CITY OF VINCENT

MINUTES

Ordinary Council Meeting

19 March 2024

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MINUTES OF CITY OF VINCENT
ORDINARY COUNCIL MEETING
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 19 MARCH 2024 AT 6.00PM

PRESENT:	**Mayor Alison Xamon**	**Presiding Member**
	Cr Alex Castle	**North Ward**
	Cr Ron Alexander	**North Ward**
	Cr Suzanne Worner	**North Ward**
	Cr Nicole Woolf	**North Ward**
	Cr Jonathan Hallett	**South Ward**
	Cr Ashley Wallace	**South Ward (arrived at 6.02pm during Item 3A)**
	Cr Sophie Greer	**South Ward**
	Cr Ashlee La Fontaine	**South Ward**
IN ATTENDANCE:	**David MacLennan**	**Chief Executive Officer**
	Peter Varris	**Executive Director Infrastructure & Environment**
	Rhys Taylor	**Chief Financial Officer (electronically) (left at 7.54pm after Item 11.4)**
	Jay Naidoo	**A/Executive Director Strategy & Development**
	Mitchell Hoad	**A/Manager Strategic Planning & Specialist Planner**
	Luke McGuirk	**Manager Engineering (left at 7.57pm during Item 13.1)**
	Lisa Williams	**Executive Manager Communications & Engagement (left at 7.03pm during Item 9.4)**
	John Corbellini	**Director Major Projects (joined at 6.00pm during Item 3A) (left at 7.29pm after Item 9.4)**
	Joslin Colli	**Executive Manager Corporate Strategy & Governance**
	Wendy Barnard	**Council Liaison Officer**

Public: Approximately 14 members of the public.

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Alison Xamon declared the meeting open at 5.59pm and read the following Acknowledgement of Country statement:

“The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past and present”.

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Nil

3 (A) PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

The following questions and statements were received at the meeting. This is not a verbatim record of questions and statements made at the meeting.

3.1 Ian Merker of Highgate – Item 10.1

Spoke regarding the recommendation
Full statement can be found here.

The Presiding Member, Alison Xamon, thanked Mr Merker for his comments.

3.2 Lesley Florey of Mt Hawthorn

Spoke in regards to a 900mm stormwater pipe running through her property and asked the following questions:

1. Does the City abide by the Private Property Rights Charter? Please provide a yes or no answer.
2. Requests a detailed step by step process outlining how the City conducts a formal hearing with natural justice and procedural fairness, when a resident requests and holds a formal hearing with them.
3. Request a comprehensive explanation of the procedures that the City follows after a formal hearing with a resident, specifically handling of documentation, the review process of evidence and the formal response provided to the resident, considering the gravity of the formal hearing and the evidence presented
4. Why does the City fail to provide transparency to those residents affected by stormwater pipes which run through their properties? The City has been aware of this situation since the GHD Technical Memorandum report in December 2022. Is it unconscionable conduct or admission of material facts for the City's decision makers to purposely withhold vital information from residents and ratepayers impacted by the stormwater pipe, which greatly affects the property values?

Full statement can be found *here*.

The Presiding Member, Alison Xamon, thanked Ms Florey for her comments.

3.3 Ralph Groom of Mt Lawley – Item 10.1

Spoke regarding the recommendation
Full statement can be found *here.*

The Presiding Member, Alison Xamon, thanked Mr Groom for his comments.

3.4 Matt Dowell of Perth – Item 5

Spoke in regard to the petition he has submitted, which will be discussed at Item 5 of this agenda.
Full statement can be found here.

The Presiding Member, Alison Xamon, thanked Mr Dowell for his comments.

3.5 Trish Byrne of Perth – Item 9.4

Spoke in support of the recommendation
Full statement can be found *here.*

The Presiding Member, Alison Xamon, thanked Ms Byrne for her comments.

3.6 Pauline Holdaway of Claisebrook – Item 9.4

Spoke regarding the recommendation
Full statement can be found *here*

The Presiding Member, Alison Xamon, thanked Ms Holdaway for her comments.

3.7 Peter Eastwood of Perth – Item 9.4

Spoke regarding the recommendation
Full statement can be found *here*

The Presiding Member, Alison Xamon, thanked Mr Eastwood for his comments.

3.8 Greg Eastwood of Dianella – Item 9.4

Spoke regarding the recommendation
Full statement can be found *here.*

The Presiding Member, Alison Xamon, thanked Mr Eastwood for his comments.

3.9 Joel Medalia of Yokine – Item 9.3 (applicants)

Spoke in support of the recommendation
Full statement can be found *here.*

The Presiding Member, Alison Xamon, thanked Mr Medalia for his comments.

3.10 Dudley Maier of Highgate – Item 12.4 and 11.4

Item 12.4

Spoke regarding Administration's comments on his motions..

Item 11.4

Spoke regarding the recommendation

Full statement can be found *here.*

The Presiding Member, Alison Xamon, thanked Mr Maier for his comments.

The following statements were submitted prior to the Meeting.

Cara-May McGrogan of Leederville

Is it fair that the Department of Communities, the very organisation that placed a tenant in a residence, is the only organisation that oversees whether their tenant should remain at the residence, particularly when their tenant is causing distress to their neighbour, a member of the public?

I am living next door to a Department of Communities tenant. She has made verbal threats to me, I have had to call the police a few times and despite various complaints made to Strata and the Department of Communities, it seems an impossible feat for this tenant to be moved. I currently have a VRO against her. The police have told me she is well known to them and they feel sorry for me that I have to live next door to her.

There needs to be discussion in the community about the impact these tenants have on members of the public and the power that the Department of Communities has to keep them there even if they are disturbing the peace of the residents next door to them. I would prefer for this tenant to be moved but the Department of Communities will not do this and they seem to be the only people in power to decide.

Glenn Christie of Mt Lawley

QUESTION 1

I refer the Mayor and Councillors to my question at the OCM dated, 24 July 2023, regarding an update on the progress of the Council Decision OCM 14 February 2023 Item 10.1 (5) '*Request Administration to consult with owner/occupiers on Vincent Street between William and Beaufort Streets to determine if they support the inclusion of the section of Vincent Street in the 40km/h zone'.*

The City's response provided on the 25th July advised that … *"The community consultation for Vincent Street, between William Street and Beaufort Street commenced on the 1st of August 2023. The consultation will run for a period of 21 days. There was no delay with this consultation, Administration has been working through several applications to Main Roads WA in reducing the speed on Roads to 40km/h and now recently issued the Vincent Street, (William Street to Beaufort Street section) for community consultation. This area is not included within the previous trial area, Council agreed that community consultation was required. Following community consultation, Administration can apply to Main Roads WA to have this section slowed to 40km/h. If approved, it would then be added to the 40% of roads which have already been approved to be slowed to 40km/h.*

The City also advised that the responses would be included in the August [2023] Council Meeting – a search of Minutes indicates this appears to have not occurred in August or any subsequent Council Meetings to date.

An additional 6 months has now lapsed after the elected members requested community consultation closed, over 12 months since the original request, and there has been no report to Council and would appear no further action to progress this request.

Can the City please provide an update on;

1) a) the outcome of the community consultation,
   b) has the City made an application to Main Roads WA,
   c) results of the application to Main Roads WA
   d) action taken by the City to inform the Council and community and,
   e) expected timeline for implementing a 40km/h speed reduction?

2) Do the residents need to lodge a petition to the City to have this item actioned?

3) Do the residents now need to lodge a request direct with the Minister for Transport and the Member for Perth?

QUESTION 2

Re: OCM 12 March 2023, Item 6.1.

Requests the City implements a 12 month trail of a partial closure of Harold Street as proposed (exit [left and right] only onto Beaufort Street) and retain 2 way traffic for the rest of the street.

The original reasoning behind reviewing the traffic complaints was based on residents' concerns as a direct result of the patrons of The Beaufort, where vehicles (Ubers, party buses, delivery trucks etc) were entering Harold Street and creating congestion, parking in No Stopping zones and blocking driveways, impacting residents accessing private property and amenity. The City has subsequently relocated a Loading Zone to Beaufort Street and in addition created an evening Taxi Zone to support and enhance the business operations and patron safety. By creating no access to Harold Street off Beaufort will in affect prevent Ubers, party buses etc access and may reduce the un-necessary rat run through traffic. Mirroring the Mary Street access model to Beaufort Street for Harold Street should be considered as a (trial) option.

Dudley Maier of Highgate

Laneway lighting

Last week the City installed lights in the laneways bounded by Chatsworth Road, William Street, Lincoln Street and Harly Street.

1. Can you confirm that residents adjacent to these laneways were not consulted or even notified prior to the installation of these lights?
2. What initiated the decision to install these lights – was it a specific request by a resident living adjacent to one of these lanes, or was it initiated by the City's staff?
3. If it was initiated by the City's staff in order to address tagging and anti-social behaviour, what objective measure did they use to prioritise those particular laneways ahead of others?
4. Which staff member approved the installation of the lights?
5. Can you confirm that when the City proposed to install lights in the laneway that runs parallel between Chelmsford Road and Grosvenor Road in August 2018 that it consulted with the broader community? What has changed between 2018 and now with regards to consultation?
6. The City's Community and Stakeholder Engagement Policy specifies four levels of participation ranging from 'Inform' to 'Collaborate'. 'Inform' is required when there is no ability to influence the decision; 'consult' is required when there is some ability to influence the decision; etc. At what level of participation does the City put the installation of lights in laneways?
7. If it is just at the 'inform' level of participation why does the City believe that residents and ratepayers should not be consulted, particularly the residents who live immediately adjacent to the lights and may be directly impacted by light spillage?
8. If the placement of these lights is part of the Laneway Lighting Program why aren't details of proposed laneways included on the City's web site in the same way as the previous Right of Way Upgrade and Acquisition Programme was (i.e. providing forewarning and demonstrating a methodology for determining priorities)?
9. How much did the installation of the lights cost?
10. Have the City's staff actually assessed the effectiveness of the selected lights prior to selecting them – the general observation being that they light up the areas immediately adjacent to the lights but the gaps between lights are just as dark as before (i.e. the selection and placement is sub-optimal)?

Laneway naming

On 28 September 2010 the Council approved the application to name the laneway extending from William Street to Harley St, running parallel to the southern side of Chatsworth Rd. The recommended name was Marocchi Lane in recognition of the contribution to the community of Doris Marocchi.

In recent times signs have been placed on the sections of the lane which extend to the east. This has been done without community consultation or even notification.

Questions:

- Did Landgate (or whoever is responsible for naming) explicitly request this change or was this change initiated by the City?
- Why weren't adjoining residents and property owners informed in accordance with the City's Engagement/Consultation policy?

Special Projects
The Briefing Notes of 12 March 2024 indicate that one of the Executive Directors has been appointed as the Director of Special Projects.

1. Can you confirm that this position is not considered as a Senior Employee in accordance with Section 5.37 of The Local Government Act?
2. Have any other positions been created in order to support this new position (e.g. an executive assistant)?
3. What is the full-time equivalence of this position?
4. Was this position identified in the 2023/24 budget?
5. What projects will the position be responsible for?
6. Was this position advertised?
7. Can you confirm that the approved 2023-24 Budget shows an allocation of $322,000 for Employee Costs for the (Executive) Director Community and Business Services and that the position of the Director has been vacant for over eight months this financial year? Was this budgeted amount varied in either the first quarter or mid-year budget reviews, particularly given that the pro-rata employee costs for the period July to February is over $200,000?

Electric Vehicle Charging
At the 20 September 2022 council meeting I asked whether the City would be raising with Western Power the possibility of installing roadside car charging points as part of the introduction of underground power. The response stated that the City had been raising the issue with Western Power, that it felt that it was making some progress, and was hoping to partner with the State Government on a pilot program.
Given that the City has recently asked for comments about installing two charging stations near the Moir/Brookman heritage area because most properties in that area do not have off-street parking thus demonstrating a need; and given that the Perth/Highgate underground power area (Area 3) has a large number of properties without off-street parking, and is currently in the detailed design phase:

Question:
Has any progress been made towards incorporating on-street EV power charging into the design for this area?

Loan Payments
Given that it is proposed to pay down part of the Beatty Park Loan (Loan 10) as part of the mid-year budget review, and given that this indicates that the loan agreement allows early payments, and given that the rate of interest is 5.5%, why didn't the City re-finance this loan at the same time as re-financing the DSR building loan (Loan 2B) which has an interest rate of 1.4%, or when establishing the Resource Recovery Loan which has an interest rate of 1.3%?

Administrations' responses will be provided in the Agenda for the 23 April 2024 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.31pm

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Dudley Maier of Highgate

1. The current Information Bulletin has an item about the Street Tree Quarterly Report (page 412) but has no data listed. However, the individual agenda item document does show a list of over 60 trees that need to be replaced.

   The vast majority of the 'replacement species' are listed as TBD. Given that the City has a Tree Selection Tool, and that the Guidelines clearly state that replacement trees will be selected to "ensure consistency of street tree species in the applicable street", why haven't the replacement species been identified and reported? Is it the intention of the staff to wait until the Guidelines are no longer in the public domain and then change them to allow a mixture of species in a street, or is there a delay because the intention is to change the species in an entire street and consultation is intended in accordance with the Guidelines?

   In regards to the missing Street Tree Quarterly Report data has been rectified on the website. The information was missing due to a technical error with the combined agenda upload. The data was available to the public from Friday the 9th of February in the individual information bulletin report.

The vast majority of replacement species have been listed as TBD due to the fact that Administration is yet to inspect the requests to determine species. Administration is currently in the process of reviewing all tree planting requests in preparation for the upcoming planting season.

2. Why did the City pay Axxx Cxxxxxxxxxk $3,735.93 for storage of public artwork and similar descriptions on 20 October 2023, $924 on 3 November 2023, $3025 on 17 November 2023, and $814 on 1 December 2023? Are there any further ongoing costs of this nature?

   Artwork has been completed for installation in the Leederville town centre, however due to requirements for connection to power and this not aligning with Western Power timeframes the artwork could not be installed and has been placed in storage. The costs relate to transport and storage of the artwork. It is intended to install the artwork in April 2024.

3. Why is the payment of $2,310 ($2,100 excluding GST) to V Mxxxxxx on 3 November 2023 for "Citizenship Ceremony welcome to country 29 October 23" so high? What is the average payment for 'welcome to country' in 2023?

   The payment of $2,310 was for a Welcome to Country and Smoking Ceremony prior to the Special Council meeting for the swearing in of the Mayor and new Council. It has been incorrectly described in the expenditure report. The average payment for a Welcome to Country is approximately $700.

4. For each of the identified underground power areas what is the latest estimated total cost to be payable by owners in that area; the date of the latest estimate; and the number of properties to be served?

   The E30 estimates tabled at the June 2023 OCM are the latest estimates the City has received from Western Power.

Lesley Florey of Mt Hawthorn

1. I again ask, has the City of Vincent notified the other residents within the City of Vincent of the storm water pipes running through their properties? A straight forward yes or no answer is required. It is essential that the City of Vincent be transparent and accountable and inform the residents and ratepayers of how serious this matter is.

   No, the City has not informed all owners of property of the existence of City of Vincent drainage easements affecting their property.

2. Does the City of Vincent have the responsibility and duty of care to notify these residents and ratepayers? A straight forward yes or no answer is required.

   No, it is the property owner's responsibility to inform themselves of all services within their own property, including those owned by third parties.

3. Why is the City of Vincent not being transparent and accountable?

   The City of Vincent officers have provided all information requested and have had meetings to discuss technical details with you.

4. The WAPC and the Department of Planning Lands and Heritage both abide by the private property rights charter. Does the City of Vincent abide by the private property rights charter for Western Australia? Please provide a clear response with a yes or no answer.

   The City of Vincent is governed as per the Local Government Act 1995.

John Viska of North Perth

Raised the following questions in regards to the shot hole borer (PSBH) and Hyde Park.

1. Now that a plan of action has been announced, how much control does the City of Vincent have in the process?

   PSHB is a declared pest under the Biosecurity and Agricultural Management Act and DPIRD is currently engaged in a nationally coordinated and funded eradication response. The City is required to adhere to any Tree Management Plans and prescribed treatment works under this Act.

   The City is currently working with DPIRD to determine suitable dates for treatment works.

2. What has been planned to ameliorate the park in regard to the conditions set out in the 2003 conservation Management Plan?

   The City is proposing to establish a Hyde Park Reference Group to provide a forum to engage with stakeholders and community members with an interest or expertise in Hyde Park to inform and obtain input and guidance into the City of Vincent's restoration of tree canopy and associated plantings post Polyphagous Shot Hole Borer treatment works.

   An expression of interest for membership on the group will be advertised with membership of the group to be comprised of the following:

   - *Professional expertise in landscape architecture - up to two (2) members*
   - *Professional expertise in Arbouriculture - up to two (2) members*
   - *Understanding and knowledge of the Aboriginal Heritage of the site – one (1) member*
   - *Understanding and knowledge of the state heritage of the site - up to two (2) members*
   - *Community members that are regular users with a strong interest or connection to Hyde Park - up to two (2) members*

4 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

LEAVE OF ABSENCE

COUNCIL DECISION

Moved: Cr Castle, Seconded: Cr Wallace

That Cr Hallett request for leave of absence from 8 – 12 April 2024 for business be approved.

CARRIED UNANIMOUSLY (9-0)

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 PETITION FROM MATT DOWELL

A petition with 6 signatures has been received from Matt Dowell of Perth. The petition requests that the Council investigate options to address the road safety concerns of residents of Brisbane Street between Lake and Palmerston Street. The petition attaches a survey completed by 22 people comprising a large percentage of local residents and outlines concerns including accidents and near misses and an overwhelming desire for traffic calming and parking congestion to be addressed.

PETITION

COUNCIL DECISION

Moved: Cr Hallett, Seconded: Cr Alexander

That the petition be received and a report be prepared for the 23 April 2024 Council Meeting.

CARRIED UNANIMOUSLY (9-0)

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Woolf, Seconded: Cr Worner

That the minutes of the Ordinary Meeting held on 13 February 2024 be confirmed.

CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Alison Xamon made the following announcement:

7.1 LEEDERVILLE TOWN CENTRE

There is a lot of focus on the Leederville Town Centre at the moment, in particular Council's decision to develop the car parks to work towards creating a transit oriented development.

One of the elements of that revitalisation and enhancement of the opportunity to have affordable housing in that precinct. Mayor Xamon, together with Gary Mack, the Mayor of the Town of Cambridge, has written to the Premier, Minister Rita Saffioti and Minister John Carey asking that consideration be given to the upgrade of the Leederville train centre.

The train station is old and the disability access is woeful and at the moment it does not serve the precinct very well, particularly in providing an attractive option between the Town of Cambridge and connecting with the City of Vincent. The present pedestrian overpass has no shelter and is not particularly safe.

The City is keen to tap into the State Government's interest in supporting transit oriented developments, and ask that key consideration be given to prioritising a redo if the current Leederville train station.
The City very keen to see investment in this space and to see if this can serve as a linchpin to consolidating revitalisation of the whole precinct.

8 DECLARATIONS OF INTEREST

8.1 Cr Ashlee La Fontaine declared an impartiality interest in Item 12.4 Responses to Motions Carried at the Annual General Meeting of Electors held on 1 February 2024. The extent of her interest is that one of the residents who proposed a motion supported her election campaign.

8.2 Mayor Alison Xamon declared an impartiality interest in Item 9.4 No. 71 (Lot: 200; D/P: 92012) Edward Street and No. 120 (Lot: 1001; D/P: 29129) Claisebrook Road, Perth - Proposed Extension of Time to Existing Concrete Batching Plants. The extent of her interest is that she lives within the North Claisebrook Planning Framework area and have been an active member of the community.

8.3 Mayor Alison Xamon declared an impartiality interest in Item 11.5 Proposal to hold events at Leederville Oval. The extent of her interest is that she is a member of the East Perth Football Club, who have a lease of a portion of the Leederville Oval.

REPORTS

The Presiding Member, Mayor Alison Xamon, advised the meeting of:

(a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**

Items 9.3, 9.4, 10.1, 11.4 and 12.4

(b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**

Item 11.4.

(c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**

Nil

The Presiding Member, Mayor Alison Xamon, requested Council Members to indicate:

(d) **Items which Council Members wish to discuss which have not already been the subject of a public question/comment or require an absolute majority decision and the following was advised:**

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Castle	13.1
Cr Worner	9.2
Cr Woolf	12.5

The Presiding Member, Mayor Alison Xamon therefore requested the Chief Executive Officer, David MacLennan, to advise the meeting of:

(e) **Unopposed items which will be moved "En Bloc", being:**

Items 9.1, 11.1, 11.2, 11.3, 11.5, 12.1, 12.2 and 12.3

(f) **Confidential Reports which will be considered behind closed doors, being:**

Nil

ITEMS APPROVED *"EN BLOC"*:

The following Items were adopted unopposed and without discussion *"En Bloc"*, as recommended:

COUNCIL DECISION

Moved: Cr Hallett, Seconded: Cr Castle

That the following unopposed items be adopted "En Bloc", as recommended:
Items 9.1, 11.1, 11.2, 11.3, 11.5, 12.1, 12.2 and 12.3

CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

9.1 NO. 99 (LOT: 1; S/P: 48216) BRISBANE STREET, PERTH - ALTERATIONS AND ADDITIONS TO GROUPED DWELLING

Ward: South

Attachments:
1. Consultation and Location Plan
2. Development Plans
3. Applicant Justification
4. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for Alterations and Additions to Grouped Dwelling at No. 99 (Lot: 1; S/P: 48216) Brisbane Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. **Development Plans**

   This approval is for Alterations and Additions to Grouped Dwelling as shown on the approved plans dated 19 February 2024 and 21 February 2024. No other development forms part of this approval;

2. **External Fixtures**

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

3. **Colours and Materials**

   The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans and schedule of materials and colours, which form part of this approval, to the satisfaction of the City; and

4. **Stormwater**

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

COUNCIL DECISION ITEM 9.1

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY *"EN BLOC"* (9-0)

11.1 FINANCIAL STATEMENTS AS AT 31 JANUARY 2024

Attachments: 1. Financial Statements as at 31 January 2024

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 31 January 2024 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.1

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "*EN BLOC*" (9-0)

11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 JANUARY 2024 TO 31 JANUARY 2024

Attachments:
1. **January 2024 Payments by EFT and Payroll**
2. **January 2024 Payments by Direct Debit**
3. **January 2024 Payments by Cheques**

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 January 2024 to 31 January 2024 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	$5,865,358.51
Cheques	$463.85
Direct debits, including credit cards	$185,233.31
Total payments for January 2024	**$6,051,055.67**

COUNCIL DECISION ITEM 11.2

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "*EN BLOC*" (9-0)

11.3 INVESTMENT REPORT AS AT 31 JANUARY 2024

Attachments: 1. Investment Statistics as at 31 January 2024

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 31 January 2024 as detailed in Attachment 1.

COUNCIL DECISION ITEM 11.3

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "*EN BLOC*" (9-0)

11.5 PROPOSAL TO HOLD EVENTS AT LEEDERVILLE OVAL

Attachments: 1. Map of Leederville Oval Leased Area

RECOMMENDATION:

That Council:

1. **Subject to the approval of the Minister of Lands, APPROVES the grant of licence to Newox Pty Ltd (ACN 640 888 599) for the use of a portion of Leederville Oval, 246 (Lot 500) Vincent Street, Leederville on the following key terms:**

1.1	**Initial Term:**	**Two (2) years as follows:** **Events including use of Leederville Oval:** **1 October 2024 to 7 January 2025; and** **1 October 2025 to 7 January 2026.** **Events solely using internal common area, club rooms and car park:** **1 October 2024 to 30 September 2026.**
1.2	**Option Term:**	**Two x One (1) year term as follows:** **Events including use of Leederville Oval:** **1 October 2026 to 7 January 2027; and** **1 October 2027 to 7 January 2028;** **Events solely using internal common area, club rooms and car park:** **1 October 2026 to 30 September 2027; and** **1 October 2027 to 30 September 2028;** **both at the absolute discretion of the City.**
1.3	**Licence Fee:**	**1 October 2024 to 30 September 2026:** **Based on City of Vincent's fees and charges applicable to Leederville Oval for financial year 2024/25.** **1 October 2026 to 30 September 2028:** **Based on City of Vincent's fees and charges applicable to Leederville Oval as at 1 July of the respective financial year.** **No fees apply for single day events on the oval that meet the following criteria:** **a. Entry is free of charge or low cost and open to all members of the community** **b. Event is single day in duration with bump in and bump out taking place within a 24 hour period before and after event day** **c. Event is family friendly in terms of content and activities being suitable for all ages and fostering a positive and inclusive atmosphere** **d. If alcohol is to be sold on the oval, it must be confined to one self-contained area to be limited in capacity.**
1.4	**Licence Area:**	**Portion of Leederville Oval, being oval section, common area section, additional facilities, and car parking area (i.e. all of Lot 500 Vincent Street, Leederville except the areas leased to East Perth Football Club Inc., Subiaco Football Club Inc. and the Department of Local Government, Sport and Cultural Industries).**

1.5	**Permitted Purpose:**	**To host a number of events focused around food, music or family friendly entertainment.** **Proposed events under this Licence shall be operated in keeping with the deliverables of the City's Public Health Plan, including:** **a) The event activities shall not be focused on the consumption of alcohol;** **b) Alcohol advertising, marketing, promotion and sponsorship shall be limited; and** **c) All events shall be smoke and vape free.**
1.6	**Outgoings:**	**Lighting as per City of Vincent's fees and charges adopted as at 1 July annually.**
1.7	**Cleaning and Maintenance:**	**Licensee's responsibility.**
1.8	**Make good:**	**Licensee's responsibility, including through bond payment for turf repair by City.**
1.9	**Approvals**	**The licensee shall make all relevant applications to the City, prior to each event, for approval under relevant Environmental Noise, Building and Health legislation.**
1.10	**Redevelopment:**	**If the City:** **a) wishes to develop the Land or its surrounds; or** **b) determines that it can no longer maintain the Land in a safe and occupiable condition,** **the City, may upon providing the Licensee with 3 months' prior notice, require the Licensee to surrender the licence over the Land.**

2. Subject to the Minister's approval in Recommendation 1 and final satisfactory negotiations being carried out by the Chief Executive Officer, APPROVES the grant of licence to Newox Pty Ltd (ACN 640 888 599) for the use of a portion of Leederville Oval, 246 (Lot 500) Vincent Street, Leederville on the key terms set out in 1. above, including the fees and charges included therein, and AUTHORISES the Mayor and the Chief Executive Officer to affix the common seal and execute the Licence; and

3. NOTES that the event organiser would be required to inform the community of event details ahead of events.

COUNCIL DECISION ITEM 11.5

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "*EN BLOC*" (9-0)

12.1 REPORT AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 29 FEBRUARY 2024

Attachments:
1. **Audit and Risk Committee Minutes - 29 February 2024**
2. **Attachments - Audit and Risk Committee Minutes - 29 February 2024 - Confidential**

RECOMMENDATION:

That Council:

1. RECEIVES the minutes of the Audit Committee Meeting of 29 February 2024, as at Attachment 1 and Confidential Attachments as at Attachment 2; and

2. APPROVES the recommendations from the Audit Committee as follows:

2.1 ADOPTS the Local Government Statutory Compliance Audit Return for the period 1 January 2023 to 31 December 2023;

2.2 ENDORSES the key findings and management actions arising from the Regulation 17 review of the *Local Government (Audit) Regulations 1996* prepared by Paxon;

2.3 APPROVES the risk management actions for high and extreme risks outline in the Corporate Risk Register;

2.4 APPROVES closure of action items noted within the Audit Log; and.

2.5 ENDORSES the Audit and Risk Committee Self-Assessment process.

3. NOTES

3.1 The Audit and Risk Committee Forward Agenda at Attachment 1; and

3.2 Alignment of Corporate Risks to risk appetite and tolerance ratings.

COUNCIL DECISION ITEM 12.1

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "*EN BLOC*" (9-0)

12.2 LOCAL GOVERNMENT STATUTORY COMPLIANCE AUDIT RETURN 2023

Attachments: **1. Compliance Audit Return 2023**

RECOMMENDATION:

That Council:

1. **NOTES that the City of Vincent's Compliance Audit Return for the period 1 January 2023 to 31 December 2023 was reviewed by the Audit Committee at its 29 February 2024 meeting;**

2. **ADOPTS the Compliance Audit Return for the period 1 January 2023 to 31 December 2023, at Attachment 1; and**

3. **AUTHORISES the Compliance Audit Return in Recommendation 1. above to be certified by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*.**

COUNCIL DECISION ITEM 12.2

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "*EN BLOC*" (9-0)

12.3 MEETING ATTENDANCE FEES FOR INDEPENDENT COMMITTEE MEMBERS

Attachments:
1. **Salaries and Allowances Act 1975 - Determination Variation**
2. **Audit and Risk Committee Terms of Reference - Clean version**
3. **Audit and Risk Committee Terms of Reference - Tracked changes**

RECOMMENDATION:

That Council:

1. **ADOPTS the Maximum fee for Band 2 Independent Committee Members as set out in the Salaries and Allowances Act 1975 at Attachment 1;**

2. **APPROVES the payment of the Maximum fee to Independent Committee Members on the Audit and Risk Committee; and**

3. **APPROVES the updated Audit and Risk Committee Terms of Reference at Attachment 2.**

COUNCIL DECISION ITEM 12.3

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED UNANIMOUSLY "*EN BLOC*" (9-0)

REPORTS WITH DISCUSSION

10.1 BEAUFORT STREET PRECINCT AREA ROAD SAFETY TREATMENTS

Attachments:

1. **Highgate Precinct Wide Traffic Analysis**
2. **Node#1 - Concept Drawing - Beaufort Street and Harold Street Intersection**
3. **Austroads Guideline LATM - Part 8**
4. **Broome and Wright Street - Community Survey Results**
5. **18 May 2021 Council Report Mini Roundabouts**
6. **9 September 2014 Council Report - Mary Street**

RECOMMENDATION:

That Council:

1. **REQUESTS Administration to apply to Main Roads WA for approval of Harold Street becoming a formal one-way street either from Vincent Street to Beaufort Street, or from Beaufort Street to Vincent Street;**

2. **Subject to Main Roads WA approval to point 1, SUPPORTS a capital works project to convert Harold Street from a bi-directional street to a one-way street in the 2024-2025 financial year; and**

3. **SUPPORTS the development of a 6-year Road Safety Implementation Plan to design and deliver the "Beaufort Street Nodes" project and other projects identified within the precinct-wide Highgate traffic analysis report within Attachment 1.**

Moved: Cr Castle, **Seconded:** Cr Hallett

That the recommendation be adopted.

PROCEDURAL MOTION

DEFERRED

Moved: Cr Castle, **Seconded:** Cr Alexander

That the motion be deferred for the following reasons:

1. **To allow further public consultation on the direction of the one way street;**
2. **To allow further consideration of a trial, particularly the cost of implementation and removal;**
3. **To allow for the provision of more information on how this treatment might limit the options the City can undertake in Beaufort Street and the rest of the precinct as per the Road Safety Implementation Plan;**

A report being prepared and to be returned to the 21 May 2024 Council Meeting.

CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

9.4 NO. 71 (LOT: 200; D/P: 92012) EDWARD STREET AND NO. 120 (LOT: 1001; D/P: 29129) CLAISEBROOK ROAD, PERTH - PROPOSED EXTENSION OF TIME TO EXISTING CONCRETE BATCHING PLANTS

Ward: South

Attachments:
1. Location Plan
2. Minister's 2018 Approval
3. Recommended Conditions
4. Proposed Improvement Plan Area
5. Proposed Relocation Plan

RECOMMENDATION:

That Council:

1. MAKES a submission to the Western Australian Planning Commission regarding the development applications made to the State Government under Part 17 (Special provisions for COVID-19 pandemic relating to development applications) of the *Planning and Development Act 2005*, for the continued operation of the two existing Concrete Batching Plants at No. 71 Edward Street (application reference SDAU-069-23) and No. 120 Claisebrook Road (application reference SDAU-068-23) and advises the Western Australian Planning Commission that:

1.1 The City of Vincent DOES NOT SUPPORT the development applications as they are inconsistent with the matters that the Western Australian Planning Commission is to have due regard to in accordance with Section 275(6) of the *Planning and Development Act 2005* for the following reasons:

- **The Concrete Batching Plants are inconsistent with the provisions, purpose, and intent of the City's Local Planning Scheme No. 2 (LPS2). LPS2 zones the sites as Mixed Use R160 with the objective to provide for a range of housing choices and affordability, and encouraging a mix of compatible and complimentary uses.**

  The 'Industry' land use, which the Concrete Batching Plant operation would fall within, is an X use in the Mixed Use zone under LPS2 and is a use that is not permitted by LPS2 in these locations. LPS2 provides an additional use of Concrete Batching Plant for the two sites but includes a condition stating that this "*additional use will expire 30 June 2024.*"

  In support of LPS2 the City's endorsed Local Planning Strategy identifies for the Concrete Batching Plants to relocate from the area to facilitate transit-oriented developments in close proximity to the Perth CBD within the Claisebrook area which is identified as a 'High Density Mixed Use' and 'Planned Urban Growth' area.

  The City's approved North Claisebrook Planning Framework local planning policy provides for a clear statement of intent for the Cityscape sub-precinct of which the Concrete Batching Plants are located in. This seeks to provide for a greater intensity of development that capitalises on the proximity to the Perth CBD and Claisebrook Station by providing landmark transit-oriented developments.

  An extension of the Concrete Batching Plant use on these sites beyond 30 June 2024 would be inconsistent with the Local Planning Strategy, LPS2 and North Claisebrook Planning Framework;

- **The Concrete Batching Plants are inconsistent with the principles of orderly and proper planning as they are an incompatible industrial use within an area that is zoned Mixed Use R160 under LPS2 and has already been developed as high density mixed use.**

  The continued operation of the sites is impacting on the existing and growing number and intensity of sensitive uses in the area and is inhibiting the delivery of high-density mixed use development and increased housing opportunities within the

area.

The relocation of the Concrete Batching Plants at the earliest opportunity would be a matter of state and regional significance as it would finally allow for the provision of high density infill development, providing an estimated 3,258 additional dwellings in the immediate locality consistent with the City's Local Planning Strategy, LPS2 and North Claisebrook Planning Framework;

- **The increase in sensitive uses within the locality over time consistent with LPS2 and the North Claisebrook Planning Framework has meant that the amenity disturbances from the existing Concrete Batching Plants are now more impactful than they were previously.**

  These impacts would continue to increase as the number and intensity of these sensitive uses increase in line with LPS2 and the North Claisebrook Planning Framework;

- **The Concrete Batching Plants have operated from their respective locations prior to the COVID-19 Pandemic and the continued operation would not provide for any greater economic investment, jobs, housing or activity to the region in response to this.**

  The relocation of the Concrete Batching Plants at the earliest opportunity would provide the opportunity for revitalisation of the North Claisebrook area by unlocking two strategic development sites and would have a wider economic benefit to the broader area, including an anticipated 3,258 additional dwellings in the North Claisebrook Planning Framework area alone that would provide much needed housing; and

- **The Concrete Batching Plants continue to be inconsistent with broader State policies including Directions 2031, Perth & Peel @ 3.5 Million, the Central Sub-regional Planning Framework, the Capital City Planning Framework, and State Planning Policy 1 – State Planning Framework.**

  These policies seek to achieve consolidated urban form by providing infill development that is adjacent to activity centres, station precincts and urban corridors, and within close proximity to the Perth CBD and public transport connections, with these sites on the boundary of the CBD and adjacent to the Claisebrook Train Station; and

1.2 Should the Western Australian Planning Commission be of the view to approve the development applications then Council:

a) ADVISES that any approval should require a set a of short term relocation gateways that the operators must achieve in order to continue operating, as well as decommissioning of each of the sites at the expiry of any extension.

Such conditions would facilitate the economic investment, jobs, housing and activity sort for the area by requiring the relocation of both Concrete Batching Plants in the shortest possible time. This would allow for the redevelopment potential of the region to be realised consistent with the local and state planning framework; and

b) PROVIDES recommended conditions that are included in Attachment 3; and

c) ADVISES that both the Hanson and Holcim Concrete Batching Plants may not have the necessary approvals required to operate in accordance with the *Environmental Protection Act 1986.* The subject development applications should not be approved until such time as the necessary environmental approvals have been obtained; and

2. PROVIDES a copy of the report and accompanying attachments from the agenda of the Council Meeting on 19 March 2024 to the Western Australian Planning Commission; and

3. ENDORSES the Mayor and/or Chief Executive Officer to write to the Western Australian Planning Commission requesting the initiation of an Improvement Plan in accordance with Part 8 of the *Planning and Development Act* 2005 for the portion of the North Claisebrook area identified in Attachment 4 with a focus on the Hanson and Holcim Sites.

The purpose of the Improvement Plan would be to ensure that redevelopment of both sites and the broader area occurs consistent with the City's Local Planning Strategy, LPS2, and North Claisebrook Planning Framework as a matter of state and regional significance.

At 7.03pm Executive Manager Communications & Engagement left the meeting and did not return.

Moved: Cr Castle, Seconded: Cr Hallett

That the recommendation be adopted.

AMENDMENT 1

Moved: Cr Castle, Seconded: Cr Greer

That Recommendation 1.2(b) be updated to read as follows:

b) PROVIDES recommended conditions that are included in Attachment 3 with the exception of the following:

- **Conditions 1 and 2 being amended respectively for No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth to reads as follows:**

  No. 71 Edward Street, Perth

  1. Subject to Condition 2, this approval is granted for a limited period expiring 30 June 2026; and

  2. Notwithstanding Condition 1, this approval will lapse on:
  - **a) 30 June 2025, if by that date a development approval under the *Planning and Development Act* 2005 and a building permit under the *Building Act 2011* have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 71 (Lot 200) Edward Street, Perth; or**
  - **b) 30 December 2025, if by that date the new concrete batching plant has not been substantially commenced on the alternative site the subject of paragraph (a) above; or**
  - **c) 30 June 2026, if by that date the new concrete batching plant the subject of paragraph (a) above has not been completed at an alternative site and has commenced operating; and**

  No. 120 Claisebrook Road, Perth

  1. Subject to Condition 2, this approval is granted for a limited period expiring 30 June 2026; and

  2. Notwithstanding Condition 1, this approval will lapse on:
  - **a) 30 June 2025, if by that date a development approval under the *Planning and Development Act* 2005 and a building permit under the *Building Act 2011* have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 120 (Lot 1001) Claisebrook Road, Perth; or**

b) 30 December 2025, if by that date the new concrete batching plant has not been substantially commenced on the alternative site the subject of paragraph (a) above; or

c) 30 June 2026, if by that date the new concrete batching plant the subject of paragraph (a) above has not been completed at an alternative site and has commenced operating; and

REASON

To restrict the operations to minimise amenity impacts for the surrounding residents and businesses.

AMENDMENT CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

AMENDMENT 2

Moved: Cr Hallett, Seconded: Cr Castle

That Recommendation 1.2(b) be updated to read as follows:

b) PROVIDES recommended conditions that are included in Attachment 3 with the exception of the following:

- **Condition 10 being amended respectively for No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth to reads as follows:**

  No. 71 Edward Street, Perth

  10. Site Operations

  Trucks and semi-trailers are only permitted Monday to Saturday inclusive (excluding public holidays), unless otherwise restricted under the approved Environmental Management Plan.

  Trucks and semi-trailers accessing the site shall be limited to single axel only;

  No. 120 Claisebrook Road, Perth

  10. Site Operations

  Trucks and semi-trailers are only permitted Monday to Saturday inclusive (excluding public holidays), unless otherwise restricted under the approved Environmental Management Plan.

  Trucks and semi-trailers accessing the site shall be limited to single axel only;

REASON

To restrict the operations to minimise amenity impacts for the surrounding residents and businesses.

AMENDMENT CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

AMENDMENT 3

Moved: Cr Hallett, Seconded: Cr Castle

That Recommendation 1.2(b) be updated to read as follows:

b) PROVIDES recommended conditions that are included in Attachment 3 with the exception of the following:

- **A new Condition 11 being respectively added to No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth which reads as follows, with the remaining conditions to be renumbered:**

  11. The plant shall operate between the hours of 6am to 7pm Monday to Saturday, unless otherwise restricted by the approved Environment Management Plan. The plant shall not operate on Sundays or public holidays.

REASON

To restrict the operations to minimise amenity impacts for the surrounding residents and businesses.

AMENDMENT CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

AMENDMENT 4

Moved: Cr Castle, Seconded: Cr Hallett

That Recommendation 1.2(b) be updated to read as follows:

b) PROVIDES recommended conditions that are included in Attachment 3 with the exception of the following:

- **Condition 12 being amended respectively for No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth to read as follows:**

  12. Within 60 days of the date of this approval, the landowner/occupier shall submit an updated Landscaping Management Plan to the Western Australian Planning Commission for approval on advice of the City.

  The updated Landscaping Management Plan is to address the following:

  - **The provision of public art project/s such as murals to existing external facing street walls informed by the community.**

    The landowner/operator is to implement the approved public art project/s within 90 days of the date of the approved Landscaping Management Plan.

    The landowner/operator shall thereafter maintain on-site landscaping and public art project/s in accordance with the approved Landscaping Management Plan to the satisfaction of the Western Australian Planning Commission on advice from the City of Vincent.

REASON

To restrict the operations to minimise amenity impacts for the surrounding residents and businesses.

AMENDMENT CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

COUNCIL DECISION ITEM 9.4

That Council:

1. MAKES a submission to the Western Australian Planning Commission regarding the development applications made to the State Government under Part 17 (Special provisions for COVID-19 pandemic relating to development applications) of the *Planning and Development Act 2005*, for the continued operation of the two existing Concrete Batching Plants at No. 71 Edward Street (application reference SDAU-069-23) and No. 120 Claisebrook Road (application reference SDAU-068-23) and advises the Western Australian Planning Commission that:

1.1 The City of Vincent DOES NOT SUPPORT the development applications as they are inconsistent with the matters that the Western Australian Planning Commission is to have due regard to in accordance with Section 275(6) of the *Planning and Development Act 2005* for the following reasons:

- **The Concrete Batching Plants are inconsistent with the provisions, purpose, and intent of the City's Local Planning Scheme No. 2 (LPS2). LPS2 zones the sites as Mixed Use R160 with the objective to provide for a range of housing choices and affordability, and encouraging a mix of compatible and complimentary uses.**

  The 'Industry' land use, which the Concrete Batching Plant operation would fall within, is an X use in the Mixed Use zone under LPS2 and is a use that is not permitted by LPS2 in these locations. LPS2 provides an additional use of Concrete Batching Plant for the two sites but includes a condition stating that this "*additional use will expire 30 June 2024.*"

  In support of LPS2 the City's endorsed Local Planning Strategy identifies for the Concrete Batching Plants to relocate from the area to facilitate transit-oriented developments in close proximity to the Perth CBD within the Claisebrook area which is identified as a 'High Density Mixed Use' and 'Planned Urban Growth' area.

  The City's approved North Claisebrook Planning Framework local planning policy provides for a clear statement of intent for the Cityscape sub-precinct of which the Concrete Batching Plants are located in. This seeks to provide for a greater intensity of development that capitalises on the proximity to the Perth CBD and Claisebrook Station by providing landmark transit-oriented developments.

  An extension of the Concrete Batching Plant use on these sites beyond 30 June 2024 would be inconsistent with the Local Planning Strategy, LPS2 and North Claisebrook Planning Framework;

- **The Concrete Batching Plants are inconsistent with the principles of orderly and proper planning as they are an incompatible industrial use within an area that is zoned Mixed Use R160 under LPS2 and has already been developed as high density mixed use.**

  The continued operation of the sites is impacting on the existing and growing number and intensity of sensitive uses in the area and is inhibiting the delivery of high-density mixed use development and increased housing opportunities within the area.

  The relocation of the Concrete Batching Plants at the earliest opportunity would be a matter of state and regional significance as it would finally allow for the provision of high density infill development, providing an estimated 3,258 additional dwellings in the immediate locality consistent with the City's Local Planning Strategy, LPS2 and North Claisebrook Planning Framework;

- **The increase in sensitive uses within the locality over time consistent with LPS2 and the North Claisebrook Planning Framework has meant that the amenity disturbances from the existing Concrete Batching Plants are now more impactful than they were**

previously.

These impacts would continue to increase as the number and intensity of these sensitive uses increase in line with LPS2 and the North Claisebrook Planning Framework;

- **The Concrete Batching Plants have operated from their respective locations prior to the COVID-19 Pandemic and the continued operation would not provide for any greater economic investment, jobs, housing or activity to the region in response to this.**

  The relocation of the Concrete Batching Plants at the earliest opportunity would provide the opportunity for revitalisation of the North Claisebrook area by unlocking two strategic development sites and would have a wider economic benefit to the broader area, including an anticipated 3,258 additional dwellings in the North Claisebrook Planning Framework area alone that would provide much needed housing; and

- **The Concrete Batching Plants continue to be inconsistent with broader State policies including Directions 2031, Perth & Peel @ 3.5 Million, the Central Sub-regional Planning Framework, the Capital City Planning Framework, and State Planning Policy 1 – State Planning Framework.**

  These policies seek to achieve consolidated urban form by providing infill development that is adjacent to activity centres, station precincts and urban corridors, and within close proximity to the Perth CBD and public transport connections, with these sites on the boundary of the CBD and adjacent to the Claisebrook Train Station; and

1.2 Should the Western Australian Planning Commission be of the view to approve the development applications then Council:

a) ADVISES that any approval should require a set a of short term relocation gateways that the operators must achieve in order to continue operating, as well as decommissioning of each of the sites at the expiry of any extension.

Such conditions would facilitate the economic investment, jobs, housing and activity sort for the area by requiring the relocation of both Concrete Batching Plants in the shortest possible time. This would allow for the redevelopment potential of the region to be realised consistent with the local and state planning framework; and

b) PROVIDES recommended conditions that are included in Attachment 3; with the following amendments:

- **Conditions 1 and 2 being amended respectively for No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth to reads as follows:**

No. 71 Edward Street, Perth

2. Subject to Condition 2, this approval is granted for a limited period expiring 30 June 2026; and

2. Notwithstanding Condition 1, this approval will lapse on:
d) 30 June 2025, if by that date a development approval under the *Planning and Development Act* 2005 and a building permit under the *Building Act 2011* have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 71 (Lot 200) Edward Street, Perth; or
e) 30 December 2025, if by that date the new concrete batching plant has not been substantially commenced on the alternative site the subject of paragraph (a) above; or

f) 30 June 2026, if by that date the new concrete batching plant the subject of paragraph (a) above has not been completed at an alternative site and has commenced operating; and

No. 120 Claisebrook Road, Perth

2. Subject to Condition 2, this approval is granted for a limited period expiring 30 June 2026; and

2. Notwithstanding Condition 1, this approval will lapse on:

d) 30 June 2025, if by that date a development approval under the *Planning and Development Act* 2005 and a building permit under the *Building Act 2011* have not been obtained for the development and construction of a new concrete batching plant on an alternative site to No. 120 (Lot 1001) Claisebrook Road, Perth; or

e) 30 December 2025, if by that date the new concrete batching plant has not been substantially commenced on the alternative site the subject of paragraph (a) above; or

f) 30 June 2026, if by that date the new concrete batching plant the subject of paragraph (a) above has not been completed at an alternative site and has commenced operating; and

- **Condition 10 being amended respectively for No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth to reads as follows:**

No. 71 Edward Street, Perth

10. <u>Site Operations</u>

Trucks and semi-trailers are only permitted Monday to Saturday inclusive (excluding public holidays), unless otherwise restricted under the approved Environmental Management Plan.

Trucks and semi-trailers accessing the site shall be limited to single axel only;

No. 120 Claisebrook Road, Perth

10. <u>Site Operations</u>

Trucks and semi-trailers are only permitted Monday to Saturday inclusive (excluding public holidays), unless otherwise restricted under the approved Environmental Management Plan.

Trucks and semi-trailers accessing the site shall be limited to single axel only; and

- **A new Condition 11 being respectively added to No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth which reads as follows, with the remaining conditions to be renumbered:**

11. The plant shall operate between the hours of 6am to 7pm Monday to Saturday, unless otherwise restricted by the approved Environment Management Plan. The plant shall not operate on Sundays or public holidays.

- **Condition 12 being amended respectively for No. 71 Edward Street, Perth and No. 120 Claisebrook Road, Perth to read as follows:**

12. Within 60 days of the date of this approval, the landowner/occupier shall submit an updated Landscaping Management Plan to the Western Australian Planning Commission for approval on advice of the City.

The updated Landscaping Management Plan is to address the following:

- **The provision of public art project/s such as murals to existing external facing street walls informed by the community.**

  The landowner/operator is to implement the approved public art project/s within 90 days of the date of the approved Landscaping Management Plan.

  The landowner/operator shall thereafter maintain on-site landscaping and public art project/s in accordance with the approved Landscaping Management Plan to the satisfaction of the Western Australian Planning Commission on advice from the City of Vincent.

c) ADVISES that both the Hanson and Holcim Concrete Batching Plants may not have the necessary approvals required to operate in accordance with the *Environmental Protection Act 1986.* The subject development applications should not be approved until such time as the necessary environmental approvals have been obtained; and

2. PROVIDES a copy of the report and accompanying attachments from the agenda of the Council Meeting on 19 March 2024 to the Western Australian Planning Commission; and

3. ENDORSES the Mayor and/or Chief Executive Officer to write to the Western Australian Planning Commission requesting the initiation of an Improvement Plan in accordance with Part 8 of the *Planning and Development Act* 2005 for the portion of the North Claisebrook area identified in Attachment 4 with a focus on the Hanson and Holcim Sites.

The purpose of the Improvement Plan would be to ensure that redevelopment of both sites and the broader area occurs consistent with the City's Local Planning Strategy, LPS2, and North Claisebrook Planning Framework as a matter of state and regional significance.

CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

9.3 NO. 121 (LOT: 2; D/P: 1080) FITZGERALD STREET, WEST PERTH - PROPOSED CHANGE OF USE FROM OFFICE TO RESIDENTIAL BUILDING (SHORT TERM ACCOMMODATION) INCLUDING ALTERATIONS AND ADDITIONS

Ward: South

Attachments:

1. Location and Consultation Plan
2. Development Plans
3. Parking Management Plan
4. Management Plan
5. Code Of Conduct
6. Noise Management Plan
7. Acoustic Report
8. Sustainability Statement
9. Waste Management Plan
10. Summary of Submission - Applicant's Response
11. Summary of Submissions - Administration's Response
12. 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 Office to Residential Building (Short Term Accommodation) including Alterations and Additions at No. 121 (Lot: 2; D/P: 1080) Fitzgerald Street, West Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 12:

1. Development Approval

This approval is for a Change of Use from Shop to Residential Building (Short Term Accommodation) including Alterations and Additions as shown on the approved plans dated 20 February 2024 and 14 March 2024. No other development forms part of this approval;

2. Use of Premises

2.1 This approval is for a Residential Building as defined in State Planning Policy 7.3: Residential Design Codes Volume 1. The use of the subject land for any other land use may require further approval from the City;

2.2 The operation shall be carried out in accordance with the definition of Short Term Accommodation/Short Stay Accommodation as defined in the City of Vincent Local Planning Policy: Short Term Accommodation, to the City's satisfaction;

Means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period;

2.3 The total number guests staying the premises shall be limited to 47 persons at any one time, to the satisfaction of the City; and

2.4 A maximum of 1 staff member on site at any given time, who are also not a guest of the premises, to the satisfaction of the City;

3. Management Plan and Code of Conduct

3.1 The premises shall operate in accordance with the approved Management Plan and Code of Conduct dated 30 January 2024, to the satisfaction of the City; and

3.2 The approved Code of Conduct shall be provided to guests at the time of check-in and displayed in a prominent location where it is visible to guests, to the satisfaction of the

City;

4. Car Parking and Access

4.1 Prior to the first occupation or use of the development, two parking bays shall be provided on-site, as depicted on the approved plans, to the satisfaction of the City. The car bay accessed from Fitzgerald Street, shall be reserved as a dedicated pick up/drop off bay. The car bay accessed from the right of way should be reserved as for staff car parking only;

4.2 Prior to the first occupation or use of the development, the pick up/drop off car parking bay shall be marked and clearly signposted as a dedicated drop off/pick up bay with a maximum time restriction of 15 minutes, to the satisfaction of the City;

4.3 The premises shall operate in accordance with the approved Parking Management Plan dated 11 December 2024, the satisfaction of the City;

4.4 All pedestrian access levels shall match into existing verge and footpath levels, to the satisfaction of the City; and

4.5 Three bicycle parking spaces shall be provided on-site in accordance with Australian Standard AS2890.3 prior to the occupation or use of the development, to the satisfaction of the City;

5. Building Design

5.1 Prior to the issue of a Building Permit, a detailed schedule of external finishes including materials, colour schemes and details, that are generally consistent with those shown on the approved plans, shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development, to the satisfaction of the City;

5.2 All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City; and

5.3 The roof of the proposed addition shall have a maximum solar absorptance rating of 0.4, to the satisfaction of the City;

6. Façade Design

6.1 Doors and windows and adjacent floor areas fronting Fitzgerald Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City;

6.2 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, to the satisfaction of the City;

6.3 Internal security and privacy treatments shall be located and installed internally behind the glazing line or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street, to the satisfaction of the City; and

6.4 The portion of the courtyard wall to the Fitzgerald Street elevation, as indicated in red on the approved plans, shall provide a minimum of 50 percent visual permeability, to the satisfaction of the City;

7. Landscaping

7.1 Prior to the issue of a Building Permit, a detailed landscape and reticulation plan for the development site, shall be submitted to and approved by the City, to the satisfaction of the City. The plan shall be drawn to a scale of 1:100 or 1:200, shall be generally in accordance with the plan previously provided to the City dated 11 August 2023, and

show the following:

- **The location and type of proposed plants, including pot sizes, and permeable paving treatments;**
- **Areas to be irrigated or reticulated;**
- **The *Callistemon 'Kings Park Special'* tree shall be minimum of 35 litres;**
- **The *Syzygium Australe 'Straight and Narrow'* species shall be replaced with an alternative species, on advice of the City's Parks Team; and**
- **The roof top planter bed depth and volume, and roof top planter bed access provisions for maintenance. The planter bed shall have a minimum depth of 0.5 metres;**

to the satisfaction of the City;

7.2 All works shown in the approved landscape and reticulation plan as identified in Condition 7.1 shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

8. Stormwater

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

9. Waste Management

9.1 Prior to the issue of a Building Permit, an updated Waste Management Plan, shall be submitted to and approved by the City, to the satisfaction of the City. The plan shall include details of the following:

- **Two bins located in the rear car bay area to be relocated within the drying court area, to ensure suitable vehicle access for the rear car bay;**
- **Waste collection times;**

9.2 The updated Waste Management Plan, as required by Condition 9.1, shall be implemented at all times to the satisfaction of the City; and

9.3 Waste and refuse generated on the site by the development shall be collected by a private contractor at the expense of the applicant/landowner;

10. Acoustic Report and Noise Management

10.1 Prior to the issue of a Building Permit, an updated acoustic report shall be submitted to and approved by the City, to the satisfaction of the City. The updated acoustic report shall demonstrate compliance with the City's Policy No. 7.5.21 – Sound Attenuation, namely in relation to the construction of the building and mechanical services;

10.2 The updated report, as required by Condition 10.1, should be generally consistent with the report provided to the City, dated 11 December 2023, and should modify the recommendation for a 1.8 metre high fence to be provided in the front setback area, as included in the Environmental Noise Assessment recommendations, to remove the requirement for fence of Colourbond construction and ensure the fence can be provided to the dimensions shown on the approved plans dated 14 March 2024, to the satisfaction of the City.

10.3 The recommended measures of the report required, as required by Condition 10.1, shall be implemented and maintained thereafter, to the satisfaction of the City; and

10.4 The premises shall operate in accordance with the approved Noise Management Plan dated 11 December 2023, to the satisfaction of the City; and

11. Construction Management Plan

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

- **Public safety, amenity and site security;**
- **Contact details of essential site personnel;**
- **Construction operating hours;**
- **Noise control and vibration management;**
- **Air, sand and dust management;**
- **Stormwater and sediment control;**
- **Soil excavation method;**
- **Waste management and materials re-use;**
- **Traffic and access management;**
- **Parking arrangements for contractors and subcontractors; and**
- **Consultation plan with nearby properties.**

Moved: **Cr Hallett,** **Seconded:** **Cr Worner**

That the recommendation be adopted.

AMENDMENT

Moved: **Cr Worner,** **Seconded:** **Cr Woolf**

That the recommendation be amended as follows:

4.5 Four ~~Three~~ bicycle parking spaces shall be provided on-site in accordance with Australian Standard AS2890.3 prior to the occupation or use of the development, to the satisfaction of the City;

REASON:

The current application provides for only three bicycle spaces and this is via a hanging rack inside the premises.

By providing more bicycle/scooter racks, this gives residents/staff/visitors more options to safely contain their bikes/scooters, even for a short while.

The application is to accommodate 47 people at any one time with only two car parking spaces – one for staff and one as a 15 min short term bay, and nearby residents have voiced concerns over potential parking issues. We should encourage alternate forms of transport by providing more amenities for bikes to be secured and easily accessed.

ADMINISTRATION'S COMMENT:

Administration is supportive of the amendment to Condition 4.5 to provide an additional bicycle/scooter parking facility. The provision of additional bicycle/scooter parking would be consistent with the objectives of the City's Local Planning Policy: Non-Residential Parking as it would further support a shift towards active and sustainable transport modes.

AMENDMENT CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer

and Cr La Fontaine

Against: Nil

COUNCIL DECISION ITEM 9.3

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 Office to Residential Building (Short Term Accommodation) including Alterations and Additions at No. 121 (Lot: 2; D/P: 1080) Fitzgerald Street, West Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 12:

1. Development Approval

This approval is for a Change of Use from Shop to Residential Building (Short Term Accommodation) including Alterations and Additions as shown on the approved plans dated 20 February 2024 and 14 March 2024. No other development forms part of this approval;

2. Use of Premises

2.1 This approval is for a Residential Building as defined in State Planning Policy 7.3: Residential Design Codes Volume 1. The use of the subject land for any other land use may require further approval from the City;

2.2 The operation shall be carried out in accordance with the definition of Short Term Accommodation/Short Stay Accommodation as defined in the City of Vincent Local Planning Policy: Short Term Accommodation, to the City's satisfaction;

Means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period;

2.3 The total number guests staying the premises shall be limited to 47 persons at any one time, to the satisfaction of the City; and

2.4 A maximum of 1 staff member on site at any given time, who are also not a guest of the premises, to the satisfaction of the City;

3. Management Plan and Code of Conduct

3.1 The premises shall operate in accordance with the approved Management Plan and Code of Conduct dated 30 January 2024, to the satisfaction of the City; and

3.2 The approved Code of Conduct shall be provided to guests at the time of check-in and displayed in a prominent location where it is visible to guests, to the satisfaction of the City;

4. Car Parking and Access

4.1 Prior to the first occupation or use of the development, two parking bays shall be provided on-site, as depicted on the approved plans, to the satisfaction of the City. The car bay accessed from Fitzgerald Street, shall be reserved as a dedicated pick up/drop off bay. The car bay accessed from the right of way should be reserved as for staff car parking only;

4.2 Prior to the first occupation or use of the development, the pick up/drop off car parking bay shall be marked and clearly signposted as a dedicated drop off/pick up bay with a maximum time restriction of 15 minutes, to the satisfaction of the City;

4.3 The premises shall operate in accordance with the approved Parking Management Plan dated 11 December 2024, the satisfaction of the City;

4.4 All pedestrian access levels shall match into existing verge and footpath levels, to the satisfaction of the City; and

4.5 Four bicycle parking spaces shall be provided on-site in accordance with Australian Standard AS2890.3 prior to the occupation or use of the development, to the satisfaction of the City;

5. Building Design

5.1 Prior to the issue of a Building Permit, a detailed schedule of external finishes including materials, colour schemes and details, that are generally consistent with those shown on the approved plans, shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development, to the satisfaction of the City;

5.2 All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City; and

5.3 The roof of the proposed addition shall have a maximum solar absorptance rating of 0.4, to the satisfaction of the City;

6. Façade Design

6.1 Doors and windows and adjacent floor areas fronting Fitzgerald Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City;

6.2 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, to the satisfaction of the City;

6.3 Internal security and privacy treatments shall be located and installed internally behind the glazing line or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street, to the satisfaction of the City; and

6.4 The portion of the courtyard wall to the Fitzgerald Street elevation, as indicated in red on the approved plans, shall provide a minimum of 50 percent visual permeability, to the satisfaction of the City;

7. Landscaping

7.1 Prior to the issue of a Building Permit, a detailed landscape and reticulation plan for the development site, shall be submitted to and approved by the City, to the satisfaction of the City. The plan shall be drawn to a scale of 1:100 or 1:200, shall be generally in accordance with the plan previously provided to the City dated 11 August 2023, and show the following:

- **The location and type of proposed plants, including pot sizes, and permeable paving treatments;**
- **Areas to be irrigated or reticulated;**
- **The *Callistemon 'Kings Park Special'* tree shall be minimum of 35 litres;**
- **The *Syzygium Australe 'Straight and Narrow'* species shall be replaced with an alternative species, on advice of the City's Parks Team; and**
- **The roof top planter bed depth and volume, and roof top planter bed access provisions for maintenance. The planter bed shall have a minimum depth of 0.5 metres;**

to the satisfaction of the City;

7.2 All works shown in the approved landscape and reticulation plan as identified in Condition 7.1 shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

8. Stormwater

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

9. Waste Management

9.1 Prior to the issue of a Building Permit, an updated Waste Management Plan, shall be submitted to and approved by the City, to the satisfaction of the City. The plan shall include details of the following:

- **Two bins located in the rear car bay area to be relocated within the drying court area, to ensure suitable vehicle access for the rear car bay;**
- **Waste collection times;**

9.2 The updated Waste Management Plan, as required by Condition 9.1, shall be implemented at all times to the satisfaction of the City; and

9.3 Waste and refuse generated on the site by the development shall be collected by a private contractor at the expense of the applicant/landowner;

10. Acoustic Report and Noise Management

10.1 Prior to the issue of a Building Permit, an updated acoustic report shall be submitted to and approved by the City, to the satisfaction of the City. The updated acoustic report shall demonstrate compliance with the City's Policy No. 7.5.21 – Sound Attenuation, namely in relation to the construction of the building and mechanical services;

10.2 The updated report, as required by Condition 10.1, should be generally consistent with the report provided to the City, dated 11 December 2023, and should modify the recommendation for a 1.8 metre high fence to be provided in the front setback area, as included in the Environmental Noise Assessment recommendations, to remove the requirement for fence of Colourbond construction and ensure the fence can be provided to the dimensions shown on the approved plans dated 14 March 2024, to the satisfaction of the City.

10.3 The recommended measures of the report required, as required by Condition 10.1, shall be implemented and maintained thereafter, to the satisfaction of the City; and

10.4 The premises shall operate in accordance with the approved Noise Management Plan dated 11 December 2023, to the satisfaction of the City; and

11. Construction Management Plan

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

- **Public safety, amenity and site security;**
- **Contact details of essential site personnel;**
- **Construction operating hours;**
- **Noise control and vibration management;**

- **Air, sand and dust management;**
- **Stormwater and sediment control;**
- **Soil excavation method;**
- **Waste management and materials re-use;**
- **Traffic and access management;**
- **Parking arrangements for contractors and subcontractors; and**
- **Consultation plan with nearby properties.**

CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

At 7.28pm Director Major Projects left the meeting and did not return.

The Presiding Member decided to discuss this item next, as there were members of the public in the gallery interested in this item.

9.2 NO. 12 (LOT: 609; D/P: 49287) LINDSAY STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO OFFICE

Ward: South Ward

Attachments:
1. Consultation and Location Plan
2. Development Plans
3. Heritage Impact Statement
4. Applicant Photos of Steel Floor Tiles
5. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for Alterations and Additions to Office at No. 12 (Lot: 609; D/P: 49287) Lindsay Street, Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Development Plans

This approval for Alterations and Additions to Office as shown on the approved plans dated 13 November 2023 and 9 January 2024. No other development forms part of this approval;

2. Works

2.1 All works shall be undertaken in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City;

2.2 All works shall be carefully undertaken to ensure that minimal damage occurs to original building fabric, to the satisfaction of the Heritage Council of Western Australia; and

2.3 Security camera surface mounted conduit is to be colour matched to the adjacent surface to minimise the impact to the original fabric and setting, to the satisfaction of the Heritage Council of Western Australia;

2.4 The removed steel floor tiles shall be stored in a weather proof container, within an internal secure location at the subject site, and in such a manner to prevent deterioration, to the satisfaction of the Heritage Council of Western Australia. Written correspondence shall be submitted to the City confirming details of how this condition has been satisfied within 28 days of completion of the approved works;

3. Stormwater

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

4. Documented Record

Within 28 days of completion of the approved works, a photographic record of the works undertaken (internal and external) shall be submitted to the City for inclusion in its Historical Archive Collection, to the satisfaction of the City.

COUNCIL DECISION ITEM 9.2

Moved: Cr Worner, Seconded: Cr Wallace

That the recommendation be adopted.

CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

12.4 RESPONSES TO MOTIONS CARRIED AT THE ANNUAL GENERAL MEETING OF ELECTORS HELD ON 1 FEBRUARY 2024

Attachments: 1. Annual General Meeting of Electors Minutes 1 February 2024

RECOMMENDATION:

That Council NOTES and ENDORSES the following recommendations provided by Administration to the General Business motions carried at the Annual Meeting of Electors held on Thursday 1 February 2024 for the reasons outlined in the report:

1. **Motion 4.1(1) – Laneways - That Council NOTES that condition surveys are undertaken on all the laneways and upgrades are prioritised according to the condition ratings.**

2. **Motion 4.2 – Dust at Menzies Park - That Council REQUESTS Administration identifies a temporary solution to stabilise and mitigate dust on this section of verge.**

3. **Motion 4.3**

    1. **Rat Running Character Area Cleaver Precinct – That Council REQUESTS Administration complete a "Traffic Calming Warrant" score on this area in the 2023/24 financial year and if warranted, consider traffic calming treatments to mitigate issues such as rat running and any other road safety concerns.**

    2. **Bunnings Traffic Impact – That Council NOTES:**

        - **Main Roads WA is already undertaking a road safety program on this intersection and the City is providing information and support as required; and**

        - **The Department of Transport (DoT) is planning to undertake a future traffic study of the Pickle District which proposes to include this intersection.**

    3. **Colvin Lane –That Council NOTES Colvin Lane has sufficient signage including speed advisory signs as noted in the report.**

    4. **Bunnings Traffic Impact – That Council NOTES the Department of Transport (DoT) is planning to undertake a future traffic study of the Pickle District.**

    5. **Cleaver Precinct Character Area – That Council NOTES:**

        - **Conditions of the Development Approval for the Bunnings development require the preparation of Management Plans prior to commencement of development to manage vehicle movements to the site, and**

        - **Administration will send a notification to residents within the area bound by Carr Street, Cleaver Street, Newcastle Street and Fitzgerald Street prior to issuing an occupancy permit for the development. This notification will provide information on how to report instances of delivery and service vehicles using the residential streets if this is observed.**

4. **Motion 4.4: Polyphagous Shot Hole Borer – That Council NOTES the CEO's creation of a Hyde Park Reference Group to provide a forum to engage with stakeholders and community members into the City of Vincent's restoration of tree canopy and associated plantings post Polyphagous Shot Hole Borer treatment works.**

5. **Motion 4.5(1): e-Waste – That Council:**

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

   - **REQUESTS Administration to investigate options for the drop off and re-use / recycling of small (non-hazardous) e-waste at suitable City of Vincent facilities**.

6. **Motion 4.5(2): Publishing Policy Related Guidelines – That Council NOTES the Policy Development and Review Policy outlines Council's position in relation to Local Government Decision Making and the hierarchy of documents guiding decision making and responsibilities**.

7. **Motion 4.5(3): Beaufort Street Footpath –**

   That Council REQUESTS:

   - **Administration program upgrades of the footpaths in the Mount Lawley-Highgate Town Centre in accordance with condition assessment priorities; and**

   - **Administration review the service level requirements and costs to ensure that footpaths and public paving in areas subject to high pedestrian traffic (including town centres) are maintained in a clean and attractive state, and the findings be presented to a Council Workshop by June 2024.**

8. **Motion 4.5(4): Elected member responses to the community – That Council NOTES that the adopted Code of Conduct is consistent with the *Local Government (Model Code of Conduct) Regulations 2021*.**

9. **Motion 4.5(5): Organisation Review – That Council NOTES results of the FY 22 Australasian Local Government Performance Excellence Program and annual service unit planning undertaken by the organisation provide sufficient metrics to inform organisation planning and structure.**

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be adopted.

AMENDMENT

Moved: Cr Hallett, Seconded: Cr Castle

That the recommendation be amended as follows:

Motion 4.5(1): E- Waste - That Council:

REQUESTS Administration to investigate options for the drop off and re-use / recycling of small (non-hazardous) e-waste at suitable City of Vincent facilities and presents its findings and recommendations to a Council Workshop by June 2024.

REQUESTS the Administration more actively promote the 'Buy Nothing' network on the City's web site and through social media, including, but not limited to, providing contact details for each individual group operating in the City.

REASON:

To insert a timeframe for the investigation and re-enforce other local options to increase re-use of goods.

ADMINISTRATION'S COMMENT:

Supported.

The City's website currently includes the following information in relation to Buy *Nothing* networks –

"Can you fix it or give it away?

Before you book Verge Valet™, can your items be reused or fixed?

Verge Valet™ is for all your unusable items that have no life left in them.

Quality used items including furniture, toys, clothing, sports equipment, bric-a-brac and books can all be donated. Some charities even offer a **free collection service** for bulky items like furniture. You can phone ahead to the charity to check if they are interested in your item. If they are not currently in need, they will likely be able to refer you to another charity who is in need.

Gumtree and Buy Nothing groups are another great avenue for rehoming your unwanted items. There are currently 10 hyper-local Buy Nothing groups operating in the City of Vincent with over 10,000 members! Find your local group on Facebook or search your location on the **Buy Nothing Western Australia map**.

Can your broken items be repaired? For a second chance at life, try taking them along to **Repair Café Perth** or **Vincent Men's Shed**.

For a comprehensive list of organisations for fixing or donating your items, visit **vergevalet.com.au**."

The linked website provides details of various re-use options including the details of the Buy Nothing Facebook Groups in Vincent. Repair and reuse options – Verge Valet™

AMENDMENT CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

AMENDMENT

Moved: Cr Castle, Seconded: Cr Hallett

That the recommendation be amended as follows:

Motion 4.2 – Dust at Menzies Park - That Council REQUESTS Administration identifies a temporary solution to stabilise and mitigate dust on this section of verge and brings a report back to Council with a recommendation for a permanent solution by no later than March 2025.

REASON

Would like to understand what might be considered for a permanent solution following interim trial period.

AMENDMENT CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

COUNCIL DECISION ITEM 12.4

RECOMMENDATION:

That Council NOTES and ENDORSES the following recommendations provided by Administration to the General Business motions carried at the Annual Meeting of Electors held on Thursday 1 February 2024 for the reasons outlined in the report:

1. **Motion 4.1(1) – Laneways - That Council NOTES that condition surveys are undertaken on all the laneways and upgrades are prioritised according to the condition ratings.**

2. **Motion 4.2 – Dust at Menzies Park - That Council REQUESTS Administration identifies a temporary solution to stabilise and mitigate dust on this section of verge and brings a report back to Council with a recommendation for a permanent solution by no later than March 2025.**

3. **Motion 4.3**

6. **Rat Running Character Area Cleaver Precinct – That Council REQUESTS Administration complete a "Traffic Calming Warrant" score on this area in the 2023/24 financial year and if warranted, consider traffic calming treatments to mitigate issues such as rat running and any other road safety concerns.**

7. **Bunnings Traffic Impact – That Council NOTES:**

    - **Main Roads WA is already undertaking a road safety program on this intersection and the City is providing information and support as required; and**

    - **The Department of Transport (DoT) is planning to undertake a future traffic study of the Pickle District which proposes to include this intersection.**

8. **Colvin Lane –That Council NOTES Colvin Lane has sufficient signage including speed advisory signs as noted in the report.**

9. **Bunnings Traffic Impact – That Council NOTES the Department of Transport (DoT) is planning to undertake a future traffic study of the Pickle District.**

10. **Cleaver Precinct Character Area – That Council NOTES:**

    - **Conditions of the Development Approval for the Bunnings development require the preparation of Management Plans prior to commencement of development to manage vehicle movements to the site, and**

    - **Administration will send a notification to residents within the area bound by Carr Street, Cleaver Street, Newcastle Street and Fitzgerald Street prior to issuing an occupancy permit for the development. This notification will provide information on how to report instances of delivery and service vehicles using the residential streets if this is observed.**

4. **Motion 4.4: Polyphagous Shot Hole Borer – That Council NOTES the CEO's creation of a Hyde Park Reference Group to provide a forum to engage with stakeholders and community members into the City of Vincent's restoration of tree canopy and associated plantings post Polyphagous Shot Hole Borer treatment works.**

5. **Motion 4.5(1): e-Waste – That Council:**

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

   - **REQUESTS Administration to investigate options for the drop off and re-use / recycling of small (non-hazardous) e-waste at suitable City of Vincent facilities and presents its findings and recommendations to a Council Workshop by June 2024.**

   - **REQUESTS the Administration more actively promote the 'Buy Nothing' network on the City's web site and through social media, including, but not limited to, providing contact details for each individual group operating in the City.**

6. **Motion 4.5(2): Publishing Policy Related Guidelines – That Council NOTES the Policy Development and Review Policy outlines Council's position in relation to Local Government Decision Making and the hierarchy of documents guiding decision making and responsibilities**.

7. **Motion 4.5(3): Beaufort Street Footpath –**

   That Council REQUESTS:

   - **Administration program upgrades of the footpaths in the Mount Lawley-Highgate Town Centre in accordance with condition assessment priorities; and**

   - **Administration review the service level requirements and costs to ensure that footpaths and public paving in areas subject to high pedestrian traffic (including town centres) are maintained in a clean and attractive state, and the findings be presented to a Council Workshop by June 2024.**

8. **Motion 4.5(4): Elected member responses to the community – That Council NOTES that the adopted Code of Conduct is consistent with the *Local Government (Model Code of Conduct) Regulations 2021*.**

9. **Motion 4.5(5): Organisation Review – That Council NOTES results of the FY 22 Australasian Local Government Performance Excellence Program and annual service unit planning undertaken by the organisation provide sufficient metrics to inform organisation planning and structure.**

CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

At 7:52 pm, Cr Ashley Wallace left the meeting.

11.4 MID YEAR BUDGET REVIEW 2023/24

Attachments:
1. **Rate Setting Statement 2023/24**
2. **Net Current Assets 2023/24**
3. **Cash Backed Reserves 2023/24**
4. **Capital Budget 2023/24**
5. **Operating Budget Analysis 2023/24**

RECOMMENDATION:

That Council BY ABSOUTE MAJORITY APPROVES the following amendments to the 2023/24 Annual Budget:

a) A net increase in the Operating result of $1,899,197 as per Attachments 1;

b) A net increase in Cash Backed Reserves totalling $3,178,691 as per Attachments 3;

c) A net decrease in the Capital Expenditure Budget of $375,837 as per Attachment 4;

d) A net decrease in closing surplus of $1,300,157, resulting in a forecasted year end surplus at 30 June 2024 of $653,883 as per Attachment 1; and

e) Additional loan payment of $1,400,000 towards Beatty Park Loan 10

COUNCIL DECISION ITEM 11.4

Moved: Cr Greer, Seconded: Cr Woolf

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY (8-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Greer and Cr La Fontaine

Against: Nil

(Cr Wallace was absent from the Council Chamber and did not vote.)

At 7.54pm Chief Financial Officer left the meeting and did not return.

At 7:54 pm, Cr Jonathan Hallett left the meeting.
At 7:55 pm, Cr Jonathan Hallett returned to the meeting.

12.5 INFORMATION BULLETIN

Attachments:

1. **Minutes of the Catalina Regional Council Meeting held on 15 February 2024**
2. **Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 29 February 2024**
3. **Unconfirmed Minutes of Sustainability and Transport Advisory Group 8 February 2024**
4. **Unrecoverable Parking Infringements Write-Off**
5. **Update on the Innovate Reconciliation Action Plan 2022/24, the Access & Inclusion Plan 2022/27 and the Youth Action Plan 2020/26**
6. **Statistics for Development Services Applications as at the end of February 2024**
7. **Register of Legal Action and Prosecutions Monthly - Confidential**
8. **Register of Legal Action - Orders and Notices Quarterly - Confidential**
9. **Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 27 February 2024**
10. **Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current**
11. **Register of Applications Referred to the Design Review Panel - Current**
12. **Nature Play in the Park program outcome**
13. **Register of Petitions - Progress Report - March 2024**
14. **Register of Notices of Motion - Progress Report - March 2024**
15. **Register of Reports to be Actioned - Progress Report - March 2024**
16. **Council Workshop Items since 22 November 2023**
17. **Council Briefing Notes - February 2024**

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated March 2024.

COUNCIL DECISION ITEM 12.5

Moved: Cr Woolf, Seconded: Cr Worner

That the recommendation be adopted.

CARRIED (8-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Greer and Cr La Fontaine

Against: Nil

(Cr Wallace was absent from the Council Chamber and did not vote.)

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

At 7:56 pm, Cr Ashley Wallace returned to the meeting.

13.1 NOTICE OF MOTION - MAYOR ALISON XAMON - PROTECTION AND PROMOTION OF TREES ON PRIVATE LAND

That Council:

1. NOTES the critical role that tree canopy plays in making cities liveable, reducing the urban heat island effect and providing a habitat for local flora and fauna; and

2. REQUESTS that the City:

2.1 Prioritises the progress of planning controls to ensure greater protection of trees and canopy provision on private land; and

2.2 Advocates to the Western Australian Planning Commission and Minister for Planning for greater protection of trees on private land.

At 7.57pm Manager Engineering left the meeting and did not return.

COUNCIL DECISION ITEM 13.1

Moved: Mayor Xamon, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED (9-0)

For: Mayor Xamon, Cr Castle, Cr Alexander, Cr Worner, Cr Woolf, Cr Hallett, Cr Wallace, Cr Greer and Cr La Fontaine

Against: Nil

14 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)

Nil

15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

16 URGENT BUSINESS

Nil

168917 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

18 CLOSURE

There being no further business, the Presiding Member, Mayor Alison Xamon, declared the meeting closed at 8.08pm with the following persons present:

PRESENT:	**Mayor Alison Xamon**	**Presiding Member**
	Cr Alex Castle	**North Ward**
	Cr Ron Alexander	**North Ward**
	Cr Suzanne Worner	**North Ward**
	Cr Nicole Woolf	**North Ward**
	Cr Jonathan Hallett	**South Ward**
	Cr Ashley Wallace	**South Ward**
	Cr Sophie Greer	**South Ward**
	Cr Ashlee La Fontaine	**South Ward**
IN ATTENDANCE:	**David MacLennan**	**Chief Executive Officer**
	Peter Varris	**Executive Director Infrastructure & Environment**
	Jay Naidoo	**A/Executive Director Strategy & Development**
	Mitchell Hoad	**A/Manager Strategic Planning & Specialist Planner**
	Joslin Colli	**Executive Manager Corporate Strategy & Governance**
	Wendy Barnard	**Council Liaison Officer**
Public:	No members of the public.	

These Minutes were confirmed at the 23 April 2024 meeting of Council as a true and accurate record of the Council Meeting held on 19 March 2024.

Signed: Mayor Alison Xamon

Dated