



**CITY OF VINCENT**

# **MINUTES**

**Ordinary Council Meeting**

**16 February 2021**

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**MINUTES OF CITY OF VINCENT  
ORDINARY COUNCIL MEETING  
HELD AS E-MEETING AND AT THE  
ADMINISTRATION AND CIVIC CENTRE,  
244 VINCENT STREET, LEEDERVILLE  
ON TUESDAY, 16 FEBRUARY 2021 AT 6.00PM**

<b>PRESENT:</b>	<p>Mayor Emma Cole Cr Susan Gontaszewski Cr Joanne Fotakis Cr Jonathan Hallett Cr Dan Loden Cr Joshua Topelberg Cr Sally Smith Cr Ashley Wallace</p>	<p>Presiding Member South Ward North Ward South Ward North Ward South Ward North Ward South Ward</p>
<b>IN ATTENDANCE:</b>	<p>David MacLennan Andrew Murphy  Virginia Miltrup  John Corbellini  Meluka Bancroft  Wendy Barnard</p>	<p>Chief Executive Officer Executive Director Infrastructure &amp; Environment Executive Director Community &amp; Business Services Executive Director Strategy &amp; Development Executive Manager Corporate Strategy &amp; Governance Council Liaison Officer</p>
<b>Media:</b>	Nil	
<b>Public:</b>	Approximately 6 members of the public.	

## 1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

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

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

## 2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Cr Alex Castle (~~Leave of absence~~ apology) ~~submitted a leave of absence request which was considered under Item 4.~~

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

No questions and statements were submitted prior to the Meeting. The following questions and statements were received at the meeting. This is not a verbatim record of questions and statements made at the meeting.

### 3.1 Dudley Maier of Highgate

- Who was given the contract to demolish the Alfred Spencer Pavilion in Beatty Park Reserve and how much were they paid? Did the demolition contract contain any clause that required them to recover as much of the resources as they could, such as timber and bricks, or were they simply allowed to take everything to landfill?
- Expenditure reports up until 31 December 2020 show that 13 of the 16 COVID Arts projects have been paid in full including one that was paid twice the agreed amount; 2 have received no payments; and one has received half payment. Given that on page 513 of the agenda it says that only 4 of 16 projects have

been completed, is it the acceptable practice to pay for projects before the project was complete? Is this treatment extended to any other suppliers? Who approved the payments? (Item 11.6)

3. Can you confirm that work 'Big Blue Head' was allocated an amount of \$655 yet the payment made to the 'artist' on 22 October 2020 was for \$755.58? Why the difference?
4. Can you confirm that the "looking for eye contact" project was allocated \$5,000 but the artist received two payments of \$5,000 on 26 November 2020? Why the double payment? (Item 11.5)
5. Can you confirm that in 2019/20 street Christmas parties were funded under 'Community Support Grants' and that two grants were made for \$283 and \$132?
6. Can you confirm that in 2020/21 street Christmas parties were funded under 'Festival and Events' and received grants of \$84, \$84, \$944, \$2,776 and \$2,582? Why the change of grant category?
7. What exactly were the grants for \$2,776 and \$2,582 for, and were they assessed by the Arts Advisory Group as required by the policy? Who approved these two grants?
8. Can you confirm that the process followed for naming the Leederville Laneway is not consistent with the city's policies, guidelines and procedures? Given that the organisers have been working with the administration why has the 'Vincent Identity' category been dropped from the list of acceptable names, and why will Aboriginal words only be accepted from members of the Noongar community? Will the name suggested by the organiser be submitted to community feedback as required by the policy and guidelines? Who in the administration approved this process?
9. Can you confirm that the "Guide to the Preparation of Agendas and Minutes", issued by the Department of Local Government, Sports and Cultural Industries states that the minimum standard for reports to councils and committees should include the author's name and position, and the reports should be authorised by a senior officer? Why does the city continue to ignore these minimum standards?
10. The Reports to be Actioned in the Information Bulletin states that support for the Uluru Statement, which was approved on 15 December 2020, will not be completed until 15 February 2021. Why has it taken the Administration 2 months to write a simple letter?

*Executive Director Strategy & Development provided an update on the naming of the Leederville Laneway. He advised that the City has consulted with Landgate and are following their requirements to eliminate the need to advertise separately. Once the application has been lodged, the City will advertise to a broader catchment of people in line with Landgate's policy.*

*Administrations' responses to the other questions will be provided in the Agenda for the 23 March 2021 Ordinary Council Meeting.*

### **3.2 Islam Bouyahia of Highgate – Item 13.1**

- Owner and operator of the food truck What the Flip which operates at Hyde Park
- Wishes to create a community by providing tables and activating this portion of Hyde Park
- The noise, pollution and access issues can be addressed
- Encourages Council to vote against the Notice of Motion

### **3.3 Pat Benic and Mr Benic of Ellenbrook – Item 13.1**

- Has operated the ice cream truck Soft Serve Shiraz in Hyde Park for five years
- Acknowledges that there are some issues in Hyde Park, but they are being resolved
- Stated that there are no alternative ice cream providers near Hyde Park

### **3.4 Peter Bull – Northbridge – Item 13.1**

- Advised that Hyde Park provides a a safe and shaded place away from traffic
- The food provided is fantastic
- Has reservations about a Council built food venue
- Encourages Council to install electrical outlets for current vendors

There being no further speakers, Public Question Time closed at approximately 6.15pm.

## **(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

The following questions were received at the Council Briefing of 8 December 2020.

### **3.1 Dudley Maier of Highgate - Items 5.2 and 5.8**

#### **Item 5.2 – 404-406 Oxford Street**

1. Condition 1.5 states that the area is not for exclusive use. One of the suggestions made when the City recently advertised the *Development on City Owned Land* policy was that, if the City was serious in its intension that space should not be privatised, there should be a requirement to have a sign, similar to those required for parklets, making it clear that the area is not for the exclusive use of a particular business. How will the local community know that the licence area is not for the exclusive of the businesses, and that anybody is entitled to use the facility?  
*It is non-exclusive by virtue that it is not enclosed and the public can walk through at all times. A requirement for signs noting the area is for public use at all times is being considered for the Draft Policy, which would be presented to Council for further consideration in early 2021.*
2. Can you confirm that members of the community will be able to use any seating in the area without using any services of the adjacent businesses?  
*Yes, members of the public would be able to use any seating in the area without using any services of the adjacent businesses.*
3. Why does condition 1.2 just refer to 'the verge' when the licence area actually extends 2.3 metres beyond the verge into the road?  
*The proposal includes footpath area and conversion of on-street parking. This can be clarified in the report to Council and licence terms.*
4. Did the City obtain a market valuation for the 54m<sup>2</sup> prior to advertising the proposal? If so, what was that valuation, who provided the valuation, and when was it provided?  
*The City sought guidance from a licensed valuer in respect to the market valuation for road reserve areas comprising permanent alfresco structures in early 2020. The valuer verbally advised that the value of these road reserve areas would be nominal, as they are ancillary to the adjacent business. He further advised that it was not easy to provide a market valuation for the road reserve portion. Based on this advice Administration formed the view that a nominal market valuation for this licence area would be well below \$5,000.*  
  
*In December 2020 the City engaged a different licensed valuer to provide a market valuation for the proposed licence area. The valuation report was received on 21 January 2021, and listed the market valuation for this licence area as \$2,800 excluding GST. It is noted that this valuation was based on a licence area of 24 sqm, which is the new licence area currently being negotiated with the applicant. The proposed licence area and licence terms are yet to be finalised by the City and agreed to by the applicant. If agreed on, a report will be presented to Council in respect to the licence and will include whether public notice is required to be provided.*
5. If a valuation was obtained, was it less than the \$5,000 stipulated in Regulation 30 (2) (a) as a requirement for being an exempt disposition?  
*Yes.*
6. Does Regulation 30 (2) (a) actually apply in this case given that it is not the transfer of ownership?  
*Yes – a licence is within the definition of a disposal of land as set out in the Local Government Act.*
7. Determination Advice Note 7 makes it clear that the movement of all path users must not be impeded in any way during the course of the building works, but does not make reference to the period after construction. Why isn't there an Advice Note to make it clear that pedestrian movement must not be impeded once construction has been completed?  
*The use following construction is governed by the licence. The licence provides for non-exclusive use at all times and also requires the applicant to have an Outdoor Eating Area Permit. The*

*Outdoor Eating Area Permit includes a term that a min. 1.5m wide 'clear pedestrian zone' to be maintained at all times. The advice note dealing with obstruction during construction was included because it is not explicit in the Outdoor Eating Area Permit or set out in any other approval/licence.*

8. Why is the City entertaining this request, in the affirmative, before finalising the Development on City Owned Land policy?

*The absence of a policy position does not prevent a proposal being submitted to Council for consideration.*

### **Item 5.8 Parklet Policy**

9. Will the non-exclusive nature of the Parklet Policy still apply if an adjacent property obtains a liquor licence for the parklet area?

*The use of the parklet will remain open to both patrons and non-patrons of the business. If a liquor licence is granted for the space, regulations pertaining to this would be adhered to, including unaccompanied minors being prohibited from using the licenced area, whether they area patrons or non-patrons.*

10. How will the business owner be responsible for patron numbers if the area may be used in a non-exclusive manner, for example, a member of the public uses the parklet without being a patron of the business?

*The responsibility lies with the license holder to manage the number of people in the rest of their licenced area (i.e. their private establishment) so that there would not be a restriction on the number using the non-exclusive parklet.*

11. Will the limit on patron numbers be able to be used by a business owner as an excuse to exclude people taking of advantage of the non-exclusive nature of the parklet, even if the limit has not been excluded?

*As per above.*

### **3.2 Andrew Main of North Perth – Item 6.6 and 6.3**

1. On page 29 of the City's Accessible City Strategy, the following statements are found:

A future transport hierarchy of use must preference mobility for people, not cars, through greatly improved pedestrian, cycle, and public transport infrastructure.

On Vincent's roads, existing priority is typically for people who choose to drive. In upgrading and/or making changes to these roads, pedestrian infrastructure will be the FIRST focus. This may generate the need for more safe crossing points."

One of the stated outcomes of roundabouts is to allow for the continuous movement of vehicles and vehicle drivers are not required to give way to pedestrians crossing any of the intersecting roads. Given the project area has a high level of pedestrian activity, comprising people of all ages and abilities, how does the provision of roundabouts comply with the recommendation in the Accessible City Strategy to put the needs of pedestrians first.

*The objective of Main Roads Urban Road Safety Program (URSP) is to reduce traffic speeds on local roads making it safer for all road users. If the speed can be brought down closer to the 'critical impact speed threshold' as discussed in the report, the likely severity of any injury is significantly reduced. The mini-roundabouts, by virtue of their simple design, will slow traffic down while affording pedestrians, cyclist and drivers a clear view of all modes of approaching traffic.*

2. Has the impact on pedestrian safety and comfort been assessed by the City administration, and, if not why not? If it has, why hasn't this assessment been included in the officers report so that council can make a fully informed decision?

*As above, and as articulated in the report, the URSP is about using 'low cost' treatments to reduce the traffic speed, and which includes a reduction in the posted speed limit to 40 kmh. The lower*

*speeds lessen the potential for accidents, and if they do occur, the severity of an accident, which will benefit all road users.*

3. Does the Department of Transport support the provision of roundabouts on roads in this area that are planned to be developed into Safe Active Streets?

*The Administration had a number of meetings with the Department, when developing the Long Term Cycle Network (LTCN), at which the proposed URSP mini-roundabouts were discussed. The Department's position was that their preference was bike priority first while acknowledging that making the local road network safer was beneficial for all road users. They, along with WestCycle, will be included in the consultation.*

4. If the City proceeds with this proposal, will it incorporate zebra crossings across all roads leading into the roundabout. Examples of roundabouts with zebra crossings exist in the City of Fremantle.

*It is not intended to use excessive regulatory signage and line-marking to draw attention to the changes but rather by making the treatments, i.e. mini-roundabouts, 'self-explaining' to the pedestrian, cyclist and driver. Entering a roundabout you are required to:*

1. *Slow down*
2. *Observe the road rules, and*
3. *Proceed with caution.*

*The Fremantle examples are typical large roundabouts (>6m diameter) within the CBD boundary, with high vehicle and pedestrian traffic, as opposed to 'mini-roundabouts' on local roads.*

### **Item 6.3 - North Perth Traffic Report**

5. With regard to the recent works at the intersection of Chelmsford and Fitzgerald Street North Perth, I put forward a view to the City administration and some elected members, that a more effective approach would have been to place a median barrier on Fitzgerald Street to prevent drivers from turning right into Chelmsford Rd. I was advised by the City's administration that this approach would NOT have been fair on residents on adjacent streets because drivers would use their street instead.

Given the above, why is it acceptable for the City to place a median barrier on Fitzgerald Street to prevent drivers turning into View Street, given that drivers will use adjacent streets as an alternative?

*The black spot treatment at Fitzgerald Street and Chelmsford Road was designed to eliminate the majority, not all, of the accident types that have occurred at the intersection. To have closed it to all, bar left and left out movements, would have resulted in an unfair redistribution of traffic to the parallel streets. This has already been borne out by the recent traffic data collected which has seen the Chelmsford Road traffic volume decline by >20% while Grosvenor Road has increased by >20% (both of which are classified as Access Roads).*

*In respect of View and Fitzgerald streets the major point of difference is pedestrian numbers. A recent pedestrian video survey (October 2019) in the North Perth Common identified 1,659 pedestrians\* and cyclists in and around the Common over a 12 hour period (noon to midnight) on a Friday and 1,578 on the Saturday. By partially closing the intersection it will reduce the number of conflicting turning movements through intersection thereby making it safer for pedestrians, cyclists and motorists alike. \*including runners, wheelchairs, skateboards and prams.*

6. From the agenda report, it appears that the data collection for vehicle movements was obtained from one field visit in the morning and another in the afternoon peak periods. Does collecting data at these times, on only one occasion, provide adequate information on the impact of the median barrier on traffic movements on adjacent streets. If not, does council have comprehensive data to make an informed decision on this matter?

*It is standard practice to restrict manual counts to the peak periods and data collected is intended to be indicative as to how the intersection functions in these periods (the critical times). The City has recently collected pre-closure traffic data in Alma Road (Glebe to Leake), View and Angove Streets and will be collecting data in Alma (west of Leake) Claverton and Leake Streets. Further,*



*we have data from when the North Perth Common was being constructed (and View Street closed) for before and after comparisons. The closure is a 12 month trial after which time Council can make a more informed decision including the impact upon pedestrian activity in the North Perth Common.*

7. Will the City collect traffic data for the whole of the day, to ensure that it has a comprehensive understanding about the impact of placing a median barrier on Fitzgerald St?

*As per above.*

8. On page 407 of the council agenda, the following statement is made "Alma Road, is not a direct route to Charles Street, as is Angove and View Streets'. How can this statement be justified given that there is no barrier preventing a driver from travelling along Alma Rd between Charles and Fitzgerald St.

*There is no physical barrier but rather an off-set intersection at Leake Street with Stop Control. Further, vehicles are typically parked on both sides of the street (from Glebe to Charles) regularly requiring drivers to yield to approaching traffic. Therefore the route is not direct in the sense that it's impeded by the above constraints.*

### **3.3 Marie Slyth of West Perth – Item 6.5**

1. What action can be taken by council to prevent Cyclists speeding on Strathcona Street Bicycle Boulevard? The speed limit of 30 km is for motor vehicles but cyclists can often be guilty of racing along roads between cars when there is no bicycle path. How will this be managed?

*The mid-block traffic calming devices have the same impact upon bikes as they do vehicles. A cyclist riding in excess of 30kmh over a plateau/speed hump would find it and therefore it is unlikely.*

2. What action is Council going to take to ensure that Local resident ratepayers still have right to get out of Colvin Lane and into Strathcona Street so that they can successfully negotiate their way to a main road i.e. Charles Street, Vincent Street, Newcastle Street and Cleaver Street?

*The Safe Active Street maintains the status quo in respect of access with the added benefit of lower speeds in Strathcona Street.*

3. As it looks from the Safe Active Streets proposal, it is going to be very difficult to get in and out of Strathcona Street into either Carr or Newcastle Streets – having to watch out for fast cyclists as well as turn around the widened kerbs at the corners of each of these streets – especially at peak hour - what can council do about this? Make the very wide kerbs not as wide?

*As above.*

4. Is Council aware that to see what oncoming traffic from Carr Street is turning into Strathcona Street from when – they have just turned into Strathcona Street from Newcastle Street and there are several cars. Will they have to go backing into Newcastle Street if there are no car vacant spaces in Strathcona Street at that time into which they can pull in to let the other car pass?

*As above.*

5. Have all Councillors and Vincent staff come and checked out the actual layout of this section of Cleaver Precinct to see what impact this proposal will have on this particular community? Looking at drawings on paper only can be a big trap for all involved. Do you agree?

*The Officers have walked, ridden and driven the route and are confident the proposed SAS will enhance the amenity of the precinct.*

6. What action is council going to take when reviewing how many vehicles will wish to use Cleaver Street to get to their destinations heading west or south west when vehicles will find it too difficult using Strathcona Street.?

*The Safe Active Street maintains the status quo in respect of access with the added benefit of lower speeds in Strathcona Street.*

7. I have lived in Cleaver Precinct for over 60 years – Strathcona Street and now Carr Street and I'd say know this area better than most – have ridden my bike, driven my car, walked and ridden scooter bike through around and inside all of these streets and have been on Main Roads volunteer committee for the Charles Street off ramp so I do believe Council should take note of my knowledge and suggestions for handling the safety of its residents.

What actions will be taken if a speeding cyclist is hit as cars come out of Colvin Lane and find it very hard to see them through extra trees to be planted and or it is raining heavily and hard to see? Where does the safety for local people come in then?

*The Safe Active Street maintains the status quo in respect of access with the added benefit of lower speeds in Strathcona Street. The closest new tree to Colvin Lane is to the south and will have no impact on the visibility of approaching cars and cyclists.*

How safe will pedestrians walking on footpaths in Strathcona Street and Carr Street be when cyclists decide to ride on the footpaths instead of the road to dodge cars?

*Cyclists are legally allowed to ride on the footpath and have an onus of responsibility to display caution and courtesy. This project is will make the road more attractive to cyclists potentially reducing the numbers of cyclists using the footpath.*

What action is Council going to take to let resident ratepayers still park in the street outside their own homes or close to them homes and what about workers who have to do repairs to ratepayer's homes?? In cases of carrying out heavy large repairs to a home they must be given space to park – how can this be arranged? This is already difficult when customers of the West End Deli park outside our homes and take up large chunks of parking in our street?

*The Safe Active Street maintains the status quo in respect of parking.*

Has Perth Bus transport been notified of this proposal, especially when cyclists could be hit crossing Newcastle Street, from the foot of Strathcona Street to cross to Golding Street?

*Yes, the PTA and Transperth have been advised of the proposed SAS. However from their perspective it does not impact upon their services.*

Note the bus driver who was recently charge with hitting a cyclist in Northbridge.

*As above.*

We don't want to see this as a case of discrimination by cyclists against the people who live here whose safety will not be compromised by this proposal. Will Council ensure that this will not be the case?

*The SAS is not intended to be a high speed commuter cyclist route and therefore the volume and speed of cyclists is anticipated to be moderate.*

The following questions were received at the Council Meeting of 15 December 2020.

### **3.4 Dudley Maier of Highgate**

1. The Procedures for Public Question Time say that questions will be answered at a meeting where practicable. I asked a number of questions at the Briefing, all of which could have been answered, but which were not. Why weren't the questions answered? Was it because the answers may have embarrassed the staff, or call into question the thoroughness of the agenda reports?

*The City's approach since April 2020 has been to allow questions to be submitted by email to be read out at the Council Briefing or Meeting (due to COVID-19 social distancing requirements) and where information is unavailable or requires research or investigation answers are provided in the*

*subsequent Council Agenda. Answers to all your questions required investigation and will be provided in the 16 February Council Agenda.*

2. None of the responses to questions I asked at the last council meeting, about who took responsibility for certain matters, provided any details. Does the CEO take responsibility for the failure to indicate who is responsible for those matters? Does he think that this sets a good example to the staff? Is it consistent with the administration's claim of being accountable?

*As previously advised, the CEO is responsible for authorising all Council reports and any responses relating to questions raised at Council Briefings or Meetings. If you have any concerns with a response the CEO will address this.*

3. The answer to my question about Section 6.6 of the Purchasing Policy states "*The statement in clauses 6.6 which might have been interpreted as providing the "CEO unlimited power to award contracts without going to tender" was an existing policy clause.*" Does the CEO stick by this answer, or is this another administrative oversight?

*Yes, the answer provided on the 17 November 2020 was correct*

4. What Council workshops have been held since 1 September 2020 and what items were presented at each workshop?

*The following workshops have been held since 1 September 2020:*

**1 September 2020**

- *Prioritisation of 2020-21 Strategic Projects*
- *Vincent Rebound Plan*
- *Hyde Park Commercial Kiosk Proposal*
- *Draft Amendments to R Codes Volume 1 and Planning and Development Regulations – State Government Planning Reforms*
- *Update on Local Government Review Panel final report and City of Perth inquiry*
- *FOGO Consultation and Communications Strategy – Revised Timeline as per Special Council Meeting Held 30 March 2020*

**22 September 2020**

- *Bulk Hard Waste Consultation*
- *Britannia North West Reserve Development Plan*
- *Sport and Recreation Facilities Plan*
- *Vacancy Project Completion Report*
- *Accessible City Strategy Progress Report*
- *Arts Development Action Plan 2018-2020 Closure*
- *Asset Management and Sustainability Strategy 2020-2030*
- *Beatty Park Leisure Centre Renewals Business Case Presentation*
- *Graffiti Management*
- *Policy Document Register and Review Plan*
- *Attendance at Events Policy*
- *Vincent Rebound – Open for Business Christmas*
- *NAIDOC Week – Project Scope and Communications Plan*
- *Rocky Bay Request for Expressions of Interest*
- *Leederville Laneway Upgrade*

**27 October 2020**

- *Leederville Activity Centre Plan, Place Plan and Oval Masterplan*
- *Northbridge Entertainment Precinct, Scheme Amendment*
- *First Quarterly Budget Review*
- *Perth Greater CBD Transport Plan*
- *Entry Statement Major Artwork Draft Expression of Interest*
- *Litis Stadium update*
- *Review of draft Asset Management and Sustainability Strategy 2020 - 2030*
- *Review of draft Events Attendance Policy*
- *Review of Policy No. 4.1.22 – Prosecution and Enforcement*

- *E-permit Demonstration*
- *Update – Vincent Rebound – Open for Business Christmas*
- *Update – Innovate Reconciliation Action Plan*

#### **24 November 2020**

- *Leederville Laneway Upgrade*
- *Draft Marketing Plan - Events Prioritisation*
- *Draft Place Plans - Beaufort Street and Pickle District*
- *Draft City Advocacy Agenda*
- *CEO KPIs 2020 – 2021 Action 3 - 7 Strategic Projects*
- *Consultation Draft of Local Government (Model Code of Conduct) Regulations 2020 and CEO Standards*
- *Development Incentives for Community Benefit*
- *Overview of Significant Development Assessment Process*
- *Amendment 4 to Local Planning Policy No 7.5.15 - Character Retention And Heritage Areas. Relating To Guidelines For The Boulevard, Kalgoorlie Street, Matlock Street And Buxton Street*
- *The Review of Library Collection Management Policy (3.11.1) and Local History Collection Management Policy (3.11.2)*
- *Pop up and Play Consultation and Locations*

5. Why haven't council workshop dates for 2021 been published as they were last year?

*The proposed Budget and Council Workshop dates are only determined following the adoption of the Council Meeting dates for 2021, which occurred at the 15 December 2020 Council Meeting. The dates have now been added to the City's website –*

*<https://www.vincent.wa.gov.au/council/council-committees/council-meetings/council-briefing-sessions-meetings.aspx>*

6. Can you confirm that, between September 2019 and February 2020, the City paid approximately \$52,660 to ES2 Pty Ltd for what is described as a 'technical security review for user, systems and network access'? Is it fair to assume that, as a result of the review, all of the City's IT systems were assessed as being adequately secure from external threats? When was this determined?

*ES2Pty Ltd conducted a cyber security review to provide the City of Vincent with an understanding of its security environment state level of information security maturity. As a result of this review and risks identified in the Information Systems Audit, the City has implemented additional security controls to manage and remediate priority findings and enable adequate security from external threats.*

7. Why have the Audit Logs suddenly been made confidential? Is it because the previous logs identified delays in addressing two serious issues? Is the sudden confidentiality yet another example of reduced transparency and accountability?

*The Audit Log attached to the 1 December 2020 Audit Committee minutes was made confidential as it contained actions to mitigate the risks identified in the Information Systems Audit, and timeframes for the implementation of these actions. Releasing this additional information publicly could increase the risk of damage to City property.*

*Administration will make the Audit Log public moving forward, by removing this confidential information.*

8. The minutes of the 5 October 2020 meeting of the Reconciliation Action Plan Working Group states that the working group wouldn't endorse an artist's proposal to have a work displayed in Hyde Park, and suggested that another site, that is not of Aboriginal significance, be found.

*Does the City have a policy that states that only works of art by Aboriginal artists may be installed in sites of Aboriginal significance? Did the City establish whether the artist in question identified as Aboriginal before the item was considered by the working group? Should such a matter have come to Council for resolution rather than a working group?*

*The City sought the Reconciliation Action Plan Working Group (RAPWG) input into decisions and actions of the City and we appreciate their input and advice. The concern was not whether the artist was Aboriginal or not, but respecting changes made to land of Aboriginal significance. The artist accepted feedback from the RAPWG. The City does not have a formal Council policy that states only works by Aboriginal artists may be installed on sites of Aboriginal significance but the City has a strong commitment to respecting Aboriginal history and culture – and the views of the RAPWG. This matter was not required to go to Council for resolution.*

Was it the City who proposed that the matter, taken by Mr Lincoln Stewart to the Fair Work Commission, remain confidential? Would the City support making the matter public if Mr Stewart is prepared to make it public? If not, why not?

*As advised at the 15 December 2020 Council Meeting, both parties have agreed to keep this information confidential.*

9. Given that the city proposes to stop collecting commercial waste in 2021, will the city still be including the waste produced by commercial properties when reporting on its commitment to 'zero waste to landfill' by 2028?

*Commercial waste collection is not the responsibility of the City. The City has a statutory obligation to collect household waste. However, there is no such obligation to provide a commercial waste service and equally businesses are not compelled to use the City's waste service. This means that the City only collects a portion of the commercial waste generated in commercial businesses and can only report on the material that it collects.*

*Commercial waste data is collected across the state in accordance with the amended Waste Avoidance and Resource Recovery Amendment Regulations 2019, (gazetted on 28 June 2019). There is mandatory annual reporting required for all waste management sectors (i.e. municipal, commercial and industrial and construction and demolition). This includes materials from all waste collection, recycling/recovery, processing, treatment and landfill operations. Annual returns are required to be submitted to the Department of Water and Environmental Regulation (DWER).*

*The CEO advised that Mr Maier's questions will be answered in the Agenda for the 16 February 2021 Ordinary Council Meeting.*

*In response to the question about the industrial relations matter, the CEO advised that the decision to make it confidential was made by both parties.*

## 4 APPLICATIONS FOR LEAVE OF ABSENCE

### LEAVE OF ABSENCE

#### COUNCIL DECISION

**Moved: Cr Hallett, Seconded: Cr Fotakis**

~~That Cr Castle's request for leave of absence from 9 – 16 February 2021 (inclusive) for personal reasons be approved retrospectively.~~

That Cr Topelberg's request for leave of absence from 21 June – 26 July (inclusive) for personal reasons be approved.

**CARRIED UNANIMOUSLY (8-0)**

**(Cr Castle was on approved leave of absence for the Meeting.)**

## 5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

## 6 CONFIRMATION OF MINUTES

### COUNCIL DECISION

**Moved: Cr Loden, Seconded: Cr Wallace**

**That the minutes of the Ordinary Meeting held on 15 December 2020 be confirmed.**

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

**(Cr Castle was on approved leave of absence for the Meeting.)**

## 7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Emma Cole made the following announcement:

### 7.1 COVID LOCKDOWN

Congratulated the community and local business for making it through the snap lockdown and restrictions. The City is in a good position to act quickly and the transition went smoothly. Thanked Administration for their part in this quick transition.

### 7.2 THE YEAR AHEAD

Stated that the City has already started significant works at the Beatty Park Leisure Centre. Significant strategies have also commenced this year, including the Accessible City Strategy - the 40kph speed zone proposal for the whole of City of Vincent is nearing completion of advertising. The City is also finalising its Community Engagement Plan, which is supported by a new Marketing Plan. The Arts Development Plan will also be renewed. The Reconciliation Action Plan is also moving into the Innovate stage, which is a fantastic achievement.

The City has also commenced some major infrastructure projects and improvements to public open space, including Britannia West Masterplan, Robertson Park Masterplan and Haynes Street Reserve Plan. There are also significant changes to waste, including moving to FOGO which will have a significant impact on commercial businesses.

## 8 DECLARATIONS OF INTEREST

- 8.1 Cr Dan Loden declared an impartiality interest in Item 12.3 Council Recess Period 2020-2021 - Receiving of items dealt with under Delegated Authority between 16 December 2020 and 2 February 2021. The extent of his interest was that one of Tools N Things Library Inc's organising committee members is a family member and other members of the committee supported his local government election campaign.
- 8.2 Mayor Emma Cole declared an impartiality interest in Item 9.1 Nos. 201-203 (Lot: 1; D/P: 1239) Oxford Street, Leederville - Change Of Use From Shop With Ancillary Roof Terrace To Shop And Club Premises. The extent of her interest is that the applicant is a residential neighbour. She has not spoken to them about this item.

- 8.3 Cr Joshua Topelberg declared a proximity interest in Item 10.1 Proposed Parking Restriction - Broome And Wright Streets, Highgate. The extent of his interest is that his parents own and occupy a property within the proposed restriction area. He is not seeking approval to participate in debate or remain in Chambers or vote in the matter.

## REPORTS

The Presiding Member, Mayor Emma Cole, advised the meeting of:

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**  
Items 11.5, 11.6.
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**  
Items 11.9, 12.1.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**  
Items 10.1.

The Presiding Member, Mayor Emma Cole, requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Cr Gontaszewski	10.1 and 10.3
Cr Loden	12.2
Cr Topelberg	10.2

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

- (e) **Unopposed items which will be moved "En Bloc", being:**  
Items 9.1, 9.2, 9.3, 11.1, 11.2, 11.3, 11.4, 11.7, 11.8, 12.3, 12.4 and 12.5
- (f) **Confidential Reports which will be considered behind closed doors, being:**  
Nil

## ITEMS APPROVED "EN BLOC":

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

### COUNCIL DECISION

**Moved:** Cr Loden, **Seconded:** Cr Hallett

**That the following unopposed items be adopted "En Bloc", as recommended:**  
Items 9.1, 9.2, 9.3, 11.1, 11.2, 11.3, 11.4, 11.7, 11.8, 12.3, 12.4 and 12.5

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

**(Cr Castle was on approved leave of absence for the Meeting.)**

**9.1 NOS. 201-203 (LOT: 1; D/P: 1239) OXFORD STREET, LEEDERVILLE - CHANGE OF USE FROM SHOP WITH ANCILLARY ROOF TERRACE TO SHOP AND CLUB PREMISES****Ward:** South

- Attachments:**
1. Consultation and Location Map 
  2. Development Plans 
  3. Venue Management Plan and Code of Conduct 
  4. Car Parking Management Plan 
  5. Acoustic Report 
  6. Applicant's Planning Report 
  7. Summary of Submissions - Administration Response 
  8. Previous Development Approvals 
  9. Site Context Images 
  10. Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for a proposed Change of Use from a Shop with Ancillary Roof Terrace to a Shop and Club Premises at No. 201-203 (Lot: 1; D/P: 1239) Oxford Street, Leederville in accordance with the plans provided in Attachment 2, subject to the following Conditions, with the associated determination advice notes in Attachment 10:

**1. Use of Premises**

- 1.1 This approval only relates to the Change of Use from Shop and Ancillary Roof Terrace to Shop and Club Premises as shown on the plans dated 30 October 2020. It does not relate to any other development on the site;
- 1.2 A maximum of 50 patrons are permitted in the Club Premises at any one time;
- 1.3 The Club Premises shall at all times operate in accordance with the Venue Management Plan and Code of Conduct dated 19 January 2020. The terms and conditions outlined in the Venue Management Plan and Code of Conduct shall be provided to all members and guests of the facility and displayed in a prominent location within the entrance area of the venue;
- 1.4 Any amendments to the operation of the venue, as specified within the Venue Management Plan and Code of Conduct, are to be submitted to the City in the form of a revised Venue Management Plan and Code of Conduct for approval prior to any changes to the venue taking effect; and
- 1.5 The hours of operation for the Club Premises shall be limited to the following:
  - Monday to Sunday: 7.00am to 10.00pm;

**2. Noise Mitigation**

- 2.1 The measures outlined in the 'Operational Scenarios' of the approved acoustic report (Herring Storer Acoustics, December 2020) shall be implemented prior to the commencement of the Club Premises use and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;
- 2.2 No amplified music is to be played on the roof terrace level which exceeds 77db (A) as specified within the Acoustic Report (Herring Storer Acoustics, December 2020); and
- 2.3 No live music or performances are permitted from the premises;

**3. Bicycle Parking**

A minimum of five short-term bicycle bays shall be provided on-site and designed in



accordance with AS2890.3 prior to the Club Premises use commencing;

4. **Car Parking**

All off-street parking is to be available during business hours for all customers and staff. The parking bays are not to be used for storage purposes or the like; and

5. **Signage**

All signage is to be in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained.

**COUNCIL DECISION ITEM 9.1**







**Moved: Cr Loden, Seconded: Cr Hallett**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

**9.2 NO. 526 (LOT: 88; D/P: 89649) FITZGERALD STREET, NORTH PERTH - CHANGE OF USE FROM SINGLE HOUSE TO CONSULTING ROOMS (AMENDMENT TO APPROVED)****Ward:** South

- Attachments:**
1. Location Map 
  2. Previous Approval and Plans 
  3. Development Plans 
  4. Summary of Submissions - Administration's Response 
  5. Summary of Submissions - Applicant Response 
  6. Parking Management Plan 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for Change of Use from Single House to Consulting Rooms (Amendment to Approved) at No. 526 (Lot: 88; D/P: 89649) Fitzgerald Street, North Perth, in accordance with the plans shown in Attachment 3 dated 18 November 2020, subject to the following:

1. All conditions and advice notes detailed on development approval 5.2014.690.1 granted on 22 September 2015 continue to apply to this approval, except as follows:
  - 1.1 Condition 1.1 is amended to read as follows:
    - 1.1 A maximum of two consulting rooms are permitted to operate at any one time;
  - 1.2 Condition 2.1 is amended to read as follows:
    - 2.1 A minimum of six car bays shall be provided on-site
  - 1.3 Condition 5 is amended to read as follows:
    5. A minimum of three long term bicycle parking bays, and two short term bicycle bays provided in a location convenient to the entrance and publicly accessible shall be provided on site prior to commencement of the use of the two consulting rooms. The bicycle facilities shall be designed in accordance with AS2890.3 to the City's satisfaction; and
  - 1.4 A new Condition 7 to read as follows:
    7. The two easternmost parking bays in the tandem parking configuration, in addition to the parking bay identified as 'staff only parking bay' on the approved plans, shall be clearly marked and set aside for staff parking only prior to commencement of the use of the two consulting rooms, to the City's satisfaction.









**COUNCIL DECISION ITEM 9.2****Moved: Cr Loden, Seconded: Cr Hallett**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

**9.3 NO. 50 (LOT: 412 D/P: 415381) BARLEE STREET, MOUNT LAWLEY - PROPOSED SINGLE HOUSE S.31 RECONSIDERATION****Ward: South**

- Attachments:**
1. Consultation and Location Map 
  2. Development Plans 
  3. 16 June 2020 Council Minutes and Previously Refused Plans 
  4. 3D Perspectives 
  5. Applicant's Urban Design Study & Schedule of Colours and Materials 
  6. Applicant's Environmentally Sustainable Design Study 
  7. Administration's Detailed Streetscape Analysis 
  8. Determination Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for a Single House at No. 50 (Lot: 412; D/P: 415381) Barlee Street, Mount Lawley, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 8:

**1. Development Plans**

This approval is for a Single House as shown on the approved plans dated 21 January 2021. No other development forms part of this approval;

**2. Boundary Walls**

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

**3. External Fixtures**

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

**4. Visual Privacy**

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the requirements of Clause 5.4.1 of the Residential Design Codes (Visual Privacy) deemed to comply provisions, to the satisfaction of the City;

**5. Colours and Materials**

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

**6. Street Walls and Fences**

The gate and/or fencing infill panels above the approved solid portions of wall shall be visually permeable in accordance with the Residential Design Codes, to the satisfaction of the City;

**7. Landscaping**

7.1 A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior

to lodgement of a Building Permit. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- As shown on the approved plans, the provision of a minimum of 15.7 percent deep soil area, 2.4 percent planting areas and 19.2 percent canopy cover at maturity, as defined by the City's Policy No. 7.1.1 – Built Form;
- The provision of plantings within the planter areas located on the first and second floors of the dwelling that would be visible from Barlee Street, such as trailing or climbing species. The species shall be to the City's satisfaction; and
- The provision of trees contributing towards canopy coverage within deep soil areas provided and within the front setback area. The tree species are to be in accordance with the City's recommended tree species list;

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

8. Stormwater

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

9. Sight Lines

No walls, letterboxes or fences above 0.75 metres in height to be constructed within 1.0 metre of where the driveway meets the right of way, unless the further approval of the City is obtained; and

10. Car Parking and Access

10.1 The layout and dimensions of all driveway(s) and parking area(s) shall be in accordance with AS2890.1;

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

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

10.4 Prior to the first occupation of the development, the redundant or "blind" crossover on the corner of Barlee Street and Kaata Lane shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner's full expense.

**COUNCIL DECISION ITEM 9.3**

**Moved: Cr Loden, Seconded: Cr Hallett**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

11.1 INVESTMENT REPORT AS AT 30 NOVEMBER 2020

Attachments: 1. Investment Statistics as at 30 November 2020 

**RECOMMENDATION:**

That Council NOTES the Investment Statistics for the month ended 30 November 2020 as detailed in Attachment 1.

**COUNCIL DECISION ITEM 11.1**

**Moved:** Cr Loden, **Seconded:** Cr Hallett

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

**11.2 FINANCIAL STATEMENTS AS AT 30 NOVEMBER 2020**

Attachments: 1. Financial Statements as at 30 November 2020 

**RECOMMENDATION:**

That Council RECEIVES the Financial Statements for the month ended 30 November 2020 as shown in Attachment 1.

**COUNCIL DECISION ITEM 11.2**

**Moved:** Cr Loden, **Seconded:** Cr Hallett

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

11.3 INVESTMENT REPORT AS AT 31 DECEMBER 2020

Attachments: 1. Investment Statistics as at 31 December 2020 

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 31 December 2020 as detailed in Attachment 1.

**COUNCIL DECISION ITEM 11.3**

**Moved:** Cr Loden, **Seconded:** Cr Hallett

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)



**11.4 FINANCIAL STATEMENTS AS AT 31 DECEMBER 2020**

Attachments: 1. Financial statements as at 31 December 2020 

**RECOMMENDATION:**

That Council RECEIVES the Financial Statements for the month ended 31 December 2020 as shown in Attachment 1.

**COUNCIL DECISION ITEM 11.4**

**Moved:** Cr Loden, **Seconded:** Cr Hallett

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

**11.7 LEEDERVILLE GARDENS TRUST - COVID-19 FUNDING - RUAH COMMUNITY SERVICES****Attachments: Nil****RECOMMENDATION:****That Council:**

- 1. NOTES funding provided to Ruah Community Services under the Leederville Gardens Trust COVID-19 Relief Grant Funding program;**
- 2. APPROVES the request from Ruah Community Services for an extension and variation to the terms of their Leederville Gardens Trust COVID-19 Relief Grant Agreement until 30 May 2021, to enable the remaining \$6513.74 of unspent grant funding to be acquitted; and**
- 3. NOTES that the Executive Director, Community & Business Services will prepare and enter into a variation to the funding agreement for Ruah Community Services.**

**COUNCIL DECISION ITEM 11.7****Moved: Cr Loden, Seconded: Cr Hallett****That the recommendation be adopted.****CARRIED UNANIMOUSLY “EN BLOC” (8-0)****(Cr Castle was on approved leave of absence for the Meeting.)**

**11.8 EVENTS FUNDING - SUBIACO FOOTBALL CLUB, CITY OF VINCENT MATCH - FAMILY & FOOTY IN LEEDERVILLE AND SOUND SCAPES OF BEATTY PARK**

- Attachments:
1. Event Sponsorship Application - Subiaco Football Club, City of Vincent Match - Family & Footy in Leederville 
  2. Event Sponsorship Application - Sound Scapes of Beatty Park 

**RECOMMENDATION:**

That Council:

1. APPROVES Festival and Event Sponsorship totalling \$12,000, as follows:
  - 1.1 Subiaco Football Club to receive \$7,000 in sponsorship and in-kind support; and
  - 1.2 Sound Scapes of Beatty Park to receive \$5,000 in sponsorship and in-kind support, subject to:
    - 1.2.1 Approval, by Beatty Park Management, of event management plans and safety plans.
2. WAIVES the requirement of the Community Funding Policy to seek Arts Advisory Group on this occasion.

**COUNCIL DECISION ITEM 11.8**

**Moved: Cr Loden, Seconded: Cr Hallett**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

**12.3 COUNCIL RECESS PERIOD 2020-2021 - RECEIVING OF ITEMS DEALT WITH UNDER DELEGATED AUTHORITY BETWEEN 16 DECEMBER 2020 AND 2 FEBRUARY 2021**

- Attachments:
1. Licence to Tools N Things Library Inc for tool library - turnstile building at Litis Stadium, 41 Britannia Road, Leederville 
  2. Events Funding - Neon Picnic 2021, Hyde Park Fair and St Patrick's Day Parade and Family Fun Day 

**RECOMMENDATION:**

That Council RECEIVES this report on the items of business dealt with under delegated authority during the over the Council recess period, 16 December 2020 to 2 February 2021, which are:

1. Licence to Tools N Things Library Inc for tool library - turnstile building at Litis Stadium, 41 Britannia Road, Leederville
2. Events Funding - Neon Picnic 2021, Hyde Park Fair and St Patrick's Day Parade and Family Fun Day

**COUNCIL DECISION ITEM 12.3**

**Moved:** Cr Loden, **Seconded:** Cr Hallett

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

**12.4 APPOINTMENT OF COMPLAINTS OFFICER AND ADOPTION OF COMPLAINT FORM- MODEL CODE OF CONDUCT**

Attachments: 1. Template Complaint Form 

**RECOMMENDATION:**

That:

1. Council **AFFIRMS** the appointment of the CEO as complaints officer; and
2. Council **AUTHORISES** the adoption of the complaint form at Attachment 1, for the purpose of the Local Government (Model Code of Conduct) Regulations 2021.

**COUNCIL DECISION ITEM 12.4**











**Moved:** Cr Loden, **Seconded:** Cr Hallett

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

**12.5 INFORMATION BULLETIN**

- Attachments:**
1. **Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 17 December 2020** 
  2. **Minutes Reconciliation Action Plan Working Group (RAPWG) 30 November 2020** 
  3. **Minutes Arts Advisory Group (AAG) 25 November 2020** 
  4. **Minutes Arts Advisory Group (AAG) 13 January 2021** 
  5. **Minutes Children and Young People Advisory Group (CYPAG) 2 December 2020** 
  6. **Statistics for Development Services Applications as at December 2020** 
  7. **Quarterly Street Tree Removal Information** 
  8. **Register of Legal Action and Prosecutions Monthly - Confidential**
  9. **Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 28 January 2021** 
  10. **Register of Applications Referred to the MetroWest Development Assessment Panel - Current** 
  11. **Register of Applications Referred to the Design Review Panel - Current** 
  12. **Register of Petitions - Progress Report - January 2021** 
  13. **Register of Notices of Motion - Progress Report - January 2021** 
  14. **Register of Reports to be Actioned - Progress Report - January 2021** 

**RECOMMENDATION:**

That Council RECEIVES the Information Bulletin dated February 2021.

**COUNCIL DECISION ITEM 12.5**

**Moved: Cr Loden, Seconded: Cr Hallett**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (8-0)**

(Cr Castle was on approved leave of absence for the Meeting.)

**9.4 AMENDMENT NO. 4 TO LOCAL PLANNING POLICY NO. 7.5.15 - CHARACTER RETENTION AND HERITAGE AREAS RELATING TO GUIDELINES FOR THE BOULEVARDE, KALGOORLIE STREET, MATLOCK STREET AND BUXTON STREET - WITHDRAWN BY ADMINISTRATION**

**This report was withdrawn by Administration.**

**REPORTS WITH DISCUSSION****13.1 NOTICE OF MOTION - CR JOSHUA TOPELBERG - AMENDMENT TO POLICY NO. 3.8.12 - MOBILE FOOD VENDORS**

That Council:

1. **AMENDS** Policy No. 3.8.12 – Mobile Food Vendors from 1 July 2021 to delete reference to trading in Hyde Park on Page 3 of the Policy;
2. **NOTES** that irregular trading within Hyde Park for special events may be approved by Administration on a case-by-case basis; and
3. **NOTIFIES** existing mobile food vendors of the decision.

**COUNCIL DECISION ITEM 13.1**

**Moved:** Cr Topelberg, **Seconded:** Cr Wallace

That the recommendation be adopted.

**LOST (1-7)**



**For:** Cr Topelberg

**Against:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Smith and Cr Wallace

**(Cr Castle was on approved leave of absence for the Meeting.)**



**11.5 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 NOVEMBER 2020 TO 30 NOVEMBER 2020**

- Attachments:
1. Payments by EFT and Payroll November 20 
  2. Payments by Cheque November 20 
  3. Payments by Direct Debit November 20 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 November 2020 to 30 November 2020 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including BPAY and payroll	\$4,578,413.99
Cheques	\$1,140.48
Direct debits, including credit cards	\$130,546.89
<b>Total payments for November 2020</b>	<b>\$4,710,101.36</b>

**COUNCIL DECISION ITEM 11.5**

**Moved: Cr Loden, Seconded: Cr Hallett**

**That the recommendation be adopted.**




**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

**(Cr Castle was on approved leave of absence for the Meeting.)**

**11.6 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 DECEMBER 2020 TO 31 DECEMBER 2020**

- Attachments:
1. Payments by EFT and Payroll December 20 
  2. Payments by Cheque December 20 
  3. Payments by Direct Debit December 20 

**RECOMMENDATION:**

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 December 2020 to 31 December 2020 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including BPAY and payroll	\$5,968,155.06
Cheques	\$886.40
Direct debits, including credit cards	\$197,820.85
<b>Total payments for December 2020</b>	<b>\$6,166,862.31</b>

**COUNCIL DECISION ITEM 11.6**

**Moved: Cr Loden, Seconded: Cr Hallett**

**That the recommendation be adopted.**





**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

**(Cr Castle was on approved leave of absence for the Meeting.)**

**9.5 AMENDMENT NO. 6 TO LOCAL PLANNING SCHEME NO. 2 AND AMENDMENT NO. 1 TO LOCAL PLANNING POLICY NO. 7.4.5 - TEMPORARY ACCOMMODATION**

- Attachments:
1. Amendment No. 6 to Local Planning Scheme No. 2 
  2. Summary of Submissions 
  3. Amendment No. 1 to Local Planning Policy No. 7.4.5 - Temporary Accommodation (Tracked Changes from Advertised Version) 
  4. Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation (Modified from Advertised Version) 

**RECOMMENDATION:**

That Council:

1. **ENDORSES** the Administration response to submissions, included at Attachment 3, received during advertising of Amendment No. 6 to Local Planning Scheme No. 2 and Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation;
2. **SUPPORTS** Standard Amendment No. 6 to Local Planning Scheme No. 2 without modification, pursuant to Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 1;
3. **FORWARDS** Standard Amendment No. 6 to Local Planning Scheme No. 2 included as Attachment 1 and any required documentation to the Western Australian Planning Commission pursuant to Regulation 53 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
4. **PROCEEDS** with Amendment No. 1 to Local Planning Policy No. 7.4.5 – Temporary Accommodation with modifications pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 4; and
5. **NOTES** that Administration will notify submitters of Council's decision but will not publish notices of adoption until after the Western Australian Planning Commission has determined Amendment No. 6 to Local Planning Scheme No. 2.

**Moved:** Cr Gontaszewski, **Seconded:** Cr Loden

That the recommendation be adopted.

**DEFERRED****COUNCIL DECISION 9.5**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Loden

That the motion be deferred for one month.

**REASON:**

To provide Administration with time to:

1. Return key provisions of the policy to those provisions that were approved by Council for advertising; and
2. To ensure that the policy aligns with Council's intent.

**CARRIED UNANIMOUSLY (8-0)**

**(Cr Castle was on approved leave of absence for the Meeting.)**

At 7:17 pm, Cr Joshua Topelberg left the meeting.

#### 10.1 PROPOSED PARKING RESTRICTION - BROOME AND WRIGHT STREETS, HIGHGATE

- Attachments:
1. Broome Street Consultation 
  2. Broome Street Responses 
  3. Wright Street Consultation 
  4. Wright Street Responses 

#### RECOMMENDATION:

That Council:

1. RECEIVES the report on the proposed parking restrictions in Broome and Wright Streets, Highgate.
2. APPROVES;
  - 2.1 the installation of 3P parking restrictions in the unrestricted sections of Broome Street, between Lord and Smith Streets, Highgate, from 8.00am to 5.30pm Monday to Friday, and
  - 2.2 the installation of 3P parking restrictions in the unrestricted sections of Wright Street, between Lincoln and Harold Streets, Highgate, from 8.00am to 5.30pm Monday to Friday.
3. NOTES that residents will be eligible for parking permits other than those excluded as a condition of a development approval.
4. ADVISES the respondents of Council's decision.

Moved: Cr Hallett, Seconded: Cr Loden

That the recommendation be adopted.

#### AMENDMENT

Moved: Cr Hallett, Seconded: Cr Wallace

That the recommendation be amended as follows:

2. APPROVES;
  - 2.1 the installation of 3P parking restrictions in the unrestricted sections of Broome Street, between Lord and Smith Streets, Highgate, from 8.00am to ~~5.30pm~~ 10.30pm Monday to Friday, and
  - 2.2 the installation of 3P parking restrictions in the unrestricted sections of Wright Street, between Lincoln and Harold Streets, Highgate, from 8.00am ~~5.30pm~~ 10.30pm Monday to Friday.

#### AMENDMENT LOST (2-5)

**For:** Cr Hallett and Cr Wallace

**Against:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Loden and Cr Smith

(Cr Castle was on approved leave of absence for the Meeting.)

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

**COUNCIL DECISION ITEM 10.1**

That Council:

1. **RECEIVES** the report on the proposed parking restrictions in Broome and Wright Streets, Highgate.
2. **APPROVES**;
  - 2.1 the installation of 3P parking restrictions in the unrestricted sections of Broome Street, between Lord and Smith Streets, Highgate, from 8.00am to 5.30pm Monday to Friday, and
  - 2.2 the installation of 3P parking restrictions in the unrestricted sections of Wright Street, between Lincoln and Harold Streets, Highgate, from 8.00am to 5.30pm Monday to Friday.
3. **NOTES** that residents will be eligible for parking permits other than those excluded as a condition of a development approval.
4. **ADVISES** the respondents of Council's decision

**CARRIED UNANIMOUSLY (7-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Smith and Cr Wallace



**Against:** Nil

**(Cr Castle was on approved leave of absence for the Meeting.)**

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

At 7:40 pm, Cr Joshua Topelberg returned to the meeting.

**10.2 DRAFT WASTE PLAN - DEPARTMENT OF WATER AND ENVIRONMENT REGULATION**

- Attachments:**
1. Draft Waste Plan 
  2. Waste Strategy 2018-2023 

**RECOMMENDATION:**

That Council ENDORSES the attached Draft Waste Plan.

**COUNCIL DECISION ITEM 10.2**

**Moved: Cr Topelberg, Seconded: Cr Loden**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

**(Cr Castle was on approved leave of absence for the Meeting.)**

**10.3 E-PERMIT IMPLEMENTATION UPDATE**

- Attachments:
1. E-Permits 3rd Letter to Residents 
  2. E-Permits Survey Results for Questions 1-7 

**RECOMMENDATION:**

That Council NOTES the feedback received from the community on the implementation of the E-Permits system.

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be adopted.

**AMENDMENT**

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That Recommendation be amended as follows:

That Council:

**1. NOTES:**

- 1.1 the feedback received from the community on the implementation of the E-Permits system;
- 1.2 that Administration will extend the validity of the current physical permits to 31 March 2021 to provide additional time for the transition to e-permits;
- 1.3 that Administration is working to support as many residents as possible to transition to the e-Permits system and that the survey feedback has been positive; and
- 1.4 that the e-permit system is highly likely to present access and inclusion barriers in specific circumstances and that the current support and telephone service offered will not meet all needs; and

**2. REQUIRES:**

- 2.1 the CEO to establish transparent alternative permit requirements in approved circumstances where access and inclusion barriers remain;
- 2.2 the provision of e-permits for home-based support services, such as Silver Chain and Meals on Wheels, where they are providing services to City of Vincent residents in permit parking areas; and
- 2.3 a further update on progress towards implementation of the e-permits system and the above requirements at the March Council Meeting.

**AMENDMENT CARRIED (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

(Cr Castle was on approved leave of absence for the Meeting.)

**COUNCIL DECISION ITEM 10.3**

That Council:

**1. NOTES:**

- 1.1 the feedback received from the community on the implementation of the E-Permits system;
- 1.2 that Administration will extend the validity of the current physical permits to 31 March 2021 to provide additional time for the transition to e-permits;
- 1.3 that Administration is working to support as many residents as possible to transition to the e-Permits system and that the survey feedback has been positive; and
- 1.4 that the e-permit system is highly likely to present access and inclusion barriers in specific circumstances and that the current support and telephone service offered will not meet all needs; and

**2. REQUIRES:**

- 2.1 the CEO to establish transparent alternative permit requirements in approved circumstances where access and inclusion barriers remain;
- 2.2 the provision of e-permits for home-based support services, such as Silver Chain and Meals on Wheels, where they are providing services to City of Vincent residents in permit parking areas; and
- 2.3 a further update on progress towards implementation of the e-permits system and the above requirements at the March Council Meeting.

**CARRIED UNANIMOUSLY (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

**(Cr Castle was on approved leave of absence for the Meeting.)**



**11.9 BEATTY PARK LEISURE CENTRE - INDOOR POOL WORKS - PROJECT VARIATION**

Attachments: 1. Pool Slide Options 

**RECOMMENDATION:**

That Council:

1. **APPROVES BY AN ABSOLUTE MAJORITY** the allocation of additional funds of \$162,330 (inc GST) in the 2020/21 Annual Budget to deliver the project variation request entitled “slide in the children’s water playground”; and
2. **NOTES** recent technical advice that the indoor pool concourse tiling is non-compliant in terms of its non-slip capacity which increases the risk of slips and falls and further advice will be presented to Council on options for mitigation.

**COUNCIL DECISION ITEM 11.9**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Loden

That the recommendation be adopted.

**AMENDMENT 1**

**Moved:** Cr Gontaszewski, **Seconded:** Cr Hallett

That the recommendation be amended as follows:

1. **APPROVES BY AN ABSOLUTE MAJORITY** the allocation of additional funds of **up to \$162,330** (inc GST) in the 2020/21 Annual Budget to deliver the project variation request entitled “**two slides** in the children’s water playground” **and noting that an additional quote will be sourced for a two slide design in the water playground area;** and

**AMENDMENT CARRIED (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

(Cr Castle was on approved leave of absence for the Meeting.)

**COUNCIL DECISION ITEM 11.9**

That Council:

1. **APPROVES BY AN ABSOLUTE MAJORITY** the allocation of additional funds of up to \$162,330 (inc GST) in the 2020/21 Annual Budget to deliver the project variation request entitled “two slides in the children’s water playground” and noting that an additional quote will be sourced for a two slide design in the water playground area; and
2. **NOTES** recent technical advice that the indoor pool concourse tiling is non-compliant in terms of its non-slip capacity which increases the risk of slips and falls and further advice will be presented to Council on options for mitigation.

**CARRIED BY ABSOLUTE MAJORITY (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

**(Cr Castle was on approved leave of absence for the Meeting.)**

Cr Loden queried the plastic style playgrounds and if there is a way to make it look better. Executive Director Community & Business Services confirmed this will be investigated.

**12.1 CITY OF VINCENT ORDINARY ELECTION 16 OCTOBER 2021 - APPOINTMENT OF ELECTORAL COMMISSIONER TO CONDUCT THE ELECTION BY POSTAL VOTE**

**Attachments:** 1. Letter from WA Electoral Commissioner dated 16 December 2020 - conduct of City's 2021 ordinary election 

**RECOMMENDATION:**

**That Council:**

1. **DECLARES BY ABSOLUTE MAJORITY**, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the City of Vincent 2021 ordinary election, together with any other elections or polls which may also be required at this time;
2. **DECIDES BY ABSOLUTE MAJORITY**, in accordance with section 4.61(2) of the *Local Government Act 1995*, that the method of conducting the 2021 ordinary election will be as a postal election; and
3. **NOTES** that the estimated cost of the Electoral Commissioner conducting the City's 2021 ordinary election by postal vote is \$108,000 (including GST).

**COUNCIL DECISION ITEM 12.1**

**Moved:** Cr Topelberg, **Seconded:** Cr Loden

**That the recommendation be adopted.**

**CARRIED BY ABSOLUTE MAJORITY (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace

**Against:** Nil

**(Cr Castle was on approved leave of absence for the Meeting.)**

**12.2 QUARTERLY UPDATE OF 26 STRATEGIC PROJECTS OUTLINED IN CORPORATE BUSINESS PLAN 2020/21 - 2023/24****Attachments:** 1. 26 Strategic Projects Update - Corporate Business Plan 2020/21 - 2023/24**RECOMMENDATION:**

That Council **NOTES** the updates to the 26 Strategic Projects outlined in the Corporate Business Plan 2020/21 – 2023/24 as at Attachment 1.

**COUNCIL DECISION ITEM 12.2****Moved:** Cr Loden, **Seconded:** Cr Topelberg

That the recommendation be adopted.

**CARRIED UNANIMOUSLY (8-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Fotakis, Cr Hallett, Cr Loden, Cr Topelberg, Cr Smith and Cr Wallace**Against:** Nil**(Cr Castle was on approved leave of absence for the Meeting.)**

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

Nil

**15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**16 URGENT BUSINESS**

Nil

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

Nil

**18 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 8.30pm with the following persons present:

<b>PRESENT:</b>	Mayor Emma Cole Cr Susan Gontaszewski Cr Joanne Fotakis Cr Jonathan Hallett Cr Dan Loden Cr Joshua Topelberg Cr Sally Smith Cr Ashley Wallace	Presiding Member South Ward North Ward South Ward North Ward South Ward North Ward South Ward
<b>IN ATTENDANCE:</b>	David MacLennan Andrew Murphy  Virginia Miltrup  John Corbellini  Meluka Bancroft  Wendy Barnard	Chief Executive Officer Executive Director Infrastructure & Environment Executive Director Community & Business Services Executive Director Strategy & Development Executive Manager Corporate Strategy & Governance Council Liaison Officer

**Media:** Nil

**Public:** No members of the public.

These Minutes were confirmed at the 23 March 2021 meeting of Council as a true and accurate record of the Council Meeting held on 16 February 2021.

Signed: Mayor Emma Cole

Dated