

8.3 INFORMATION BULLETIN

- Attachments:**
1. **Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 30 November 2023**
 2. **Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 14 December 2023**
 3. **Minutes of the Catalina Regional Council Meeting held on 7 December 2023**
 4. **Minutes of the Catalina Regional Council - Special Meeting held on 20 December 2023**
 5. **Statistics for Development Services Applications as at the end of December 2023**
 6. **Register of Legal Action and Prosecutions Monthly - Confidential**
 7. **Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 25 January 2024**
 8. **Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current**
 9. **Register of Applications Referred to the Design Review Panel - Current**
 10. **Street Tree Quarterly Report**
 11. **Register of Petitions - Progress Report - February 2024**
 12. **Register of Notices of Motion - Progress Report - February 2024**
 13. **Register of Reports to be Actioned - Progress Report - February 2024**
 14. **Council Statistics December 2023**
 15. **Council Workshop Items since 22 November 2023**
 16. **Council Briefing Notes - 5 December 2023**

RECOMMENDATION:

That Council **RECEIVES** the Information Bulletin dated February 2024.



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

30 NOVEMBER 2023
TOWN OF VICTORIA PARK

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



CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	3
2	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	3
3	DECLARATION OF INTERESTS	4
4	PUBLIC QUESTION TIME	4
5	ANNOUNCEMENT BY THE PRESIDING PERSON	4
6	APPLICATION FOR LEAVE OF ABSENCE	4
7	PETITIONS/DEPUTATIONS/PRESENTATIONS	4
8	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	5
8.1	ORDINARY COUNCIL MEETING – 21 September 2023	5
8.2	SPECIAL COUNCIL MEETING – 23 November 2023	5
14	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC ...	7
14.1	CATERPILLAR (CAT 836K) LANDFILL WASTE COMPACTOR ASSET PROPOSAL	7
14.2	LATE ITEM - AUDIT AND RISK COMMITTEE 23 NOVEMBER 2023 RECOMMENDATIONS	8
9.5	ANNUAL REPORT 2023	12
9	CHIEF EXECUTIVE OFFICER REPORTS	16
9.1	FINANCIAL STATEMENTS FOR THE PERIODS ENDED	16
	30 SEPTEMBER 2023 AND 31 OCTOBER 2023	16
9.2	LIST OF PAYMENTS MADE FOR THE PERIODS ENDED	19
	30 SEPTEMBER 2023 AND 31 OCTOBER 2023	19
9.3	FURTHER REVIEW - DELEGATIONS TO THE CEO AND COUNCIL POLICIES	21
9.4	MINDARIE REGIONAL COUNCIL ORDINARY COUNCIL MEETING AND STRATEGY WORKSHOP DATES FOR 2024	27
9.6	MRC PROPOSED RECLASSIFICATION TO BAND 2	31
10	MEMBERS INFORMATION BULLETIN – ISSUE NO. 79	39
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	39
12	URGENT BUSINESS	39
13	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	39
15	NEXT MEETING	39
16	CLOSURE	39

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 3

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.30 pm

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Cr P Miles (Paul) - Chair	City of Wanneroo
Cr S Proud, JP (Stephanie) – Deputy Chair	City of Stirling
Cr A Jacob, JP (Albert)	City of Joondalup
Cr C May (Christopher)	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr C Hatton (Chris)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr M Dudek (Michael)	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr J Wright (Jordan)	City of Wanneroo
Cr J Cutler (Jane)	Town of Cambridge

MRC Officers

Ms A Arapovic (Acting CEO)
Mr M Hattingh (Executive Manager Operations)
Mr A Griffiths (Project and Procurement Manager)
Ms S Cherico (Human Resources Officer)
Ms D Toward (Executive Assistant)

Apologies

Cr K Vernon Town of Victoria Park

Approved leave of absence

Nil

Member Council Observers

Mr M Pennington	City of Joondalup
Mr G Taylor	City of Perth
Mr A Murphy	City of Stirling
Mr P Varris	City of Vincent
Mr J Wong	Town of Victoria Park
Mr H Singh	City of Wanneroo
Mr G Chettleburgh	City of Wanneroo
Mr K Hincks	Town of Cambridge

Visitors:

Mr K Neoh	Office of the Auditor General
Mr R Lau	Office of the Auditor General

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 4

3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENT BY THE PRESIDING PERSON

Nil

6 APPLICATION FOR LEAVE OF ABSENCE

Cr Albert Jacob requested Leave of Absence from Council duties for the period 11 to 15 December 2023

Moved Cr Wright, Seconded Cr May

RESOLVED

That Council approve the request for Leave of Absence from Council duties for Cr Jacob for the period 11 to 15 December 2023.

CARRIED 11/0

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
Against: Nil

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 5

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**8.1 ORDINARY COUNCIL MEETING – 21 September 2023**

The Minutes of the Ordinary Council Meeting held on 21 September 2023 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 21 September 2023 be confirmed as a true record of the proceedings.

Moved Cr Gobbert, Seconded Cr Jacob

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright

Against: Nil

8.2 SPECIAL COUNCIL MEETING – 23 November 2023

The Minutes of the Special Council Meeting held on 23 November 2023 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Special Meeting of Council held on 23 November 2023 be confirmed as a true record of the proceedings.

Moved Cr Hatton, Seconded Cr Wright

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright

Against: Nil

Procedural Motions

1. To suspend the operation of clause 5.2 – **Order of Business** - in accordance with clause 10.1(j) of the Mindarie Regional Council Meeting Procedures Local Law 2020.

Reasons:

For efficiency of the meeting to enable consideration of item 9.5 and Confidential Items 14.1 and 14.2 allowing the representatives from the Office Auditor General (OAG), Mr Neoh and Mr Lau, to participate in items 9.5 and 14.2 and then leave once these items have been completed.

Moved Cr Miles, Seconded Cr Proud

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
Against: Nil

2. In accordance with clause 10.1(h) of the Mindarie Regional Council Meeting Procedures Local Law 2020 and s5.23 of the Local Government Act 1995, I request that Council meet "**behind closed doors**" to allow the Council to consider items 14.1 and 14.2 as the items are of a confidential nature.

Moved Cr Proud, Seconded Cr Dudek

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
Against: Nil

1. The meeting closes to members of the public at 6.36 pm to consider item 14.1 and 14.2 in accordance with Section 5.23 of the *Local Government Act 1995*.
2. Permits the MRC Acting Chief Executive Officer, MRC staff and member council officers seated in the gallery to remain in the Council Chambers during the discussion.

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
Against: Nil

MINDARIE REGIONAL COUNCIL
 ORDINARY COUNCIL MEETING MNUTES
 30 NOVEMBER 2023

Page 7

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

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2)(c) of <i>The Local Government Act 1995</i> as the report deals with a matter where a contract may be entered into	
14.1	Caterpillar (CAT 836K) Landfill Waste Compactor Asset Proposal
File No:	GF-23-0000244
Attachment(s):	Nil
Date:	6 November 2023
Responsible Officer:	Executive Manager Operations

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Approve the sale of the Caterpillar 836K Landfill Compactor (CAT836K) as per the details contained within the confidential report.

**Moved Cr Proud, Seconded Cr Gobbert
 RESOLVED**

**That the recommendation be adopted
 (CARRIED UNANIMOUSLY 11/0)**

*For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
 Against: Nil*

The Chair invited Ms Arapovic, Executive Manager, Corporate Services to speak to item 14.2.

Ms Arapovic provided a brief overview of the Financial Year 2023 Audit and Final Audit Report and responded to questions from Council.

The Chair invited Mr Neoh, Director Financial Audit, Office of the Auditor General (OAG), to speak to the item.

Mr Neoh presented to Council the key points of Financial Year 2023 Audit and Final Audit Report, the Council had no questions for Mr Neoh.

On behalf of the Council, the Chair thanked Mr Neoh and Mr Reagan for attending the Council meeting and for their work on the MRC Audit.

14.2 LATE ITEM – AUDIT AND RISK COMMITTEE 23 NOVEMBER 2023 – RECOMMENDATIONS	
File No.	GF-22-0000089
Attachment(s):	Audit and Risk Committee Minutes dated 23 November 2023 – as published and circulated to Council Members
Date:	28 November 2023
Responsible Officer:	Executive Manager Corporate Services

BACKGROUND

This report presents for Council’s consideration, the matters considered by the Audit and Risk Committee at its meeting on 23 November 2023. Minutes were published on the MRC website and were distributed to Council Members on 28 November 2023.

The Annual Financial Report 2022/2023 was considered by the Audit and Risk Committee as item 6.1 of the 23 November 2023 meeting. The Committee’s recommendation is provided for Council’s consideration at Item 9.5 of this meeting.

Moved Cr Hatton, seconded Cr Ferrante

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 9

The remaining Audit and Risk Committee recommendations are extracted below for Council's consideration:

This report is confidential and dealt with in a confidential session, under Section 5.23 (2) (f)(ii) of The Local Government Act 1995 as the report deals with matters concerning risks to the MRC.	
Audit and Risk Committee ITEM 7.1 Annual Financial Report Audit Planning 2022/2023	
File No.	GF-21-0000314
Attachment(s):	Audit and Risk Committee Minutes – 23 November 2023: <ul style="list-style-type: none"> • <u>Confidential Attachment 2</u> – Annual Financial Audit Planning Summary Year Ended 30 June 2023
Date:	13 November 2023
Responsible Officer:	Executive Manager Corporate Services

OFFICER AND COMMITTEE RECOMMENDATION

That Council note the Audit and Risk Committee's review of the scope and effectiveness of the 2022/2023 Annual Financial Audit Planning Summary issued by the Auditors.

This report is confidential and dealt with in a confidential session, under Section 5.23(2)(f)(ii) of The Local Government Act 1995 as the report deals with matters concerning risks to the MRC	
Audit and Risk Committee ITEM 7.2 Audit Completion Report	
File No.	
Attachment(s):	Audit and Risk Committee Minutes – 23 November 2023: <ul style="list-style-type: none"> • <u>Confidential Attachment 4</u> - Auditor General Independent Auditors Report 2023 • <u>Confidential Attachment 4a</u> - Annual Financial Audit Exit Brief Year ended 30 June 2023 • <u>Confidential Attachment 4b</u> - Management Representation Letter Year ended 30 June 2023
Date:	13 November 2023
Responsible Officer:	Executive Manager Corporate Services

OFFICER AND COMMITTEE RECOMMENDATION

That Council:

1. **Note the Auditor General Independent Auditors Report for year ended 30 June 2023 issued by the Auditors.**
2. **Note the Annual Financial Audit Exit Brief for year ended 30 June 2023 issued by the Auditors.**
3. **Note the Representation Letter for the year ended 30 June 2023**

MINDARIE REGIONAL COUNCIL
 ORDINARY COUNCIL MEETING MNUTES
 30 NOVEMBER 2023

Page 10

This report is confidential and dealt with in a confidential session, under Section 5.23(2)(f)(ii) of The Local Government Act 1995 as the report deals with matters concerning risks to the MRC.	
Audit and Risk Committee 23 November 2023 ITEM 7.3 Full Risk Register	
File No.	GF-22-0000089
Attachment(s):	Audit and Risk Committee Minutes – 23 November 2023: <ul style="list-style-type: none"> • <u>Confidential Attachment 5</u> - Full Risk Register • <u>Confidential Attachment 5a</u> - Risk Assessment and Acceptance Criteria V3 • <u>Confidential Attachment 6</u> - Risk Management Plan and Appetite Statement
Date:	10 November 2023
Responsible Officer:	Chief Executive officer

OFFICER AND COMMITTEE RECOMMENDATION

That Council note the full risk register as presented.

The Chair advised Council that Audit and Committee Items 7.1, 7.2, and 7.3 be put ‘en bloc’, and Item 7.4 would be put separately.

ITEMS APPROVED "EN BLOC":

**Moved Cr Hatton, Seconded: Cr Ferrante
 Resolved**

**That the following unopposed items be adopted “En Bloc”:
 Audit and Risk Committee Items 7.1, 7.2 and 7.3 only**

(CARRIED UNANIMOUSLY 11/0)
 For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
 Against: Nil

MINDARIE REGIONAL COUNCIL
 ORDINARY COUNCIL MEETING MNUTES
 30 NOVEMBER 2023

Page 11

This report is confidential and dealt with in a confidential session, under Section 5.23(2)(f)(ii) of The Local Government Act 1995 as the report deals with matters concerning risks to the MRC.	
Audit and Risk Committee ITEM 7.4 External Audit Committee Member	
File No.	GF-22-0000089
Attachment(s):	Audit and Risk Committee Minutes – 23 November 2023: <ul style="list-style-type: none"> • Confidential Attachment 7 - Candidate Applications
Date:	10 November 2023
Responsible Officer:	Chief Executive officer

OFFICER RECOMMENDATION

That the Audit and Risk Committee recommend to Council that _____ be appointed as an external audit committee member, subject to their acceptance of the appointment, for the period ending November 2024.

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee recommend to Council that Mr Aswin Kumar be appointed as an external audit committee member, subject to their acceptance of the appointment, for the period ending November 2024.

Moved Cr Hatton, seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright

Against: Nil

Moved Cr Proud, seconded Cr Wright

Procedural Motion

1. Reopens the meeting to members of the public at 6.56 pm

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright

Against: Nil

The Chair noted the resolutions passed behind closed doors.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 12

9.5	ANNUAL REPORT 2023
	GF-21-0000035
Appendices:	Appendix 10
Date:	17 November 2023
Responsible Officer:	Chief Executive Officer

BACKGROUND

The *Local Government Act 1995* (the Act) requires every local government to prepare an Annual Report for each financial year and to accept it prior to 31 December following the end of the financial year (section 5.53 and 5.54 of the Local Government Act 1995). The Act also specifies the contents required to be included in the Annual Report. If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than two months after the auditor's report becomes available.

The annual audit of the Mindarie Regional Council (MRC) has been completed and the Financial Report for the financial year ended 30 June 2023 has been considered by the Audit and Risk Committee.

DETAIL

The Annual Financial Report for the financial year ended 30 June 2023 is now submitted to Council for adoption. The Annual Report contains the Annual Financial Report of the MRC for 2023. This includes the Statement of Financial Position, Statement of Changes in Equity, Statements of Comprehensive Income, Statement of Cash Flows and notes to and forming part of the accounts. The Auditor, in accordance with the Local Government (Audit) Regulations 1996 Sections 10.2 and 10.3 is required to issue an audit report after the completion of the annual audit that expresses an opinion on the financial position and results of the operations of the local government for each financial year. Under S7.9 of the Local Government Act 1995, the auditor must prepare and sign a report on the financial audit and present the report to the Chairperson, the CEO and the Minister.

The OAG issued an unqualified report and expressed that in their opinion, the financial report of the MRC gives a true and fair view of the financial position as at 30 June 2023 and complies with the Local Government Act 1995 (as amended), the Local Government (Financial Management) Regulations 1996 (as amended) and the Australian Accounting Standards.

The Auditor has not issued an interim management letter for 2023. There were no significant matters identified during the final audit.

The Audit and Risk Committee met on 23 November 2023 to consider the Financial Report for the year ended 30 June 2023 and have recommended that the Council accept the report.

A copy of the Annual Report, including the Financial Report, is included at **Appendix 10**.

The MRC, in accordance with the Local Government (Financial Management) Regulations 1996 Section 51.1, is required to include in the Annual Financial Report a signed Statement of Declaration by the Chief Executive Officer after this report has been audited in accordance with the Local Government Act 1995. This declaration is included in the Annual Report.

STATUTORY ENVIRONMENT

Relevant Extracts from the Local Government Act 1995

“5.53. Annual reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain —*
 - (a) *a report from the mayor or president; and*
 - (b) *a report from the CEO; and*
 - [[c), (d) *deleted*]
 - (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
 - (f) *the financial report for the financial year; and*
 - (g) *such information as may be prescribed in relation to the payments made to employees; and*
 - (h) *the auditor’s report prepared under section 7.9(1) or s7.12AD(1) for the financial year; and*
 - (ha) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - (hb) *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) *the number of complaints recorded in the register of complaints; and*
 - (ii) *how the recorded complaints were dealt with; and*
 - (iii) *any other details that the regulations may require;**and*
 - (i) *such other information as may be prescribed.*

[Section 5.53 amended by No. 44 of 1999 s. 28(3); No. 49 of 2004 s. 42(4) and (5); No. 1 of 2007 s. 6.]

5.54. Acceptance of annual reports

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*
- (2) *If the auditor’s report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to*

accepted by the local government no later than 2 months after the auditor's report becomes available.

5.55. *Notice of annual reports*

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.55A *Publication of annual reports*

The CEO is to publish the annual report on the local government's official website within 14 days after the report has been accepted by the local government.

7.9. *Audit to be conducted*

- (1) *An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —*
 - (a) *the mayor or president; and*
 - (b) *the CEO of the local government; and*
 - (c) *the Minister."*

Relevant Extracts from the Local Government (Audit) Regulations 1996

"10. *Report by auditor*

- (1) *An auditor's report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.*
- (2) *The report is to give the auditor's opinion on —*
 - (a) *the financial position of the local government; and*
 - (b) *the results of the operations of the local government.*
- (3) *The report is to include —*
 - (a) *any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government; and*
 - (b) *any matters indicating non-compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law; and*
 - (c) *details of whether information and explanations were obtained by the auditor; and*
 - (d) *a report on the conduct of the audit; and*
 - (e) *the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —*
 - (i) *the asset consumption ratio; and*
 - (ii) *the asset renewal funding ratio.*

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 15

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- (4) *Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor's report."*

POLICY IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

The MRC's net result for the financial year ended 30 June 2023 is \$6,430,026. Having taken into account \$726,281 of net transfer to reserves, the MRC's accumulated losses reduced to \$29,893,807.

STATUTORY IMPLICATIONS

The Annual Report for the MRC has been prepared in accordance with the requirements of Local Government Act 1995 and applicable Australian Accounting Standards.

AMENDMENTS

There have been no amendments made to the Financial Statements presented to the Audit and Risk Committee.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council resolve to:

1. **Notes the recommendation of the Audit and Risk Committee meeting held on 23 November 2023 to accept the Financial Report for the year ended 30 June 2023; and**
2. **Accept the Annual Report for the year ended 30 June 2023, which includes the Financial Report detailed in point 1 above.**

(Absolute Majority Required)

Moved Cr Gobbert, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright

Against: Nil

Mr Neoh and Mr Reagan from the Office of the Auditor General left the meeting at 7.03 pm.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 16

9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENTS FOR THE PERIODS ENDED 30 SEPTEMBER 2023 AND 31 OCTOBER 2023
Reference:	GF-23-00000019
Appendix(s):	Appendix No. 1, 2 and 3
Date:	10 November 2023
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of this report is to provide Council with a set of financial reports in line with statutory requirements, which provides information on the financial performance of the Mindarie Regional Council (MRC).

BACKGROUND

Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996 defines reporting requirements.

The financial statements presented for each month consist of:

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

DETAIL

The attached reports provide an overview of the MRC's financial performance for the months ending 30 September 2023 and 31 October 2023 and have been prepared in accordance with the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 and the Australian Accounting Standards. The reports fairly represent, in all material respects, the results of the MRC's operations for the months being reported. As the audit of the 2022/23 financial statements has not yet been finalised, these reports represent interim results as at 31 October 2023.

The Interim Financial Statements for the months ended 30 September 2023 and 31 October 2023 are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report closing position up to 31 October 2023 is attached at **Appendix No. 3**.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 17

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

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	59,511	59,038	(473)
Tonnes – Others	8,336	7,381	(955)
TOTAL TONNES	67,847	66,419	(1,428)
	\$	\$	\$
Revenue – Fees & Charges	10,697,367	10,432,596	(264,771)
Revenue – Other	2,307,222	2,254,860	217,638
TOTAL REVENUE	13,004,589	12,957,456	(47,133)
EXPENSES	(10,916,908)	(10,592,667)	324,241
NET SURPLUS/(DEFICIT)	2,087,681	2,364,789	277,108

Mindarie Regional Council interim financial result for the period ending 31 October 2023 reflects its performance from 1 July 2023 to 31 October 2023. These are interim results pending finalisation of end of the year reconciliation. Council's operations have been conducted in line with the adopted budget. As per the MRC's 2023/2024 budget approved at the OCM 13 July 2023 and in line with materiality adopted by the Council, variances below \$50k do not attract comments.

MRC's interim net result for the year to date period was a profit of \$2.4m with a favourable variance of 13% or \$277k. This positive variance is a direct result of combined effects of actual revenue of \$47k and expenditure of \$324k both being under budget.

REVENUE

Fees and Charges

This revenue resulted in an unfavourable variance of \$265k at the end of October. Explanations for major contributing factors are as follows:

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 18

Member council tonnage aligned closely to budget at 1%, 473 tonnes behind budget year to date. Tonnage of 54,604 tonnes is above the tonnage at the same time last year of 52,838 tonnes.

Casual and Trade members' fees has a negative variance of \$172k as compared to budget.

The timing of trade discount contract, which started to deliver waste mid-month in October, has affected trade tonnage variance.

Interest Earnings

Interest earning is \$217k above budget. Over 2023, there have been another four increases of the RBA cash rate, which has moved from 3.10% to 4.10%. The current investment portfolio has a weighted average expected interest rate of 4.55%.

As term deposits mature, MRC has and will continue to secure improved rates on new term deposits.

EXPENDITURE

Materials and Contracts

Materials and Contracts are \$199k below budget and predominantly affected by DWER landfill levy being \$160k below budget. DWER landfill levy is payable to the Department of Water and Environment Regulation and has a direct relationship to tonnage collected. Due to reasons mentioned under fees and charges, the tonnage is lower and therefore the levy paid is lower.

STATUTORY IMPLICATIONS

Section 6.4 of the Local Government Act 1995 and regulation 34(1) of the Local Government (Financial Management) Regulations 1996

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 and 2 for the periods ended 30 September 2023 and 31 October 2023.

Moved Cr Gobbert, seconded Cr Wright

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
Against: Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 19

9.2	LIST OF PAYMENTS MADE FOR THE PERIODS ENDED 30 SEPTEMBER 2023 AND 31 OCTOBER 2023
File No:	GF-23-000019
Appendix(s):	Appendix No. 4 and 5
Date:	10 November 2023
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

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

COMMENT

The lists of payments for the months ended 30 September 2023 and 31 October 2023 is at **Appendix 4 and 5** to this Item and presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 30 November 2022, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

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

Months Ended	Account	Vouchers	Amount
30 September 2023	General Municipal	Cheques	\$590.00
		EFT	\$798,267.68
		DP	\$406,155.86
		Inter account transfers	\$0.00
		Total	\$1,205,013.54
31 October 2023	General Municipal	Cheques	\$580.00
		EFT	\$4,018,000.65
		DP	\$396,392.56
		Inter account transfers	\$0.00
		Total	\$4,414,973.21

VOTING REQUIREMENT

Simple Majority

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 20

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 30 September 2023 and 31 October 2023.

Moved Cr May, seconded Cr Proud

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
Against: Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 21

9.3	FURTHER REVIEW - DELEGATIONS TO THE CEO AND COUNCIL POLICIES
File No:	GF-22-0000484 GF-23-0000098
Attachment(s):	Appendix 6 – Delegation 1.2 Appendix 7 – Council Policy CP14 Appendix 8 – Council Policy CP23 Appendix 9 – Delegation 1.7
Date:	02 October 2023
Responsible Officer:	Chief Executive Officer

SUMMARY

The report seeks endorsement of the further reviews undertaken by the Chief Executive Officer (CEO) on the following:

1. Delegation 1.2 'Appoint an employee of the MRC to the position of Acting CEO',
2. Council Policy CP14 Acting Chief Executive Officer Appointment,
3. Council Policy CP23 Conducting Electronic Meetings and Attendance by Electronic Means Policy, and
4. Delegation 1.7.1 Disposing of Property

BACKGROUND

Sections 5.46 of the *Local Government Act 1995* (the Act) requires that at least once every financial year delegations are to be reviewed by the Council. The MRC also conducts an annual review of all Council policies.

The last review for Delegations and Council Policies was conducted in August 2023 and brought to Council on 21 September 2023.

At the 21 September 2023 Ordinary Council Meeting the Administration presented the reviewed Register of Delegations to the CEO, and the reviewed suite of Council Policies, the Council resolved the following:

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. *Endorses the changes to Council Policies as contained in Appendix 6 and 7 of this report.*
2. *Endorses the delegations made to the Chief Executive Officer as detailed in Attachment 2 of this report.*

Moved Cr May, seconded Cr Cvitan

Amendment

Moved Cr Castle, Seconded Cr Cvitan

-
1. Add the following words at the end of point number 1. 'Subject to a further review of CP23 Conducting electronic meetings and attendance by electronic means'.
 2. Add the following words at the end of point number 2. 'Subject to a further review of delegation 1.2.'
- (CARRIED UNANIMOUSLY 11/0)

Substantive Motion as Amended

1. Endorses the changes to Council Policies as contained in Appendix 6 and 7 of this report, subject to a further review of CP23 'Conducting electronic meetings and attendance by electronic means'
 2. Endorses the delegations made to the Chief Executive Officer as detailed in Attachment 2 of this report, subject to a further review of delegation 1.2.
- (CARRIED UNANIMOUSLY 11/0)

DETAIL

CHIEF EXECUTIVE OFFICER FURTHER REVIEW

1. **DELEGATION 1.2** - Appoint an employee of the MRC to the position of Acting Chief Executive Officer
2. **COUNCIL POLICY CP14** – Acting Chief Executive Officer Appointment

During the Ordinary Council meeting held on 21 September 2023, the MRC presented a proposal to remove delegation 1.2, which concerns the appointment of an acting CEO. This proposal was based on the following:

- s5.39 of the *Local Government Act 1995* renders the delegation unnecessary
- the MRC has an existing Council Policy for an Acting CEO

Council requested the MRC to carry out a further review of Delegation 1.2 'Appoint an employee of the MRC to the position of Acting CEO.'

The Administration conducted a further review and sought advice from the Department of Local Government, Sport and Cultural Industries and WALGA, both expressed their support for the perspective that there is no requirement for a delegation to appoint an employee to act in the position of CEO. Instead, both confirmed that in accordance with s5.39C of the *Local Government Act 1995*, a policy is required for the temporary employment or acting appointment of a CEO.

Although Council Policy CP14 was endorsed at the Ordinary Council meeting on 21 September 2023, Administration considered the advice from the Department and WALGA that such a policy should also include a provision for temporary employment of a CEO not just provision for an acting appointment of a CEO. The Administration also took into account comments made during the Council meeting regarding the need for Council to have oversight on the MRC positions designated to act as CEO. In response to the feedback, Administration has modified the policy to closely align with the WALGA template '*Council Policy for the Temporary Employment or Acting Appointment of CEO*'.

A summary of the proposed amendments to CP14 include:

- Title change to 'Council Policy 14 - Temporary Employment or Acting Appointment of Chief Executive Officer'
- Inclusion of positions that can act in the role of CEO
- Acting CEO is to be appointed in circumstances where the CEO is on leave or unplanned leave for any leave periods greater than 4 days
- Inclusion of clauses covering the employment of a Temporary CEO
- Inclusion of clause covering remuneration of an Acting or Temporary CEO

See Appendix 6 – Delegation 1.2

See Appendix 7 – CP14

3. COUNCIL POLICY CP23 - Conducting Electronic Meetings and Attendance by Electronic Means Policy

During the Ordinary Council meeting on 21 September 2023, Council moved an amendment for CP23 to be further reviewed. The discussion during the meeting concerned electronic attendance highlighting the importance of attendees being visible on the screen. This visibility would assure members of the public that councillors are fully engaged during the meeting.

The following minor amendment is proposed to Clause 3 of CP23:

To Clause 3 add a new subclause (5) that reads:

(5) Cameras - *MRC requests that Members cameras are turned on for the duration of the meeting. Members must ensure that they are visible on screen at all times during the meeting. Member's visibility is crucial to assure members of the public that Council is fully engaged during the meeting. Members must indicate to the Chair if they are leaving or re-joining a meeting. The time a member leaves and re-joins a meeting will be reflected in the minutes.*

Subsequent sub-clauses will be renumbered to accommodate the new sub-clause 5.

See Appendix 8 - CP23.

4. DELEGATION 1.7.1 – Disposing of Property

At the Ordinary Council meeting held on 21 September 2023, Council endorsed Delegation 1.7.1 Disposing of Property. Since that meeting, Administration has further reviewed this delegation for the purposes of disposing of MRC plant, when necessary. Administration has concluded that the current delegation, as worded, has the potential to hinder administrative efficiency by preventing timely decision-making. To enable the Administration to manage high value assets, excluding land, an amendment to Council condition (b) on this delegation is proposed to raise the limit to \$500,000. This figure is proposed following review of member councils' similar delegations.

See Appendix 9, tracked changes to Delegation 1.7.1

CONSULTATION

Nil

STATUTORY ENVIRONMENT**Local Government Act 1995**

The following extracts from the Act relate to Council's obligations in the areas of policy development and delegations to the CEO.

"2.7. Role of Council

- (1) *The Council —*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the Council is to —*
 - (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.*

5.39C. Policy for temporary employment or appointment of CEO

(1) *A local government must prepare and adopt* a policy that sets out the process to be followed by the local government in relation to the following —*

- (a) *the employment of a person in the position of CEO for a term not exceeding 1 year;*
- (b) *the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.*

** Absolute majority required.*

(2) *A local government may amend* the policy.*

** Absolute majority required.*

(3) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*

(4) *The CEO must publish an up-to-date version of the policy on the local government's official website.*

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
 - (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) *any power or duty that requires a decision of an absolute majority of the council;*
 - (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
 - (c) *appointing an auditor;*
 - (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
-

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 25

- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A (4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed."*

POLICY IMPLICATIONS

This report discusses the proposed changes to Council Policy CP14 and CP23, it does not impact other policies.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

Strategic Community Plan 2023 -2032	
OBJECTIVE 3	Deliver best practice governance processes and structures
Action	Ensure compliance with all legislative, probity, and regulatory requirements
This report is required by legislation to ensure that the Council has the opportunity to review its current policies and the delegations it has provided to the Chief Executive Officer thus maintaining the relevance of the documents.	

COMMENT

Nil

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. Endorses the removal of the Delegation number 1.2 'Appoint an employee of the MRC to the position of Acting CEO' as detailed in Appendix 6 from the Delegation Register.
2. Endorses the changes to Council Policy CP14 'Acting Chief Executive Officer Appointment' as detailed in Appendix 7.
3. Endorses the change to Council Policy CP23 'Conducting Electronic Meetings and Attendance by Electronic means' as detailed in Appendix 8.
4. Endorses the change to Delegation 1.7.1 'Disposal of Property' as detailed in Appendix 9.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 26

The substantive motion was moved by Cr Wright and seconded Cr May

Cr Cutler proposed an amendment to the value in Delegation 1.7.1 Disposal of Property, Council Condition 'b' from \$500,000 to \$150,000.

The Chair facilitated discussion and the meeting proposed an increased value of \$250,000, With the agreement of the mover and seconder the value included in the substantive motion, detailed in Appendix 9, was amended from \$500,000 to \$250,000.

The substantive motion, as amended, was put:

SUBSTANTIVE RECOMMENDATION AS AMENDED

1. **Endorses the removal of the Delegation number 1.2 'Appoint an employee of the MRC to the position of Acting CEO' as detailed in Appendix 6 from the Delegation Register.**
2. **Endorses the changes to Council Policy CP14 'Acting Chief Executive Officer Appointment' as detailed in Appendix 7.**
3. **Endorses the change to Council Policy CP23 'Conducting Electronic Meetings and Attendance by Electronic means' as detailed in Appendix 8.**
4. **Endorses the change to Delegation 1.7.1 'Disposal of Property' as detailed in Appendix 9 subject to the change in Council Condition 'b' limiting the value to \$250,000**

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
Against: Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 27

9.4	MINDARIE REGIONAL COUNCIL ORDINARY COUNCIL MEETING AND STRATEGY WORKSHOP DATES FOR 2024
File No:	GF-23-0000047
Appendix(s):	Nil
Date:	27 October 2023
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to provide notice of the dates, times and locations for the Mindarie Regional Council's (MRC) Ordinary Council Meetings (OCM) and to provide advice regarding Strategy Workshops (SW) and Budget Workshops (BW) for 2024.

BACKGROUND

In accordance with the *Local Government Act 1995*, the MRC is required to schedule OCMs for the forthcoming calendar year and provide public notice of their dates, times and locations. In addition, the MRC also sets at least two SW dates for the year.

DETAIL

In setting the dates for the 2024 OCMs consideration is given to the following:

- The Catalina Regional Council meeting dates for 2024
- The WALGA Metropolitan Zone meeting dates for 2024
- The Australian Local Government Association (ALGA) Annual Conference
- Relevant Waste Conferences
- Availability of Member Councils' Chambers.

Wherever possible, alternative dates to those already specified for the meetings above are proposed by the administration and assessed for suitability.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 28

Catalina Regional Council

There are currently no meeting date clashes, in addition, no councillors participate in both CRC and MRC meetings.

WALGA North Metro Zone

North Metro WALGA Zone meeting dates are usually arranged on a Thursday, as are the MRC's. Currently there are no proposed clashes, the NMZ dates are due to be confirmed at their meeting on 23 November 2023.

Australian Local Government Association (ALGA) Annual Conference

The relevant dates for 2024 have as yet not been released. The draft proposed date options provided to the MRC are first week in June 2024 or first week in July 2024. No MRC meetings are proposed during these weeks.

Waste Conferences

There are no known meeting date clashes with the proposed dates for the 2024 waste conferences.

Financial Reporting

The MRC must arrange its council meetings to ensure that financial reports are presented to council within 2 months after the end of the month to which the statement of financial activity relates in accordance with s.6.4 of the *Local Government Act 1995* and s.34(4) of the *Local Government (Financial Management) Regulations 1996*.

Proposed Ordinary Council Meeting Schedule

29 February 2024	6.30pm	City of Joondalup	OCM
28 March 2024	6.30pm	City of Wanneroo	OCM
30 May 2024	6.30pm	City of Stirling (tbc)	OCM
27 June 2024	6.30pm	Town of Cambridge	OCM
18 July 2024	6.30pm	City of Stirling (tbc)	OCM
26 September 2024	6.30pm	City of Vincent	OCM
28 November 2024	6.30pm	Town of Victoria Park	OCM
12 December 2024	6.30 pm	City of Perth	OCM

Strategic and Budget Workshops

The MRC also propose to hold a budget workshop and 5 strategic workshops during the year ahead. These workshops are important as they provide Councillors, member council CEOs and representatives on the Strategic Working Group an opportunity to review and discuss the MRC's strategic direction and have oversight on the budget proposals.

29 February 2024	After OCM	City of Joondalup	Strategy Workshop
17 March 2024	6.30pm	tbc	Strategy Workshop
04 April 2024	6.30pm	tbc	Budget Workshop
30 May 2024	After OCM	tbc	Strategy Workshop
22 August 2024	6.30 pm	tbc	Strategy Workshop
31 October 2024	6.30pm	tbc	Strategy Workshop

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 29

STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Administration) Act 1996

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMENT

The administration has sought, through the dates proposed, to set an OCM and Workshop schedule which provides council the opportunity to make all necessary decisions in accordance with its statutory requirements, and takes into account the effects thereafter on individual member councils' obligations under the *Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996*, whilst allowing sufficient provision for adequate briefing through workshops on matters relevant to council.

Workshops are seen as important as they provide Councillors and member council administrations an opportunity to review and discuss the MRC's strategic direction and have oversight on the administration's budget proposals.

Efforts have been made wherever possible to reduce the potential impact on councillors' already busy schedules due to their individual member council responsibilities.

The proposed meeting schedule for 2024 is submitted for approval.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- Adopt the meeting dates as follows:

29 February 2024	6.30pm	City of Joondalup	OCM
28 March 2024	6.30pm	City of Wanneroo	OCM
30 May 2024	6.30pm	City of Stirling (tbc)	OCM
27 June 2024	6.30pm	Town of Cambridge	OCM
18 July 2024	6.30pm	City of Stirling (tbc)	OCM
26 September 2024	6.30pm	City of Vincent	OCM
28 November 2024	6.30pm	Town of Victoria Park	OCM
12 December 2024	6.30pm	City of Perth	OCM

- Issue a Public Notice on the meeting locations, dates and times as detailed in (1) above in accordance with Part 12 (1) of the *Local Government (Administration) Regulations 1996* and the *Local Government Act 1995*.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 30

3. Note the following Budget Workshop and Strategy Workshops dates planned for 2024, as follows:

29 February 2024	After OCM	City of Joondalup	Strategy Workshop
17 March 2024	6.30pm	tbc	Strategy Workshop
04 April 2024	6.30pm	tbc	Budget Workshop
30 May 2024	After OCM	tbc	Strategy Workshop
22 August 2024	6.30pm	tbc	Strategy Workshop
31 October 2024	6.30pm	tbc	Strategy Workshop

Meeting note:

The Chair advised Council that the venues for the Ordinary Council meetings in point no 2 were confirmed and that the date 17 March 2024, in point no 3 was a typographical error and should read 14 March 2024.

**Moved Cr Proud, seconded Cr Jacob
RESOLVED**

1. Adopt the meeting dates as follows:

29 February 2024	6.30pm	City of Joondalup	OCM
28 March 2024	6.30pm	City of Wanneroo	OCM
30 May 2024	6.30pm	City of Stirling	OCM
27 June 2024	6.30pm	Town of Cambridge	OCM
18 July 2024	6.30pm	City of Stirling	OCM
26 September 2024	6.30pm	City of Vincent	OCM
28 November 2024	6.30pm	Town of Victoria Park	OCM
12 December 2024	6.30pm	City of Perth	OCM

2. Issue a Public Notice on the meeting locations, dates and times as detailed in (1) above in accordance with Part 12 (1) of the *Local Government (Administration) Regulations 1996* and the *Local Government Act 1995*.
3. Note the following Budget Workshop and Strategy Workshops dates planned for 2024, as follows:

29 February 2024	After OCM	City of Joondalup	Strategy Workshop
14 March 2024	6.30pm	tbc	Strategy Workshop
04 April 2024	6.30pm	tbc	Budget Workshop
30 May 2024	After OCM	tbc	Strategy Workshop
22 August 2024	6.30pm	tbc	Strategy Workshop
31 October 2024	6.30pm	tbc	Strategy Workshop

**Moved Cr Proud, seconded Cr Jacob
(CARRIED UNANIMOUSLY 11/0)**

*For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright
Against: Nil*

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 31

9.6	MRC PROPOSED RECLASSIFICATION TO BAND 2
File No:	GF-23-0003162
Appendices:	Nil
Date:	05 OCTOBER 2023
Responsible Officer:	Chief Executive Officer

SUMMARY

This report provides the detail of a review by the Chief Executive Officer (CEO) on the band classification for the Mindarie Regional Council (MRC).

The MRC is seeking Council approval to lodge a submission to the Salaries and Allowances Tribunal for it to review and amend the MRC's current classification as a Band 3 Local Government to a Band 2 Local Government.

BACKGROUND

On 06 July 2017, Council received a Notice of Motion relating to the MRC's band classification from then Councillor Russ Fishwick suggesting that a review of the MRC's banding at that time may be appropriate. Council resolved that a review should be undertaken. However, this did not take place as the MRC's strategic future was unclear, and council subsequently revoked its resolution.

Council endorsed a new Strategic Community Plan on 27 April 2023 and subsequent Corporate Business Plan on 01 June 2023.

On 21 September 2023, Council received a further Notice of Motion relating to the MRC's band classification from Councillor Paul Miles, seeking a similar review of the MRC's band classification to that previously proposed. This report provides details on that review.

DETAIL

Outcome of the 2017 Notice of Motion

Between 2017 and 2022 Administration opted not to proceed with the Council's resolution for a review as the MRC's strategic direction was unclear at the time.

In 2022, during a review of pending Council resolutions, the CEO observed that the 2017 resolution had not been executed and, through consultation with councillors, it was determined that it may be more appropriate for it to be revoked rather than continue not to be fulfilled. At that time, the MRC was in the process of developing a new Strategic Community Plan in consultation with Council and member council administration stakeholders.

Subsequently, on 24 March 2022, a report was brought forth to Council seeking the revocation of the previous Notice of Motion resolution, which was supported.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 32

MRC Strategic Direction

Between 2020 and 2021, the MRC experienced a period of change which impacted strategy setting, such as:

- The streamlining of operations at Tamala Park resulting in a complete organisational restructure
- The entry into a contract with an external provider to operate the Re-Use shop and the public recycling areas at Tamala Park
- The conclusion of a major contract for the management of the MRC's Resource Recovery Facility (RRF) at its Neerabup site
- A change of CEO in late 2021

During 2022 and 2023 strategic workshops with Council were undertaken that resulted in the development of a draft Strategic Community Plan, which Council adopted on 27 April 2023.

Notice of Motion – 21 September 2023

On 21 September 2023, Councillor Miles brought forth the following Notice of Motion:

Notice of Motion:

1. *REQUESTS the Chief Executive Officer to undertake a review of the MRC's current band classification, addressing the justification for a proposed reclassification from a band 3 to a band 2 Regional Council.*
2. *REQUESTS the Chief Executive Officer to write to the Department of Local Government to seek clarification on the procedural steps necessary to request a band reclassification.*
3. *REQUESTS that the Chief Executive Officer presents a report on this subject to Council on 30 November 2023.*

Reason for Motion

The purpose of this Notice of Motion is to formally request the CEO to present a comprehensive report to Council. The report will focus on an evaluation of the MRC's band classification to determine whether sufficient grounds exist to warrant a submission to the Salaries and Allowances Tribunal (SAT) for a reclassification of the MRC from Band 3 to Band 2.

The SAT determines annually the band classification for all local governments in Western Australia, the fees, expenses and allowances to be paid to council members and the total reward package range for CEOs.

When a number of relevant variables are considered and then compared with the other Regional Local Governments in the Perth Metropolitan Area who deliver waste management services, the MRC's current classification appears inconsistent, as does a comparison with Catalina Regional Council (previously Tamala Park Regional Council). See table 1:

Table 1: Perth Metropolitan Area Regional Local Government Comparison

<i>Council</i>	<i>Band</i>	<i>Services Delivered</i>	<i>Population Serviced (approx.)</i>	<i>Assets</i>	<i>Revenue</i>
<i>Catalina Regional Council (CRC)</i>	<i>2</i>	<i>Land Development</i>	<i>0</i>	<i>\$27M</i>	<i>\$0.9M</i>
<i>Eastern Metropolitan Regional Council (EMRC)</i>	<i>2</i>	<i>Waste Management</i>	<i>290,000</i>	<i>\$207M</i>	<i>\$45M</i>
<i>Mindarie Regional Council</i>	<i>3</i>	<i>Waste Management</i>	<i>750,000</i>	<i>\$151M</i>	<i>\$39M</i>
<i>Resource Recovery Group (RRG)</i>	<i>2</i>	<i>Waste Management</i>	<i>150,000</i>	<i>\$38M</i>	<i>\$19M</i>
<i>Rivers Regional Council (RRC)</i>	<i>3</i>	<i>Waste Management</i>	<i>440,000</i>	<i>\$0.35M</i>	<i>\$0.003M</i>
<i>Western Metropolitan Regional Council (WMRC)</i>	<i>4</i>	<i>Waste Management</i>	<i>45,000</i>	<i>\$1.5M</i>	<i>\$8M</i>

The details above highlight that the MRC provides services which cover a population that is approximately 170% of the combined total of both the current Band 2 regional councils (EMRC and RRG) combined but is classed itself as Band 3. The MRC's financial size is also comparable with EMRC and demonstrably greater than RRG.

The activities delivered by the MRC are similar to those delivered by both the EMRC and RRG, and is arguably of both greater operational and financial complexity than those undertaken by CRC, which is currently also classed as Band 2. The CRC also does not deliver frontline services to any residents and employs only four persons.

Lately, the MRC has encountered difficulties in attracting high performing people due to limitations in salary offerings. Given the imperative of recruitment, staff retention and ensuring succession planning, in conjunction with the significant ongoing projects concerning Waste to Energy, FOGO and the Post Closure Management Plan, etc. it is proposed that a review of the MRC's band classification should be undertaken, and a report presented to Council for further consideration.

Moved Cr Miles, seconded Cr Shannon

RESOLVED

That the motion be adopted

(CARRIED UNANIMOUSLY 11/0)

State Government Guidance

In response to part '2' of Council's resolution, the MRC consulted with the Department of Local Government, Sport and Cultural Industries (the Department) with regard to the application process required for any proposed reclassification.

The Department confirmed that should the MRC wish to make a submission, then it should be sent direct to the State Administrative Tribunal (SAT), and that there is no standard application form or template in place for this process. SAT make determinations once per year, in April. Applications must be made prior to this, by January each year.

Justification

MRC Description

The MRC is the State's largest waste management authority by population served, carrying out essential waste management services to the community on behalf of its members, the Cities of Joondalup, Perth, Stirling, Vincent and Wanneroo, and the Towns of Cambridge and Victoria Park.

The MRC was constituted in 1987 and work began on the development of an engineered landfill site known as "Tamala Park" located at 1700 Marmion Avenue, Tamala Park.

The site was opened to receive waste from the Cities of Perth and Wanneroo in February 1991. Community utilisation began in June 1991.

Since that time the City of Vincent and the Towns of Cambridge and Victoria Park (formed from the City of Perth restructure) commenced disposal. The City of Stirling commenced utilisation of the facility in April 1999. The City of Joondalup (formed from the City of Wanneroo restructure) commenced disposal from 1 July 1999 as a separate entity to that of the City of Wanneroo.

Tamala Park landfill accepts in the region of 200,000 tonnes of residual waste per annum. The site continues to deliver the same services to member councils as those in place when first opened.

Increased Population

In 1991, when the Tamala Park landfill opened, the MRC serviced approximately 430,000 residents. Since then the Mindarie Regional District has developed and the MRC now serves an increased population of over 750,000 residents. This figure is forecasted to rise substantially in the future according to state government estimates.

Increased Services/Activities since Formation

Upon its formation, the MRC delivered only landfill disposal services to its member councils.

Since 1991, the MRC has increased its offering to member councils to include the community recycling and drop-off services that exist on site, at Tamala Park. These services are recognised as the second-busiest services in the state, servicing the neighbouring populations of the Cities of Joondalup and Wanneroo; two of Western Australia's three most populated local governments.

A renewable energy generation plant has been developed on site at Tamala Park since opening to transform the landfill gas produced in the landfill in to electricity which is then transferred to the main South West Interconnected Network, operated by Western Power. The Tamala Park system routinely generates 5MW of power; the largest of its kind in Western Australia.

In 2009, the RRF opened in land that had been acquired by the MRC since its formation, extending its original property portfolio. The RRF provided mixed general waste recycling services for organics materials, receiving 100,000 tonnes per annum of waste. The RRF is a highly automated production facility with no other comparable plant of its kind in Western Australia, whether local government or privately owned. The RRF was closed in September 2021, but is recognised as having the potential to operate as an organics recycling facility. The MRC is currently engaged in a Request for Tender (RFT) process to identify a suitable processing opportunity for its member councils' Food Organics and Garden Organics (FOGO) materials. The RRF is envisioned through the RFT process to be repurposed to process those materials. If successful, this could substantially increase the MRC's annual turnover and asset valuation.

New Strategic Community Plan

Council adopted a new Strategic Community Plan in April 2023, including both a new Vision and Mission to align with the State Government's objectives of sustainability and the circular economy.

Our Vision: Collaborating for a regional Circular Economy

Our Mission: To deliver sustainable waste management options for members

The MRC will achieve this through the following objectives:

1. Deliver best practice services
2. Position MRC to provide world class waste management options
3. Deliver best practice governance processes and structures

In alignment with the new SCP, a number of actions have been developed within the MRC's Corporate Business Plan to deliver upon the strategic objectives listed above.

Labour and Skills

More than nine of every ten councils in Australia currently face labour and skills shortages which are acting as a handbrake on local productivity. (*Local Government Workforce Skills and Capability Survey 2022*). Alongside the general issues shared with other local governments, the MRC is in direct competition with the commercial and industrial jobs market for staff, specifically the resource recovery and mining industries, given their similar operational natures. The organisation's inability to attract the skills necessary to progress has in the past and continues to impact upon the organisation's ability to deliver upon its strategic objectives.

Other Regional Local Government Comparisons

A comparison with the Perth Metropolitan Area's other regional local governments can be found below, in Table 1:

Council	Band	Services Delivered	Population Serviced (approx.)	Assets	Revenue
<i>Catalina Regional Council (CRC)</i>	2	<i>Land Development</i>	0	\$27M	\$0.9M
<i>Eastern Metropolitan Regional Council (EMRC)</i>	2	<i>Waste Management</i>	290,000	\$207M	\$45M
Mindarie Regional Council (MRC)	3	Waste Management	750,000	\$165M	\$39M
<i>Resource Recovery Group (RRG)</i>	2	<i>Waste Management</i>	150,000	\$38M	\$19M
<i>Rivers Regional Council (RRC)</i>	3	<i>Waste Management</i>	440,000	\$0.35M	\$0.003M
<i>Western Metropolitan Regional Council (WMRC)</i>	4	<i>Waste Management</i>	45,000	\$1.5M	\$8M

Table 1: Perth Metropolitan Area Regional Local Government Comparison

The following comparative information taken from Table 1 provides a summary comparison of the MRC with other contemporary regional local governments:

- The MRC's substantial asset base of \$165 million, revenue of \$39 million and population of 750,000 far exceed that of the CRC, who operates at band 2.
- The EMRC services a substantially lesser population than the MRC (39%), but operates at band 2.
- The RRG services 150,000 residents (20% of the MRC), with a considerably lesser assets base (25%) and revenue (49%), whilst operating at band 2.
- MRC and RRC operate under the same band 3 classification. The MRC services a significantly larger population of 750,000 compared to RRC's 440,000 (70% greater). The Assets and Revenue figures illustrate a substantial disparity between the RRC's annual revenue, at \$0.03 million, and the MRC's, at \$39 million. The MRC's assets are assessed as \$165 million in contrast to RRC's \$0.35 million.

CONSULTATION

Guidance has been sought and received from the Department of Local Government, Sport and Cultural Industries on the process required to make an application for a banding reclassification.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 37

STATUTORY ENVIRONMENT

Salaries and Allowances Act 1975
Part 5 Division 8 of the Local Government Act 1995

POLICY IMPLICATIONS

No immediate policy implications.

In 2025 Band 3 Councils will be required to Audio record council meetings and Band 2 Councils will be required to live stream Council meetings. All of the MRC member councils are either band 1 or 2 and currently live stream so MRC Councillors will be familiar with the process and the MRC does not envisage any major challenges.

FINANCIAL IMPLICATIONS

There is no financial impact relating to fees and allowances for MRC Councillors. The fees and allowances set by SAT in respect of Regional Councillors remain the same.

If successful, the MRC's upgrading to Band 2 would result in an increase in the banding available for CEO salaries. Any increase in salary would in future be considered by the CEO Recruitment and Performance Review Committee and Council will consider any committee recommendations at that time.

The 2023/24 budget has accounted for the cost of the Local Government Reform implications in terms of recording and/or live streaming of council meetings.

STRATEGIC IMPLICATIONS

STRATEGIC COMMUNITY PLAN 2023 – 2032
Strategic Objective 2 : Position MRC to provide world class waste management options
Strategic Objective 3 : Deliver best practice governance processes and structures

COMMENT

The Chief Executive Officer supports the proposal to lodge a submission to SAT to increase the classification from Band 3 to Band 2. The CEO considers that sufficient grounds exist to justify a Band 2 Local Government classification.

Summary

In 1991 the MRC was classed as a Band 3 Council; the Mindarie Regional District's population at that time was approximately 430,000. In 2023 its population is now approximately 750,000 strong; an increase of 74%. Substantial population growth is expected to continue within the district in to the future given the high number of land development projects currently ongoing and planned over the next ten to twenty-year period.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 38

The MRC originally consisted of the City of Perth, City of Stirling and the Shire of Wanneroo. Between 1991 and 1999 the Cities of Joondalup and Vincent and the Towns of Cambridge and Victoria Park joined the MRC.

Since its formation, given the increases in population serviced by the MRC, the diversity of services it delivers, the complexity of those services, and the magnitude of the assets it controls and manages, it is arguable that the MRC's band classification could have been challenged over the years; which mirrors the Council resolution from 06 July 2017.

When this is taken in to account alongside the comparison with the Perth Metropolitan Area's other regional local governments' magnitude and services delivered, there appears to be an even greater justification for the MRC's banding to be amended which would result in equitable treatment.

Any proposed application seeks, in the first instance, to ensure consistency with other regional local governments. However, reclassification also has the potential, in the medium term, to better allow the MRC to deliver upon its strategic objectives, by providing a more solid platform to access those skills which are necessary to deliver its Strategic Community Plan. This has arguably proven to be challenging for the MRC in the past due to the recruitment market for professionals with relevant operational and technical skills and experience, and may go some way to explaining the organisation's challenges in delivering upon its previous Strategic Community Plan.

The MRC would welcome an independent review by the State Administrative Tribunal.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Authorise the Chief Executive Officer to make a submission to the Salaries and Allowances Tribunal for the 2024 Determination requesting that the Mindarie Regional Council be upgraded from a Band 3 Local Government to a Band 2 Local Government.

Moved Cr Proud, seconded Cr Miles

RESOLVED

That the recommendation be adopted

(CARRIED 8/3)

For: Crs Castle, Dudek, Hatton, May, Miles, Ferrante, Proud, Wright

Against: Crs Cutler, Gobbert, Jacob

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MNUTES
30 NOVEMBER 2023

Page 39

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 79

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 79 be received.

Moved Cr Wright, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

For: Crs Castle, Cutler, Dudek, Ferrante, Gobbert, Hatton, Jacob, May, Miles, Proud, Wright

Against: Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

15 NEXT MEETING

The next Ordinary Council meeting is to be held on Thursday 14 December 2023 at the City of Perth commencing at 6.30 pm.

16 CLOSURE

The Chair closed the meeting at 7.42 pm and thanked the Town of Victoria Park for their hospitality and use of their meeting facilities.

SignedChair

Dated.....day of2023



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

14 DECEMBER 2023
CITY OF PERTH

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



MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 2

**MINDARIE REGIONAL COUNCIL
NOTICE OF MEETING**

9 December 2023

Councillors of the Mindarie Regional Council are advised that an Ordinary Meeting of the Council will be held at the City of Perth at 6.30 pm on 14 December 2023.

The agenda pertaining to the meeting follows.

Your attendance is respectfully requested.



**SCOTT CAIRNS
CHIEF EXECUTIVE OFFICER**

MINDARIE REGIONAL COUNCIL - MEMBERSHIP

Cr P Miles (Paul) - Chair	City of Wanneroo
Cr S Proud, JP (Stephanie) - Deputy Chair	City of Stirling
Cr A Jacob, JP (Albert)	City of Joondalup
Cr C May (Christopher)	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr A Creado (Andrea)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr C Hatton (Chris)	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr J Wright (Jordan)	City of Wanneroo
Cr G Mack (Gary)	Town of Cambridge
Cr K Vernon (Karen)	Town of Victoria Park

NB: Although some Councils have nominated alternate members, it is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act.

CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	4
2	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	4
3	DECLARATION OF INTERESTS	5
4	PUBLIC QUESTION TIME	5
5	ANNOUNCEMENT BY THE PRESIDING PERSON	5
6	APPLICATION FOR LEAVE OF ABSENCE	5
7	PETITIONS/DEPUTATIONS/PRESENTATIONS	5
8	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	
8.1	ORDINARY COUNCIL MEETING – 30 NOVEMBER 2023	6
9	CHIEF EXECUTIVE OFFICER REPORTS.....	7
9.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 NOVEMBER 2023.....	7
9.2	LIST OF ACCOUNTS PAID – 30 NOVEMBER 2023	11
9.3	SCOPING STUDY – MINDARIE REGIONAL COUNCIL AND CATALINA REGIONAL COUNCIL COLLABORATION OPPORTUNITIES.....	13
10	MEMBERS INFORMATION BULLETIN – ISSUE NO. 80.....	17
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	17
12	URGENT BUSINESS	17
13	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	17
14	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC ..	17
15	NEXT MEETING	17
16	CLOSURE.....	17

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 4

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.32 pm

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Cr S Proud, JP (Stephanie) Chair	City of Stirling
Cr C May (Christopher) <i>arrived 6.40 pm</i>	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr C Hatton (Chris)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr A Creado (Andrea)	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr J Wright (Jordan)	City of Wanneroo
Cr G Mack (Gary)	Town of Cambridge
Cr K Vernon (Karen)	Town of Victoria Park

MRC Officers

Mr S Cairns (Chief Executive Officer)
Ms A Arapovic (Executive Manager Corporate Services)
Mr A Griffiths (Project and Procurement Manager)
Ms D Toward (Executive Assistant)

Apologies

Cr P Miles (Paul) City of Wanneroo

Approved leave of absence

Cr A Jacob, JP (Albert) City of Joondalup

Member Council Observers

Mr N Claassen	City of Joondalup
Mr M Pennington	City of Joondalup
Mr G Taylor	City of Perth
Mr A Murphy	City of Stirling
Mr P Varris	City of Vincent
Ms Y Plimbley	City of Vincent
Mr H Singh	City of Wanneroo

Visitors:

Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 5

3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENT BY THE PRESIDING PERSON

Nil

6 APPLICATION FOR LEAVE OF ABSENCE

Nil

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 6

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**8.1 ORDINARY COUNCIL MEETING – 30 November 2023**

The Minutes of the Ordinary Council Meeting held on 30 November 2023 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 30 November 2023 be confirmed as a true record of the proceedings.

Moved Cr Hatton, Seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Mack, Proud, Vernon, Wright

Against: Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 7

9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 NOVEMBER 2023
Reference:	GF-23-000000019
Appendix(s):	Appendix No. 1
Date:	14 December 2023
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of this report is to provide Council with a set of financial reports in line with statutory requirements, which provides information on the financial performance of the Mindarie Regional Council (MRC).

BACKGROUND

Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996 defines reporting requirements.

The financial statements presented for each month consist of:

- Statement by Comprehensive Income by Nature and Type
- Operating Income Statement by Program
- Statement of Financial Position
- Statement of Cash Flow
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activity
- Cash and Cash Equivalents and Schedule of Investments
- Tonnage Report

DETAIL

The attached report provide an overview of the MRC's financial performance for the period ending 30 November 2023 and has been prepared in accordance with the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 and the Australian Accounting Standards. The report fairly represents, in all material respects, the results of the MRC's operations for the month being reported.

The Financial Report for the period ended 30 November 2023 is attached at **Appendix No. 1** to this Item. The Schedule of Investments and Tonnage Report up to 30 November 2023 are also contained within the Appendix No.1.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 8

Summary of results for the year to date period ended 30 November 2023

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	74,841	73,936	(906)
Tonnes – Others	10,224	9,539	(685)
TOTAL TONNES	85,065	83,475	(1,591)
	\$	\$	\$
Revenue – Fees & Charges	13,424,905	13,094,872	(330,033)
Revenue – Other	2,834,582	3,155,392	320,810
TOTAL REVENUE	16,259,487	16,250,264	(9,223)
EXPENSES	(13,693,976)	(13,394,271)	299,705
NET SURPLUS	2,565,511	2,855,993	290,482

Mindarie Regional Council's financial result for the period ending 30 November 2023 reflects its performance from 1 July 2023 to 30 November 2023. Council's operations have been conducted in line with the adopted budget. As per the MRC's 2023/2024 budget approved at the OCM 13 July 2023 and in line with materiality adopted by the Council, variances below \$50k do not attract comments.

MRC's net result for the year to date period was a profit of \$2.8m with a favourable variance of 11% or \$290k. This positive variance is a direct result of combined effects of actual revenue of \$8k and expenditure of \$300k, both being under budget.

REVENUE

Fees and Charges

This revenue from Fees and Charges resulted in an unfavourable variance of \$330k at the end of November. Explanations for major contributing factors are as follows:

- Member council tonnage aligned closely to budget at (1.6%), 906 tonnes behind budget year to date. Tonnage of 73,936 tonnes is in line with the tonnage at the same time last year of 73,741 tonnes.

-
- Casual and Trade customers' fees show a negative variance of \$154k resulting from 685 fewer tonnes delivered to date.
 - The timing of trade discount contracts has affected the casual and trade customers' variance. One of the MRC trade discount parties signed up for the trade discount at the beginning of the year, while the other party signed up only recently.

Interest Earnings

Interest earning is \$321k above budget. There has been one increase in the RBA cash rate since the start of July 2023, which occurred in November. The RBA Cash Rate has moved from 4.10% to 4.35%. The current investment portfolio has a weighted average expected interest rate of 4.70%. As term deposits mature, MRC has and will continue to secure improved rates on new term deposits, improving interest returns.

EXPENDITURE

Materials and Contracts

Materials and Contracts expenditure are \$215k below budget and predominantly affected by DWER landfill levy being \$226k below budget. DWER landfill levy is payable to the Department of Water and Environment Regulation and has a direct relationship to tonnage collected. Due to reasons mentioned under fees and charges, the tonnage is lower and therefore so is the levy paid.

STATEMENT OF FINANCIAL POSITION

- End of November the MRC's cash position is solid due to collection of fees and charges and positive earnings from the investments. Capital expenditure timing changes and increases to the RBA rate have improved both the rate of investments and the amount reinvested.
- Trade payables reduction contributed towards \$1.2m decrease in current liabilities.

Capital Expenditure

During the five-month period ended on 30 November 2023, the following significant events / activities have taken place with respect to MRC's capital expenditure.

- \$1.8m Leachate processing infrastructure project planned to be delivered next financial year
- \$3.5m installation of Piggy Back liner has had the initial design complete and processing into detailed design.
- \$3.5m capping and revegetation design is now complete. The tender phase started and will end in January 2024.
- The three building projects totalling \$310k are to commence in the first half of 2024.
- Replacement of skid steer loader \$175k and roller \$245k are both in the procurement phase with the tender due to close 20th December.

STATUTORY IMPLICATIONS

Section 6.4 of the Local Government Act 1995 and regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 10

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 for the month ended 30 November 2023.

Moved Cr Vernon, Seconded Cr Creado

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Mack, Proud, Vernon, Wright

Against: Nil

MINDARIE REGIONAL COUNCIL
 ORDINARY COUNCIL MEETING MINUTES
 14 December 2023

Page 11

9.2	LIST OF ACCOUNTS PAID – 30 NOVEMBER 2023
File No:	GF-23-000019
Appendix(s):	Appendix No. 2
Date:	14 December 2023
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

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

DETAILS

In accordance with section 13(1) of the Local Government Financial Management Regulations 1996, Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from its Municipal and Trust Funds. A list of accounts paid by the CEO is to be prepared each month (Fin Reg 13(2)) and be presented to the next Ordinary Council Meeting following such payments (Fin Reg 13(3)). The lists of accounts paid for the month ended 30 November 2023 is attached at **Appendix 2** to this Item.

A new regulation 13A has been added to the Local Government Financial Management Regulations 1996 to increase transparency and accountability in local government through greater oversight of incidental spending. Regulation covers purchasing cards such as Bunnings and Fuel cards issued by local government to their employees. Under the new regulation, a transaction listing is included for the MRC's fuel cards and Bunnings Power Pass cards.

Month Ended	Account	Vouchers	Amount
30 November 2023	General Municipal	Cheques	\$1,604.01
		EFT	\$1,001,275.37
		DP	\$10,609,024.74
		Inter account transfers	-
		Total	\$11,611,904.12

STATUTORY IMPLICATIONS

Regulation 13 of the Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 12

RESPONSIBLE OFFICER RECOMMENDATION

That Council resolve to:

Note the list of accounts paid under delegated authority to the Chief Executive Officer for November 2023, in accordance with regulation 13(1) of the Local Government (Financial Management) Regulation 1996.

Moved Cr Vernon, Seconded Cr Creado

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Mack, Proud, Vernon, Wright

Against: Nil

9.3	SCOPING STUDY – MINDARIE REGIONAL COUNCIL AND CATALINA REGIONAL COUNCIL COLLABORATION OPPORTUNITIES
File No:	GF-22-000072
Appendices:	Appendix 3
Date:	08 December 2023
Responsible Officer:	Chief Executive Officer

SUMMARY

This report provides Council the opportunity to consider the outcome of an independent study undertaken by Learning Horizons on the findings of a Scoping Study into collaboration opportunities between the Mindarie Regional Council (MRC) and Catalina Regional Council (CRC) and provide direction as to any next steps required.

BACKGROUND

At its 13 July 2023 Ordinary Council Meeting, the Council considered a report on the potential to explore collaboration opportunities between the MRC and CRC (Note: At the time of the report CRC was known as the Tamala Park Regional Council, but has since been renamed the CRC). At that meeting the Council resolved to:

APPROVE the co-funding of a Scoping Study with Tamala Park Regional Council that explores options, opportunities, risks, costs and impediments for potential greater collaboration and/or resource sharing between the two entities.

At its meeting on 22 June 2023 the TPRC considered a similar report and also resolved to support undertaking the scoping study.

Subsequent to these resolutions, quotes were sought from three management consultancy firms which had experience in local government matters. Two quotes were received with the third consultancy firm electing not to quote on the project as they did not have the resources available to meet the project timelines. An assessment of the quotes was undertaken by MRC and CRC staff and Learning Horizons was selected to undertake the work on behalf of the two organisations. Learning Horizons has completed its study and provided a report to both the MRC and CRC administrations.

DETAIL

The Scoping Study brief required the consultant to consider:

- Options for future collaboration and/or resource sharing between the MRC and CRC;
- Opportunities and Risks associated with each option; and
- Process and timeframes that would be required (including legal, financial, etc.) to implement preferred/recommended option/s.

The methodology deployed by Learning Horizons included:

- Reviewing relevant documentation provided by the CRC and MRC;
- Exploring options for future collaboration between the CRC and MRC; and
- Extensive key stakeholder consultation, including interviews and discussions with:
 - Chairpersons (both);
 - Deputy Chairpersons (both);
 - Selected Councillors;
 - Selection of Mayors and CEOs of member councils;
 - MRC CEO;
 - CRC CEO; and
 - Executives of both the MRC and CRC.

The options that were explored by Learning Horizons included:

1. Merger into one regional Council.
2. Sell remaining land, except the landfill site buffer zone, and gift the buffer to the MRC.
3. Remain as is - conduct all business within a member Council utilising that Council's workforce.
4. Remain as is, with greater sharing of some resources between CRC and MRC.
5. Maintain existing organisations (status quo).

For each option, high level consideration was given to the issues of:

- Benefits;
- Risks;
- Efficiency/Effectiveness/Gains; and
- Process/Timelines.

Learning Horizons noted that:

"Whilst each member Council holds differing views, all appreciated that the current governance structures were overly complex which could not be addressed given the current legislation and structures of the regional council model".

The consultant has advised that Option 2, member councils to sell the remaining undeveloped CRC land and gift the adjacent buffer zone to the MRC, as the preferred option. Should that option not proceed Learning Horizons has recommended that Option 1, a merger of both current organisations in to one regional council, should be explored.

CONSULTATION

Learning Horizons consulted with a number of councillors and employees across the MRC, CRC and member councils during the development, delivery and completion of the Scoping Study report.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Council previously endorsed a maximum spend of \$50k for any Scoping Study, to be shared on a 50:50 basis with Learning Horizons. Total costs for the study reached \$16K.

Any future costs associated with a potential combined workshop are covered in the 2023/24 budget.

STRATEGIC IMPLICATIONS

STRATEGIC COMMUNITY PLAN 2023 – 2032
Strategic Objective 3 : Deliver best practice governance processes and structures

COMMENT

Given that the MRC and CRC manage land that is directly adjacent to each other and owned by the same member councils, there is arguably sense in considering options for closer alignment between the LGAs, the realisation of which previously precipitated the Scoping Study that has been undertaken.

While some direction has been obtained from the Study, both the MRC and CRC administrations agree that the report is not definitive as to what steps and processes should be undertaken to progress this matter.

The impact on the MRC of CRC's operations and activities has and continues to be minimal. However, given CRC's apparent continual high number of land sales, and therefore potentially shortening operational life, member councils may wish to find a short to medium term strategy for the management of the buffer zone which impacts both organisations but which is currently managed by CRC.

Both administrations expect there to be a range of views across the two stakeholder groups, This, allied to the associated complexities that may be forthcoming from a legislative and process perspective make it difficult to identify a common way forward for both regional councils at this time.

To provide greater clarity, and in attempt to define what alignment there may be between both councils, it is recommended that the next step in this process should be to hold further discussions between the MRC and CRC Councils together in a combined workshop.

VOTING REQUIREMENT

Simple Majority

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 16

RESPONSIBLE OFFICER RECOMMENDATION

That Council resolves to:

1. **Receive the Scoping Study Report (Oct 2023) prepared by Learning Horizons Pty Ltd on collaboration opportunities that may exist between the Catalina Regional Council and the Mindarie Regional Council.**
2. **HOLD a joint strategic planning session with Catalina Regional Council in January/February 2024 to explore potential collaboration opportunities/actions that are recommended in the report.**

Moved Cr Ferrante, seconded Cr Creado

Cr May entered the chambers at 6.40 pm

PROPOSED AMENDMENT

Moved Cr Ferrante, seconded Cr Creado

That the administration seek high level advice as to the legislative and legal implications and impediments to consider for merger and with the transfer of the buffer and limitations under respective establishment agreements.

Reasons:

Legal Advice will assist with future workshop discussions.

(CARRIED UNANIMOUSLY 10/0)

*For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Mack, May, Proud, Vernon, Wright
Against: Nil*

SUBSTANTIVE MOTION AS AMENDED:

That Council resolves to:

1. **Receive the Scoping Study Report (Oct 2023) prepared by Learning Horizons Pty Ltd on collaboration opportunities that may exist between the Catalina Regional Council and the Mindarie Regional Council.**
2. **Hold a joint strategic planning session with Catalina Regional Council in January/February 2024 to explore potential collaboration opportunities/actions that are recommended in the report.**
3. **That the administration seek high level advice as to the legislative and legal implications and impediments to consider for merger and with the transfer of the buffer and limitations under respective establishment agreements.**

(CARRIED UNANIMOUSLY 10/0)

*For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Mack, May, Proud, Vernon, Wright
Against: Nil*

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES
14 December 2023

Page 17

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 80

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 80 be received.

Moved Cr Wright, Seconded Cr Gobbert

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

For: Crs Castle, Creado, Ferrante, Gobbert, Hatton, Mack, May, Proud, Vernon, Wright

Against: Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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

Nil

15 NEXT MEETING

The next Ordinary Council meeting is to be held on Thursday 29 February 2024 at the City of Joondalup commencing at 6.30 pm.

16 CLOSURE

The Chair closed the meeting at 7.14 pm and thanked the City of Perth for their hospitality and use of their meeting facilities.

SignedChair

Dated.....day of2024



Ordinary Meeting of Council

Thursday 7 December 2023

MINUTES

City of Stirling
25 Cedric Street, Stirling WA, 6021

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

Minutes CRC Council Meeting – 7 December 2023

TABLE OF CONTENTS

MEMBERSHIP4

1. OFFICIAL OPENING.....6

2. APOLOGIES AND LEAVE OF ABSENCE.....6

3. DISCLOSURE OF INTERESTS6

4. PUBLIC STATEMENT/QUESTION TIME.....6

5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION).....6

6. PETITIONS6

7. CONFIRMATION OF MINUTES.....6

8. ADMINISTRATION REPORTS AS PRESENTED7

8.1 BUSINESS REPORT – PERIOD ENDING 31 OCTOBER 2023.....7

8.2 PROJECT FINANCIAL REPORT – SEPTEMBER 2023.....7

8.3 STATEMENT OF FINANCIAL ACTIVITY FOR OCTOBER 2023.....7

8.4 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR OCTOBER 20237

8.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 31 OCTOBER 2023.....8

8.6 ANNUAL REPORT FOR YEAR ENDING 30 JUNE 20238

8.7 COUNCIL MEETING SCHEDULE 2024.....8

8.8 PROJECT BUDGET FYE 2024 – MID YEAR REVIEW9

8.9 LIVE STREAMING OF COUNCIL MEETINGS.....9

8.10 SCOPING STUDY – CRC AND MRC COLLABORATION OPPORTUNITIES.....10

8.11 REVIEW OF CODE OF CONDUCT FOR ELECTED MEMBERS, COMMITTEE
MEMBERS AND CANDIDATES10

8.12 POTENTIAL ENVIRONMENTAL, SOCIAL AND GOVERNANCE INITIATIVES IN
CATALINA GREEN11

8.13 DEPOSIT REQUIREMENTS FOR THE SALE OF LAND IN CATALINA GREEN11

8.14 REVISED RESIDENTIAL DESIGN GUIDELINES – CATALINA BEACH & CATALINA
GREEN12

9. COMMITTEE REPORTS.....12

9.1 REVIEW OF DELEGATION OF AUTHORITY REGISTER.....12

9.2 REVIEW OF PAYMENT OF ACCOUNTS POLICY12

9.3 REVIEW OF FRAUD AND CORRUPTION POLICY.....13

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN13

11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
.....13

12. URGENT BUSINESS APPROVED BY THE CHAIR.....13

13. GENERAL BUSINESS13

Minutes CRC Council Meeting – 7 December 2023

14. DECISION TO MOVE INTO CONFIDENTIAL SESSION..... 13

14.1 MINDARIE REGIONAL COUNCIL LANDFILL SITE MONITORING UPDATE 14

14.2 REVIEW OF THE TPRC RISK MANAGEMENT FRAMEWORK..... 15

14.3 CATALINA CENTRAL COMMERCIAL SITE (LOT 800 AVIATOR BOULEVARD) –
DEVELOPMENT UPDATE 15

14. FORMAL CLOSURE OF MEETING 16

Minutes CRC Council Meeting – 7 December 2023

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Jane Cutler	Cr Michael Le Page
City of Joondalup	Cr John Chester Cr Lewis Hutton	Cr Russ Fishwick Cr Phillip Vinciullo
City of Perth	Cr Brent Fleeton	Cr Viktor Ko
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale Cr David Lagan Cr Karlo Perkov	Cr Teresa Olow Cr Rob Paparde
Town of Victoria Park	Cr Claire Anderson	Cr Bronwyn Ife
City of Vincent	Cr Ashley Wallace	Cr Suzanne Worner
City of Wanneroo	Cr Helen Berry Cr Sonet Coetzee	Cr Phil Bedworth Cr Vinh Nguyen

 Minutes CRC Council Meeting – 7 December 2023

PRESENT

Councillors	Cr Claire Anderson Cr John Chester Cr Sonet Coetzee Cr Jane Cutler Cr Lewis Hutton Cr Tony Krsticevic Cr David Lagan Cr Suzanne Migdale Cr Karlo Perkov
Alternate Members	Cr Phil Bedworth
Staff	Mr Chris Adams (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Mr Daniel Govus (Senior Governance Advisor – City of Stirling)
Apologies Councillors	Cr Brent Fleeton
Leave of Absence	Nil
Absent	Cr Ashley Wallace
Consultants	Mr Alan Abel (Satterley Property Group) Mr Drew Tomkins (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr David MacLennan (City of Vincent) Mr James Pearson (City of Joondalup) Ms Michelle Reynolds (City of Perth) Mr Stevan Rodic (City of Stirling) Mr Gary Tuffin (Town of Cambridge) Mr Anthony Vuleta (Town of Victoria Park)
In Attendance Participant Councils' Advisers	Mr Bill Parker (City of Wanneroo) Mr Mark Dickson (City of Wanneroo)
Members of the Public	Nil
Press	Nil

Minutes CRC Council Meeting – 7 December 2023

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:02pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr Helen Berry (*Cr Phil Bedworth present as alternate*)
Cr Brent Fleeton

3. DISCLOSURE OF INTERESTS

Nil

4. PUBLIC STATEMENT/QUESTION TIME

Nil

5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

6. PETITIONS

Nil

7. CONFIRMATION OF MINUTES

Moved Cr Perkov, Seconded Cr Cutler.

That the minutes of the Ordinary Meeting of Council held 19 October 2023 and the Special Meeting of Council held 16 November 2023 be CONFIRMED as true and accurate records of proceedings.

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

Minutes CRC Council Meeting – 7 December 2023

8. ADMINISTRATION REPORTS AS PRESENTED**8.1 BUSINESS REPORT – PERIOD ENDING 31 OCTOBER 2023**

Moved Cr Chester, Seconded Cr Migdale.

That the Council RECEIVES the Business Report for the period ending 31 October 2023.

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.2 PROJECT FINANCIAL REPORT – SEPTEMBER 2023

Moved Cr Migdale, Seconded Cr Lagan.

That the Council RECEIVES the Project Financial Report (September 2023) submitted by the Satterley Property Group.

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.3 STATEMENT OF FINANCIAL ACTIVITY FOR OCTOBER 2023

Moved Cr Migdale, Seconded Cr Lagan.

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

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.4 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR OCTOBER 2023

Moved Cr Migdale, Seconded Cr Lagan.

That the Council:

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for October 2023:**

October 2023 - \$2,212,908.45

- 2. APPROVES the Credit Card Statement for October 2023.**

Minutes CRC Council Meeting – 7 December 2023

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 31 OCTOBER 2023

Moved Cr Chester, Seconded Cr Migdale.

That the Council RECEIVES the Sales and Settlement Report for the period ending 31 October 2023.

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.6 ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2023

Moved Cr Migdale, Seconded Cr Perkov.

That the Council ADOPTS the Annual Report of the Catalina Regional Council for the FYE 2023.

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.7 COUNCIL MEETING SCHEDULE 2024

Moved Cr Lagan, Seconded Cr Migdale.

That the Council:

1. **ADOPT the CRC Ordinary Council Meetings for 2024 as follows:**
 - 15 February 2024 City of Stirling 6pm start
 - 18 April 2024 Zoom meeting 6pm start
 - 20 June 2024 City of Stirling 6pm start
 - 15 August 2024 Zoom meeting 6pm start
 - 17 October 2024 City of Stirling 6pm start
 - 5 December 2024 Zoom meeting 6pm start
2. **HOST CRC Strategy and Project Advisory Meetings noting that:**
 - The Advisory Meetings are not formal meetings of the CRC under the provisions of S5.8 of the *Local Government Act 1995*.

Minutes CRC Council Meeting – 7 December 2023

-
- The intent/purpose of the Advisory Meetings is to:
 - Receive updates on key project matters including the development of special sites, land access and approval matters, land, and housing market conditions and/or other matters of relevance to the strategic direction of the CRC.
 - Workshop strategies/options related to land release, staging and development of the CRC land estate.
 - Review opportunities for innovation and best practice in line with the CRC's Strategic Community Plan Objectives of Built Environment, Natural Environment, Social Development, Economic Development and Governance and Corporate Accountability.
 - All CRC Councillors are invited to attend Advisory Meetings.
 - The CRC Strategy and Advisory meetings will have no Delegated Authority to make any decision/s on behalf of the CRC Council.
3. Hold CRC Strategy and Project Advisory Meetings on the following dates:
- | | | |
|---------------------|------------------|-----------|
| • 1 February 2024 | CRC Sales Office | 6pm start |
| • 21 March 2024 | City of Stirling | 6pm start |
| • 16 May 2024 | City of Stirling | 6pm start |
| • 18 July 2024 | City of Stirling | 6pm start |
| • 19 September 2024 | City of Stirling | 6pm start |
| • 21 November 2024 | City of Stirling | 6pm start |

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.8 PROJECT BUDGET FYE 2024 – MID YEAR REVIEW

Moved Cr Migdale, Seconded Cr Cutler.

That the Council ADOPTS the Mid-Year Project Budget FYE 2023 Review (as contained in the Attachments) and uses it as the basis for financial planning, including for the statutory Mid-Year CRC Budget FYE 2024 Review.

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.9 LIVE STREAMING OF COUNCIL MEETINGS

Moved Cr Migdale, Seconded Cr Lagan.

That the Council DEFERS the live streaming of its meetings until January 2025.

Minutes CRC Council Meeting – 7 December 2023

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.10 SCOPING STUDY – CRC AND MRC COLLABORATION OPPORTUNITIES

Moved Cr Migdale, Seconded Cr Lagan.

That the Council:

1. **NOTE the findings of the Scoping Study Report (Oct 2023) prepared by Learning Horizons Pty Ltd on collaboration opportunities that may exist between the Catalina Regional Council and the Mindarie Regional Council.**
2. **HOLD a joint strategic planning session with the Mindarie Regional Council in January/February 2024 to explore potential collaboration opportunities/actions that are recommended in the report.**

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.11 REVIEW OF CODE OF CONDUCT FOR ELECTED MEMBERS, COMMITTEE MEMBERS AND CANDIDATES

Moved Cr Migdale, Seconded Cr Lagan.

That the Council APPROVES:

1. **The Code of Conduct for Elected Members, Committee Members and Candidates for 2023; and**
2. **The Complaint About Alleged Breach Form; Code of Conduct for Elected Members, Committee Members and Candidates.**

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

Minutes CRC Council Meeting – 7 December 2023

8.12 POTENTIAL ENVIRONMENTAL, SOCIAL AND GOVERNANCE INITIATIVES IN CATALINA GREEN

Moved Cr Chester, Seconded Cr Perkov.

That the Council SUPPORTS further investigation and potential implementation of the following ESG initiatives that have been identified as having high ESG outcome and relatively low effort (time and resources) in Catalina Green:

1. **Alternate pavement methods**
2. **Energy management devices with solar PV**
3. **Communal battery**
4. **Recycling of construction waste**
5. **Recycling materials in roadworks**
6. **Public EV charging systems**
7. **Use of cleared vegetation for landscaping**
8. **'Green' site offices**

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.13 DEPOSIT REQUIREMENTS FOR THE SALE OF LAND IN CATALINA GREEN

[The recommendation in the agenda]

That the Council:

1. APPROVES an amendment to the approved Purchaser Terms and Conditions for the sale of lots in Catalina Green to increase the deposit requirement to \$5,000/lot.
2. REQUIRES the Satterley Property Group to review the deposit requirement for the sale of lots in Catalina Green as part of the required review of Purchaser Terms, Conditions, and Incentives for Catalina to be presented to Council for consideration in August 2024.

Moved Cr Chester, Seconded Cr Migdale.

1. **APPROVES an amendment to the approved Purchaser Terms and Conditions for the sale of lots in Catalina Green to increase the deposit requirement to \$5,000/lot for all purchasers, with the exception of bona fide first home purchasers for whom the deposit requirement will remain at \$2,000/lot.**
2. **REQUIRES the Satterley Property Group to review the deposit requirement for the sale of lots in Catalina Green as part of the required review of Purchaser Terms, Conditions, and Incentives for Catalina to be presented to Council for consideration in August 2024.**

Page 11 of 16

Minutes CRC Council Meeting – 7 December 2023

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

8.14 REVISED RESIDENTIAL DESIGN GUIDELINES – CATALINA BEACH & CATALINA GREEN

Moved Cr Migdale, Seconded Cr Lagan.

That the Council APPROVES:

- 1. The revised Catalina Beach (West) Design Guidelines (November 2023); and**
- 2. The Catalina Green Stage 36 Cottage Lot Design Guidelines (November 2023).**

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

9. COMMITTEE REPORTS

AUDIT AND RISK COMMITTEE (7 DECEMBER 2023)

9.1 REVIEW OF DELEGATION OF AUTHORITY REGISTER

Moved Cr Migdale, Seconded Cr Perkov.

That the Council APPROVES the amended Delegation of Authority Register (November 2023).

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

9.2 REVIEW OF PAYMENT OF ACCOUNTS POLICY

Moved Cr Migdale, Seconded Cr Perkov.

That the Council APPROVES the Payment of Accounts Policy (November 2023).

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

Minutes CRC Council Meeting – 7 December 2023

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

9.3 REVIEW OF FRAUD AND CORRUPTION POLICY

Audit and Risk Committee Recommendation

Moved Cr Perkov, Seconded Cr Krsticevic.

That the Council DELETES the Fraud and Corruption Policy (November 2023).

The Motion was put and declared CARRIED (4/0).

Moved Cr Anderson, Seconded Cr Migdale.

That the Council ADOPTS the Fraud and Corruption Prevention Policy (December 2023) as contained in Appendix 9.3.

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

13. GENERAL BUSINESS

Nil

14. DECISION TO MOVE INTO CONFIDENTIAL SESSION

Moved Cr Cutler, Seconded Cr Migdale.

That:

Minutes CRC Council Meeting – 7 December 2023

-
1. **Item 14.1 – MINDARIE REGIONAL COUNCIL LANDFILL SITE MONITORING UPDATE** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(d) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
 - e) *a matter if disclosed would reveal –*
 - i. *a trade secret*

 2. **Item 14.2 – REVIEW OF CRC RISK MANAGEMENT FRAMEWORK** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - c) *A contract entered into, or which may be entered into, by the CRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - e) *A matter that if disclosed, would reveal –*
 - i. *Information that has a commercial value to a person; or*
 - ii. *Information about the business, professional, commercial, or financial affairs of a person where the information is held by, or is about, a person other than the CRC (section 5.23(2)(e)).*

 3. **Item 14.3 – CATALINA CENTRAL COMMERCIAL SITE** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23 (2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - c) *A contract entered into, or which may be entered into, by the CRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - e) *A matter that if disclosed, would reveal –*
 - i. *Information that has a commercial value to a person; or*
 - ii. *Information about the business, professional, commercial, or financial affairs of a person where the information is held by, or is about, a person other than the CRC (section 5.23(2)(e)).*

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

At 6:47pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 14.1.

14.1 MINDARIE REGIONAL COUNCIL LANDFILL SITE MONITORING UPDATE

Moved Cr Migdale, Seconded Cr Anderson.

That the Council:

Minutes CRC Council Meeting – 7 December 2023

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

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

14.2 REVIEW OF THE TPRC RISK MANAGEMENT FRAMEWORK

Moved Cr Migdale, Seconded Cr Anderson.

That the Council:

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

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

14.3 CATALINA CENTRAL COMMERCIAL SITE (LOT 800 AVIATOR BOULEVARD) – DEVELOPMENT UPDATE

Moved Cr Migdale, Seconded Cr Anderson.

That the Council:

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

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

Moved Cr Lagan, Seconded Cr Cutler.

That the meeting be REOPENED to the public.

Minutes CRC Council Meeting – 7 December 2023

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

For: Councillors Anderson, Bedworth, Chester, Coetzee, Cutler, Hutton, Krsticevic, Lagan, Migdale, and Perkov.

Against: Nil.

At 6:48pm the meeting was reopened to the public.

14. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 6:49pm.



Special Meeting of Council

Wednesday 20 December 2023

MINUTES

Online Zoom Meeting

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

Minutes CRC Special Meeting of Council – 20 December 2023

TABLE OF CONTENTS

MEMBERSHIP 3

1. OFFICIAL OPENING 5

2. APOLOGIES AND LEAVE OF ABSENCE..... 5

3. DISCLOSURE OF INTERESTS 5

4. PUBLIC STATEMENT/QUESTION TIME..... 5

5. ANNOUCEMENTS BY CHAIR (WITHOUT DISCUSSION) 5

6. PETITIONS..... 5

7. ADMINISTRATION REPORTS AS PRESENTED 5

 7.1 STATEMENT OF FINANCIAL ACTIVITY FOR NOVEMBER 2023..... 5

 7.2 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR NOVEMBER 2023..... 5

8. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN 6

9. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAVE BEEN GIVEN 6

10. URGENT BUSINESS APPROVED BY THE CHAIR..... 6

11. GENERAL BUSINESS..... 6

12. FORMAL CLOSURE OF MEETING 6

Minutes CRC Special Meeting of Council – 20 December 2023

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Jane Cutler	Cr Michael Le Page
City of Joondalup	Cr John Chester Cr Lewis Hutton	Cr Russ Fishwick Cr Phillip Vinciullo
City of Perth	Cr Brent Fleeton	Cr Viktor Ko
City of Stirling	Cr Tony Krsticevic (CHAIR) Cr Suzanne Migdale (DEPUTY CHAIR) Cr David Lagan Cr Karlo Perkov	Cr Teresa Olow Cr Rob Paparde
Town of Victoria Park	Cr Claire Anderson	Cr Bronwyn Ife
City of Vincent	Cr Ashley Wallace	Cr Suzanne Worner
City of Wanneroo	Cr Helen Berry Cr Sonet Coetzee	Cr Phil Bedworth

 Minutes CRC Special Meeting of Council – 20 December 2023

PRESENT

Chair	Cr Tony Krsticevic
Deputy Chair	Cr Suzanne Migdale
Councillors	Cr John Chester Cr Sonet Coetzee Cr Jane Cutler Cr David Lagan Cr Karlo Perkov
Alternate Members	Nil
Staff	Mr Chris Adams (Chief Executive Officer) Ms Vickie Wesolowski (Executive Assistant/Office Manager) Mr Daniel Govus (Senior Governance Officer – City of Stirling)
Apologies Councillors	Cr Claire Anderson Cr Helen Berry Cr Brent Fleeton
Leave of Absence	Nil
Absent	Cr Lewis Hutton Cr Ashley Wallace
Consultants	Nil
Apologies Participant Councils' Advisers	Mr David MacLennan (City of Vincent) Mr Gary Tuffin (Town of Cambridge) Mr Anthony Vuleta (Town of Victoria Park) Mr Stev Rodic (City of Stirling) Mr James Pearson (City of Joondalup) Ms Michelle Reynolds (City of Perth)
In Attendance Participant Councils' Advisers	Ms Noelene Jennings (City of Wanneroo)
Members of the Public	Nil
Press	Nil

Minutes CRC Special Meeting of Council – 20 December 2023

1. OFFICIAL OPENING

The Chair declared the meeting open at 12:06pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr Claire Anderson
Cr Helen Berry
Cr Brent Fleeton

3. DISCLOSURE OF INTERESTS

Nil

4. PUBLIC STATEMENT/QUESTION TIME

Nil

5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil.

6. PETITIONS

Nil.

7. ADMINISTRATION REPORTS AS PRESENTED

7.1 STATEMENT OF FINANCIAL ACTIVITY FOR NOVEMBER 2023

Moved Cr Migdale, Seconded Cr Cutler.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 30 November 2023.

The Motion was put and declared CARRIED (7/0).

7.2 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR NOVEMBER 2023

Moved Cr Chester, Seconded Cr Coetzee.

[The recommendation in the agenda]

Minutes CRC Special Meeting of Council – 20 December 2023

That the Council:

1. **RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for November 2023:**
November 2023 - \$3,940,751.57
2. **APPROVES the Credit Card Statement for November 2023.**

The Motion was put and declared CARRIED (7/0).

8. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

10. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

11. GENERAL BUSINESS

Nil

12. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 12:11pm.

Statistics for Development Applications As at the end of December 2023

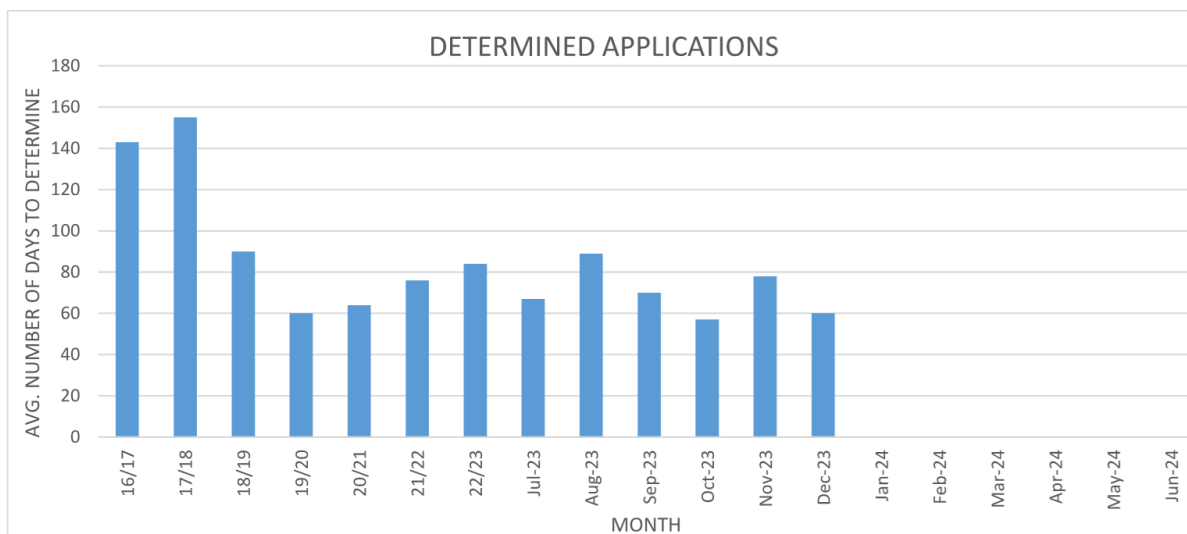
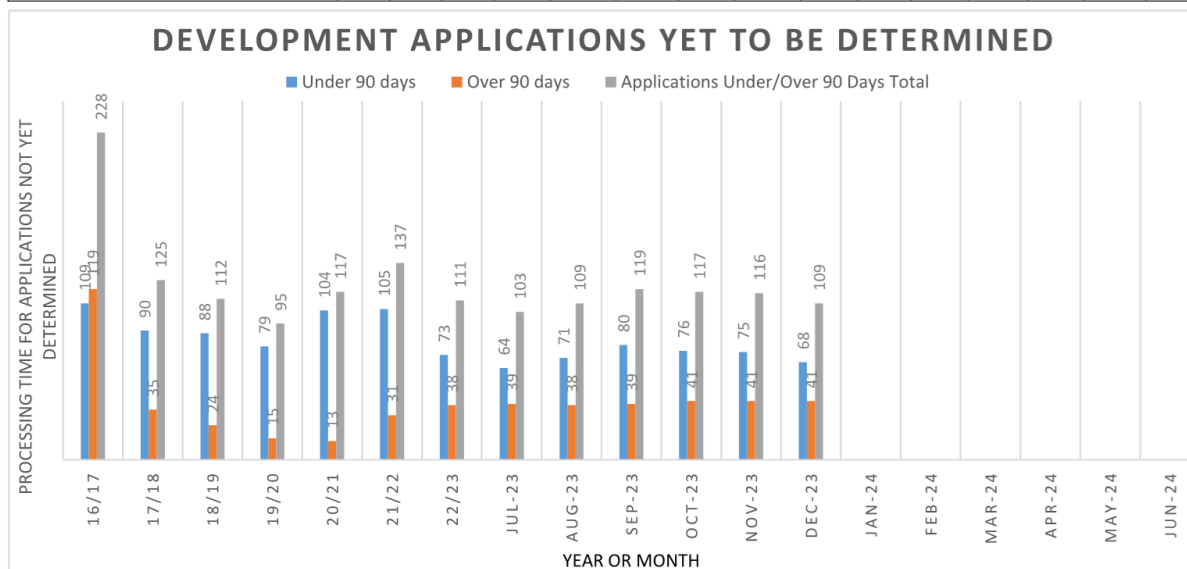


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2022.

Processing Days	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Minimum	7	1	0	0	0	1	0	8	14	31	7	14	7						
Average	143	155	85	60	64	76	84	67	89	70	57	78	60						
Maximum	924	1008	787	499	268	298	280	301	362	89	89	159	89						

	20/21	21/22	22/23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
DA's Determined <i>(excludes exempt from approval or cancelled)</i>	403	385	281	37	18	15	28	18	31						
Value of Determined DA's <i>(in millions)</i>	217	143	417	12.1	66.42	3.43	10.3	237.3	9.85						



	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
DA's lodged	16	30	33	27	24	27						
DA's to be Determined	103	109	119	117	116	109						
Value of DA's to be Determined <i>(in millions)</i>	268.68	252.92	257.1	260.5	78.1	76.2						

REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 25 JANUARY 2024

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	Nos. 212-214 Lake Street, Perth (DR 223 of 2021)	19 October 2021	Hanoze Park Pty Ltd	<p>Application for review of notice issued in accordance with the <i>Health (Miscellaneous Provisions) Act 1911</i> to address odour nuisance at 7 Grams Chicken Café. Hanoze Park Pty Ltd believes the notice to be invalid.</p> <p>*****</p> <p>SAT Directions Hearings were held on 5 and 11 November 2021, and a further directions hearing held 1 March 2022. The presiding member heard submissions from the City and from the Applicant. On 20 April 2022, the Tribunal handed down their decision, affirming the decision of the City that a Notice can be given under S.184 of the <i>Health (Miscellaneous Provisions) Act 1911</i> (for a nuisance not specifically mentioned in Section 182 of that Act). The matter proceeded to confidential mediation on 5 July 2022. The session centred on a practical solution proposed by the business. The business agreed to present plans for this solution to the City to review by 2 August 2022 with a further mediation hearing scheduled for 9 August 2022. SAT agreed to further adjournment to 21 September 2022. Applicant required to submit mechanical drawings prior to the next SAT Hearing. Matter further adjourned to 17 November 2022 as the consultant contracted by Hanoze Park Pty Ltd passed away. Mechanical drawings have been submitted and it has been identified that a development application and building application would be required. Mediation listed for 17 November 2022 was vacated, and matter is listed for hearing on 3 March 2023. A development approval has been issued for external fixtures, and the City is awaiting submission of a building application for solution.</p> <p>The SAT mediation hearing that was schedule for 3 March 2023, was adjourned, with the matter relisted for a Directions Hearing on 14 April 2023. The City is advised the installation of the new exhaust system at the premises is imminent.</p> <p>The SAT hearing that as schedule for 14 April 2023, was adjourned, with the matter relisted for 12 May 2023. The City is advised the installation of the new exhaust system will be completed by 2 May 2023.</p> <p>The two parties will return to SAT on 23 June 2023. At this time, the matter will either be resolved to the satisfaction of both parties, adjourned to a later mediation or programmed for a Hearing by the SAT Member.</p> <p>29 June 2023. The SAT Directions hearing set for 23 June was adjourned and relisted for 21 July 2023. At this time, the matter will either be resolved to the satisfaction of both parties, or it will likely be programmed for a Hearing by the SAT Member.</p> <p>The matter was heard by the Senior Member at SAT on 21 July 2023. The matter was listed for a directions hearing on 29 September 2023. Within the timeframe specified by the Order, the City and the Applicant lodged their statements of issues, facts and contentions.</p> <p>As at 30 October 2023 – matter has been listed for a final hearing, commencing 18 March 2024. <i>Representation by: McLeods</i></p>

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 25 JANUARY 2024**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
2.	No. 129 Loftus Street, Leederville (DR 76 of 2023)	23 May 2023	Hidding Urban Planning	Application for review of a Joint Development Assessment Panel decision to refuse an application for a Child Care Premises on 1 May 2023. ***** Directions hearing held on 9 June 2023 and programmed to mediation. Mediation was scheduled for 24 August 2023 and 8 November 2023, which were both vacated. Mediation has now been rescheduled for 31 January 2024. <i>Representation by: JDAP Presiding Member</i>
3.	Nos. 41-43 & 45 Angove Street, North Perth (DR 81 of 2023)	1 June 2023	Hidding Urban Planning/Lavan	Application for review of a Joint Development Assessment Panel decision to refuse an application for a Service Station on 3 May 2023. ***** Directions hearing held on 16 June 2023. Mediation held on 4 July 2023, with Mayor Cole and interested community members in attendance to make a presentation. A second mediation was scheduled for 14 August 2023 and was vacated. Mediation was rescheduled to 10 October 2023 and was subsequently vacated. The matter was listed for a directions hearing on 10 November 2023 to schedule a new date for mediation. This was vacated. The matter has been listed for a directions hearing on 2 February 2024 with the applicant to provide additional information by 11 January 2024. The applicant has yet to provide any additional information and the matter is still proceeding to the directions hearing on 2 February 2024. <i>Representation by: JDAP Presiding Member</i>
4.	Nos. 334-336 Beaufort Street, Perth (DR 87 of 2023)	9 June 2023	Dark Knight Retail Pty Ltd t/as Evolution Bikes Australia	Application for review of Council decision to refuse an application for Proposed Alterations and Additions to Shop (Roller Shutters) (Unauthorised Existing Development) on 16 May 2023. ***** Directions hearing held on 23 June 2023. Mediation held on 13 July 2023 and 3 November 2023. Further Directions hearings held on 17 November 2023, 24 November 2023 and 11 December 2023 to program the matter for a final hearing. The SAT issued Orders on 11 December 2023 with the following key dates for final hearing: <ul style="list-style-type: none"> • 12 January 2024 – Respondent Statement of Issues, Facts and Contentions due to SAT. • 2 February 2024 – Applicant Statement of Issues, Facts and Contentions due to SAT. • 23 February 2024 – Applicant and Respondent witness statement's due to SAT. • 8 March 2024 – Respondent without prejudice draft conditions due to SAT. • 15 March 2024 – Applicant response to without prejudice conditions due to SAT. • 3 April 2024 – SAT final hearing. <i>Representation by: Altus Planning and Appeals</i>
5.	No. 37-43 Stuart Street, Perth (DR184 of 2023)	20 December 2023	Planning Solutions	Application for review of conditions of a Joint Development Assessment Panel decision to approve an application for an Unlisted Use (Community Purpose) and Alterations and Additions on 10 November 2023. ***** Directions hearing vacated and mediation scheduled for 14 February 2024. <i>Representation by: JDAP Presiding Member</i>

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 25 JANUARY 2024**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	Nos. 38-44 Brisbane Street, Perth	Rowe Group	Form 1 – Mixed Use Development	2 June 2023	30 November 2023	The application was approved unanimously at the DAP meeting on 30 November 2023 as per the City's recommendation. The minutes of this meeting are available here .
2.	Nos. 367-373 Fitzgerald Street and 103 Alma Road, North Perth	Celsius Property	Form 1 – Mixed Use Development	30 June 2023	30 November 2023	The application was approved at the DAP meeting on 30 November 2023 as per the City's recommendation 3-1. Cr Castle voted to refuse the application. The minutes of this meeting are available here .
3.	No. 168 Scarborough Beach Road, Mount Hawthorn	Rowe Group	Form 1 – Mixed Use Development	22 August 2023	Not yet scheduled	The application has been granted an extension of time to allow the applicant to prepare additional information and for the City to finalise its assessment. Responsible Authority Report is currently due on 1 March 2024.
4.	No. 299 Charles Street, North Perth	Space Collective	Form 1 – Mixed Use Development	29 November 2023	Not yet scheduled	The application is out for public comment until 6 February 2024. Responsible Authority Report is currently due on 22 February 2024.
5.	No. 141 West Parade, Mount Lawley	Planning Solutions	Form 2 – Amendment to Mixed Use Development	6 December 2023	Not yet scheduled	The application is currently under assessment. Responsible Authority Report is currently due on 29 February 2024.

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 25 JANUARY 2024**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
6.	Nos. 289-295 Vincent Street, Leederville	PTS Town Planning	Form 2 – Amendment to Mixed Use Development	11 December 2023	Not yet scheduled	The application is currently under assessment. Responsible Authority Report is currently due on 14 March 2024.
7.	No. 195 Beaufort Street, Perth	Lateral Planning	Form 1 – Mixed Use Development	5 January 2024	Not yet scheduled	The application is currently under assessment. Responsible Authority Report is currently due on 8 April 2024.

DAP Process Improvements:

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

**CITY OF VINCENT DESIGN REVIEW PANEL
REGISTER OF APPLICATIONS CONSIDERED BY DESIGN REVIEW PANEL
AS AT 25 JANUARY 2024**

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
Nos. 501, 503, 503B, 505-509 & 511-513 Charles Street, 4 Carrington Street, and 118-122 Eton Street, North Perth	Allerding & Associates	Local Development Plan	29 November 2023	Lodged Application – Previously Referred. To consider amendments to the proposal made in response to the comments of the Design Review Panel (DRP) on 9 December 2020 and 3 November 2021.
Nos. 197-199 Oxford Street, Mount Hawthorn	Giorgi	Four Storey Commercial Development	13 December 2023	Pre-lodgement Application. The proposal would benefit from referral to the Design Review Panel to consider departures to the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and the appropriateness of the development within its setting..
No. 2 Venn Street, North Perth	Lawrence Mann	Six Multiple Dwellings	10 January 2024	Pre-lodgement Application. The proposal would benefit from referral to the Design Review Panel to consider the amendments made to the previous approval in relation to the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and Residential Design Codes (R Codes), and the appropriateness of the development within its setting.
No.177 Scarborough Beach Road, Mount Hawthorn	PLAN	Commercial Development (Restaurant)	10 January 2024	Pre-lodgement Application – Previously Referred. To consider amendments to the proposal made in response to the comments of the Design Review Panel (DRP) on 23 February 2022.
No. 299 Charles Street, North Perth	Space Collective	Eight storey Mixed Use Development	17 January 2024	Lodged Application – Previously Referred. To consider amendments to the proposal made in response to the comments of the Design Review Panel (DRP) on 19 October 2022, 30 November 2022, 5 July 2023 and 20 September 2023.
Nos. 394-398 Newcastle Street, West Perth	Vandar Properties Pty Ltd	Amendment to Mixed Use Development	17 January 2024	Pre-lodgement Application – Previously Referred. The proposal would benefit from referral to the Design Review Panel to consider the amendments made to the previous approval in relation to the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and Residential Design Codes (R Codes), and the appropriateness of the development within its setting.



INFORMATION BULLETIN

SUBJECT:	Quarterly Street Tree Removal Request Report
DATE:	29 January 2024
AUTHOR:	Sarah Hill, Manager Parks
AUTHORISER:	Peter Varris, Executive Director Infrastructure & Environment

PURPOSE:

To present Council with a quarterly update on street tree removal requests within the City of Vincent.

BACKGROUND:

At the Ordinary Meeting of Council on the 5 December 2017, a Notice of Motion was presented requesting Administration provide a monthly Information Bulletin to Council summarising all requests for street tree removal within the City and the outcome of each.

This decision was subsequently altered to require the report be provided on a quarterly basis at the 3 December 2019 Ordinary Meeting of Council.

COMMENTS:

Please find below listing for the period 29 August 2023 to the 13 December 2023.



INFORMATION BULLETIN

Date	Requested By	Address	Suburb	Reason for Removal	Tree Species	Inspection Comments	No. of Trees	Approved	Replacement Species
23/08/2023	Resident	79 Chelmsford Road	Mount Lawley	Tree is dead	<i>Brachychiton sp.</i>	Tree is confirmed dead	1	Yes	TBD
23/08/2023	Resident	581 Beaufort Street	Mount Lawley	Tree is damaged and leaning	<i>Jacaranda mimosifolia</i>	Tree is leaning significantly, damaged and presenting a hazard	1	Yes	<i>Jacaranda mimosifolia</i>
23/08/2023	Resident	1 Egina Street	Mount Hawthorn	Tree in serious decline	<i>Jacaranda mimosifolia</i>	Tree in very poor health and needs removing	1	Yes	<i>Jacaranda mimosifolia</i>
06/08/2023	Development	31 Knutsford Street	North Perth	Crossover requirement for subdivision	<i>Jacaranda mimosifolia</i>	Small, stunted tree. Condition for applicant to plant minimum 2 new additional verge trees specified by the City.	1	Yes	TBD
07/09/2023	Resident	145 Joel Terrace	Mount Lawley	Tree is dead	<i>Callistemon 'Kings Park Special'</i>	Tree in severe decline	1	Yes	TBD
12/09/2023	Parks Services	3 Bouverie Place	Leederville	Tree is dead	<i>Eucalyptus torquata</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
17/09/2023	Arbor Consulting	27 Marmion Street	North Perth	Declining management Agonis	<i>Agonis flexuosa</i>	Over mature, very poor structure	1	Yes	<i>Agonis flexuosa</i>
17/09/2023	Arbor Consulting	30 Marmion Street	North Perth	Declining management Agonis	<i>Agonis flexuosa</i>	Over mature, very poor structure	1	Yes	<i>Agonis flexuosa</i>
17/09/2023	Arbor Consulting	4 Cantle Street	Perth	Declining management Agonis	<i>Agonis flexuosa</i>	Over mature, very poor structure	1	Yes	<i>Agonis flexuosa</i>
17/09/2023	Arbor Consulting	26 Gladstone Street	Perth	Likely to fail	<i>Lophostemon confertus</i>	Very poor health and requires removal	1	Yes	TBD
19/09/2023	Resident	16 Auckland Street	North Perth	Old Agonis leaning over	<i>Agonis flexuosa</i>	Tree unsound and leaning over	1	Yes	<i>Agonis flexuosa</i>
20/09/2023	Arbor Consulting	126 Egina Street	Mount Hawthorn	Very poor health	<i>Agonis flexuosa</i>	Over mature, very poor structure	1	Yes	TBD
20/09/2023	Arbor Consulting	124 Egina Street	Mount Hawthorn	Very poor health	<i>Agonis flexuosa</i>	Over mature, very poor structure	1	Yes	TBD
20/09/2023	Arbor Consulting	96 Egina Street	Mount Hawthorn	Very poor health	<i>Agonis flexuosa</i>	Over mature, very poor structure	1	Yes	TBD
20/09/2023	Arbor Consulting	88 Egina Street	Mount Hawthorn	Very poor health	<i>Agonis flexuosa</i>	Over mature, very poor structure	1	Yes	TBD
20/09/2023	Arbor Consulting	85 Egina Street	Mount Hawthorn	Very poor health	<i>Agonis flexuosa</i>	Over mature, very poor structure	1	Yes	TBD
20/09/2023	Arbor Consulting	91 Buxton Street	Mount Hawthorn	Very poor health	<i>Melaleuca ericifolia</i>	Very poor structure	1	Yes	TBD
20/09/2023	Arbor Consulting	29 Burt Street	Mount Lawley	Very poor health	<i>Olea europaea</i>	Very poor structure	1	Yes	TBD
20/09/2023	Arbor Consulting	4 Camelia Street	North Perth	Very poor health	<i>Callistemon viminalis</i>	Very poor health	1	Yes	TBD



INFORMATION BULLETIN

20/09/2023	Arbor Consulting	70 Broome Street	Highgate	Very poor health	<i>Melaleuca nesophila</i>	Very poor health	1	Yes	TBD
20/09/2023	Arbor Consulting	97 Harold Street	Mount Lawley	Very poor health	<i>Melaleuca styphelioides</i>	Very poor health	1	Yes	TBD
20/09/2023	Arbor Consulting	4 McCarthy Street	Perth	Very poor health	<i>Ficus macrocarpa</i>	Very poor health	1	Yes	TBD
20/09/2023	Arbor Consulting	132 Anzac Road	Mount Hawthorn	Very poor health	<i>Lophostemon confertus</i>	Very poor health	1	Yes	TBD
20/09/2023	Arbor Consulting	8 Leslie Street (Stanley Street frontage)	Mount Lawley	Very poor health	<i>Agonis flexuosa</i>	Very poor health	1	Yes	TBD
20/09/2023	Arbor Consulting	13 Leslie Street (Stanley Street frontage)	Mount Lawley	Very poor health	<i>Grevillea robusta</i>	Very poor health	1	Yes	TBD
21/09/2023	Resident	105 Bourke Street	Leederville	Tree is dead	Unknown	already been pollarded/ stump needs removing	1	Yes	TBD
22/09/2023	Arbor Consulting	141 West Parade	Highgate	Tree is dead	<i>Eucalyptus</i>	Tree is confirmed dead	1	Yes	TBD
22/09/2023	Arbor Consulting	135A West Parade	Highgate	Tree is dead	<i>Callistemon</i> 'Kings Park Special'	Tree is confirmed dead	1	Yes	TBD
22/09/2023	Parks Services	Newcastle / Braid Street	Perth	Tree leaning dangerously	<i>Corymbia maculata</i>	Tree leaning dangerously	1	Yes	TBD
30/09/2023	Arbor Consulting	106 Loftus Street	North Perth	Disease / removal	<i>Acer negundo</i>	PSHB target species	1	Yes	Native species TBD
30/09/2023	Arbor Consulting	6 Hanover Place	North Perth	Tree is dead	<i>Robinia pseudoacaia</i>	PSHB target species	1	Yes	TBD
30/09/2023	Arbor Consulting	291 Bulwer Street	Perth	Tree is dead	<i>Robinia pseudoacaia</i>	PSHB target species	1	Yes	TBD
30/09/2023	Parks Services	Loftus Street median	West Perth	Tree hit by car - structurally unsound	<i>Eucalyptus sideroxyton</i>	Tree hit by car - structurally unsound	1	Yes	TBD
01/10/2023	Resident	74 Albert Street	North Perth	Tree failed - appeared decayed at base	<i>Callistemon viminalis</i>	Tree failed - appeared decayed at base	1	Yes	TBD
03/10/2023	DPIRD	Mabel Street	North Perth	Positive for PSHB	<i>Erythrina x sykesii</i>	DPIRD arranged for removal	1	Yes	TBD
03/10/2023	Resident	Cavendish Street median (Lincoln Street end)	Highgate	Tree in decline	<i>Tipuana tipu</i>	Tree is confirmed dead	1	Yes	<i>Tipuana tipu</i>
04/10/2023	Western Power	16 Stuart Street (Orange Ave frontage)	Perth	Tree leaning into power pole	<i>Eucalyptus erythrocorys</i>	Power pole to be replaced	1	Yes	TBD
05/10/2023	Arbor Consulting	East Parade	Mount Lawley	Self-seeded trees - PSHB target species	<i>Robinia pseudoacaia</i>	Likely to be removed by development project	2	Yes	TBD



INFORMATION BULLETIN

17/10/2023	Resident	16 Vine Street	North Perth	Tree hazardous - leaning over path	<i>Melaleuca sp.</i>	Root heave indicating structurally unsound	1	Yes	<i>Melaleuca sp.</i>
17/10/2023	Tree Amigos	corner Edinboro / Ellesmere Street	Mount Hawthorn	Invasive weed species	<i>Schinus terebinthifolia</i>	Invasive weed species	1	Yes	TBD
18/10/2023	Resident	22 Chatworth Road	Highgate	Tree is in decline	<i>Agonis flexuosa</i>	Tree is in serious decline and will not recover	1	Yes	TBD
19/10/2023	Resident	68/60 Palmerston Street	Perth	Tree is dead	<i>Callistemon 'Kings Park Special'</i>	Tree is confirmed dead	1	Yes	TBD
06/11/2023	Christiana	136 Eaton Street	North Perth	Tree at end of life	<i>Callistemon 'Kings Park Special'</i>	Tree beyond saving	1	Yes	TBD
11/11/2023	Parks Services	Bourke Street cul-de-sac	Leederville	Tree is dead	<i>Ficus</i>	Tree is confirmed dead	1	Yes	TBD
11/11/2023	Parks Services	163 Walcott Street (Burt Street frontage)	Mount Lawley	Tree is in decline	<i>Callistemon 'Kings Park Special'</i>	Tree is in serious decline and will not recover	2	Yes	TBD
12/11/2023	Resident	83 Redfern Street	North Perth	Tree at end of life	<i>Lophostemon confertus</i>	Tree is in serious decline and will not recover	1		TBD
12/11/2023	Resident	19 London Street	North Perth	Tree at end of life	<i>Callistemon 'Kings Park Special'</i>	Tree is in serious decline and will not recover	1		TBD
12/11/2023	Resident	11 Paddington Street	North Perth	Tree at end of life	<i>Callistemon 'Kings Park Special'</i>	Tree is in serious decline and will not recover	1		TBD
13/11/2023	Resident	2A Highlands Road	North Perth	Tree at end of life	<i>Callistemon 'Kings Park Special'</i>	Tree is in serious decline and will not recover	1	Yes	TBD
13/11/2023	Resident	63 Coogee Street	Mount Hawthorn	Agonis at end pf life	<i>Agonis flexuosa</i>	Tree is in serious decline and will not recover	1	Yes	TBD
14/11/2023	Resident	Opposite 224 Carr Place	Leederville	Jacaranda dead	<i>Jacaranda</i>	Tree is confirmed dead	1	Yes	<i>Jacaranda mimosifolia</i>
14/11/2023	Resident	17 Stamford	Leederville	Tree at end of life	<i>Callistemon 'Kings Park Special'</i>	Tree is in serious decline and will not recover	1	Yes	TBD
14/11/2023	Resident	18 Blake Street	North Perth	Trees at end of life	<i>Callistemon 'Kings Park Special'</i>	Tree is in serious decline and will not recover	2	Yes	TBD
14/11/23	Parks Services	38 Shakespeare Street	Mount Hawthorn	At end of life dropping large limbs	<i>Agonis flexuosa</i>	Tree in poor health and breaking down	1	Yes	TBD
17/11/2023	DPIRD	4 McCarthy Street	Perth	PHSB	<i>Ficus rubiginosa</i>	DPIRD to remove	1	Yes	TBD
21/11/2023	Resident	470 William Street	Perth	Tree is dead	<i>Lophostemon confertus</i>	Tree is confirmed dead			TBD
29/11/2023	Resident	Laneway behind 226 Lake Street	Perth	Self-seeded Ficus	<i>Ficus hillii</i>	Tree is self-seeded and will cause damage	1	Yes	TBD
30/11/2023	Resident	39 Sasse Avenue	Mount Hawthorn	Tree is dead	<i>Triadica</i>	Tree is confirmed dead	1	Yes	TBD



INFORMATION BULLETIN

30/11/2023	Resident	88 Palmerston Street	Perth	Tree is in serious decline	<i>Callistemon Park Special'</i>	'Kings	Tree in severe decline	1	Yes	TBD
30/11/2023	Resident	32 Raglan Road	Mount Lawley	Tree is dead	<i>Callistemon Park Special'</i>	'Kings	Tree is confirmed dead	1	Yes	TBD
30/11/2023	Resident	1 Myrtle Street	Perth	Tree is dead	<i>Callistemon Park Special'</i>	'Kings	Tree is confirmed dead		Yes	TBD
30/11/2023	Resident	101 Eton Street (Loch Street frontage)	North Perth	Tree is in serious decline	3x <i>KPS</i> 1x <i>Golden Wattle</i>		Tree is confirmed dead	4	Yes	N/A Verge overcrowded
04/12/2023	Resident	173 Grosvenor Road	North Perth	Tree is dead	<i>Corymbia Ficifolia</i>		Tree is confirmed dead	1	Yes	TBD
13/12/2023	Resident	10a Bonnievale Street	Mount Hawthorn	Tree is in serious decline	<i>Agonis flexuosa</i>		Tree is in serious decline and will not recover	1	Yes	TBD
13/12/2023	Resident	39 Barlee Street	Mount Lawley	Tree is dead	<i>Lophostemon Confertus</i>		Tree is confirmed dead	1	Yes	TBD
13/12/2023	Resident	58 Palmerston Street	Perth	Tree is in serious decline	<i>Callistemon Park Special'</i>	'Kings	Tree is in serious decline and will not recover	1	Yes	TBD



INFORMATION BULLETIN

TITLE:	Register of Petitions – Progress Report – February 2024
DIRECTORATE:	Chief Executive Officer

DETAILS:

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

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

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

Key Index:	
CEO:	Office of the CEO
EDC&BS:	Executive Director Community & Business Services
EDI&E:	Executive Director Infrastructure & Environment
EDS&D:	Executive Director Strategy & Development

No outstanding Petitions as at 31 January 2024



INFORMATION BULLETIN

TITLE:	Register of Notices of Motion – Progress Report – February 2024
DIRECTORATE:	Chief Executive Officer

DETAILS:

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

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

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

Details	Action Officer	Comment
No outstanding Notices of Motion		

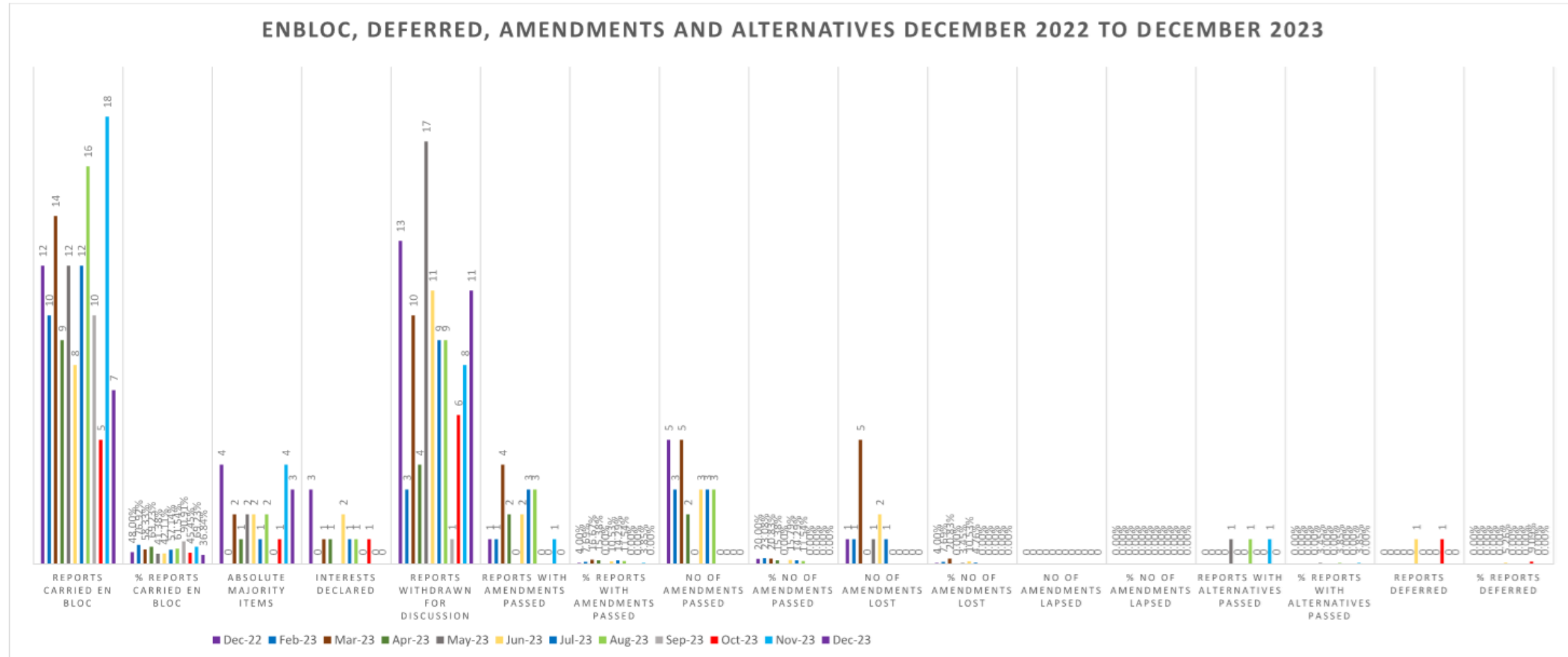
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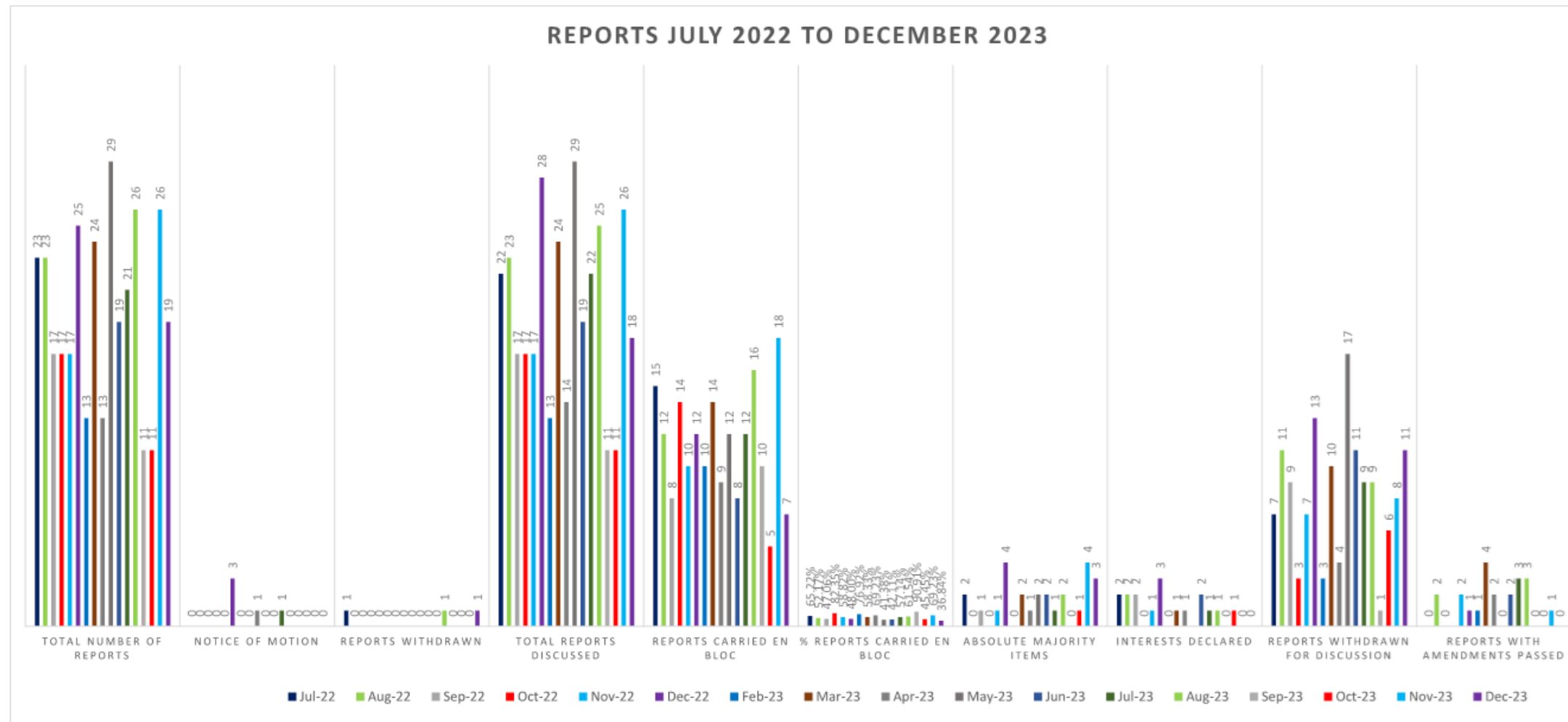
Item Number	Meeting Type	Council Meeting	Agenda Report Item	Resolution Action Item	Action Required	Council Decision	Responsible Officer	Director	Comments	Time frame for Completion
10.2	OCM	12/12/2023	Response to Petition - Ellesmere Street, North Perth Parking	RECEIVES a further report at the conclusion of the collection of traffic data and public consultation.	Return to Council	Carried 7/0	MEng	EDIE	LM - 20.01.2023 Traffic Data to be obtained in February 2024.	Feb-24
10.1	OCM	12/12/2023	Response To Petition - Corner Scarborough Beach Road and Killarney Street - Maintenance and Infrastructure	REQUESTS administration to complete a review of the location of Scarborough Beach Road and Killarney Street for improved and additional signage and if warranted, provide a concept design on road infrastructure improvements to address road safety concerns which will be included in the wider precinct wide traffic modelling for the Mount Hawthorn area.	Return to Council	Carried 7/0	MEng	EDIE	LM - 20.01.2024 Traffic data and concept design to be issued for community consultation with residents and school in March 2024.	Mar-24
17.1	OCM	21/11/2023	Undertakings relating to the Parking Local Law 2023	NOTES that any submissions received as a result of the public notice provided as set out in recommendation 2 above will be presented to Council for consideration; and	Return to Council	Carried 8/0	MRS	EDIE	Amendment process commenced.	Amendment to Council by April 2024
10.1	OCM	21/11/2023	Advertising of amended policy - Street Trees	That Council APPROVES the proposed amendments to the Street Tree Policy, at Attachment 1, for the purpose of community consultation.	Return to Council	Carried en bloc	MP	EDIE	public consultation initiated.	March 2024
9.2	OCM	17/10/2023	Amendment to the Municipal Heritage Inventory: 40 Guildford Road, Mount Lawley	That the motion be deferred to seek further advice from the Department of Planning, Lands and Heritage and Main Roads WA regarding the justification for widening in this particular location, supported by traffic studies, applicable standards and potentially requesting some level of detailed design around what is proposed in this area that would necessitate demolition of this structure. An updated report is to be provided to Council by March 2024.	Return to Council	Deferred 7-1	MP&P	EDSD	Applicant is considering Council's deferral reasons and request for additional information.	March 2024.
9.3	OCM	17/10/2023	Advertising of Proposed Revocation - Local Planning Policy No. 7.4.9 - Encroachments Over Crown Lands	1. PREPARES a notice of revocation of Local Planning Policy No. 7.4.9 – Encroachments Over Crown Lands, included in Attachment 1, for the purpose of community consultation, pursuant to Schedule 2, Part 3, Clause 6(b)(i) of the Planning and Development (Local Planning Schemes) Regulations 2015; 2. AUTHORISES the Chief Executive Officer to carry out community consultation on the proposed revocation in accordance with Schedule 2, Part 3, Clause 6(b)(i) of the Planning and Development (Local Planning Schemes) Regulations 2015; 3. PUBLISHES the notice of revocation in accordance with Schedule 2, Part 3, Clause 6(b)(i) of the Planning and Development (Local Planning Schemes) Regulations 2015, if no submissions are received during the community consultation period; and 4. NOTES that if any submissions are received during the community consultation period, that these would be presented to Council for consideration.	Return to Council	Carried en bloc	MD&D	EDSD	Advertising of revocation published in October 2023. No submissions received. Notice published in November 2023 that Policy revoked.	End of 2023
11.4	OCM	17/10/2023	Advertising of amended policy – Diversity, Access and Inclusion	That Council APPROVES the proposed amendments to the Diversity, Access and Inclusion Policy, at Attachment 1, for the purpose of community consultation.	Return to Council	Carried en bloc	EMC&E	EMC&E	Advertising commenced 26 October 2023. Outcome of advertising report will be presented to Council in early 2024.	Early 2024
9.3	OCM	19/09/2023	Community Sporting and Recreation Facilities Fund - Annual and Forward Planning Round Application	That Council ENDORSES the Community Sporting and Recreation Facilities Fund – 2024/25 Forward Planning Grants Round application for consideration by the Department of Local Government, Sport and Cultural Industries, as follows: Priority 1 – Robertson Park Tennis Precinct – Stage 1B Implementation	Return to Council	Carried as recommended 6/0	EMCS&G	EDIE	Council endorsed Robertson Park Tennis Precinct Stage 1B Implementation as priority for application to CSRF 2024/25 forward planning grants round. Submitted 29 September 2023.	Grants to be awarded February 2024.
9.4	OCM	19/09/2023	Advertising of Proposed Revocation - Local Planning Policy No. 7.4.2 - Aged or Dependent Persons' Dwellings	That Council: 1. PREPARES a notice of revocation of Local Planning Policy No. 7.4.2 – Aged or Dependent Persons' Dwellings, included in Attachment 1, for the purpose of community consultation, pursuant to Schedule 2, Part 3, Clause 6(b)(i) of the Planning and Development (Local Planning Schemes) Regulations 2015; 2. AUTHORISES the Chief Executive Officer to carry out community consultation on the proposed revocation in accordance with Schedule 2, Part 3, Clause 6(b)(i) of the Planning and Development (Local Planning Schemes) Regulations 2015; 3. PUBLISHES the notice of revocation in accordance with Schedule 2, Part 3, Clause 6(b)(i) of the Planning and Development (Local Planning Schemes) Regulations 2015, if no submissions are received during the community consultation period; and 4. NOTES that if any submissions are received during the community consultation period, that these would be presented to Council for consideration.	Return to Council	Carried en bloc	MD&D	EDSD	Advertising of revocation published in October 2023. No submissions received. Public notice published in November 2023 that Policy revoked.	End of 2023
11.4	OCM	19/09/2023	Advertising of New Policy – Child Safe Awareness	That Council APPROVES the proposed Child Safe Awareness Policy, at Attachment 1, for the purpose of community consultation.	Return to Council	Carried en bloc	EMC&E	EMC&E	Advertising commenced 26 October 2023.	Outcome of advertising report will be presented to Council in early 2024.
9.9	OCM	22/08/2023	Community Sporting and Recreation Facilities Fund - July Small Grants Round Application	That Council ENDORSES the: 1. Community Sporting and Recreation Facilities Fund – 2023/24 July Small Grants Round application for consideration by the Department of Local Government, Sport and Cultural Industries, as follows: 1.1 Priority 1 – Robertson Park Development Plan – Tennis Precinct – Multi Sports Courts conversion; and 2. Club Night Lights Program – 2023/24 July Small Grants Round application for consideration by the Department of Local Government, Sport and Cultural Industries, as follows: 2.1 Priority 1 – Robertson Park Development Plan – Tennis Precinct – Multi Sports Courts flood lighting.	Return to Council	Carried en bloc	MP&P	EDSD	Council approved the grant application for submission to the Department of Local Government, Sport and Cultural Industries.	Elected Members will be notified once the results of the grant application are released in late 2023.
9.11	OCM	22/08/2023	Lease to Association for Services to Torture and Trauma Survivors Inc (ASeTTS) - No. 286 Beaufort Street, Perth		Return to Council	Carried en bloc	EMCS&G	EDSD	Council approval to enter into a five year lease. CEO to finalise negotiation on key terms and execution of lease.	November 2023

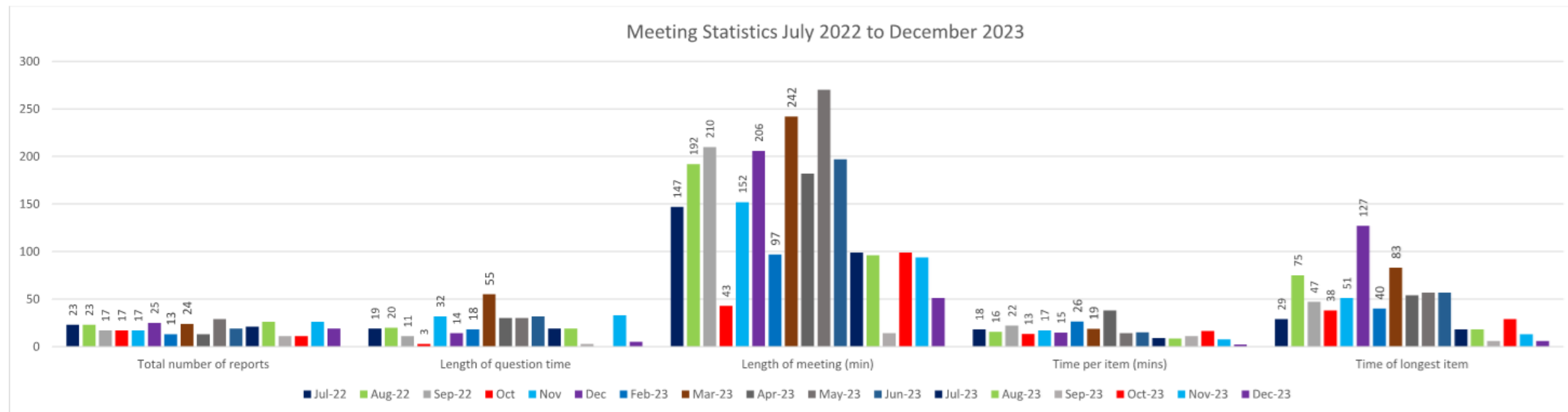
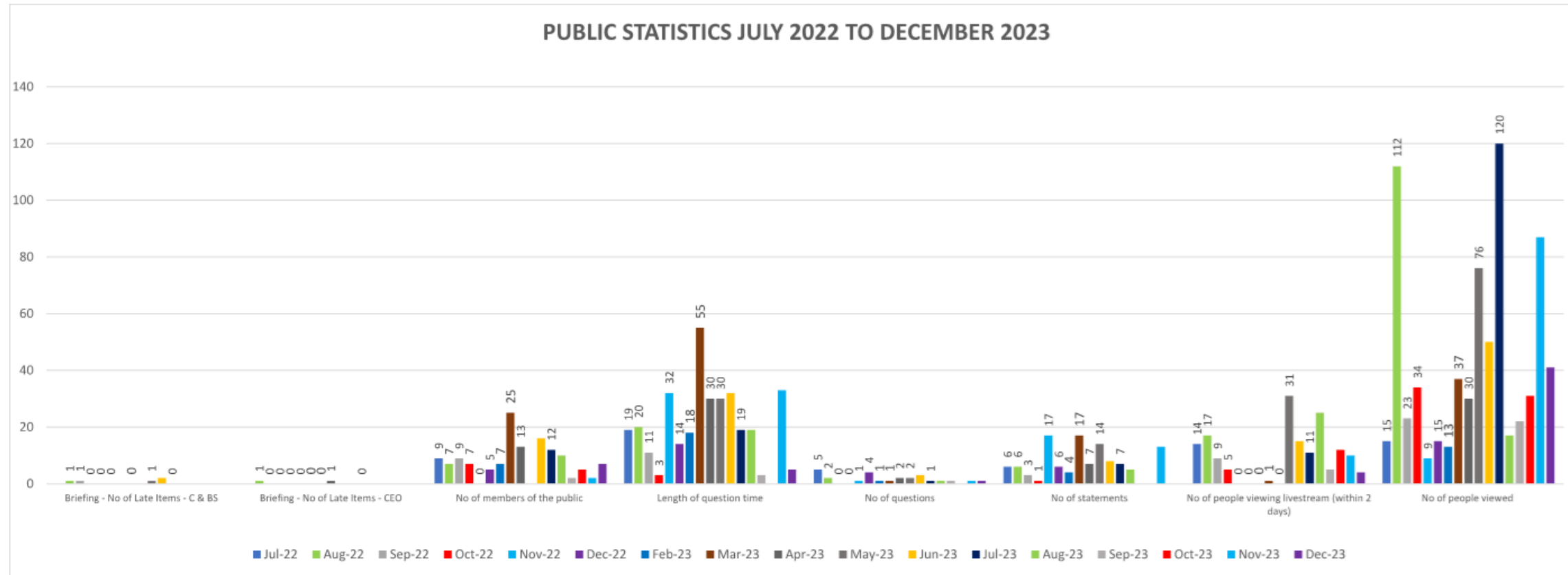
Item Number	Meeting Type	Council Meeting	Agenda Report Item	Resolution Action Item	Action Required	Council Decision	Responsible Officer	Director	Comments	Time frame for Completion
10.2	OCM	22/08/2023	Harold Street - Black Spot Project	2. REQUEST the CEO prepare a report on options to slow vehicle speed and increase pedestrian, cyclist and vehicle safety on Beaufort Street, including engagement with stakeholders such as the Town Team, the Beaufort Street Network Place Management and Main Roads by March 2024; and 3. REQUEST the CEO consult with residents, schools and surrounding businesses on the proposal to make Harold Street west of Beaufort Street a one way street and present a report to Council with the results of this consultation by March 2024	Return to Council	Carried with alternative	MEng	EDIE	MRWA contacted in regards City return of prepaid black spot funds. Project investigations initiated. Trial. Report to be issued to council on the trial in August 2024.	March 2024
10.4	OCM	22/08/2023	Tender - Escoter Shared Scheme Trial	REQUESTS the CEO to provide a report to Council within nine months of practical operation of the trial assessing its impacts and whether an extension of the permit will be issued.	Return to Council	Carried with amendment 7/1	MEng	EDIE	Launch of EES achieved 12 November 2023. One provider (Bird) has withdrawn from trial. Initial report of first week of operations to Council Workshop November 2023.	August 2024
11.4	OCM	22/08/2023	Advertising of amended policy - Customer Service Complaints Policy		Return to Council	Carried en bloc	EMC&E	EMC&E	Policy adopted at October 2023 Council meeting.	Completed.
11.5	OCM	22/08/2023	Dual Naming of Warndooler / Banks Reserve		Return to Council	Carried 8-0 with amendment	EMC&E	EMC&E	Community consultation to commence after LG elections.	Estimated to be reported back to Council Feb 2024
9.10	OCM	25/07/2023	Request for Proposals for Redevelopment of Leederville Carparks		Return to Council	Carried 8/0	MP&P	EDSD	Business Plan approved for state-wide consultation.	The results of consultation presented to Council at November 2023 meeting. Business
9.1	OCM	20/06/2023	No. 80 (Lot: 102; D/P: 413590) Auckland Street, North Perth - Proposed Single House		Return to Council	Deferred	MD&D	EDSD	Application deferred to allow applicant the opportunity to consider Council's reasons for deferral and changes to the proposal. Applicant has sort review by the State Administrative Tribunal of the deemed refusal. Mediation listed for 29 August Meeting.	Application presented to Council at its November 2023 Ordinary Meeting and Refused.
5.5	Audit Commit	04/05/2023	Review of Audit Committee Terms of Reference		Return to Council	Deferred	EMCS&G	EDSD	*Council endorsed: - Lacey Street Design Guidelines and revocation of Appendix 3, 12, 14, 15, 16 and 18 following consultation at the 25 July 2023 Council Meeting - Brookman & Moir Street Design Guidelines and Heritage Area and Highgate Design Guidelines adopted following consultation at the 22 August 2023 Council Meeting	Completed December Audit Committee and Minutes adopted December OMC.
9.2	OCM	04/04/2023	Review of Design Guidelines		Return to Council	Carried in two sections - 7/0 and 6/0	MP&P	EDSD	No submissions received on amendment to Local Planning Policy No. 7.1.1 - Built Form to align building height	Completed
9.5	OCM	14/03/2023	Minor Amendment to Metropolitan Region Scheme - Leederville Parade Primary Regional Road Reserve		Return to Council	Carried as Recommended	MP&P	EDSD	Amendment to the Metropolitan Region Scheme to remove the Primary Regional Road reservation.	Advertising carried out by the WAPC. To be determined by the Minister.
10.3	OCM	14/03/2023	Waste Strategy Project - Verge Valet Vincent Trial Update		Return to Council	Carried En bloc	MW&R	EDIE	Extend trial 12 months (July 2023- June 2024).	Further report (inclusive of community consultation feedback) to Council on progress
12.4.4.2(1)	AGM	14/03/2023	Development Green Space - That Council REQUEST the CEO to present a review of the landscaping requirements in the City's Built Form Policy to Council by December 2023.		Return to Council	Carried En bloc	MP&P	EDSD	Administration completed a review of the City's Built Form Policy against the State's Medium Density Code. Commencement of this Code has now been deferred by the State Government to enable them to make changes to their	Administration will present this review and the impact to the Built Form Policy to Council once the approach to the approach to medium density development is determined by the
Motion 4.5	AGM	14/03/2023	"Pedestrian Safety (Newcastle / Fitzgerald). **4.5.1That the City of Vincent addresses the safety issues for pedestrians at the corner of Fitzgerald Street and Newcastle Street in this financial year 2022/23. ** **4.5.2That the City of Vincent places a bollard or visual deterrent to offer a pedestrian refuge and protection of the Heritage listed building on the corner Newcastle Street and Fitzgerald Street. (similar to what exists on the City of Perth side of the fore mentioned		Return to Council	Carried 8/0	MEng	EDIE	Improvements / modifications to the intersection of Newcastle and Fitzgerald Streets requires the collaboration of several stakeholders and is expected to take over eighteen months to achieve. The interim solution has the support of the proposer of the motion.	
12.4.4.11	AGM	14/03/2023	That Council REQUESTS that Administration undertakes a road condition assessment to underpin a program of maintenance and needs assessment for speed humps and other traffic interventions in local areas, and report to Council Workshop on the findings of these assessments by end of 2023." "E-Waste		Return to Council	Carried unanimously	MEng	EDIE	Workshop item 29/11/2024. Info Bulletin Item for OCM December 2023	December 2023
12.4.4.16(3)	AGM	14/03/2023	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:"		Return to Council	Carried with amendments	MW&R	EDIE	Investigation to be commenced. Proposal to Council Workshop for information.	To be presented to Council at the end of the trial. First trial drop-off day highly successful. Second drop-off day being scheduled.
10.1	OCM	13/12/2022	Stormwater Drainage		Return to Council	Unanimous 9/0	MEng	EDIE	modelling to be undertaken in 2023 - 2024 financial year (estimated cost of \$80,000 - \$160,000). Initial works undertaken to address flooding in William Street. Designs finalised for works in Lynton Street.	Anticipated be undertaken during the 2023 - 2024 financial year (funded through the above modelling project); and 2023 - 2024 Annual Budget preparations.
10.4	OCM	13/12/2022	Full Median Strip for Angove Street and Woodville Street Intersection		Return to Council	Carried En bloc	MEng	EDIE	Workshop item 29/11/2024. Info Bulletin Item for OCM December 2023	December 2023
9.7	OCM	26/07/2022	Beaufort Street and Grosvenor Road Pedestrian Improvement Projects		Return to Council	Carried 5/2	EMUD&SP	EDSD	Following the trial, concept plan options for a flexible public plaza are being developed, including investigating the feasibility of reconfiguring or integrating the car parks with key consideration given to the key movement issues identified during the trial. A road safety audit would be completed on	Presented to November Workshop.
9.3	OCM	05/04/2022	Proposed Amendment No. 9 to Local Planning Scheme No. 2 - No. 21 (Lot: 373; D/P: 1939) Eucla Street, Mount Hawthorn		Return to Council	Carried en bloc	MD&D	EDSD	Amendment advertised and determined by Council at the 22 October Council Meeting. Amendment has been forwarded to the WAPC and approved by the Minister for Planning.	Completed 22/10/2023

Item Number	Meeting Type	Council Meeting	Agenda Report Item	Resolution Action Item	Action Required	Council Decision	Responsible Officer	Director	Comments	Time frame for Completion
9.4	OCM	08/03/2022	Sale of No. 26 Brentham Street, Leederville		Return to Council	Carried with Amendments from Mayor Cole and Cr	EMCS&G	EDSD	purchaser. Confirmation with adjoining landowner, interested in making offer for purchase.	June 2024
9.7	OCM	14/09/2021	Plan – Leederville; and Preparation of Amendment 7 to Local Planning Scheme No. 2		Return to Council	Carried with Amendment	MP&P	EDSD	LSPSP referred to WAPC for comment and endorsement. Previous comments: Final comments not expected until mid late 2022 early mid late 2023. Statutory Planning Committee	Late 2023
12.5	OCM	30/05/2017	Perth Parking Levy		Return to Council	Carried Unanimously with an Amendment (8-0)	MRS	EDIE	Item presented to Council Workshop September 2023 noting affected CoV car parking, cost of levy, income from parking, etc. Change of use of levy fund opens opportunity for CoV to access	Completed

Council Meeting Statistics – December 2023







COUNCIL WORKSHOPS

One workshop has been held since 22 November, on 28 November 2023.

The items on the agenda were:

- Main Roads Western Australia – Scarborough Beach Road, Green Street and Brady Street – Blackspot Roundabout Project
- Governance Scorecard
- Grosvenor Road Trial Outcomes - Options Analysis
- Children & Young People Advisory Group
- Update on Innovate Reconciliation Action Plan, Reconciliation Action Plan Working Group and Stretch Reconciliation Action Plan
- Advisory Groups - Transport & Sustainability
- Speed Hump Condition Assessment
- Traffic Calming Project Update
- Community Facilities Unfunded Priorities
- Update of the Strategic Projects in the Corporate Business Plan 2023/24 - 2026/27
- Update on Vincent Underground Power Program (VUPP)
- Update on North Perth Planning Framework (NPPF)
- Council Capacity Building Program and Decision Making Forward Agenda 2024
- Council Capacity Building Schedule 2024
- Administration Foyer - Disability Access Upgrades and Additional Meeting Spaces
- Neuron Mobility



CITY OF VINCENT

NOTES

Council Briefing

5 December 2023

Table of Contents

1	Declaration of Opening / Acknowledgement of Country	3
2	Apologies / Members on Approved Leave of Absence	3
3	Public Question Time and Receiving of Public Statements	4
4	Declarations of Interest	7
5	Strategy & Development	8
5.4	Mount Hawthorn Youth Skate Space Revised Location	8
5.1	No. 500 (Lot: 41; D/P: 418433) Fitzgerald Street, North Perth - Proposed Change of Use from Restaurant/Cafe to Restaurant/Cafe and Small Bar	9
5.2	No. 276 (Lot: 63; D/P: 97776) Newcastle Street, Perth - Proposed Office and Showroom (Amendment to Approved) (Unauthorised Existing Development)	12
5.3	Nos. 378 and 380 (Lots: 68 & 67; D/P: 613) William Street, Perth - Proposed Change of Use from Warehouse/Storage to Tavern, Restaurant/Cafe and Shop Including Alterations and Additions	14
5.5	RFT PP272/2023 Robertson Park Redevelopment - Stage 1 - Separable Portion A Constructi	15
	Report will be presented to Council Meeting on 12 December 2023.....	15
5.6	Licence to Broadway Unit Trust (trading as Spritz Spizzicheria Italiana) on road reserve adjacent to No. 148 (Lot: 600) Scarborough Beach Road, Mount Hawthorn	16
6	Infrastructure & Environment	18
6.1	Response To Petition - Corner Scarborough Beach Road and Killarney Street - Maintenance and Infrastructure	18
6.2	Response to Petition - Ellesmere Street, North Perth Parking	19
6.3	Outcome of advertising and adoption of amendments to Asset Management Policy	20
6.4	Kyilla Community Farmers Market - Waiver of Fees	21
7	Community & Business Services	22
7.1	Financial Statements as at 31 October 2023.....	22
7.2	Authorisation of Expenditure for the Period 01 October 2023 to 31 October 2023	23
7.3	Investment Report as at 31 October 2023	24
7.4	Outcome of Advertising and Adoption of New Child Safe Awareness Policy	25
7.5	Outcome of advertising and adoption of amendments to Diversity Access and Inclusion Policy	26
7.6	Annual Report 2022/23 [ABSOLUTE MAJORITY DECISION REQUIRED].....	27
8	Chief Executive Officer	28
8.1	Council Recess Period 2023-24 - Delegated Authority to the Chief Executive Officer [ABSOLUTE MAJORITY DECISION REQUIRED].....	28
8.2	Appointment of Council Members and Community Representatives to Advisory Groups	29
8.3	Information Bulletin	30
9	Motions of Which Previous Notice Has Been Given	31
10	Representation on Committees and Public Bodies	31
11	Confidential Items/Matters For Which the Meeting May be Closed	31
12	Closure	31

44NOTES OF CITY OF VINCENT
COUNCIL BRIEFING
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 5 DECEMBER 2023 AT 6.00PM

PRESENT:	<p>Mayor Alison Xamon Cr Alex Castle Cr Nicole Woolf Cr Ron Alexander Cr Suzanne Worner Cr Jonathan Hallett Cr Sophie Greer Cr Ashlee La Fontaine</p>	<p>Presiding Member North Ward North Ward North Ward North Ward South Ward South Ward (electronically) South Ward</p>
IN ATTENDANCE:	<p>David MacLennan Peter Varris John Corbellini Rhys Taylor Luke McGuirk Jay Naidoo Jayde Robbins Paul Morrice Janine Neugebauer Joslin Colli Wendy Barnard</p>	<p>Chief Executive Officer Executive Director Infrastructure & Environment Executive Director Strategy & Development Chief Financial Officer Manager Engineering Executive Manager Development & Design & Strategic Planning Manager City Buildings & Asset Management (left at 6.38pm after Item 6.3) Manager Rangers Services (left at 6.40pm after Item 7.1) Executive Assistant Infrastructure & Environment (left at 6.41pm after Item 7.2) Executive Manager Corporate Strategy & Governance Council Liaison Officer</p>
Public:	Approximately two members of the public.	

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

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

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

2 APOLOGIES / MEMBERS ON APPROVED LEAVE OF ABSENCE

Cr Ashley Wallace was an apology for this meeting.

3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

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

3.1 Linda Harris of Leederville – Item 5.4

- Spoke in support of the recommendation
- Queried if the soil is unsuitable for a skate park will there be a similar problem for the proposed mobile phone tower? Will the soil be able to support the tower?

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

3.2 Grace Orifici of Leederville – Item 5.4

- Spoke in support of the recommendation
- Mentioned that the skate park is being used by young children and families and encourages Council to approve the recommendation

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

The following questions and statements were received in writing prior to the meeting.

Sam Russell of Mt Hawthorn – Item 5.4

I had sent a query a few weeks ago asking about the status as I was interested in what was going on.

This location seems significantly inferior to the previous one. The previous location had better accessibility and integration with a space already well used.

Primarily my concern is around safety though - the cycle path sees a lot of traffic, often at high speed. The carpark is often full with cars and is heavily utilised. A large number of the skate park users will be young - such as my daughters. How will the council ensure the mix of uses will be safe for users? For example, interaction between cars in the car park and kids entering the skate park. How will the council manage interaction between cyclists on the bike path and small kids who are at the skate park - who have a tendency to wander.

Is there another way for the council to find the additional funds to move to the earlier location or proposal #2 - which both largely solve the safety problems?

Administration response:

The costing received to enable the skate space to be suitably constructed in the previous location near the pump track was well beyond the suitability and capacity of a facility of this scale. This was agreed to by the City, project working group and contractor as not being a good value-for-money outcome. In addition, the City could not ensure a skate space at the previously endorsed location would have a suitably long asset life due to subsoil movement. This would subsequently be an expensive asset for the City to maintain.

The proposed location represents an underutilised area of the reserve, it is located 50 metres away from residential housing which is considered appropriate for a local-level skate facility and it has the potential with minor investment to connect into the existing footpath and road network in Mount Hawthorn. In addition, the halfcourt basketball court immediately to the south of the proposed skate space location is reaching the end of its asset life and can be refurbished as part of the broader project to interact with the skate space.

Safety and accessibility featured highly in the discussion and although some interpretive buffering and access measures have been identified in the indicative design as per Attachment 1, Administration and Skate Sculpture will be further refining this through a detailed design process. All skateable elements have been designed to or below 1m high, which will enable clear sight lines for parents and carers across this area.

COUNCIL BRIEFING NOTES

5 DECEMBER 2023

During the detailed design process, Administration and Skate Sculpture will ensure the interface between the skate space and car park is safe through strategic placement of safety measures including grass embankments, picnic shelters, landscaping, footpaths and kerb ramps to ensure users of the facility do not inadvertently skate between the skate space and the car park. The connecting pathways will also be designed to limit speed and momentum to and from the access points of the skate space.

There is currently no proposed formal connection between the skate park and Principal Shared Path with existing trees and landscaping providing a natural buffer. During a detailed design process, Administration and Skate Sculpture will investigate further elements including grass embankments and additional landscaping.

Tracey and Neil Gray of Perth – Item 5.2

We are the owners of Unit 9/117 Lake Street but we are unfortunately unable to attend the Briefing as we are currently overseas. We will attempt to watch the live stream of the proceedings if possible. Our unit is only 3-4 m from the new development.

As stated in the Briefing Agenda the development was granted conditions to be built in breach of the applicable Building Codes. Unfortunately the developer has not installed the privacy screening as shown in the original proposal drawings and is now seeking to obtain a retrospective modification to the conditions of the DA to allow approval of a solution that we believe is unacceptable.

Administration response:

The development at No. 276 Newcastle Street did not breach building codes. The development proposed setbacks to the rear boundary that did not meet the then-applicable Acceptable Outcome standard of the Built Form Policy.

The Built Form Policy did not include specific visual privacy standards or objectives when the original development application was considered.

The original application was assessed against Element Objectives of the Built Form Policy relating to setbacks and satisfied these objectives.

We have a number of issues with the responses from the Developer as detailed in the Council Briefing Agenda

- The shared garden and courtyard area does constitute a private place as it used by the occupants in a number of ways and forms an important part of the amenity of the entire complex. For example our daughter used to sunbake and read in the garden area. It also gives the occupants the opportunity to spend time in the gardens. Any green space in an urban area like this is very important to the welfare of the occupants.
- Only the option of a permanently affixed structure gives a guarantee of privacy into the future. It would also guarantee that there are no privacy issues with view lines into either our bedroom or main living areas. While there is some screening afforded by plants on our property they are deciduous so not a guarantee of year round privacy.
- Our experiences with this project to date has not given us great confidence in the reassurances by the developer that the bamboo planting option will be adequately maintained into the future. Furthermore it is likely that any future disputes regarding privacy will be time consuming and difficult to resolve. What happens if the bamboo does not provide an adequate screen? Surely it makes more sense for everyone to implement the screening as originally approved and fix the situation now.
- We have experience using this bamboo in another of our properties where we found it quite difficult to maintain a lush enough screening while staying within the Perth watering restrictions. After several years we removed the bamboo and installed a fence to provide adequate screening.

Frankly we have been disappointed that a company with the reputation and depth of experience of the developer would not meet the requirements of the DA and would propose a clearly inadequate solution. It would be interesting to see their response if a similar privacy issue arose in their "backyard". We can see no reason why this development should not meet planning regulations.

COUNCIL BRIEFING NOTES**5 DECEMBER 2023**

In summary we believe that the amenity of our property has been severely compromised through the loss of privacy. The developer has chosen not to implement the relaxed conditions of the DA and is seeking to obtain retrospective approval using a solution that we believe is inferior to the original proposal.

We would ask that the Council not approve the modifications to the DA and instruct the Developer to either implement the permanent external screening (11.2 (b)) or offer an equivalent solution.

Paula Babic of North Perth – Item 5.1

I am a residential property owner directly affected by this development.

Since this cafe opened it has caused car parking and traffic safety issues in Venn Street, and these problems are still existing today.

Since its opening the cafe staff and patron cars have been taking up street and verge parking that residents of Venn Street use and need.

And have been parking in the 'no-park' areas, causing danger for residents trying to access/egress between Venn & Fitzgerald Streets.

The vehicle access gate to the development was installed in Sept 2020 without authorization or approval. It was only last month, over 3 years later, that this gate was retrospectively approved. However the gate is still closed during the cafe business hours.

During these 3 years of restricted access to the carparking, the 8 bays which are proposed to be designated for use by cafe staff/patrons, have been occupied by the residential tenants and/or their visitors.

So I ask the question what will happen now to ensure these bays, which have been used and occupied by the residents cars for over 3 years now, are actually always available for the cars of cafe staff/patrons? There is no guarantee that a simple sign marking the bays will stop the residents from using the bays. Who will be responsible for ensuring the carboys are not used by the residents?

Administration response:

It is the operator and landowner's responsibility to ensure that the development is in compliance with the terms of the development approval. This includes the requirement for car parking bays allocated for exclusive use by the commercial tenancy being set aside for that purpose.

And the next question is where will the cars that have been utilizing these 8 bays for the past 3 years now park? Will those residents and visitors cars now also park on Venn Street to again cause parking and safe access/egress for cars in Venn Street?

Administration response:

There are 20 resident bays and two residential visitor bays provided on-site. This is as per previous approvals issued for the site and was considered adequate to meet the demands of the residential component of the development. This allocation of parking is not changing as part of this application. Residents and residential visitors would park in these bays.

Since the applicant submitted for the change of use, the problems of carpeting problems and dangers have been raised by concerned residents.

But at no time during this process has the applicant shown any affirmative action to resolve these problems. So the residents of Venn Street have no assurance that anything will change, all we are given in the Planning Departments Recommendations, is a proposal that the vehicle access gate is kept open during the cafe operational hours, which is not sufficient given the problems we have been having since the cafe opened.

In my previous submission on this matter I commented that a trial period should be held, to test and determine:

1. If the vehicle access gate will in reality be open during the entire cafe operation hours
2. If the 8 designated commercial carboys will actually be vacant and available for the use of the cafe staff/patrons
3. If there is continued parking problems or issues from this development affecting Venn Street residents

This trial period should be required prior to any new approvals given on this application change of use or increase in patron numbers.

Administration response:

A trial period or time-limited approval would not be appropriate in this circumstance. Car parking provided for the proposed change of use complies with the car parking standard prescribed in the City's Non-Residential Parking Requirements Policy. This means that adequate car parking is provided. Compliance with conditions of approval, including ensuring that the allocated car parking bays are made available for use by the commercial tenancy, is not a matter to be addressed via a time-limited condition. A time-limited condition imposed on this basis would not be reasonable. The City has a Development Compliance Enforcement Policy that sets out mechanisms and enforcement action available to the City to ensure compliance with the terms of development approval. This would be the appropriate response to deal with any alleged non-compliance that arises.

It would be a mis-use of Council's privilege to grant a discretion for this application, without the above proposed trial period been done.

I ask Council to insist on this action before any approval for change of use, or increase in patron numbers in granted.

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




4 DECLARATIONS OF INTEREST

Cr Ashlee La Fontaine declared an impartiality interest in Item 8.2 Appointment of Council Members and Community Representatives to Advisory Groups. The extent of her interest is that she has social contact with two of the applicants.

Cr Ashlee La Fontaine declared an impartiality Interest in Item 12.3 Information Bulletin. The extent of her interest is that she owns and resides at a property on Forrest Street, North Perth, which is referred to in the Infobulletin.

5 STRATEGY & DEVELOPMENT

5.4 MOUNT HAWTHORN YOUTH SKATE SPACE REVISED LOCATION

- Attachments:**
1. Mount Hawthorn Youth Skate Space - Revised Location Plan 
 2. Mount Hawthorn Youth Skate Space - Alternate Locations Map 
 3. Britannia Rd Reserve North West - Amended Development Plan 

RECOMMENDATION:

That Council:

1. NOTES:

- 1.1 the findings and advice on the previously endorsed location; and
- 1.2 that Administration will inform and engage the local community in relation to the new location; and

2. ENDORSES the:

- 2.1 revised location at Attachment 1 for the purpose of varying the current project contract; and
- 2.2 revised Britannia Rd Reserve North West Development Plan at Attachment 3.

CR CASTLE:

What consideration has there been around how this site would connect with exiting activity within the reserve?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The proposed location represents an underutilised area of the reserve, it is located 50 metres away from residential housing which is considered appropriate for a local-level skate facility and it has the potential with minor investment to connect into the existing footpath and road network in Mount Hawthorn. In addition, the halfcourt basketball court immediately to the south of the proposed skate space location is reaching the end of its asset life and can be refurbished as part of the broader project to interact with the skate space.

If the new location is adopted, Administration and Skate Sculpture will undertake a detailed design process that considers the Britannia North West Reserve Development Plan and the broader site conditions. It will address safe and efficient connections between the skate space and a refurbished basketball court, the new Litis Stadium changerooms and public toilets, the Litis Stadium car park, Britannia Road, the pump track and the mountain bike trail network.

Engagement will occur with the working group and immediate community during the detailed design process.

CR CASTLE:

What safety measures could be implemented in relation to the sites proximity to the car park?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

The proposed concept plan at Attachment 1 has a 10 metre buffer between the skate park and the existing car park. In this 10 metre buffer, there is currently a number of physical barriers including trees, bollards and grass.

During the detailed design process, Administration and Skate Sculpture will ensure the interface between the skate space and car park is safe through strategic placement of safety measures including grass embankments, picnic shelters, landscaping, footpaths and kerb ramps to ensure users of the facility do not inadvertently skate between the skate space and the car park. The connecting pathways will also be designed to limit speed and momentum to and from the access points of the skate space.

CR HALLETT:








Would the soil issues impacting the original skate park also affect the proposed telecommunications tower?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

Prior to entering into a Lease with the City the proponent of the telecommunications tower completed a geotechnical report. The findings of the report will inform detailed design for the tower and will need to be incorporated in the submission of a building permit.

5.1 NO. 500 (LOT: 41; D/P: 418433) FITZGERALD STREET, NORTH PERTH - PROPOSED CHANGE OF USE FROM RESTAURANT/CAFE TO RESTAURANT/CAFE AND SMALL BAR

Ward: South

- Attachments:**
1. Consultation and Location Plan 
 2. Development Plans 
 3. Parking Management Plan 
 4. Previous Joint Development Assessment Panel Approval 
 5. Summary of Submissions - Applicant's Response 
 6. Summary of Submissions - Administration's Response 
 7. Determination Advice Notes 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the development application for a proposed Change of Use from Restaurant/Café to Restaurant/Café and Small Bar at No. 500 (Lot: 41; D/P: 418433) Fitzgerald Street, North Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 7:

1. Development Approval

This approval is for a Change of Use from Restaurant/Café to Restaurant/Café and Small Bar as shown on the approved plans dated 18 August 2023. No other development forms part of this approval;

2. Use of Premises

- 2.1 This approval is for a Restaurant/Café and Small Bar as defined in the City of Vincent Local Planning Scheme No. 2. The use of the subject land for any other land use may require further approval from the City;
- 2.2 The total number of persons attending the Restaurant/Cafe and Small Bar at any one time, including staff and customers, shall be limited to 32 persons; and
- 2.3 The Restaurant/Café and Small Bar shall be limited to the following hours of operation:
 - Monday to Sunday: 8:00am to 5:00pm; and
 - All deliveries shall be limited to 7:00am to 2:00pm, Monday to Friday; and

3. Venue Management

- 3.1 Prior to commencement of the approved development, a Venue Management Plan shall be submitted to and approved by the City. The Venue Management Plan shall be prepared in accordance with City's Policy No. 7.5.7 – Licensed Premises, to the satisfaction of the City (refer advice note 8); and
- 3.2 The premises shall operate in accordance with the approved Venue Management Plan, to the satisfaction of the City;

4. Waste Management

The approved development shall operate in accordance with the approved Waste Management Plan dated 28 September 2018 at all times, to the satisfaction of the City;

5. Façade Design

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

- 5.2 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; and
- 5.3 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;

6. Car Parking

Prior to operation of the approved development, eight parking bays on-site shall be line marked for the exclusive use of the Restaurant/Café and Small Bar;

7. Bicycle Facilities

A minimum of two short-term bicycle bays shall be provided in the Venn Street verge adjacent to the subject site, in a location approved by the City. These bicycle bays shall be designed in accordance with AS2890.3 prior to the use of the approved development, to the satisfaction of the City; and

8. Parking Management

- 8.1 Prior to commencement of the approved development, a revised Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan shall include the following, to the satisfaction of the City:
- The revised parking bay numbers available to the proposed development, being eight bays;
 - The revised customer and staff numbers, being a maximum total number of persons attending the venue of 32 persons;
 - Details of Parking Management Strategies that include:
 - The promotion for customers to use the rear car parking bays; and
 - The vehicle access gate remaining open during the operating and delivery hours of the tenancy; and
- 8.2 The premises shall operate in accordance with the approved Parking Management Plan at all times, to the satisfaction of the City.

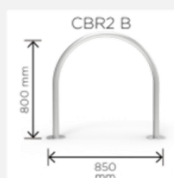
MAYOR XAMON:

In relation to the bike racks can I ask what is the favoured design of bikes racks for that particular area?

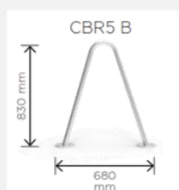
Certain designs of bike racks are better with e-scooters than others. And so, I am aware that as a Council we are trying to encourage more alternative means of transport. As we are looking at these designs we can look at what is not simply good for a bike but what is good for e-scooters as well.

MANAGER DEVELOPMENT & DESIGN & STRATEGIC PLANNING:

The Engineering Team advised that the City has been installing bike racks of the design pictured below (CBR2 B) as standard in the past.



The Engineering Team has consulted with the City's bike rack provider who advised that the design (CBR5 B), pictured below, is the most suitable design to provide flexibility to accommodate parking both bicycles and e-scooters.



The condition of approval included in the officer recommendation requires the provision of a bike rack to the City's satisfaction and an accompanying advice note 11 has been included in Attachment 7 of the officer report that outlines it should be provided in the design specification of CBR5 B.

CR LA FONTAINE:

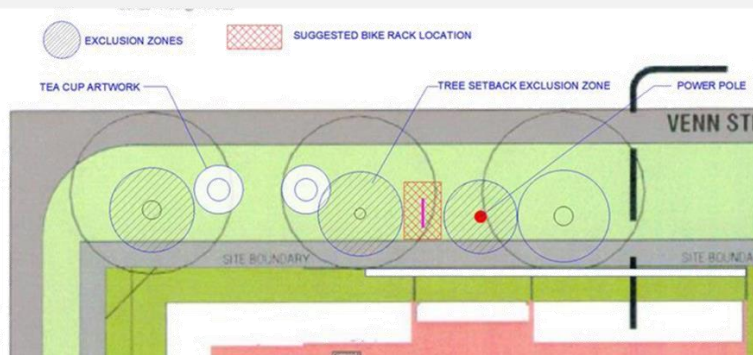
With the bike racks that are provided, they are said to be installed on the verge on Venn Street. There are two trees and also two tea cups where most people usually lean their bikes up against them? Are the tea cups going to stay and where are the bike racks going to go?

MANAGER DEVELOPMENT & DESIGN & STRATEGIC PLANNING:

The tea cups and street trees would be retained and would not be altered or modified as part of installing the bike rack.

The Engineering Team has advised that the location as indicated in red on the plan below would be the most suitable location within the Venn Street verge for the bike rack to be positioned.

The condition of approval included in the officer recommendation requires the provision of a bike rack to the City's satisfaction and an accompanying advice note 11 has been included in Attachment 7 of the officer report that sets out it should be positioned in the location identified below.



CR HALLETT:

Do we have parameters around distance from public art that things are allowed to be installed in terms of maintaining integrity of viewing as opposed to just fitting in that location?

MANAGER DEVELOPMENT & DESIGN & STRATEGIC PLANNING:

There are no applicable standards which determine the location of infrastructure in relation to public art.

Decisions regarding placement of infrastructure in proximity to existing public art is made on case-to-case basis.

In determining the suitable locations for infrastructure in relation to public art consideration would be given the objectives and provisions of the City's Public Art Policy. This includes the need for public art to be in clear public view and not to be obstructed.

5.2 NO. 276 (LOT: 63; D/P: 97776) NEWCASTLE STREET, PERTH - PROPOSED OFFICE AND SHOWROOM (AMENDMENT TO APPROVED) (UNAUTHORISED EXISTING DEVELOPMENT)

Ward: South

- Attachments:
1. Consultation and Location Plan 
 2. Development Plans 
 3. Existing Development Approval Notices and Approved Plans 
 4. Summary of Submissions - Administration Response 
 5. Summary of Submissions - Applicant Response 

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 Office and Showroom (Amendment to Approved) (Unauthorised Existing Development) at No. 276 (Lot: 63; D/P: 97776) Newcastle Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on the development approval 5.2020.57.1 granted on 14 April 2020 and 5.2021.486.1 granted on 10 January 2022 continue to apply to this approval except as follows:
 - 1.1 Condition 10 is deleted and replaced as follows:
 10. All landscaping works shown in the approved plans dated 9 November 2023 shall be undertaken within 28 days of the date of this approval and maintained thereafter at the expense of the owners/occupiers, to the satisfaction of the City.
 - 1.2 Condition 11 is deleted and replaced as follows:
 - 11.1 The obscure glazing privacy screen to the north east elevation of the first floor, as indicated on the approved plans dated 9 November 2023, shall be durable and visually impermeable to a minimum height of 1.6 metres above the first-floor finished floor level, to the satisfaction of the City.
 - 11.2 The north-east elevation of the ground floor shall be screened by either:
 - (a) The provision of bamboo planting along the north east lot boundary, as shown on the approved plans dated 9 November 2023. The bamboo shall be maintained to a minimum height of 1.6 metres above the ground floor finished floor level to restrict views of the adjoining property; or
 - (b) The installation of privacy screening to the portion of the north-east elevation of the ground floor indicated in red on the approved plans dated 9 November 2023. The screening shall be fixed, durable and visually impermeable to restrict views of the adjoining property;

The privacy screening and/or bamboo planting are to be maintained at all times from the date of the issue of this decision, to the satisfaction of the City

CR WOOLF:

Honey Locust trees are proposed to the car park at the front of the development. Were any native trees considered for this area?

MANAGER DEVELOPMENT & DESIGN & STRATEGIC PLANNING:

Yes, the City has a tree selection tool with recommended tree species. This includes both native and exotic tree species that are considered in the assessment of proposals. Honey locust tree is a recommended tree species in the City's tree selection tool. This tool is [available to the public](#) on the City's website.

The proposed honey locust trees would be located within a 0.8 metre wide planting strip within a car park

which is a challenging planting environment. Honey locust trees are able to cope with urban environments including heat, pollution, a variety of soils and provide a wide canopy spread.

The City's Parks team has advised that the honey locust tree is faster growing and provides greater canopy cover compared to native trees, and is supported to be planted in these 0.8 metre wide planting areas.

ADDITIONAL INFORMATION:

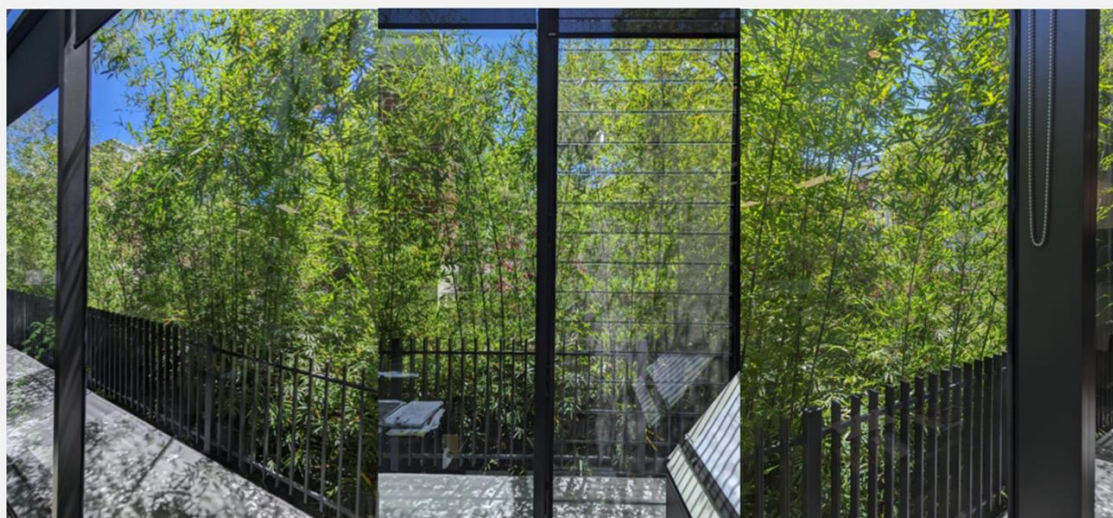
Screening Provided by the Bamboo

The existing condition of the development approval requires the screening to comply with the deemed-to-comply standards of Clause 5.4.1 of the R Codes Volume 1. These are for screening to be at least 1.6 metres high and at least 75 percent obscure.

The R Codes design principles and the Built Form Policy element objectives aim to minimise direct overlooking of adjoining properties. As outlined in the R Codes Explanatory Guidelines, 'minimisation of overlooking should not be interpreted as an absolute prohibition on visual interaction'. This is reflected in the deemed-to-comply standards of the R Codes which seek to interrupt sight lines with screening to be 75 percent obscure rather than 100 percent.

Landscaping is specified as an accepted screening method in the design principles of the R Codes.

Figures included below are also in the officer report. These images views from the ground floor of the subject site looking towards the adjoining property. These images demonstrate that views towards the adjoining property are interrupted by the bamboo and effectively minimise overlooking of the adjoining property. The bamboo would continue to grow and increase in foliage density with time, providing further screening of views towards the adjoining property.



View from ground floor of No. 276 Newcastle Street looking north towards No. 117 Lake Street.

View from ground floor of No. 276 Newcastle Street looking north-east towards No. 117 Lake Street.

View from ground floor of No. 276 Newcastle Street looking east towards No. 117 Lake Street.

Updates to Officer Report

- The Privacy section in the Detailed Assessment table has been updated to remove references to the screening on the first floor. This is to avoid confusion because the screening that has been provided to the first floor is consistent with the conditions of the existing development approval and is not subject to Council's consideration as part of this application.
- Figure 2 has been replaced to correct the unit numbers of No. 117 Lake Street that adjoin the subject site. 'Unit 8' has been updated to read 'Unit 9' and 'U7' has been replaced to read 'Unit 8'.

Clarification of Original Decision Maker

The original development on the subject site was approved by Administration under delegated authority in July 2019, as referred to in the officer report. A response provided at Council's Briefing Session incorrectly referred to the decision being made by the Development Assessment Panel.

COUNCIL BRIEFING NOTES

5 DECEMBER 2023



- 5.3 NOS. 378 AND 380 (LOTS: 68 & 67; D/P: 613) WILLIAM STREET, PERTH - PROPOSED CHANGE OF USE FROM WAREHOUSE/STORAGE TO TAVERN, RESTAURANT/CAFE AND SHOP INCLUDING ALTERATIONS AND ADDITIONS



WITHDRAWN BY APPLICANT

5.5 RFT PP272/2023 ROBERTSON PARK REDEVELOPMENT - STAGE 1 - SEPARABLE PORTION
A CONSTRUCTI

Report will be presented to Council Meeting on 12 December 2023.

NO QUESTIONS

5.6 LICENCE TO BROADWAY UNIT TRUST (TRADING AS SPRITZ SPIZZICHERIA ITALIANA) ON ROAD RESERVE ADJACENT TO NO. 148 (LOT: 600) SCARBOROUGH BEACH ROAD, MOUNT HAWTHORN

- Attachments:**
1. Plan of Licence Area 
 2. Structure Plan 
 3. 2018 Development Application Approval 
 4. 2023 Development Approval Application 
 5. Market Valuation - Confidential

RECOMMENDATION:

That Council:

1. **APPROVES** the City granting a licence to Broadway Unit Trust trading as Spritz Spizzicheria Italiana (ABN 87 196 418 066) tenant of Lot: 600 on Deposited Plan: 47025, Certificate of Title Volume 2598, Folio 388, known as No. 148 Scarborough Beach Road, Mount Hawthorn, for a portion of the road reserve adjacent to No. 148 Scarborough Beach Road, Mount Hawthorn, as shown in Attachment 1, on the following key terms:
 - 1.1 **Term:** 5 years
 - 1.2 **Licence Area:** 48m² (3.9m x 13m) of Scarborough Beach road reserve (verge area);
 - 1.3 **Licence fee:** \$1,680 per annum plus GST, indexed by CPI annually on 1 July;
 - 1.4 **Permitted use:** non exclusive right to use the Licence Area as an outdoor dining area and liquor consumption in connection with the operation of Spritz Spizzicheria Italian restaurant; and

to locate alfresco canopy structure. motorised café blinds, lighting and heat lamps and outdoor fixtures and furniture on the Licence Area as approved by the City, as shown on the plan at Attachment 2 (Structure);
 - 1.5 **Removal of furniture:** All furniture used (unless affixed to the ground) within the Licence Area must be removed by the Applicant at the close of each business
 - 1.6 **Cleaning:** Applicant must, keep the Licence Area clean and tidy at all times, at its cost;
 - 1.7 **Insurance:** Applicant must effect and maintain public liability insurance to a minimum value of \$20,000,000 (per claim);
 - 1.8 **Indemnity:** Applicant will indemnify the City and the Minister for Lands against loss or damage to property or persons occurring as a result of the Applicant's structure and use of the Licence Area;
 - 1.9 **Assignment** Applicant may not assign or transfer its right under this Licence;
 - 1.10 **Maintenance:** Applicant must, at its cost, keep the Licence Area in good repair including repairing damage to structures, fittings or fixtures and the road reserve on the Licence

- Area;
- 1.11 Outdoor Eating Area Permit: Applicant must (for the duration of the Licence) maintain a valid Outdoor Eating Permit for the Licence;
- 1.12 Liquor Licence Applicant must (for the duration of the Licence) maintain a current liquor licence for the Licence Area in order to serve alcohol in this area;
- 1.13 Access the City, State and public utilities may access the Licence Area at any time in connection with its respective services, and no compensation is payable to the Applicant for any resultant loss;
- 1.14 Make Good: Upon expiry or termination of licence to remove any Structure and make good the Licence Area, at Applicant's cost, to the satisfaction of the City; and
2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and Chief Executive Officer to affix the common seal and execute the licence in recommendation 1. above.

ADDITIONAL INFORMATION FROM EXECUTIVE MANAGER CORPORATE STRATEGY AND GOVERNANCE:

Key Term 1.4 relating to Permitted Use has been amended as follows:

Non-exclusive right to use the Licence Area as an outdoor dining area and liquor consumption in connection with the operation of Spritz Spizzicheria Italian restaurant; and

to locate alfresco canopy structure, motorised café blinds, lighting and heat lamps and outdoor fixtures and furniture on the Licence Area as approved by the City, as shown on the plan at Attachment 2 (Structure);

This is to reflect that this decision relates to an approval for a licence to use the land for alfresco dining. Approval for the alfresco structure will be subject to a development application should this licence be approved.

6 INFRASTRUCTURE & ENVIRONMENT**6.1 RESPONSE TO PETITION - CORNER SCARBOROUGH BEACH ROAD AND KILLARNEY STREET - MAINTENANCE AND INFRASTRUCTURE**

Attachments: 1. Petition - Cnr Scarborough Beach Rd & Killarney Str. - Maintenance & Infrastructure - Confidential

RECOMMENDATION:

That in response to a petition received by the Council on 21 November 2023 in relation to maintenance and infrastructure issues on the corner of Scarborough Beach Road and Killarney Street, Mount Hawthorn, Council:

1. **NOTES** that Administration is required to liaise with Main Roads WA to explore options regarding improved signage, line marking around and approaching the corner of Scarborough Beach Road and Killarney Street; and
2. **REQUESTS** administration to complete a review of the location of Scarborough Beach Road and Killarney Street for improved and additional signage and if warranted, provide a concept design on road infrastructure improvements to address road safety concerns which will be included in the wider precinct wide traffic modelling for the Mount Hawthorn area.

NO QUESTIONS

6.2 RESPONSE TO PETITION - ELLESMERE STREET, NORTH PERTH PARKING

Attachments: 1. Petition - Parking on Ellesmere Street, North Perth - Confidential

RECOMMENDATION:

That in response to a petition received by the Council on 21 November 2023 in relation to parking issues on Ellesmere Street, North Perth, Council:

1. **NOTES** the specific requests of the residents of Ellesmere Street and Highlands Road, between London Street and Charles Street, North Perth, as presented by the lead petitioners;
2. **NOTES** Administration's comments in respect to the residents list of requests;
3. **REQUESTS** Administration to investigate further traffic related issues along Ellesmere Street from Charles Street to London Street in conjunction with the new development proposal on the Charles Hotel site;
4. **CONSULTS** with the residents on the potential 'No Right Turn' sign at the Charles Street intersection; and
5. **RECEIVES** a further report at the conclusion of the collection of traffic data and public consultation.



CR LA FONTAINE:

Point 4 of petition it mentioned high speed over the hill, could Admin provide info on the number of vehicles travelling over the speed limit both up and down the hill? Between Eaton Street and London Street?

MANAGER ENGINEERING:

Further information has been included in the report.

6.3 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO ASSET MANAGEMENT POLICY

- Attachments:
1. DRAFT - Asset Management Policy review 2023 
 2. Policy 2.2.12 - Asset Management 

RECOMMENDATION:

That Council

1. **NOTES** that at the conclusion of the local public notice period, no public submissions were received in relation to the Asset Management Policy, at Attachment 1;
2. **ADOPTS** the Asset Management Policy at Attachment 1; and
3. **REPEALS** Policy 2.2.12 Asset Management Policy at Attachment 2.

NO QUESTIONS

At 6.38pm Manager City Buildings & Asset Management left the meeting and did not return.

6.4 KYILLA COMMUNITY FARMERS MARKET - WAIVER OF FEES**Attachments:** Nil**RECOMMENDATION:****That Council:**

- 1. ACKNOWLEDGES the success of the Kyilla Community Farmers Market, and the efforts of the Kyilla Primary and Pre Primary Parents and Citizens Association Inc. to operate the Market over the last ten year period;**
- 2. APPROVES BY ABSOLUTE MAJORITY a waiver of the following fees and charges:**
 - 2.1 Reserve hire fees of \$8,788 per annum totalling \$43,940 over a five (5) year period;**
 - 2.2 Waste service fees of \$1,971 per annum totalling \$9,855 over a five (5) year period**

CR ALEXANDER:

Cr Alexander noted 2.1 and 2.2 above and asked whether administration approved of waiving the waste service fee, given that the service fee is waived.

EXECUTIVE DIRECTOR INFRASTRUCTURE AND ENVIRONMENT:

Yes Administration approves of a waiving of the waste fees as well as the reserve hire fees.

Administration has discussed the waste fee component with the City Waste and Event teams and believes waiving the waste fee of \$1,971 per annum will continue to directly benefit the school and children that attend. It will also continue to provide opportunity for the Waste team to promote FOGO and other waste initiatives in the community at a regular event that may be lost if offered by an outside contractor at a reduced cost.

The recommendation is replicating two (2) previous approvals for five (5) year periods of operation of the Kyilla Markets.

7 COMMUNITY & BUSINESS SERVICES**7.1 FINANCIAL STATEMENTS AS AT 31 OCTOBER 2023**

Attachments: 1. Financial Statements as at 31 October 2023 

RECOMMENDATION:




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

That Council **BY ABSOLUTE MAJORITY APPROVES** the purchase of a rubbish truck for \$520,000 to be funded from the 2024/2025 annual budget.

NO QUESTIONS

At 6.40pm Manager Rangers Services left the meeting and did not return.

7.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 OCTOBER 2023 TO 31 OCTOBER 2023

- Attachments:
1. October 2023 Payments by EFT and Payroll 
 2. October 2023 Payments by Direct Debit 
 3. October 2023 Payments by Cheques 

RECOMMENDATION:

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

EFT payments, including payroll	\$5,513,607.25
Cheques	\$689.55
Direct debits, including credit cards	\$139,208.30
Total payments for August 2023	\$5,653,505.10

CR WORNER:

Could I get some further information about the cost to *Transport public artwork to Titan storage?*

EXECUTIVE MANAGER CORPORATE STRATEGY AND GOVERNANCE:

As a result of delays by Western Power the City has not been able to install power required in Leederville Village square for the installation of the COVID Arts Relief commissioned piece. As the artist has completed the art work and this is unable to be installed until power is connected at the site, the artwork has been collected from the artist and is being stored in an appropriate facility by the City.

CR WOOLF:

Removal of existing and new equipment at Charles Veryard Reserve, what was that?

CHIEF FINANCIAL OFFICER:

The Forpark invoice for \$66,000 was for the removal of existing and supply and installation of new exercise equipment and associated rubber soft fall at Charles Veryard Reserve. The description in the expenditure report has also been updated.

At 6.41pm Executive Assistant Infrastructure & Environment left the meeting and did not return.

7.3 INVESTMENT REPORT AS AT 31 OCTOBER 2023

Attachments: 1. Investment Statistics as at 31 October 2023 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 31 October 2023 as detailed in Attachment 1.

NO QUESTIONS

7.4 OUTCOME OF ADVERTISING AND ADOPTION OF NEW CHILD SAFE AWARENESS POLICY


Attachments: 1. Child Safe Awareness Policy 

RECOMMENDATION:

That Council ADOPTS the Child Safe Awareness Policy at Attachment 1.

NO QUESTIONS

7.5 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO DIVERSITY ACCESS AND INCLUSION POLICY

- Attachments:**
1. Diversity Access and Inclusion Policy 
 2. Community Consultation Comments 
 3. Diversity Access and Inclusion Policy - Marked Up 

RECOMMENDATION:

That Council **ADOPTS** the amended Diversity Access and Inclusion Policy at Attachment 1.

CR GREER:

Were any disable people part of the public submission process?

EXECUTIVE MANAGER COMMUNICATIONS AND ENGAGEMENT:

The Diversity Access and Inclusion Policy supports the Access and Inclusion Plan (AIP). During consultation for the AIP, it was noted that the Policy would be reviewed following the adoption of the AIP to ensure that the two documents are aligned.

Organisations such as Developmental Disability WA, Visibility, Carers WA, Mission Australia, People with Disabilities WA, Life Without Barriers and Access, and WA Deaf were included in the consultation on the AIP and the Policy. The Youth Disability Advocacy Network were involved in the survey design, reviewing data, reviewing the draft AIP and providing input into the Policy.

Consultation on the draft policy was recently advertised via the City of Vincent website, e-news, social media, and through the display of public notices at the City's Administration and Library and Local History Centre.

7.6 ANNUAL REPORT 2022/23

- Attachments:
1. Annual Report 2022/23 
 2. CEO KPI report 2023 

RECOMMENDATION:

That Council:

1. Pursuant to Section 5.54(1) of the *Local Government Act 1995*, ACCEPTS BY AN ABSOLUTE MAJORITY the City of Vincent Annual Report for the 2022/23 Financial Year included as Attachment 1
2. Pursuant to Section 5.27 of the *Local Government Act 1995*, CONVENES an Annual Meeting of Electors of the City of Vincent to be held at 7pm on Thursday 1 February 2024 at the City of Vincent Administration and Civic Centre, to present the City of Vincent Annual Report for the 2022/23 Financial Year; and
3. NOTES that:
 - 3.1 the City of Vincent Annual Report may be subject to further formatting and styling, to be determined by the Chief Executive Officer prior to publication. The 2022/23 Financial Statements will be presented to Council as part of the recommendations of the Audit Committee and will be included in the Annual Report following adoption by Council;
 - 3.2 pursuant to Sections 5.29 and 5.55 of the *Local Government Act 1995*, the Chief Executive Officer will give local public notice of the Annual Meeting of Electors to be held on 1 February 2024, and of the availability of the City of Vincent Annual Report for the 2022/23 financial year, and will make the report available on the City of Vincent website within 14 days.

NO QUESTIONS

8 CHIEF EXECUTIVE OFFICER**8.1 COUNCIL RECESS PERIOD 2023-24 - DELEGATED AUTHORITY TO THE CHIEF EXECUTIVE OFFICER**

Attachments: Nil

RECOMMENDATION:

That Council **DELEGATES BY ABSOLUTE MAJORITY**, pursuant to section 5.42 of the *Local Government Act 1995*, to the Chief Executive Officer, the power to deal with any items of business that may arise between 13 December 2023 and 5 February 2024, and which are not the subject of delegated authority already granted by Council, subject to:

1. Reports being issued to all Council Members for a period of three business days prior to the delegated decision being made and no requests for 'call-in' of the matter being received from Council Members;
2. Reports being displayed on the City's website for a period of three business days prior to the delegated decision being made;
3. A report summarising the items of business dealt with under delegated authority being submitted for information to Council at its Ordinary Meeting to be held on 13 February 2024; and
4. A Register of Items Approved under this Delegated Authority is being kept and made available for public inspection on the City's website during the period that the delegation applies.

CR HALLETT:

If any reports are circulated, can Council Members be contacted via a text message or phone call as well as email?

EXECUTIVE MANAGER CORPORATE STRATEGY & GOVERNANCE:

Yes, the recommendation has been amended to include reference to this requirement.

8.2 APPOINTMENT OF COUNCIL MEMBERS AND COMMUNITY REPRESENTATIVES TO ADVISORY GROUPS

- Attachments:
- 1. DRAFT Sustainability & Transport Advisory Group Terms of Reference 
 - 2. Sustainability and Transport Advisory Group nominations - November 2023 - Confidential

RECOMMENDATION:

That Council:

- 1. APPROVES the Terms of Reference for the Sustainability and Transport Advisory Group, as at Attachment 1; and

- 1.1 APPOINTS the following Council Members as Council's representatives Sustainability and Transport Advisory Group for a term expiring on 18 October 2025;

Members:

- 1. Cr _____;
- 2. Cr _____


and the Chair of the Advisory Group will be Cr _____; and

- 1.2 APPOINTS the following community members to the Sustainability and Transport Advisory Group, as detailed in Confidential Attachment 2;

- 1. Applicant 1;
- 2. Applicant 2;
- 3. Applicant 3;
- 4. Applicant 4;
- 5. Applicant 5;
- 6. Applicant 6;

NO QUESTIONS:

8.3 INFORMATION BULLETIN

- Attachments:**
1. Minutes of the Catalina Regional Council - Special Meeting held on 16 November 2023 
 2. Statistics for Development Services Applications as at the end of November 2023 - to follow due to end of Month 
 3. Register of Legal Action and Prosecutions Monthly - Confidential
 4. Register of Legal Action - Orders and Notices Quarterly - Confidential
 5. Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 28 November 2023 
 6. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current 
 7. Register of Applications Referred to the Design Review Panel - Current 
 8. Register of Petitions - Progress Report - November 2023 
 9. Register of Notices of Motion - Progress Report - November 2023 
 10. Register of Reports to be Actioned - Progress Report - November 2023 
 11. Council Workshop Items since 18 October 2023 
 12. Council Briefing Notes - 14 November 2023 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated December 2023.

ADDITIONAL INFORMATION:

The Register of State Administrative Tribunal (SAT) Appeals has been updated to reflect two SAT appeals that have recently been withdrawn and their upcoming directions hearings vacated. These two appeals relate to development applications for a Proposed Single House at No. 80 Auckland Street, North Perth and Proposed Alterations and Additions to a Single House at No. 12 Brookman Street, Perth.

COUNCIL BRIEFING NOTES

5 DECEMBER 2023

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

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

Nil

12 CLOSURE

There being no further business, the meeting closed at 6.51pm.