair reminded Councillors that a Strategic Workshop would take place after this Meeting.

## 6. PETITIONS

Nil

## 7. CONFIRMATION OF MINUTES

Moved Cr Migdale, Seconded Cr Jones.

**That the minutes of the Ordinary Meeting of Council of 8 December 2022 and the minutes of the Special Meeting of Council of 15 December 2022 be CONFIRMED as a true and accurate record of proceedings.**

The Motion was put and declared CARRIED (9/0).

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Minutes TPRC Council Meeting – 16 February 2023

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**7A BUSINESS ARISING FROM MINUTES**

Nil

**8. ADMINISTRATION REPORTS AS PRESENTED**

**8.1 BUSINESS REPORT – FOR MONTH ENDING 31 JANUARY 2023**

Moved Cr Chester, Seconded Cr Migdale.

[The recommendation in the agenda]

**That the Council RECEIVES the Business Report for the month ending 31 January 2023.**

The Motion was put and declared CARRIED (9/0).

**8.2 PROJECT FINANCIAL REPORT – DECEMBER 2022**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council RECEIVES the Project Financial Report (December 2022) submitted by the Satterley Property Group.**

The Motion was put and declared CARRIED (9/0) by exception resolution.

**8.3 STATEMENT OF FINANCIAL ACTIVITY FOR DECEMBER 2022**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 December 2022.**

The Motion was put and declared CARRIED (9/0) by exception resolution.

**8.4 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR DECEMBER 2022**

Moved Cr Wallace, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That the Council:**

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for December 2022:**

**December 2022 - \$12,202,705.55**

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Minutes TPRC Council Meeting – 16 February 2023

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**2. APPROVES the CEO Credit Card Statement for December 2022.**

The Motion was put and declared CARRIED (9/0).

**8.5 SALES AND SETTLEMENT REPORT – MONTH ENDING 31 JANUARY 2023**

Moved Cr Chester, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council RECEIVES the Sales and Settlement Report for the month ending 31 January 2023.**

The Motion was put and declared CARRIED (9/0).

**8.6 CATALINA GREEN DEVELOPMENT STRATEGY**

Moved Cr Wallace, Seconded Cr Ife.

[The recommendation in the agenda]

**That the Council:**

- 1. RECEIVES the Satterley Property Group advice dated 13 January 2023 regarding its review of the Catalina Green Development Strategy.**
- 2. SUPPORTS the gravity-sewer option for Catalina Green, therefore amending the previous sewer strategy.**
- 3. SUPPORTS the updated Concept Plan and revised staging approach for the balance future development in Catalina Green – Option 1, as appended to Satterley’s advice letter of 13 January 2023.**

The Motion was put and declared CARRIED (9/0).

**8.7 CATALINA BEACH CONCEPT PLAN**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council APPROVES the use of the Catalina Beach Concept Plan (Niche Planning Studio Option 5b) to guide the planning and delivery of development of the Plan area.**

The Motion was put and declared CARRIED (9/0) by exception resolution.

**8.8 REVIEW OF TAMALA PARK REGIONAL COUNCIL ESTABLISHMENT AGREEMENT**

Moved Cr Migdale, Seconded Cr Krsticevic.

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Minutes TPRC Council Meeting – 16 February 2023

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[The recommendation in the agenda]

**That Council:**

1. **SUPPORT** modifying the Tamala Park Regional Council Establishment Agreement (EA) as detailed in Attachment 2 of this report.
2. **REQUEST** that all Member Councils consider the proposed amendments to the EA.
3. **Subject to all Member Councils supporting the changes to the EA, REQUEST** that the Minister for Local Government approve the proposed amendments to the agreement.

The Motion was put and declared CARRIED (9/0).

### **8.9 STATEMENT OF FINANCIAL ACTIVITY FOR JANUARY 2023**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 January 2023.**

The Motion was put and declared CARRIED (9/0) by exception resolution.

### **8.10 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR JANUARY 2023**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council:**

1. **RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for January 2023:**  
**January 2023 - \$1,562,955.38**
2. **APPROVES the CEO Credit Card Statement for January 2023.**

The Motion was put and declared CARRIED (9/0) by exception resolution.

### **8.11 POLICY: PAYMENTS/GIFTS TO EMPLOYEES AND COUNCILLORS WHEN LEAVING THE TPRC**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

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Minutes TPRC Council Meeting – 16 February 2023

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**That Council APPROVES the Payments to Employees in Addition to Contract or Award Policy (February 2023).**

The Motion was put and declared CARRIED (9/0) by exception resolution.

#### **8.12 CHANGE OF COUNCIL MEETING DATE – OCTOBER 2023**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council APPROVE that the October 2023 Ordinary Council meeting be held on 12 October 2023 at the City of Stirling at 6:00pm and that the meeting date be advertised as required by the *Local Government Act 1995*.**

The Motion was put and declared CARRIED (9/0) by exception resolution.

#### **8.13 ADDITION OF MEMBERS TO THE MANAGEMENT COMMITTEE**

Moved Cr Migdale, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That the Council APPOINTS Councillor Ashley Wallace to the Management Committee by absolute majority.**

The Motion was put and declared CARRIED (9/0) by ABSOLUTE MAJORITY.

### **9. COMMITTEE REPORTS**

#### **AUDIT and RISK COMMITTEE (13 FEBRUARY 2023)**

##### **9.1 TPRC FYE 2023 BUDGET REVIEW**

Moved Cr Wallace, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That the Council ADOPTS the Budget Review with the variations for the period 1 July 2022 to 30 June 2023, as detailed in the Budget Analysis Worksheet attached to Appendix 9.1.**

The Motion was put and declared CARRIED (9/0) by ABSOLUTE MAJORITY.

At 6:15pm Councillor Glynis Parker entered the meeting during consideration of Item 9.2.

## Minutes TPRC Council Meeting – 16 February 2023

**9.2 COMPLIANCE AUDIT RETURN FOR YEAR ENDED 31 DECEMBER 2022**

Moved Cr Migdale, Seconded Cr Perkov.

[The recommendation in the agenda]

**That the Council recommends the Compliance Audit Return for the Tamala Park Regional Council for the year ended 31 December 2022 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Director General of the Department of Local Government, Sport and Cultural Industries, in accordance with the *Local Government Act 1995* and Regulations.**

The Motion was put and declared CARRIED (10/0).

**10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAVE BEEN GIVEN**

Nil

**12. URGENT BUSINESS APPROVED BY THE CHAIR**

Nil

**13. GENERAL BUSINESS**

Nil

**14. DECISION TO MOVE TO CONFIDENTIAL SESSION**

Moved Cr Migdale, Seconded Cr Ife.

**That**

1. **Item 14.1 – TPRC LANDSCAPE MAINTENANCE TENDER 06/2022 be CONSIDERED Behind Closed Doors in accordance with Sections 5.23(2)(d) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:**
  - c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
  - e) *A matter that if disclosed would reveal –*
    - ii) *information that has commercial value to a person; or*
    - iii) *information about the business, professional, commercial or financial affairs of a person*

*where the information is held by, or is about, a person other than the TPRC (section 5.23(2)(e)).*

## Minutes TPRC Council Meeting – 16 February 2023

2. Item 14.2 – **UPDATED CATALINA ANNUAL MARKETING PLAN FYE 2023** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
- (c) *a contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
  - (e) *a matter that if disclosed would reveal –*
    - i) *a trade secret; or*
    - ii) *information that has a commercial value to a person; or*
    - iii) *information about the business, professional, commercial or financial affairs of a person.*
3. Item 14.3 – **DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
- (c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
  - (e) *A matter that if disclosed would reveal –*
    - ii) *information that has commercial value to a person; or*
    - iii) *information about the business, professional, commercial or financial affairs of a person.*
4. Item 14.4 – **CYBER SECURITY REVIEW** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
- (f) *a matter that if disclosed, could be reasonably expected to (section 5.23(2)(f)):*
    - (ii) *endanger the security of the local government's property.*

The Motion was put and declared CARRIED (10/0).

At 6:17pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 14.1.

Representatives from Satterley Property Group left the room.

#### 14.1 LANDSCAPE MAINTENANCE TENDER 06/2022

Moved Cr Migdale, Seconded Cr Wallace.

**That the Council:**

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/0).

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Minutes TPRC Council Meeting – 16 February 2023

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#### 14.2 UPDATED CATALINA ANNUAL MARKETING PLAN FYE 2023

Moved Cr Migdale, Seconded Cr Jones.

**That the Council:**

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/0).

#### 14.3 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE

Moved Cr Perkov, Seconded Cr Ife.

**That the Council:**

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/0).

#### 14.4 CYBER SECURITY REVIEW

Moved Cr Migdale, Seconded Cr Krsticevic.

**That the Council:**

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(f) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/0).

Moved Cr Migdale, Seconded Cr Jones.

**That the meeting be REOPENED to the public.**

The Motion was put and declared CARRIED (10/0).

At 6:22pm the meeting was reopened to the public.

Minutes TPRC Council Meeting – 16 February 2023

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**15. FORMAL CLOSURE OF MEETING**

The Chair declared the meeting closed at 6:22pm.



## MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

23 FEBRUARY 2023

CITY OF JOONDALUP

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*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo  
Towns of Cambridge and Victoria Park*



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ORDINARY COUNCIL MEETING MINUTES  
23 FEBRUARY 2023

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**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Chair declared the meeting open at 6.30 pm

**2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

**Councillor Attendance**

Cr K Vernon (Chair)	Town of Victoria Park
Cr A Jacob (Deputy Chair)	City of Joondalup
Cr L Gobbert, JP	City of Perth
Cr C Hatton	City of Stirling
Cr E Re	City of Stirling
Cr S Proud, JP	City of Stirling
Cr Lisa Thornton	City of Stirling
Cr A Castle	City of Vincent
Cr F Cvitan, JP	City of Wanneroo
Cr P Miles	City of Wanneroo
Cr K Shannon	Town of Cambridge

**MRC Officers**

Mr S Cairns (Chief Executive Officer)  
Ms A Arapovic (Finance Manager)  
Mr A Griffiths (Project and Procurement Manager)  
Mr M Hattingh (Operations Manager)  
Ms S Cherico (Human Resources Officer)  
Ms D Toward (Executive Support)

**Apologies**

Cr J Ferrante City of Stirling

**Approved leave of absence**

Nil

**Member Council Observers**

Mr N Claassen	City of Joondalup
Ms C O'Neill	City of Joondalup
Mr G Taylor	City of Perth
Mr A Murphy	City of Stirling
Mr R Bryant	City of Stirling
Mr P Varris	City of Vincent
Mr H Singh	City of Wanneroo
Mr A Kowero	City of Wanneroo
Mr J Wong	Town of Victoria Park

**Visitors**

Nil

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ORDINARY COUNCIL MEETING MINUTES  
23 FEBRUARY 2023

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**3 DECLARATION OF INTERESTS**

Nil

**4 PUBLIC QUESTION TIME**

Public question time opened at 6.32 pm  
There were no members of the public present.  
Public question time closed at 6.32 pm

**5 ANNOUNCEMENT BY THE PRESIDING PERSON**

The Chair announced the appointment of Mr Morné Hattingh, Operations Manager.

**6 APPLICATION FOR LEAVE OF ABSENCE**

Nil

**7 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

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ORDINARY COUNCIL MEETING MINUTES  
23 FEBRUARY 2023

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**8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****8.1 ORDINARY COUNCIL MEETING – 15 DECEMBER 2022**

The Minutes of the Ordinary Council Meeting held on 15 December 2022 have been printed and circulated to members of the Council.

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Minutes of the Ordinary Meeting of Council held on 15 December 2022 be confirmed as a true record of the proceedings.**

**Moved Cr Hatton, seconded Cr Cvitan**

**RESOLVED**

**That the recommendation be adopted**  
(CARRIED UNANIMOUSLY 12/0)

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MINDARIE REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING MINUTES  
23 FEBRUARY 2023

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**9 CHIEF EXECUTIVE OFFICER REPORTS**

<b>9.1</b>	<b>FINANCIAL STATEMENTS FOR THE MONTH ENDED 31 DECEMBER 2022 AND 31 JANUARY 2023</b>
<b>Reference:</b>	<b>GF-21-0000196</b>
<b>Appendix(s):</b>	<b>Appendix No. 1, 2 and 3</b>
<b>Date:</b>	<b>10 February 2022</b>
<b>Responsible Officer:</b>	<b>FINANCE MANAGER</b>

**SUMMARY**

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

**BACKGROUND**

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Statement by Comprehensive Income by Nature and Type
- Operating Income Statement by Program
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activities
- Tonnage Report

**DETAIL**

The Financial Statements for the month ended 31 December 2022 and 31 January 2023 are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the two months to 31 January 2023 is attached at **Appendix No. 3**.

The complete suite of Financial Statements which includes the Income Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the "air space" remaining and other relevant information.

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MINDARIE REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING MINUTES  
23 FEBRUARY 2023

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Summary of results for the year to date period ended 31 January 2023

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	104,558	104,468	(90)
Tonnes – Others	19,518	31,499	11,981
<b>TOTAL TONNES</b>	<b>124,076</b>	<b>135,967</b>	<b>11,891</b>
	\$	\$	\$
Revenue – Members	18,518,210	20,059,357	1,541,147
Revenue – Other	2,913,074	3,357,091	444,016
<b>TOTAL REVENUE</b>	<b>21,431,284</b>	<b>23,416,448</b>	<b>1,985,163</b>
Expenses	(20,802,832)	(21,320,511)	(517,680)
<b>NET SURPLUS/(DEFICIT)</b>	<b>628,452</b>	<b>2,095,937</b>	<b>1,467,483</b>

Members

Members tonnages for the financial period ended 31 January 2023 were 90 tonnes below budget.

Trade & Casuals

The Casual and Trade tonnages are 11,981 tonnes higher than forecast for the financial year to date. 12,120 tonnes delivered through the discounted rate waste tender.

Overall tonnages for the financial period ended 31 January 2023 were 11,891 tonnes more than budgeted.

The net result variance against budget of \$1,467,483 is attributable to increased tonnages above budgeted forecast abated by increased landfill levy costs and amortisation for cell development.

**VOTING REQUIREMENT**

Simple Majority

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**RESPONSIBLE OFFICER RECOMMENDATION**

**That Council:**

**Receive the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 December 2022 and 31 January 2023.**

**Moved Cr May, seconded Cr Hatton**

**RESOLVED**

**That the recommendation be adopted**

**(CARRIED UNANIMOUSLY 12/0)**

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<b>9.2</b>	<b>LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 DECEMBER 2022 AND 31 JANUARY 2023</b>
<b>File No:</b>	<b>GF-21-0000196</b>
<b>Appendix(s):</b>	<b>Appendix No. 4 and 5</b>
<b>Date:</b>	<b>10 February 2023</b>
<b>Responsible Officer:</b>	<b>Finance Manager</b>

#### SUMMARY

The purpose of this report is to provide details of payments made during the periods identified above. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

#### COMMENT

The lists of payments for the months ended 31 December 2022 and 31 January 2023 is at **Appendix 4 and 5** to this Item and presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 16 September 2021, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
31 December 2022	General Municipal	Cheques	\$1,038.00
		EFT	\$1,162,527.57
		DP	\$3,529,755.97
		Inter account transfers	\$0.00
		<b>Total</b>	<b>\$4,693,321.54</b>
31 January 2023	General Municipal	Cheques	\$520.00
		EFT	\$4,805,749.57
		DP	\$350,435.35
		Inter account transfers	\$0.00
		<b>Total</b>	<b>\$5,156,704.92</b>

#### VOTING REQUIREMENT

Simple Majority

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**RESPONSIBLE OFFICER RECOMMENDATION**

**That Council:**

**Note the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 31 December 2022 and 31 January 2023.**

**Moved Cr Miles, seconded Cr Cvitan**

**RESOLVED**

**That the recommendation be adopted**

**(CARRIED UNANIMOUSLY 12/0)**

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<b>9.3</b>	<b>2022/23 MID YEAR BUDGET REVIEW</b>
<b>File No:</b>	<b>GF-21-0000172</b>
<b>Appendix(s):</b>	<b>Appendix No. 6 and 6a</b>
<b>Date:</b>	<b>23 February 2023</b>
<b>Responsible Officer:</b>	<b>Finance Manager</b>

#### **PURPOSE**

To consider the Mindarie Regional Council's financial position as at 31 December 2022 and performance for the period 1 July 2022 to 31 December 2022 in relation to the adopted budget and projections estimated for the remainder of the financial year.

#### **BACKGROUND**

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

Financial Management Regulations (FMR) r.33A (1) requires that between 1 January and 31 March in each financial year, a Local Government is to carry out a review of its annual budget for the year.

FMR r.33 (2A) requires the review of an annual budget for a financial year to:  
Consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and  
Consider the local government's position as at the date of the review; and  
Review the outcomes for the end of the financial year to be part of the review

FMR r.33A (2) and (3) require the results of the budget review to be presented to Council within 30 days of the review being completed. Council is then to consider the review submitted to it and resolve (by absolute majority) to adopt the review or not and any recommendations associated with the review.

FRM r.33A (4) requires that after the Council has dealt with the review a copy of the determination (Council minutes) must be provided to the Department within 30 days.

#### **DETAILS**

Council operations have been conducted in line with the Adopted Budget for 2022/23. The budget review statements that form part of this report have been based on the financial statements by nature and type/program on the actual expenditure and variations from the adopted budget which have been presented during the financial year to the ordinary council meetings.

This report provides information based on the six-month period from 1 July to 31 December 2022.

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The budget review reflects a view on the full year financial position of the Mindarie Regional Council and highlights:

- those items that reflect significant predicted variances to budgeted allocations, and
- the anticipated revised financial projections to 30 June 2023.

The tonnes have marginally changed from the originally budgeted tonnage, the projections are summarised in the table below. The Members' gate fee will remain at \$145.00 per tonne for the remainder of the financial year, with no change to either the non-members gate fee or Casuals.

	Tonnage Budget 2022/23	Tonnage Projected 2022/23	Tonnage Variance
City of Perth	13,500	11,950	(1,550)
City of Wanneroo	55,000	54,000	(1,000)
City of Joondalup	33,680	32,710	(970)
City of Stirling	47,500	52,700	5,200
City of Cambridge	6,025	6,020	(5)
City of Vincent	7,250	5,400	(1,850)
Town of Victoria Park	12,000	9,768	(2,232)
<b>Total Member Charges</b>	<b>174,955</b>	<b>172,548</b>	<b>(2,407)</b>
<b>Casuals</b>			
Casuals	13,000	13,000	-
Trade	3,400	4,050	650
Trade			
Discount	15,000	30,000	15,000
<b>Total Casuals</b>	<b>31,400</b>	<b>47,050</b>	<b>15,650</b>
<b>TOTAL</b>	<b>206,355</b>	<b>219,598</b>	<b>13,243</b>

The Income Statement reflects the Adopted Budget and Actual Expenditure to 31 December 2022 and Projected expenditure to 30 June 2023, as well as the projected capital expenditure is enclosed as **Appendix 1** of this report.

The materiality threshold for 2022/23 mid-year budget variances has been set at a lower level than the monthly reporting threshold in order to enable greater transparency of information. This report provides comments only on those items which have a projected variance of over 10% and greater than \$50k. In some instances, although the variance is outside of these parameters due to the significance of the item, comments may still be provided. This report will also address the budget adjustments identified in this review.

## **OPERATING REVENUE**

### **FEES AND CHARGES**

The overall revenue is expected to increase by \$2.96m from a budget deficit \$0.84m to a forecast profit \$2.1m. The major contributor is mostly non-member charges, due to negotiated discounted short term waste contracts. The proposed budget adjustments recognise variances expected at year end.

### **INTEREST EARNINGS**

Since May 2022, the Reserve Bank has raised the cash rate on nine consecutive occasions, taking it from a record low 0.1 per cent to 3.35 per cent. Projections to the end of June reflect an expected revenue at \$1.3m.

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#### **OTHER REVENUE**

Net adjustment between reduced revenue for Compost revenue, Mattress charges and unbudgeted receipt of rebate from the LGIS \$13k.

#### **OPERATING EXPENDITURE**

##### **EMPLOYEE COSTS**

Employee costs are expected to be slightly higher than the budget, this projection comes from the establishment of two new positions, a dedicated Project Manager and Project Technical Assistant required to continue work on strategic projects such as WtE and FOGO. Additionally, the contract employee engaged at the RRF facility was extended from six to twelve months.

##### **MATERIAL AND CONTRACTS**

This area overall is estimated to close the financial year at a higher cost than the adopted budget. An outcome expected as a result of strategic projects WtE and FOGO that will see an increase in costs necessary for the additional modelling and expression of interest/tender process. Funding has been considered to complete integrated planning and reporting resourcing documents by 30 June 2023.

Within office expenditure funding for Green deal alliance of \$40k has been recognised as well as projected development cost for the MRC Website. The upgrade of the Chemcapture system is projected at \$60k and is expected to enhance its performance and options for usage. Purchase of Council meeting equipment is also planned at projected \$50k cost, both estimates are included within IT expenditure.

##### **UTILITIES**

During the 2022/23 budget adoption, Council rates for RRF facility have been omitted. The projection reflects variation in costs expected at year end.

##### **DEPRECIATION (NON-CURRENT ASSETS)**

The revaluation of land, building and infrastructure performed as part of the year end audit changed the opening balance of the MRC's assets, directly impacting depreciation expense against the budget adopted for 2022/23. Budget adjustment is proposed to recognise expected variances and position at 30 June 2023.

##### **INSURANCE**

Insurance renewal for the Resource Recovery Facility Agreement (RRFA) was completed in December reducing the premium by \$542k which is reflected in the projection and budget adjustment proposal.

##### **CAPITAL EXPENDITURE**

No variance to report, potential carry forward from \$6.9m for the installation of Piggy Back Liner and Capping and revegetation of western batter is expected at this stage.

##### **TRANSFER TO/FROM RESERVES (RESTRICTED ASSETS)**

Capital Reserve balance at year end is expected as per adopted budget, no material variance to report. The overall capital budget is however lower than anticipated due to a delay in two Landfill infrastructure projects.

The rehabilitation estimates are periodically reviewed by an external consultant. The Site Rehabilitation reserve, as budgeted is expected to have an estimated balance of \$9.8m at the

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year-end however, the provision as a result of the annual audit require at least \$17.8m in the reserve. Consideration to manage funds into the reserve will be proposed as part of budgeting process deliberations.

**COMMENT**

As outlined above, there will be no changes made to the members' or non-members' gate fees.

**CONSULTATION**

Member Councils in relation to tonnage forecast for the remainder of the 2022/23 financial year.

**STATUTORY ENVIRONMENT**

This review is required to comply with regulation 33A of Local Government (Financial Management) Regulations 1996.

Section 6.8(1) (b) of the Local Government Act 1995 sets out a local government is not to incur expenditure for an additional purpose (where no estimate has been included in the annual budget) prior to being authorised in advance by an absolute majority of Council. For compliance with LGA S6.8, a separate resolution to the budget review should be passed for amendments to the budget.

**STRATEGIC IMPLICATIONS**

The 2022/23 mid-year budget review has been developed having regard for the objectives and actions outlined in the MRC's integrated planning and reporting documents adopted by Council.

**FINANCIAL IMPLICATIONS**

The significant financial implications have been detailed in the report.

**VOTING REQUIREMENT**

Absolute Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That Council:**

1. Adopt the 2022/23 mid-year budget review as presented.
2. Approve the adjustments to the 2022/2023 MRC Budget as detailed in this report and attachment, in accordance with section 6.8(1) of the Local Government Act 1995.

**Moved Cr Vernon, seconded Cr Hatton**

**RESOLVED**

**That the recommendation be adopted**

(CARRIED UNANIMOUSLY 12/0)

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<b>9.4</b>	<b>ADOPTION OF 2022 COMPLIANCE AUDIT RETURN</b>
<b>File No:</b>	<b>GF-22-0000196</b>
<b>Appendix(s):</b>	<b>Appendix 7</b>
<b>Date:</b>	<b>13 February 2023</b>
<b>Responsible Officer:</b>	<b>Chief Executive Officer</b>

**SUMMARY**

The purpose of this report is to provide Council with information on the completed Compliance Audit Return (1 January 2022 – 31 December 2022).

**BACKGROUND**

The 2022 Local Government Compliance Audit Return (CAR) covers the calendar year from 1 January to 31 December 2022.

The 2022 Compliance Audit Return is mandatory pursuant to the *Local Government (Audit) Regulations 1996* which requires all local governments to complete a Compliance Audit Return annually.

Local governments not only have to explain or qualify cases of non-compliance, but also provide details of any remedial action taken or proposed to be taken in regard to instances of non-compliance. The Administration has completed the Return.

The Return was placed on the agenda for the Audit and Risk Committee meeting on 15 February 2023 for consideration. The Return should be lodged with the Department of Local Government before 31<sup>st</sup> March, 2023.

**DETAIL**

The Compliance Audit covers a range of matters that require specific actions to be completed by Local Government authorities in performing their functions.

The Compliance Audit Return requires the responsible officer to indicate against each item whether the required action is relevant to Mindarie Regional Council (MRC) and if it has been completed by either answering;

- (a) Yes; or
- (b) No; or
- (c) N/A – Not applicable

Local Governments are required to provide feedback or comments on areas of non-compliance. This assists the Department of Local Government to have a better understanding of any problems or issues relating to a Local Government’s inability to achieve full compliance in a particular area.

The Compliance Audit Return for calendar year 2022 is at **Appendix 7**.

The Local Government is to submit the Compliance Audit Return to its Audit and Risk Committee for consideration so that it has the opportunity to examine the Return and report to council the results of that review.

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A joint certification is also required to be completed by the Chairperson and Chief Executive Officer to the effect that the information contained in the Return is true and correct to the best of their knowledge. Several other requirements must be met in the Return process and these include: -

- The particulars of all matters of concern raised by Council should be recorded in the minutes of the meeting and a copy of the relevant page(s) attached to the Compliance Audit Return as an appendix; and
- The completed Compliance Audit Return and appendices should be forwarded to the Director General of the Department of Local Government by 31 March 2023.

The Section dealing with the Joint Certification by the Chairperson and Chief Executive Officer requires inter alia that:

- each Councillor has had the opportunity to review the return and to make comment to the Council;
- particulars of any matters of concern relating to the return have been recorded in the minutes of the meeting; and
- a true and correct copy of the relevant sections of the minutes covering Council's consideration of the return must be attached to it.

The Audit and Risk Committee, at its meeting on 15 February 2023, considered the Return and resolved the following:

That the Audit and Risk Committee recommends that Council endorse the Compliance Audit return for the 2022 calendar year, as presented, subject to the following amendments:

- 1) Question 21, in 'disclosure of interests', now has two parts, the answer to which is "Yes".
- 2) Question 4, in 'finance', now has a mandatory comments field, the comments are: "Audit Report pertaining to FY2021 had 6 findings. 5 out of the 6 findings and recommendations have been resolved (ref Exit meeting doc 1 Dec 2022). One finding is deferred to 2023/24 (the date for review of the LTFP and the AMP has been deferred to 30 June 2023, to coincide with the new SCP)."

#### CONSULTATION

Nil

#### STATUTORY ENVIRONMENT

Regional Councils are required to carry out a Return in accordance with the Local Government (Audit) Regulations 1996. The requirements set for the Return are contained in s.14 and 15 of the Regulations, which read as follows:

**"14. Compliance audits by local governments**

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*

- 
- (3) *After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —*
- (a) *presented to the council at a meeting of the council; and*
  - (b) *adopted by the council; and*
  - (c) *recorded in the minutes of the meeting at which it is adopted.*

**15. Certified copy of compliance audit return and other documents to be given to Departmental CEO**

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
- (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
  - (b) *any additional information explaining or qualifying the compliance audit,*
- is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.*
- (2) *In this regulation —*
- certified** *in relation to a compliance audit return means signed by —*
- (a) *the mayor or president; and*
  - (b) *the CEO.*

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**COMMENT**

In order to comply with Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* it is necessary for the MRC to complete the Local Government Compliance Audit Return in the form approved by the Minister.

The results contained in the Compliance Audit Return required by the Department of Local Government for the period 1 January to 31 December 2022 indicates that the Council is continuing to operate within the Local Government Legislative requirements.

The Audit and Risk Committee, at its meeting held on 15 February 2023, recommended that the Council adopts the Compliance Audit Return.

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It is recommended that the Return be adopted by the Council and that the component comprising the form approved by the Minister be certified by the Chairperson and Chief Executive Officer and be forwarded to the Director General, Department of Local Government.

#### **VOTING REQUIREMENT**

Simple Majority

#### **RESPONSIBLE OFFICER RECOMMENDATION**

**That Council:**

1. adopt the Local Government Compliance Audit Return in the form approved by the Minister for the period 1 January to 31 December 2022 as contained within the Appendices in accordance with the provisions of *Regulation 14(3) of the Local Government (Audit) Regulations 1996* and in line with the recommendation from the Audit and Risk Committee;
2. authorise the Chairperson and the Chief Executive Officer to complete the Joint Certification contained in the adopted Return detailed in (1) above; and
3. authorise the Chief Executive Officer to submit the adopted Return detailed in (1) to the Director General, Department of Local Government.

Moved Cr Vernon, seconded Cr Jacob

**RESOLVED**

**That the recommendation be adopted**

(CARRIED UNANIMOUSLY 12/0)

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**10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 74**

**RESPONSIBLE OFFICER RECOMMENDATION**

That the Members Information Bulletin Issue No. 74 be received.

Moved Cr Cvitan, seconded Cr Proud

**RESOLVED**

That the recommendation be adopted  
(CARRIED UNANIMOUSLY 12/0)

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

Nil

**12 URGENT BUSINESS**

Nil

**13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

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In accordance with clause 10.1(h) of the Mindarie Regional Council Meeting Procedures Local Law 2020 and s5.23 of the Local Government Act 1995, the Chair requests the Council to meet "behind closed doors" to allow the Council to consider item 14.1 as the items are of a confidential nature.

No members of the public were present in the gallery.

**Moved Cr Vernon, seconded Cr Jacob**

**Procedural Motion**

- 1. Closes the meeting to the members of the public at 6.45 pm to consider item 14.1 in accordance with Section 5.23 of the *Local Government Act 1995*.**
- 2. Permits the MRC Chief Executive Officer and MRC staff to remain in the chamber during discussion for item 14.1.**

(CARRIED UNANIMOUSLY 12/0)

Doors closed at 6.45 pm

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**14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2) (c) of *The Local Government Act 1995* as the report deals with matters concerning risk.

<b>14.1</b>	<b>AUDIT AND RISK COMMITTEE CONFIDENTIAL DOCUMENTS</b>
<b>File No:</b>	<b>GF-22-000070</b>
<b>Attachment(s):</b>	<b>Nil</b>
<b>Date:</b>	<b>16 February 2023</b>
<b>Responsible Officer:</b>	<b>Chief Executive Officer</b>

**AUDIT AND RISK COMMITTEE RECOMMENDATION:**

**That Council:**

1. Endorses the CEO's Review of Risk Management, Internal Controls and Legislative Compliance version 13 February 2023, as presented, "subject to the following amendment at attachment 4a on page 17, delete the words "at least every 5 years" and insert the words "as required if there are changes in the conditions".
2. Endorses the CEO's Review of the High Risk Register as reviewed on 24 November 2022, as presented.

**Moved Cr Vernon, seconded Cr Miles**  
**RESOLVED**  
**That the recommendation be adopted**  
(CARRIED UNANIMOUSLY 12/0)

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**Moved Cr Vernon, seconded Cr Cvitan**  
**Procedural Motion:**  
**That Council:**

- **Reopen the meeting to members of the public at 6.46 pm**

**To re-open the meeting to the public**  
(CARRIED UNANIMOUSLY 12/0)

Doors re-opened at 6.47 pm, the Chair declared the meeting re-opened. As there were no members of the public present, the Chair noted the resolutions passed behind closed doors

**15 NEXT MEETING**

The next Ordinary Council meeting is to be held on Thursday 27 April 2023 at the City of Wanneroo commencing at 6.30 pm.

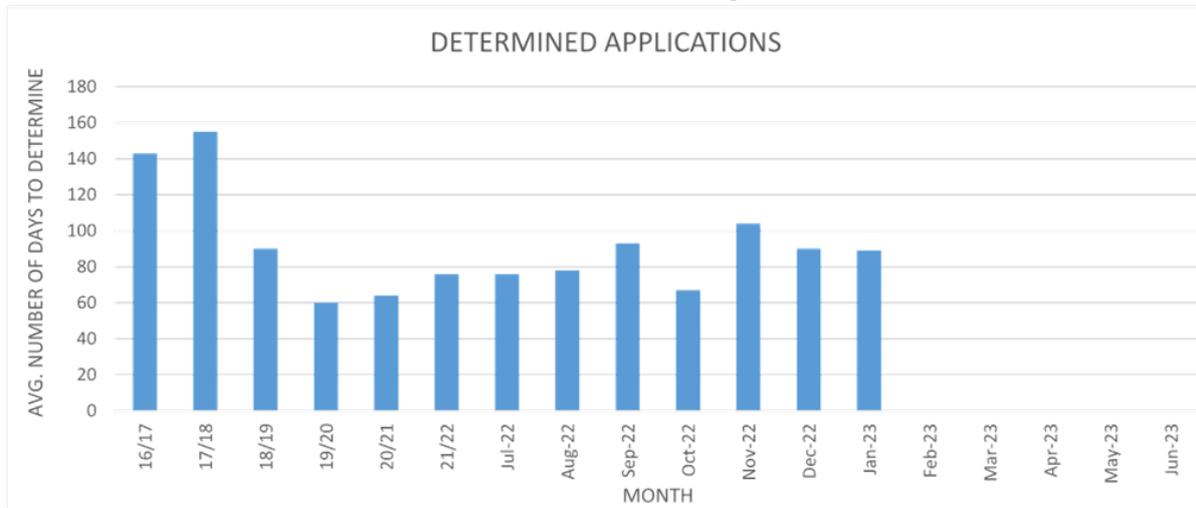
**16 CLOSURE**

The Chair closed the meeting at 6.47pm and thanked the City of Joondalup for their hospitality and use of their meeting facilities.

Signed .....Chair

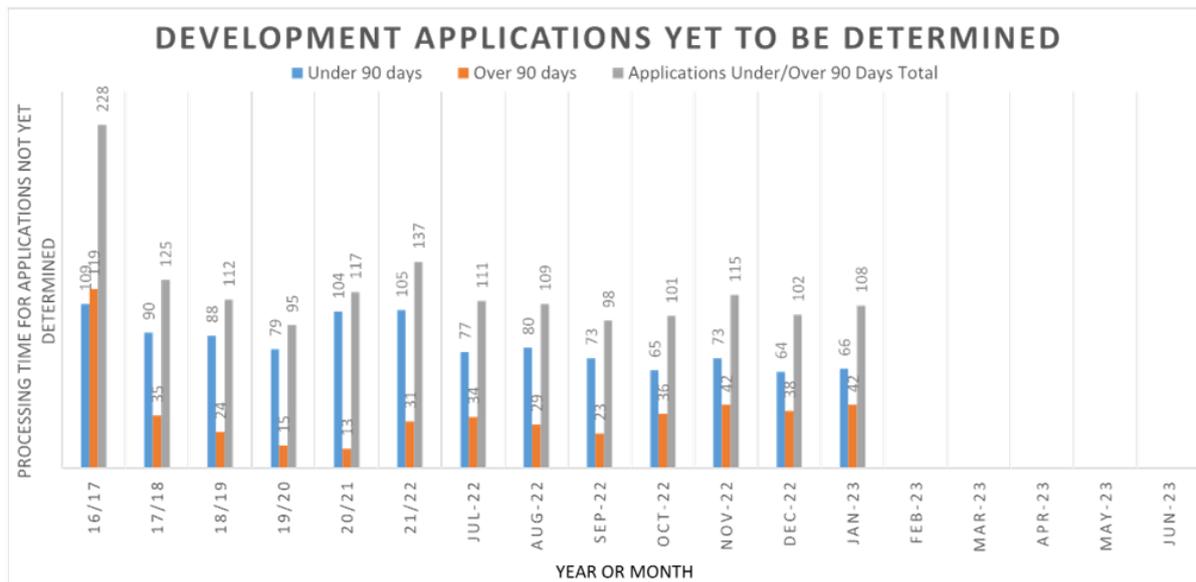
Dated.....day of .....2023

### Statistics for Development Applications As at the end of January 2023



**Table 1:** Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2021.

	Jul-22	Aug-22	Sept-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
DA's Determined	31	27	31	19	12	31	11					
Value of Determined DA's (in millions)	4.28	31	69.8	3.01	53.4	145.4	2.25					



**Table 2:** No. of DA's to be determined

	Jul-22	Aug-22	Sept-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
DA's lodged	27	25	23	27	25	18	17					
DA's to be Determined	111	109	96	101	115	102	108					
Value of DA's to be Determined (in millions)	238.59	305.59	244.36	287.49	273.64	106.44	108.49					

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS  
AS AT 23 FEBRUARY 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	Nos. 212-214 Lake Street, Perth (DR 223 of 2021)	19 October 2021	Hanoze Park Pty Ltd	<p>Application for review of notice issued in accordance with the <i>Health (Miscellaneous Provisions) Act 1911</i> to address odour nuisance at 7 Grams Chicken Café. Hanoze Park Pty Ltd believes the notice to be invalid.</p> <p>*****</p> <p>SAT Directions Hearings were held on 5 and 11 November 2021, and a further directions hearing held 1 March 2022. The presiding member heard submissions from the City and from the Applicant. On 20 April 2022, the Tribunal handed down their decision, affirming the decision of the City that a Notice can be given under S.184 of the <i>Health (Miscellaneous Provisions) Act 1911</i> (for a nuisance not specifically mentioned in Section 182 of that Act). The matter proceeded to confidential mediation on 5 July 2022. The session centred on a practical solution proposed by the business. The business agreed to present plans for this solution to the City to review by 2 August 2022 with a further mediation hearing scheduled for 9 August 2022.</p> <p>SAT agreed to further adjournment to 21 September 2022. The applicant is required to submit mechanical drawings prior to the next SAT Hearing. The matter has been further adjourned to 17 November 2022 as the consultant contracted by Hanoze Park Pty Ltd passed away. Mechanical drawings have been submitted and it has been identified that a development application and building application would be required. Mediation listed for 17 November 2022 was vacated, and matter is listed for hearing on 3 March 2023. A development approval has been issued for external fixtures, and the City is awaiting submission of a building application for solution.</p> <p><i>Representation by: McLeods</i></p>
2.	Nos. 596-598 Newcastle Street, West Perth (DR 92 of 2022)	8 June 2022	Lateral Planning	<p>Application for review of Council decision to refuse an application for Proposed Amendment to Previous Approval: Billboard Signs (Unlisted Use) on 17 May 2022.</p> <p>*****</p> <p>Directions Hearing held on 17 June 2022. The mediation listed on 1 August 2022 was vacated and the matter is now listed for mediation on 1 September 2022. Following mediation the matter has been listed for a full hearing. Key dates for this are as follows:</p> <ul style="list-style-type: none"> <li>• 14 October 2022 – City Statement of Issues, Facts and Contentions due to SAT.</li> <li>• 28 October 2022 – Applicant Statement of Issues, Facts and Contentions due to SAT.</li> <li>• 8 February 2023 – Witness statements and draft conditions due to SAT.</li> <li>• 23 and 24 February 2023 – SAT Hearing.</li> </ul> <p>Subsequent to this the applicant confirmed withdrawal of matter on 19 October 2022. The applicant has since requested the matter be reopened and a Directions Hearing was held on 25 November 2022 and a further Directions Hearing on 16 December 2022 to consider this.</p>

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS  
AS AT 23 FEBRUARY 2023

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
				<p>At the 16 December 2022 Directions Hearing, the SAT allowed for the appeal to be reinstated following the previous withdrawal, with the matter to be listed for full hearing. Directions Hearing scheduled for 13 January 2023 was vacated. The SAT issued Orders on 13 January 2023 with the following key dates associated with full hearing:</p> <ul style="list-style-type: none"> <li>• 3 February 2023 – City’s Statement of Issues, Facts and Contentions due to SAT.</li> <li>• 24 February 2023 – Applicant Statement of Issues, Facts &amp; Contentions due to SAT.</li> <li>• 17 March 2023 – Witness statements due to SAT.</li> <li>• 24 March 2023 – City’s draft conditions if approved due to SAT</li> <li>• 31 March 2023 – Applicant’s draft conditions if approved due to SAT</li> <li>• 25 and 26 May 2023 – SAT Hearing.</li> </ul> <p><i>Representation by: Castledine Gregory</i></p>
3.	No. 391 Lord Street, Mount Lawley (DR 192 of 2022)	31 October 2022	Urbanista Town Planning	<p>Application for review of a Joint Development Assessment Panel decision to refuse an application for a mixed-use development on 19 October 2022.</p> <p>*****</p> <p>Directions hearing was vacated and mediation was listed for 30 November 2022. Mediation held on 30 November 2022. A second mediation was held on 1 February 2023 to discuss modifications to the proposal. Matter listed for third mediation on 3 April 2023 to discuss further modifications to the proposal, with further information due to the Respondent on or before 6 March 2023.</p> <p><i>Representation by: Administration</i></p>
4.	No. 103 Alma Road and 367-373 Fitzgerald Street, North Perth (DR 14 of 2023)	2 February 2023	Element Advisory	<p>Application for review of a Joint Development Assessment Panel decision to refuse an application for a mixed-use development on 18 December 2022.</p> <p>*****</p> <p>Awaiting listing date for a Directions Hearing from the SAT.</p>
5.	No. 109 Palmerston Street, Perth (DR 28 of 2023)	14 February 2023	Urbanista Town Planning	<p>Application for review of a Deemed Refusal for Four Grouped Dwellings. The development application was lodged 29 July 2022 and was deferred by Council on 15 November 2022 for a period of 90 days to allow applicant to consider Council’s reasons for deferral and changes to the proposal. Applicant was working with Administration to address Council reasons for deferral, with the intention of providing modified plans to a future Council Meeting.</p> <p>*****</p> <p>Awaiting listing date for a Directions Hearing from the SAT.</p>

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)  
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT  
AS AT 23 FEBRUARY 2023**

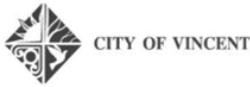
No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	No. 129 Loftus Street, Leederville	Harley Dykstra Planning & Survey Solutions	Form 1 – Child Care Premises	12 May 2022	Not yet scheduled	Currently under assessment.  The application is currently on 'stop-the-clock' and a new due date for the Responsible Authority Report has not yet been confirmed.
2.	Nos. 41-45 Angove Street, North Perth	Hidding Urban Planning	Form 1 – Service Station	7 September 2022	Not yet scheduled	Currently under assessment.  The application is currently on 'stop-the-clock' and a new due date for the Responsible Authority Report has not yet been confirmed.
3.	No. 141 West Parade, Mount Lawley	Planning Solutions	Form 1 – Mixed Use Development	27 October 2022	Not yet scheduled	Currently under assessment.  The application is currently on 'stop-the-clock' and a new due date for the Responsible Authority Report has not yet been confirmed.
4.	Nos. 194-200 Carr Place, Leederville	Taylor Burrell Barnett	Form 1 – Multiple Dwelling Development	3 January 2023	Not yet scheduled	Currently under assessment.  Responsible Authority Report is currently due by 21 March 2023.
5.	Nos. 139 and 141 Lake Street, Perth	Planning Solutions	Form 1 – Mixed Use Development	17 January 2023	Not yet scheduled	Currently under assessment.  Responsible Authority Report is currently due by 3 April 2023.
6.	No. 554 Newcastle Street, West Perth	Tomaria Construction	Form 1 – Mixed Use Development	20 January 2023	Not yet scheduled	Currently under assessment.  Responsible Authority Report is currently due by 26 April 2023.

**DAP Process Improvements:**

*The City's Administration has changed the process for DAP matters. This will include early confirmation of the availability of Elected Members that are DAP Members to attend DAP meetings. This will also include the circulation of the Responsible Authority Report to all Elected Members on contentious DAP items.*

**CITY OF VINCENT DESIGN REVIEW PANEL  
REGISTER OF APPLICATIONS CONSIDERED BY DESIGN REVIEW PANEL  
AS AT 23 FEBRUARY 2023**

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
Nos. 139-141 Lake Street, Perth	Planning Solutions	Mixed Use Development	1 February 2023	Lodged DA – Previously Referred To consider amendments to the proposal made in response to the comments of the Design Review Panel (DRP) on 7 September 2022.



# INFORMATION BULLETIN

<b>TITLE:</b>	<b>Register of Petitions – Progress Report – February 2023</b>
<b>DIRECTORATE:</b>	<b>Chief Executive Officer</b>

**DETAILS:**

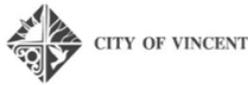
Petitions received by the City of Vincent are read out at the Council Meeting and are referred to the appropriate Director for investigation and report. This normally takes 6-8 weeks and the purpose of this report is to keep the Council informed on the progress of the petitions which have been reported to the Council.

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following petitions still require action or are in the process of being actioned.

<b>Key Index:</b>	
CEO:	Chief Executive Officer
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

Date Rcd	Subject	Action Officer	Action Taken
3/2/2023	Petition with 26 signatures requesting that Council resolve the issues identified by, and of ongoing concerns to the residents/owners of Harold Street Mount Lawley (between Beaufort and Vincent Streets) regarding traffic management. Specifically congestion, safety including dangerous driving, lack of adherence to the 40kph speed zone and potential risk to children living in the street and students attending Sacred Heart Primary School. The development application variation by the Challis Apartments, 539 Beaufort Street, to revoke the onsite/internal visitors bays may also add additional stress to traffic flow and may adversely impact the already difficult resident parking concerns.	EDIE	<b>Completed</b> A report will be submitted to Council at the 14 March 2023 Ordinary Council Meeting
15/3/2022	Petition with four (4) signatures requesting residents only parking on Prospect Place, West Perth	EDIE	The Rangers have recently completed the necessary occupancy survey for this street, and are now in the process of going through all of the data to ascertain what the best outcome is.  Once we have analysed the data, we can then make a decision whether it is viable or necessary to make this resident only parking.



# INFORMATION BULLETIN

<b>TITLE:</b>	<b>Register of Notices of Motion – Progress Report – February 2023</b>
<b>DIRECTORATE:</b>	<b>Chief Executive Officer</b>

**DETAILS:**

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following Notices of Motion still require action or are in the process of being actioned.

<b>Key Index:</b>	
CEO:	Office of the CEO
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

Details	Action Officer	Comment
<b>13 December 2022 – Submitted by Cr Loden</b>		
Compulsory Citizenship Ceremonies	EDSD	<b>Complete</b> Citizenship Ceremony held on 27 January 2023 following Federal Government decision to allow local governments to choose to not hold Citizenship Ceremonies on Australia Day.
<b>13 December 2022 – Submitted by Cr Wallace</b>		
Local Planning Scheme No. 2 Amendment Regarding Service Stations	EDSD	Scheme Amendment documents prepared and submitted to EPA for assessment. Mid 2023.
<b>13 December 2022 – Submitted by Cr Loden</b>		
Leederville Oval Master Plan	EDSD	The Leederville Oval Working group has formed with an inception meeting on 21 December 2022. An update on the progress is to be presented to the May OCM.



# INFORMATION BULLETIN

<b>TITLE:</b>	Register of Reports to be Actioned – Progress Report – February 2023
<b>DIRECTORATE:</b>	Chief Executive Officer

## DETAILS:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following reports still require action or are in the process of being actioned.

<b>Key Index:</b>
CEO: Office of the CEO
EDCBS: Executive Director Community & Business Services
EDSD: Executive Director Strategy & Development
EDIE: Executive Director Infrastructure & Environment

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
<b>Council Meeting 14 February 2023</b>				
10.1	Update on Expanding 40KM/H Speed Zones Within City of Vincent	EDIE	Submission of 40kph application to MRWA to progress Consultation to be prepared for Vincent St (Beaufort to William)	June 2023
<b>Council Meeting 13 December 2022</b>				
9.6	Draft Strategic Community Plan 2022 - 2032	EDSD	The draft Strategic Community Plan was authorised for advertising for 28 days. Following advertising, the revised draft will be presented to Council in mid 2023.	Mid 2023
9.8	Mount Hawthorn Youth Skate Space	EDSD	Results from advertising and the updated concept plan was approved by Council. The tendering and construction process will be completed in mid 2023.	Mid 2023
9.9	Redevelopment Proposals, Leederville	EDSD	Council approved the Stage 2 Request for Detailed Proposals. These have been distributed to the three shortlisted proponents. Following the evaluation process and due diligence, this will be presented to Council in mid 2023.	Mid 2023
10.1	Stormwater Drainage	EDIE	Commencing within the Mount Hawthorn precinct; Hydraulic modelling to be undertaken in 2023 – 2024 financial year (estimated cost of \$80,000 - \$160,000)	Anticipated be undertaken during the 2023 - 2024 financial year (funded through the above modelling project); and 2023 - 2024 Annual Budget preparations.
10.4	Full Median Strip for Angove Street and Woodville Street Intersection	EDIE	Administration to finalise the concept design drawings of the Angove Street and Woodville Street median strip proposal. Community consultation based on the finalised concept design drawings proposing a 12 month.	Late 2023

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			trial of the traffic management treatment. Report back to Council on the outcome of the community consultation and advice whether the traffic management treatment trial should proceed.	
11.6	Draft Annual Report 2021/2022	EDCBS	The Annual Report was accepted and will be presented to the AGM.	<b>Completed</b> AGM 2 February 2023
12.3	Vincent Underground Power Project – Five Additional project areas	CFO	For inclusion on the Business Plan, to reflect the ongoing nature of the VUPP	Will be included when the process starts
<b>Council Meeting 15 November 2022</b>				
9.1	No. 109 (Lot: 100, D/P: 43470) Palmerston Street, Perth - Proposed Four Grouped Dwellings	EDSD	Application deferred for a period of 90 days to allow applicant to consider Council's reasons for deferral and changes to the proposal.  Applicant is working with Administration to address Council reasons for deferral, with the intention of providing modified plans to a future Council Meeting.  Application has been made to the State Administrative Tribunal (SAT) to review the Deemed Refusal of this application. Awaiting listing date for a Directions Hearing from the SAT	By February 2023-OMC Mid-2023 March 2023
9.2	Advertising of Reviewed Local Planning Policy No. 7.5.13 - Percent for Art	EDSD	Council approved Local Planning Policy No. 7.5.13 - Percent for Art at its Meeting in February 2023.	<b>Completed</b>
11.5	Advertising of amended policy - Sponsorship to the City Policy	EDCBS	The Policy will be advertised for consultation from 24 November to 16 December. It is included in the agenda for the OCM 14 February 2023.	<b>Completed</b> 14 February 2023
<b>Council Meeting 18 October</b>				
9.5	Local Planning Scheme Amendment No. 11	EDSD	Special Control Area drafted for inclusion in Local Planning Scheme No. 2 to protect the Royal Perth Hospital Emergency Helicopter Flight Path. Scheme amendment approved for advertising. Results from advertising and the updated scheme amendment will be presented to Council for consideration in early 2023.	Early 2023.
9.10	Place Plan Annual Review		Final review of Volume 1: Vincent Town Centre Place Plan and Volume 2: North Perth Town Centre Place Plan. Annual	Council will receive this update annually with the next

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			review of Volume 3: Mount Hawthorn Town Centre Place Plan, Volume 4: Leederville Town Centre Place Plan, Volume 5: Beaufort Street Town Centre Place Plan and Volume 7: Pickle District Place Plan.	update scheduled for October 2023.
<b>Council Meeting 23 August 2022</b>				
9.5	Advertising of Amended Character and Heritage Areas Policy - Orange Avenue and Hope Street	EDSD	Guidelines and updated Policy approved for advertising. Results from advertising and the updated Guidelines and Policy will be presented to Council for consideration in early 2023.	Early 2023.
9.6	Advertising of Amended Policy - Local Planning Policy No. 7.5.1 - Minor Nature Development	EDSD	Policy amendments drafted to update exemptions proposed to be applicable in the City of Vincent. Amended policy approved for advertising. Results from advertising and the updated Policy will be presented to Council for consideration in late-2022 early 2023.	Early 2023.
10.4	Outcome Of Consultation: 12 Month Diagonal Diversion Trial/Proposed Reduction Of Speed Limit Within Area Bounded By Charles, Fitzgerald, Angove And Vincent Streets	EDIE	To come back to Council after completion of the trial (if proceeds). Construction of diversion complete Feb 2023. Assessment ongoing.	2023
<b>Council Meeting 26 July 2022</b>				
9.5	Outcome of Advertising - Amendment 8 to Local Planning Scheme No. 2 (No. 26 Brentham Street, Leederville)	EDSD	Form 2A – Standard Amendment to Local Planning Scheme No. 2 relating to rezoning of 26 Brentham Street, Leederville is awaiting consideration from the Minister for Planning. This has been published in the government gazette and is now in effect.	Late-2022 Early-2023.  <b>Completed.</b>
9.7	Beaufort Street and Grosvenor Road Pedestrian Improvement Projects	EDSD	Taking place between 1 October and 14 November 2022 the trial will investigate how the area performs as a pedestrian plaza (closed to vehicles for 16 days) and a shared street (shared access and use for four weeks).	The results of the trial and the data collected throughout the trial period will be reported back to Council in late-2022 early 2023..
9.8	Creation of Mall Reserve - Washing Lane, Perth	EDSD	Formal application through Section 59 process will be sent through to the Minister for Lands	Late-2022/Early Mid 2023
9.9	New Lease to Jigsaw Search & Contact Inc - Portion of Robertson Park, No. 176 (Lot 1) Fitzgerald Street, Perth Lee Hops Cottage)	EDSD	Tenant's position has changed, reviewing options. They will inform the City later part of 2023.	Late-2022- Early-2023  Late 2023
10.1	Halvorsen Hall - Tenant Relocation	EDIE	Executed lease 1 February 2023	<b>Completed</b>
11.7	Extension Of Lease And Deed Of Contract To Belgravia Health & Leisure Group Pty Ltd - Loftus	EDCBS	Draft Extension of Lease and Contract sent to Belgravia for Execution. Awaiting executed documents.	15-September Late-2022. Early 2023

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
	Recreation Centre - Portion Lot 501 (99) Loftus Street, Leederville			
<b>Special Council Meeting 5 July 2022</b>				
5.1	<b>Adoption of the Annual Budget 2022/23</b>	EDCBS	<p>REQUESTS Administration monitor the impact to number of transactions and revenue following the change to \$1 for first hour 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 fees and charges for the 2023/24 Annual Budget; and</p> <p>REQUESTS Administration monitor and review the usage of time limited 15 minute and 30 minute only on street bays in Town Centres following the introduction of \$1 for the first hour in City car parks to ensure short term visitor parking availability.</p>	OCM April 2023
<b>Council Meeting 17 May 2022</b>				
9.3	Accessible City Strategy - Implementation Update	EDSD	Council received the first implementation progress update relating to the actions within the Accessible City Strategy. These actions will continue to be progressed. Council will receive this update annually with the next update scheduled for May 2023.	May 2023
9.4	Sale of No. 25 (Lot 93) Sydney Street, North Perth	EDSD	Draft surrender of licence prepared. Communications required with Licensee.	November Late-2022. Early 2023
<b>Council Meeting 5 April 2022</b>				
9.3	Proposed Amendment No. 9 to Local Planning Scheme No. 2 - No. 21 (Lot: 373; D/P: 1939) Eucla Street, Mount Hawthorn	EDSD	Amendment advertised and determined by Council at the 22 October Council Meeting. Amendment has been forwarded to the WAPC for consideration before being presented to Minister for determination.	Response from Minister expected in mid-2023.
12.5	<b>Responses to motions carried at the Annual Meeting of Electors held on 2 February 2022</b>			
Motion 2	<p>DIRECTS the CEO to provide the Tree Selection Tool publicly on the City website.</p> <p>Council RECEIVE a further report on the review of the Street Tree and other relevant policies to reflect the requirement for at least 75% of street trees planting going forward being native.</p>	EDIE	Further report advising feasibility will be presented to Council in early 2023.	Tree Selection Tool published on website – Feb 2023. Street Tree Policy to go to April 2023 Workshop.
Motion 6	<p>4. REQUESTS that:</p> <p>1. The CEO investigates the scope and cost of a suitably qualified consultant to assess</p>	EDIE	Budget allocation and engaging of contractors underway.	Engaging contractors to have the construction of the retaining wall are underway.

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
	<p>and model the capacity of the City's existing drainage network to cope with increasing major rain events and the need to assess climate mitigation;</p> <p>2. Includes a scope of works is inclusive of cost estimates, a risk-based assessment and a program of prioritised works and recommendations over a 10-year period; and</p> <p>3. Provides a report back to Council by December 2022.</p>			<p>Budget to be allocated for the works, and a report will be presented back to Council in December 2022.</p> <p>Contractors engaged to construct wall – anticipated commencement September 2022.</p> <p><b>Completed</b></p> <p>Wall construction completed. Drainage Strategy approach presented to OCM December 2022. Item 2(2) superseded at OCM December 2022</p>
<b>Council Meeting 8 March 2022</b>				
9.4	Sale of No. 26 Brentham Street, Leederville	EDSD	Scheme Amendment considered by SPC awaiting Minister's determination. Follow up required with adjoining landowners to confirm interest in sale.	Early 2023
<b>Council Meeting 8 February 2022</b>				
9.3	Public Open Space Strategy - Implementation Progress Update	EDSD	Council received the first implementation progress update relating to the actions within the Public Open Space Strategy. These actions will continue to be progressed. Council will receive this update annually.	February Early 2023. <b>Completed.</b>
<b>Council Meeting 14 September 2021</b>				
9.7	Outcomes of Advertising: Draft Precinct Structure Plan and Draft Place Plan - Leederville; and Preparation of Amendment 7 to Local Planning Scheme No. 2	EDSD	LPSP referred to WAPC for comment and endorsement.	Final comments not expected until mid late 2022. early 2023
<b>Council Meeting 23 March 2021</b>				
10.2	Waste Strategy Project - 2 Bulk Hard Waste Options Appraisal	EDIE	<p>Carry out one final scheduled collection in July 2021.</p> <p>Implement an 18 month trial of the WMRC Verge Valet from January 2022.</p> <p>Further report will be provide to council on the progress and the community feedback.</p>	<p>Carry out one final scheduled collection in July 2021.</p> <p>Implement an 18 month trial of the WMRC Verge Valet from January 2022.</p> <p>Report to be presented to Council in March 2023</p>
<b>Council Meeting 20 October 2020</b>				
12.2	Request to the Minister for Lands to Acquire Six Rights of Way as Crown Land and Reserve as Public Rights of Way - Perth Precinct	CEO	Request submitted to the Minister for Lands in February 2021 Assessment expected to take 6 – 12 months. Five RoWs completed. One pending.	<p>Expected completion 31 December 2021.</p> <p>End of 2021/22 financial year. September 2021 Late 2021 During Late 2022 Early 2023</p>
<b>Council Meeting – 23 July 2019</b>				
9.8	Beaufort Street Change of Use Exemption and Amendment to Policy No. 7.5.1 - Minor Nature Development	EDSD	The trial has been implemented along with a number of additional exemptions implemented through the State Government in response to COVID.	The revised draft Policy will be was presented to Council for consideration in 2022 at its 23 August Meeting, where it was adopted for the purposes of community consultation. The results of consultation and a

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
				final policy scheduled to be presented to Council in late 2022 early 2023.
<b>Council Meeting – 30 April 2019</b>				
11.4	Transfer and dedication of lots as road - Charles Street, North Perth	CEO	<del>Main Roads to organise State Solicitors Office to prepare have prepared transfer documents. Awaiting signing by both parties.</del> Acquisition of Lot 66 on hold due to adverse possession claim. Resolution of adverse possession claim waiting on Landgate decision.	<del>To be signed by 30 October 2020.</del> Waiting on Landgate decision
<b>Council Meeting – 30 May 2017</b>				
12.5	Perth Parking Levy	EDIE	State Government yet to release results of consultation.	Update scheduled to be provided in <del>late 2024.</del> 2022 Early 2023

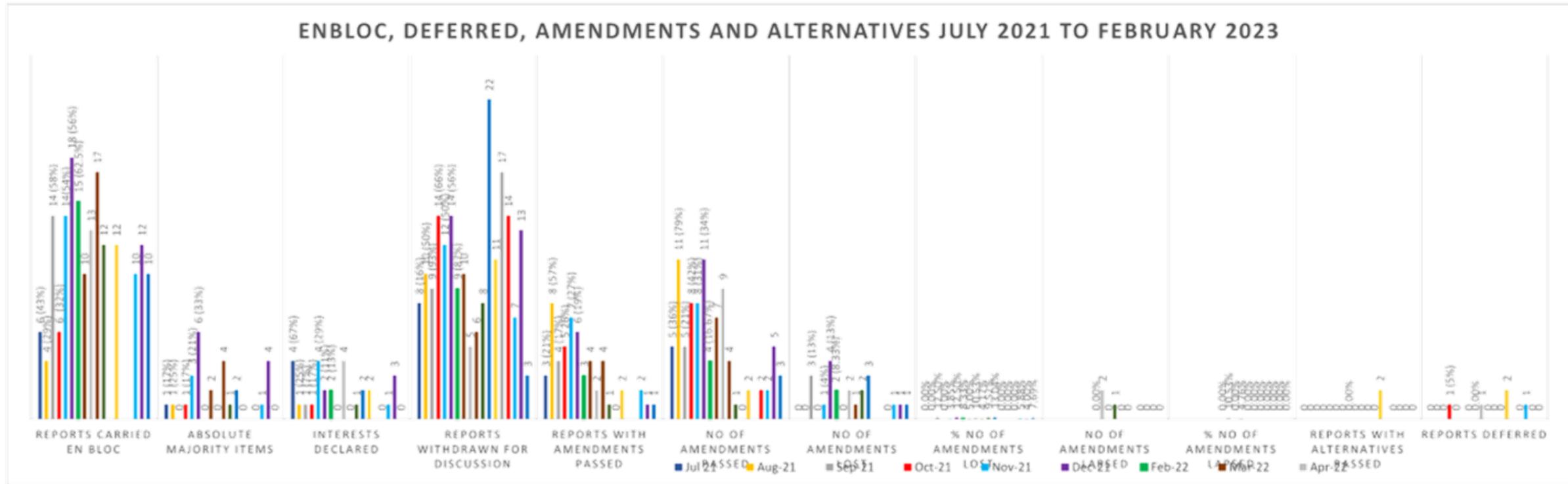
**COUNCIL WORKSHOPS**

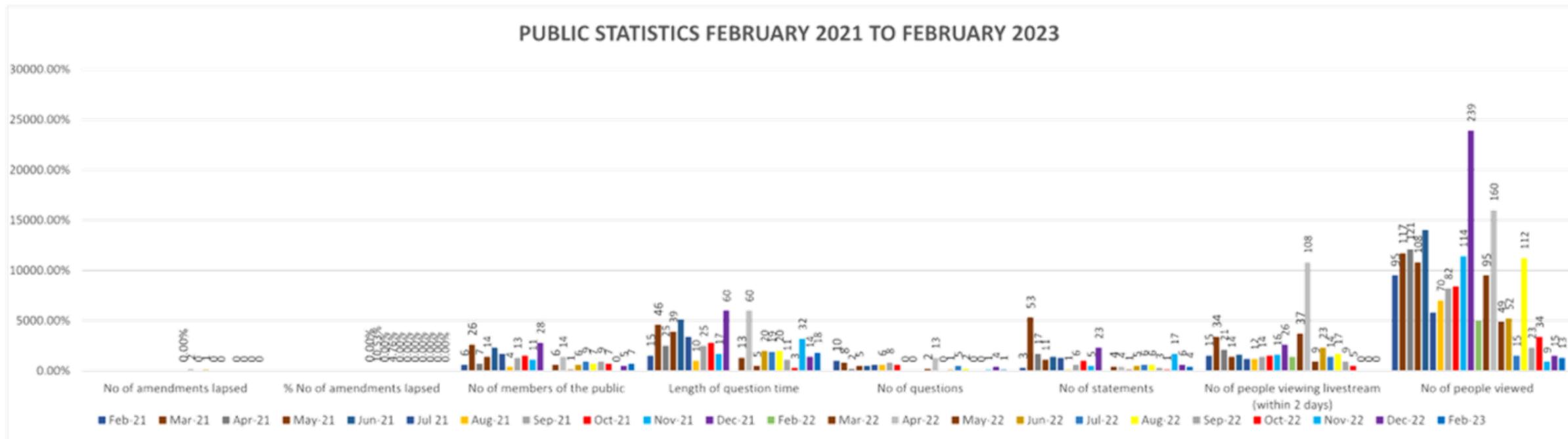
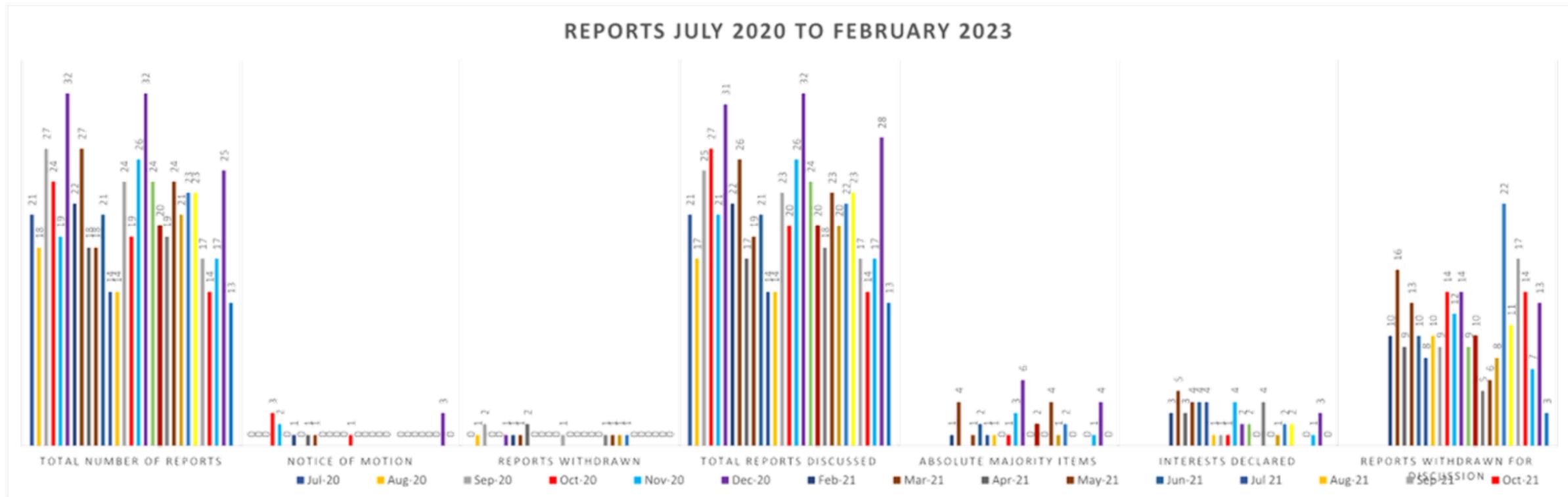
One workshop has been held since 30 November 2022, on 28 February 2023

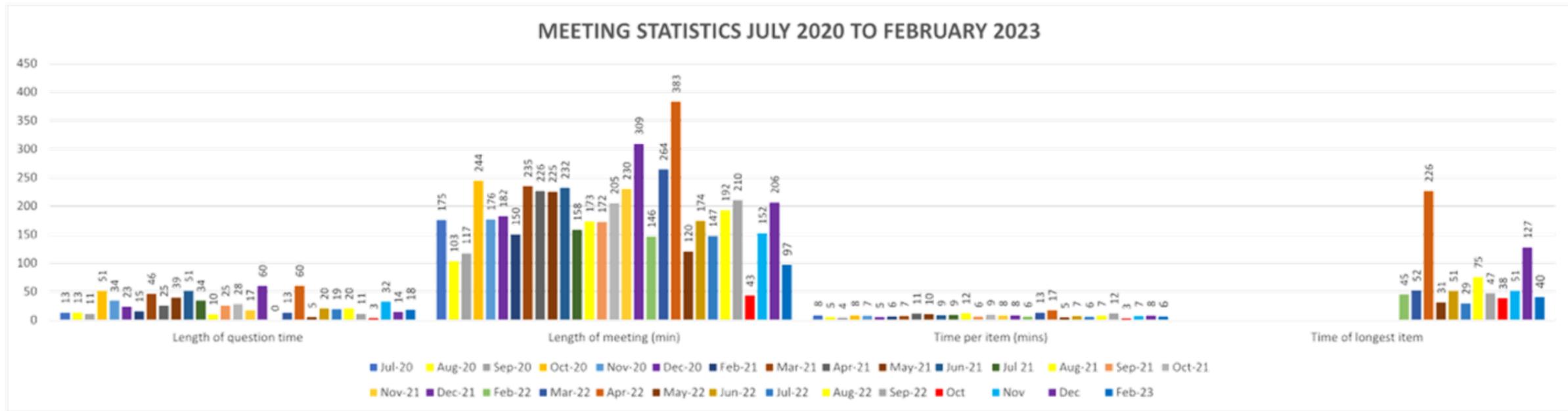
The items on the agenda were:

1. Polyphagous Shot-Hole Borer
2. Robertson Park Development Plan - Update
3. View Street Urban Design Concept and Pedestrian Trial
4. Service Delivery Review Program - Updated City SoaPs and Strategy Houses
5. FY22 Australasian LG Performance Excellence Program - Key Findings of Benchmarking Report
6. Update of the Strategic Projects in the Corporate Business Plan 2022/23 - 2025/26
7. FOGO Project Closure Report
8. Perth Parking Management Area
9. Advocacy Agenda
10. Smart City Positioning Statement
11. Grosvenor Road Trial
12. Communications and Engagement Calendar
13. Council Member Decision Making Forward Agenda
14. Options for Use of No. 10 Monmouth Street, Mount Lawley
15. Brisbane Street Car Park - Future Options
16. Planning Reforms

### Council Meeting Statistics – February 2023









**CITY OF VINCENT**

**NOTES**

**Council Briefing**

**7 February 2023**

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**NOTES OF CITY OF VINCENT  
COUNCIL BRIEFING  
HELD AS E-MEETING AND AT THE  
ADMINISTRATION AND CIVIC CENTRE,  
244 VINCENT STREET, LEEDERVILLE  
ON TUESDAY, 7 FEBRUARY 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 Ross Ioppolo</p>	<p>Presiding Member South Ward South Ward South Ward North Ward South Ward North Ward South Ward</p>
<b>IN ATTENDANCE:</b>	<p>David MacLennan John Corbellini</p> <p>Peter Varris</p> <p>Rhys Taylor Tara Gloster Jay Naidoo Joslin Colli</p> <p>Luke McGuirk Lisa Williams Wendy Barnard</p>	<p>Chief Executive Officer A/Executive Director Strategy &amp; Development A/Executive Director Infrastructure &amp; Environment Chief Financial Officer Manager Policy &amp; Place Manager Development &amp; Design A/Executive Manager Corporate Strategy &amp; Governance Manager Engineering Manager Marketing &amp; Partnerships Council Liaison Officer</p>
<b>Public:</b>	Approximately one member 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, PRESENT AND EMERGING."

## 2 APOLOGIES / MEMBERS ON APPROVED LEAVE OF ABSENCE

Cr Suzanne Worner was an apology for this meeting.

### 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.

#### Dudley Maier of Highgate – Item 6.1

- Stated that the intention of the trial was to reduce traffic speed, but this has not succeeded. The average speed dropped by 1km/h, which could be seasonal variances. It also stated that for some classes of accidents the trial area was worse than the control area.
- Queried Appendix A of the PJA report, which shows that the average speed is the same as the 85 percentile, for Bulwer Street and Palmerston Street, which is not consistent with all the other observations in that report. Are these figures correct, and did anybody question the obvious anomalies?
- Mentioned that most of the developed world is moving to 30km/h limits in residential streets. The report debunks that reducing speed adds significantly to travel times.
- Stated that the likelihood of death is much reduced at 30km/h, and besides reducing the possibility of injury or death, this also has an impact on public perceptions.
- Agrees with the 30km/h trial, but feels the implementation plan should be wider
- Notes that only one third of respondents were women, they need to be engaged, they are the key to influencing the next generation.

There being no further speakers, Public Question Time closed at approximately 6.05pm.

### 4 DECLARATIONS OF INTEREST

- 4.1 Cr Ross Ioppolo declared a potential proximity interest in Item 7.1 Financial Statements as at 30 November 2022, Item 7.2 Financial Statements as at 31 December 2022, Item 7.3 Authorisation of Expenditure for the Period 1 November 2022 to 30 November 2022 and Item 7.4 Authorisation Of Expenditure For The Period 1 December 2022 To 31 December 2022.

The interest is to the extent these items include expenditure constituting development, maintenance or management of land or facilities on land relating to the City of Vincent Administration Building and/or Leederville Early Childhood Centre at 244 Vincent Street. To the extent these items are included and recognised during discussion and not identified by Administration in advance, Cr Ioppolo will declare an actual proximity interest and excuse himself while those aspects are discussed, unless the majority of Council is content for Cr Ioppolo to remain in Chamber but not participate in such discussion.

### 6.1 UPDATE ON EXPANDING 40KM/H SPEED ZONES WITHIN CITY OF VINCENT

- Attachments:**
1. Proposed 40kph Area Wide Speed Zone Trial – South Vincent Progress Report No 1 (2016) 
  2. Proposed 40kph Area Wide Speed Zone Trial – South Vincent Progress Report No 2 (2016) 
  3. Proposed 40Km/h Area Wide Speed Zone Trial - Results of Consultation (2018) 
  4. Road Safety Commission Report (GHD) 
  5. Evaluation Survey September 2022 
  6. Safe Speed Trial Evaluation Report 
  7. 3741-CP-D - Speed Plan 

#### RECOMMENDATION:

That Council:

1. **NOTES** the Safe Speed Trial Evaluation Report (Attachment 6); and
2. **APPROVES** progression of formal applications to Main Roads Western Australia (MRWA) for the approval of permanent 40km/h speed zones within areas bounded by Newcastle, Vincent and Charles Streets and the Swan River; and
3. **APPROVES** progression of formal applications to MRWA to trial 40km/h speeds over a period of 18-months on all Local Roads which are currently posted 50km/h.

#### **MAYOR COLE:**

Timeframes – not attached in recommendation, but they are in the report. What would be the impact of bringing forward the timing to 2023/24.

Flag an amendment to bring area 4 forward to 2023/24, but feedback on LTFP and how this could be implemented. Can planned consultation be added to the report?

#### **MANAGER ENGINEERING:**

*The timeframes within the details of the Council Agenda Briefing item are reflective of the consultants (PJA) report which has been reviewed by the Road Safety Commission (RSC), Main Roads WA (MRWA), City of Vincent Engineering Team and Western Australian Local Government Association (WALGA).*

*Timeframes which administration are targeting have been added within the OCM report, as are cost estimates reflective within the financial/budget implications section of the OCM report.*

*Planned consultation added into the OCM report.*

#### **MAYOR COLE:**

Traffic data figures – Bulwer, Fitzgerald and Palmerston – speeds are the same from Dec 18 to 2021 and has that been checked?

#### **MANAGER ENGINEERING:**

*The traffic data was manually inputted within the PJA Safe Speed Trial Evaluation Report and has now been cross checked. Errors which have been identified are now removed, these errors are insignificant to the outcome of the report as the majority of the data was inputted correctly.*

*The report has now been revised and will be included within the OCM item as an attachment.*

*Administration has taken steps to mitigate the likelihood of similar transferal errors in the future.*

#### **MAYOR COLE:**

Follow up re grant money from Main Roads

#### **MANAGER ENGINEERING:**

*Funding will be followed up by administration however it is unlikely that this project will meet the current criteria to secure external funding.*

**CR HALLETT:**

Foreshadow amendment to 30km/h and not a trial – information on how that would work

**A/EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:**

*Main Roads WA's current practice towards reduced speed limits from the statutory 50kph to 40kph in residential areas is for local governments to install physical local area traffic management infrastructure (speed bumps, raised plateaus, roundabouts, etc) to create a traffic environment that impedes speeding. Should the physical interventions not change driver behaviour MRWA will consider a reduction in the posted speed limit.*

*Administration's perspective is that the speed limit should be reduced first and only then install LATM infrastructure where driver behaviour has not responded.*

*As noted in the report –*

*"MRWA raises concerns on the high operational and maintenance cost for areas which have differential speed limits. MRWA preference is for an overall 40km/h default limit to be implemented throughout Western Australia's Local Roads to reduce costs. Other concerns from MRWA came from driver behaviour and how traffic calming devices are expected to be implemented before speeds are approved to be reduced.*

*MRWA will have final authority to grant or reject applications to reduce speeds on Local Roads."*

*A metropolitan wide (or perhaps an inner city wide) reduction in the statutory speed limit for residential areas would mean that MRWA would not need to implement the level of signposting and line making as it does for those areas currently approved.*

*The current Accessible City Strategy has two specific actions in respect to the reduction of residential speed limits –*

*4.1.1 Work with the State Government and Inner-City Group of Councils to implement a 40km/h zone in all residential areas of the City of Vincent by 2023.*

*4.1.2 Through consultation with key stakeholders, develop the City's local streets in line with the principles of Safe Active Streets with slow design speeds to promote safety and amenity and utilise 40km/h zones as a tool to transition to lower speeds where appropriate. The aspirational long-term vision is that residential streets will have Safe Active Street geometry, relevant to their location, context and function.*

*Priority should be given to the following:*

- Streets identified as part of the WABN (DoT);*
- Cycling local routes;*
- Streets surrounding schools;*
- Any residential streets that have been earmarked for resurfacing projects; and*
- Any residential streets where reallocation of road space is proposed.*

*An opportunity identified in the Strategy is that "30km/hr residential speed limits allow for an integration of mixed traffic cycling and significantly improved road safety outcomes."*

*At the Briefing this was stated in error as an advocacy position of the City. A 30kph residential speed limit is not specifically articulated as an Objective or Action under the Accessible City Strategy and could be considered as an advocacy position in a future review.*

*The approach to the current trial and the collaboration with stakeholders has been based on a reduction to a posted residential speed limit of 40kph. It is considered that the reduction of the speed limit and the creation of safer residential street environments is more likely to be achieved through an incremental approach via a 40kph limit*

**5.1 NOS. 119-133A (LOT: 100; D/P: 29145) OXFORD STREET, LEEDERVILLE - PROPOSED CHANGE OF USE FROM SHOP TO TAVERN INCLUDING ALTERATIONS AND ADDITIONS**

**Ward:** South

- Attachments:**
1. Consultation and Location Plan 
  2. Development Plans 
  3. Waste Management Plan 
  4. Venue Management Plan 
  5. Parking Management Plan 
  6. Acoustic Report 
  7. 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 a Proposed Change of Use from Shop to Tavern including Alterations and Additions at Nos. 119-133A (Lot: 100; D/P: 29145) Oxford Street, Leederville, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 7.:

**1. Development Approval**

This approval is for a Change of Use from Shop to Tavern including Alterations and Additions as shown on the approved plans dated 20 September 2022. No other development forms part of this approval;

**2. Use of Premises**

**2.1** This approval is for a Tavern as defined in the City of Vincent Local Planning Scheme No. 2. The use of the subject land for any other land use may require further approval from the City;

**2.2** The Tavern shall be limited to a maximum of 200 patrons at any one time; and

**2.3** The Tavern shall have the following hours of operation:

- Monday to Saturday: 6:00am to 12:00am (midnight); and
- Sunday and Public Holidays: 7:00am to 12:00am (midnight);

unless otherwise approved by the Racing Gaming and Liquor Division of the Department of Local Government, Sport and Cultural Industries;

**3. Venue Management**

**3.1** Prior to commencement of the approved development, an amended Venue Management Plan shall be submitted to and approved by the City. The amended Venue Management Plan shall be prepared in accordance with City's Policy No. 7.5.7 – Licensed Premises and shall incorporate recommendations of the 'Acoustic Report – Environmental Noise Assessment' dated 6 September 2022, prepared by AAP; and

**3.2** The premises shall operate in accordance with the approved Venue Management Plan, to the satisfaction of the City;

**4. Waste Management**

**4.1** The Waste Management Plan dated 14 November 2022 shall be implemented at all times to the satisfaction of the City; and

**4.2** Waste collection shall be limited to between 7:00am to 7:00pm Monday to Saturday and

9:00am to 7:00pm Sunday and public holidays;

## 5. Façade Design

- 5.1 Doors and windows and adjacent floor areas fronting Oxford Street shall maintain an active and interactive relationship with this street. Ground floor glazing and/or tinting shall have a minimum of 70 percent visible light transmission to provide unobscured visibility between the street and the interior of the tenancy. Darkened, obscured, mirrored, or tinted glass or other similar materials, as considered by the City, is prohibited; and
- 5.2 Curtains, blinds and other internal treatments that obscure the view of the internal area from Oxford Street are not permitted to be used during the hours of the business operation;

## 6. Signage

- 6.1 All signage is to be in accordance with the City's Signs and Advertising Policy, unless further development approval is obtained; and
- 6.2 All signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site;

## 7. Car Parking

Prior to operation of the approved development, four parking bays on-site are to be marked for the exclusive use of the Tavern; and

## 8. Bicycle Facilities

A minimum of two long-term bicycle bays shall be provided on-site and designed in accordance with AS2890.3 prior to the occupation or use of the development the subject of this approval.

### **MAYOR COLE:**

Request additional information on the proposed façade changes and referral to Design Review Panel member.

Do we have the data to indicate the availability of on-street bicycle facilities or feedback from Place Planners as to the utilisation rates?

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

#### Design Review

The proposed development has been referred to the Chair of the City's Design Review Panel for comment. Their comments are summarised as follows:

- The proposed internal functional organisation of the tenancy remains similar to the previous use, with a large 'front of house' patron area facing Oxford Street. This is a positive outcome for the streetscape.
- The new bi-fold doors and painting of the façade would allow the social activity to become the primary focus of the shopfront facing Oxford Street which is supported. The maintenance of the simple façade and use of bi-fold doors is supported.
- The proposed signage is also minimal and quite sleek which is supported.
- Support for the proposed condition of development approval requiring minimum visibility of the shopfront glazing during operating hours.
- The proposed shopfront will maintain a high level of streetscape activation. The proposal sits within and would contribute to the surrounding area's unique local context.

The 'Design Review Panel' section of the officer report has been updated to reflect these comments.

#### Bicycle Parking

The City does not have data on the utilisation rates of public bicycle parking facilities.

*From 16 to 28 January, pedestrian counts in Leederville Village Square were being undertaken four times a day by a member of the City's Policy and Place team.*

*Feedback from the Leederville Place Planner that undertook these pedestrian counts is that while bicycle facilities were being used, there was availability of facilities along Oxford Street.*

*Surveys of members of the public were also undertaken at this time and no requests for additional facilities were received.*

*As part of the Leederville Place Plan, the City is advocating to the Public Transport Authority for Leederville Station upgrades and for the provision of secure bicycle facilities. This would provide additional bicycle parking facilities for patrons of the town centre area and that is within close proximity to the subject site.*

*Administration is satisfied that there is sufficient existing bicycle facilities available to the public on Oxford Street that would continue to support the demand of other venues as well as patrons of this proposed venue, and without the need for additional short-term bicycle parking to be provided.*

**CR HALLETT:**

Please provide information on the opening hours of other Taverns within the City.

**MANAGER DEVELOPMENT & DESIGN:**

Existing Operating Hours

*A review of Taverns and Small Bars operating in Leederville found no examples of existing venues opening before 10:30am ('The Garden').*

*Within the broader City of Vincent district, Administration is aware of Taverns opening as early as 8:30am ('Hyde Park Hotel') and Small Bars opening as early as 7:00am ('The Old Laundry').*

Operating Hours and the Planning Framework

*The introduction of land use exemptions in the Planning and Development (Local Planning Scheme) Regulations 2015 (Planning Regulations) has meant that new Small Bars in the Leederville Town Centre do not require development approval. This means that there is no restriction to their opening hours under the Planning and Development Act 2005. Only for the purposes of selling alcohol, their hours of operation would be bound by the liquor licence issued under the Liquor Control Act 1988. Examples of this include 'Naber and Illl', 'Phat Lon', 'Hermanos en Tacos' and 'Powell's Fromagerie and Wine Bar'.*

*Taverns are not a land use exempt from the need to obtain development approval under the Planning Regulations. The City's Licensed Premises Policy provides guidance that Taverns in a District Centre zone can operate as early as 7:00am every day of the week. Under a Tavern licence, the LC Act permits operating hours commencing from 6:00am Monday to Saturday. The applicant is proposing opening hours consistent with the LC Act for Monday to Saturday and consistent with the opening hour of the Licensed Premises Policy for Sunday.*

**CR CASTLE:**

Request further information on the interaction of the operating hours under the Liquor Control Act 1988 and the proposed Condition 3.

**MANAGER DEVELOPMENT & DESIGN:**

*The City's Policy No. 7.5.7 - Licensed Premises (Policy) provides guidance on operating hours for Taverns in the District Centre zone. This includes an opening time of 7:00am on Sundays.*

*Proposed Condition 3 would permit the venue to open from 7:00am on Sundays, consistent with the City's Policy.*

*The Policy notes that the sale, supply and consumption of alcohol is restricted by the times in the Liquor Control Act 1988 (Act). A tavern licence under the Act would need to be obtained from Racing Gaming and Liquor for the venue.*

*The Act sets out that the sale, supply and consumption of alcohol is permitted after 10.00am on Sundays for a Tavern licence.*

*The effect of recommended Condition 3 would be that between the hours of 7:00am and 10:00am on Sundays, the business would be allowed to operate but the sale of alcohol would not be permitted. This has been confirmed with Racing Gaming and Liquor and the applicant is also aware of this.*

*Condition 3 is intended to provide greater flexibility in operating hours for this small business located in a town centre area. It would also ensure that the operating hours are consistent with the Policy and the Act in respect to the sale of alcohol under the Act would be met. In this way the applicant would be required to comply with the terms of the development approval and their liquor licence.*

**CR WALLACE:**

*Request an amendment be prepared for Condition 2.3 to delete the wording 'unless otherwise approved by the Racing Gaming and Liquor Division of the Department of Local Government, Sport and Cultural Industries'.*

**MANAGER DEVELOPMENT & DESIGN:**

*An amendment to Condition 2.3 has been prepared and as shown below.*

*That Condition 2.3 be amended to delete the following:*

*'unless an Extended Trading Permit for alternative hours is issued by the Racing Gaming and Liquor Division of the Department of Local Government, Sport and Cultural Industries;'*

*Administration is not supportive of the proposed amendment to Condition 2.3. The proposed Condition 2.3 would provide the operator with greater flexibility in their operations and as permitted through extended trading permits issued by Racing Gaming and Liquor*

**CR IOPPOLO:**

*Request information on the proposed operator.*

**MANAGER DEVELOPMENT & DESIGN:**

*The table in the 'Background' section of the report has been updated to include this information.*

**ADDITIONAL INFORMATION**

*Administration has amended Condition 2.3 in its recommendation to do the following:*

- *Include the permitted operating hours under the Liquor Control Act 1988 for New Years Eve and New Years Day; and*
- Modify the wording to provide clarity that the further approval from Racing Gaming and Liquor is through the issue of extended trading permits.*

## COUNCIL BRIEFING NOTES

7 FEBRUARY 2023

## 5.2 NO. 192 (LOT: 601, D/P: 65807) STIRLING STREET, PERTH - PROPOSED FEE PAYING CAR PARK (RETROSPECTIVE APPROVAL) (AMENDMENT TO APPROVED)

Ward: South

- Attachments:
1. Consultation and Location Map 
  2. Minutes of 8 May 2012 Ordinary Council Meeting - Item 9.1.2 
  3. Previous Development Approval 
  4. Approved Management Plan 

## 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 Proposed Fee Paying Car Park (Retrospective Approval) (Amendment to Approved) at No. 192 (Lot: 601; D/P: 65807) Stirling Street, Perth, subject to the following condition:

1. All conditions, requirements, advice notes and plans detailed on the development approval 5.2012.54.1 granted on 8 May 2012 continue to apply to this approval except as follows:

- 1.1 Condition 3 is modified to read as follows:

“3. Land Use

*This approval is for Car Park as defined in the City of Vincent Local Planning Scheme No. 2. The use of the land for any other land use may require further development approval subject to the requirements of Local Planning Scheme No. 2.”*

- 1.2 Condition 3.1 is removed;

- 1.3 The Advice Note is removed; and

- 1.4 Condition 3.2 is removed and added as Advice Note 1:

“Advice Notes:

1. *The City of Vincent will not become involved in any enforcement action relating to the use of the land as a private parking facility.”.*

**CR IOPPOLO:**

Did the policy position change after May 2017 when the original 5 year period was up?

**MANAGER DEVELOPMENT & DESIGN:**

*No, Policy No. 3.7.1 – Parking and Access was rescinded in October 2013 and replaced with a new version, being Policy No. 3.7.1 – Parking and Access.*

*The ‘Law 17’ was removed from the policy as part of this revision, prior to the expiration of the time limited approval for the fee paying component of the car park.*

**CR IOPPOLO:**

Did we do any enforcement during 2017 until now in relation to the unauthorised use?

**EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:**

*No, Administration was not aware that the use of the site for paid parking had not ceased and therefore did not investigate.*

*When the approval was issued in 2012, there was no process being followed for checking compliance with development approvals. A process was implemented a number of years ago now to ensure that all time limited development approvals and conditions are registered in our system and tasks are sent by the system*

*to the Compliance team for the matter to be check at the appropriate time.*

**CR WALLACE:**

I was wondering what restrictions there are on us applying further conditions as part of this approval, specifically something requiring an updated landscaping plan in accordance with our current Built Form Policy.

In my opinion if the applicant is seeking to amend an existing approval, to the detriment of the community and the financial benefit of the landowner, and the proposed rationale for agreeing with that is that our policies have changed since the original approval was given, I feel like we should also be able to assess the original proposal against other policy changes in that time.

**MANAGER DEVELOPMENT & DESIGN:**

*In order to apply further conditions as part of this approval, the conditions must fairly and reasonably relate to the changes being sought as part of the proposal.*

*The site has an existing permanent approval for the Car Park land use that was approved by Council in 2012. An updated landscaping plan was a condition of this approval and has been approved.*

*With the land use approved, landscaping plan for the site approved and no physical changes proposed to the car park site, the extent of Council's consideration for this application is limited to whether it is acceptable for the approved car park to be fee paying.*

*Any conditions imposed then must bear relevance to the fee paying aspect.*

*There are no provisions in the City's local planning scheme, policies or in the land use definition of car park that restricts or relates to charging a fee for a car park.*

*There is no nexus or relationship between the City's landscaping standards in its Built Form Policy and charging a fee to park in a car park.*

*This means it would not be open to Council to reconsider the landscaping aspects of the development.*

*It would not be fair or reasonable to impose a condition requiring the reconsideration of landscaping as a condition of approval for the subject proposal and any such condition would not be valid.*

**5.3 OUTCOME OF ADVERTISING: LOCAL PLANNING POLICY - PERCENT FOR ART**

- Attachments:
1. Local Planning Policy - Percent for Art 
  2. Summary of Submissions 

**RECOMMENDATION:**

That Council **PROCEEDS** with Local Planning Policy No. 7.5.13 – Percent for Art, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* included as Attachment 1.

At 7.10pm Cr Dan Loden left the meeting.

At 7.12pm Cr Dan Loden returned to the meeting,

**NO QUESTIONS**

At 7.15pm Manager Development & Design left the meeting and did not return,

At 7.15pm Manager Policy & Place left the meeting and did not return.

**7.1 FINANCIAL STATEMENTS AS AT 30 NOVEMBER 2022**

**Attachments:** 1. Financial Statement as at 30 November 2022 

**RECOMMENDATION:**

That Council **RECEIVES** the Financial Statements for the month ended 30 November 2022 as shown in Attachment 1.

**NO QUESTIONS:**

**7.2 FINANCIAL STATEMENTS AS AT 31 DECEMBER 2022**

**Attachments:** 1. Financial Statements as at 31 December 2022 

**RECOMMENDATION:**

That Council **RECEIVES** the Financial Statements for the month ended 31 December 2022 as shown in Attachment 1.

**NO QUESTIONS**

## COUNCIL BRIEFING NOTES

7 FEBRUARY 2023

**7.3 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 NOVEMBER 2022 TO 30 NOVEMBER 2022**

- Attachments:
1. Payments by EFT, BPAY and Payroll November 22 
  2. Payments by Cheque November 22 
  3. Payments by Direct Debit November 22 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 November 2022 to 30 November 2022 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT and BPAY payments, including payroll	\$6,194,258.97
Cheques	\$913.76
Direct debits, including credit cards	\$132,840.23
<b>Total payments for November 2022</b>	<b>\$6,328,012.96</b>

<b>NO QUESTIONS</b>
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**7.4 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 DECEMBER 2022 TO 31 DECEMBER 2022**

- Attachments:**
1. Payments by EFT and Payroll December 22 
  2. Payments by Cheque December 22 
  3. Payments by Direct Debit December 22 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 December 2022 to 31 December 2022 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$8,375,419.11
Cheques	\$522.20
Direct debits, including credit cards	\$189,415.73
<b>Total payments for December 2022</b>	<b>\$8,565,357.04</b>

**MAYOR COLE:**

Expenditure Beatty Park, the hire of the sauna s very profitable, how long is that proposed for and at what point do we look at returning to, what was part of the original, within the scope with the Beatty Park works to provide permanent saunas as opposed to continuing the model of hiring the saunas, given that we have grappled in the past with leasing versus purchasing in terms of gym equipment and other elements at Beatty Park?

**EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT:**

To build saunas to replace the 2 leased ones would cost us approx. \$100,000 and lead to several weeks of downtime in the area (loss of income – not factored into workings below)

		Option 1 - Current Config Existing + Leased	Option 2 Existing only	2 - Build Own Existing + new
Cost	1 year	\$ 93,150	\$ 18,250	\$ 154,750
	5 year	\$ 490,750	\$ 116,250	\$ 423,750
	10 year	\$ 981,500	\$ 232,500	\$ 747,500
Income	1 year	\$ 438,000	-\$ 438,000	\$ 438,000
	5 year	\$ 2,190,000	-\$ 2,190,000	\$ 2,190,000
	10 year	\$ 4,380,000	-\$ 4,380,000	\$ 4,380,000
Net result	1 year	\$ 344,850	-\$ 456,250	\$ 283,250
	5 year	\$ 1,699,250	-\$ 2,306,250	\$ 1,766,250
	10 year	\$ 3,398,500	-\$ 4,612,500	\$ 3,632,500

*It may look good to build and start to provide a positive payback at around yr 4/5 but the question is what if demand goes down or technology changes and is this the best long term location as we really need a bigger spa to truly maximise profits form a wellness area.*

## COUNCIL BRIEFING NOTES

7 FEBRUARY 2023

*Assumptions*

1. *If we did not lease the 2 additional saunas the area would have become member only – this would mean no additional casual income as has been seen for last 16 months and will continue to be received (\$0 figure above)*
2. *Build our own saunas in 2023/24 (\$100,000 plus ongoing operating and maintenance costs)*

*Administration will be looking at all options as part of the upcoming budget process and provide Council with recommendations on the preferred way forward.*

7.5 INVESTMENT REPORT AS AT 30 NOVEMBER 2022

Attachments: 1. Investment Statistics as at 30 November 2022 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 30 November 2022 as detailed in Attachment 1.

NO QUESTIONS

7.6 INVESTMENT REPORT AS AT 31 DECEMBER 2022

Attachments: 1. Investment Statistics as at 31 December 2022 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 31 December 2022 as detailed in Attachment 1.

**NO QUESTIONS**

**7.7 OUTCOME OF ADVERTISING - SPONSORSHIP TO THE CITY POLICY**

- Attachments:
1. Sponsorship to the City Policy 
  2. Original Sponsorship to the City Policy 2010 

**RECOMMENDATION:**

That Council **ADOPTS** the Sponsorship to the City Policy at Attachment 1.

<b>NO QUESTIONS</b>
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## 8.1 INFORMATION BULLETIN

- Attachments:**
1. Minutes of the Tamala Park Regional Council Meeting held on 8 December 2022 
  2. Minutes of the Tamala Park Regional Council - Special Meeting held on 15 December 2022 
  3. Unconfirmed Minutes of the Mindarie Regional Council meeting held on 15 December 2022 
  4. Public Open Space Update 
  5. Statistics for Development Services Applications as at the end of December 2022 
  6. Register of Legal Action and Prosecutions Monthly - Confidential
  7. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 25 January 2023 
  8. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current 
  9. Register of Applications Referred to the Design Review Panel - Current 
  10. Register of Petitions - Progress Report - January 2023 
  11. Register of Notices of Motion - Progress Report - January 2023 
  12. Register of Reports to be Actioned - Progress Report - January 2023 
  13. Strategic Projects Update - January 2023 
  14. Council Workshop Items since 30 November 2022 
  15. Council Meeting Statistics 
  16. Council Briefing Notes - 6 December 2022 
  17. Council Recess Period 2022-2023 - Receiving Of Items Dealt With Under Delegated Authority Between 14 December 2022 And 6 February 2023 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated February 2023.

**CR HALLETT:**

In relation to the SAT appeal for the 7 Grams Chicken matter, can you provide more information in regards to whether the development application has been determined to address emissions?

**EXECUTIVE DIRECTOR STRATEGY & DEVELOPMENT:**

*The development application for Alterations and Additions to the existing Restaurant/Cafe at Nos. 212-214 Lake Street, Perth (known as 7 Grams Restaurant) was approved by Administration under delegated authority on 23 December 2022.*

*The approval was for an external exhaust located at the rear of the building that would replace the existing external exhaust. The proposed external fixture would have a diameter of 1.2 metres and project a maximum of 1.5 metres above the existing pitched roof line.*

*The development approval is in relation to the built form of the external fixture, it is not in relation to odour management and the acceptability of this.*

*The applicant is now preparing its Building Permit documentation, including the necessary mechanical and technical reports.*

*The matter is listed for further mediation on 3 March 2023.*

*Administration has been providing updates to interested community members as this matter progresses.*

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COUNCIL BRIEFING NOTES

7 FEBRUARY 2023

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

Nil

**10 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil OR

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

Nil

**12 CLOSURE**

There being no further business the meeting closed at 7.28pm.