

28 FEBRUARY 2023 ORDINARY COUNCIL MEETING

Meeting Type / Meeting Date	Resolution No./Item No.	Report Author / Responsible Officer	Council Resolution	Action Taken
Ordinary Council Meeting 28 February 2023	0223/004 Item 10.1.1 City of South Perth Community Safety and Crime Prevention Plan 2022-2027	Patrick Quigley – Manager Community, Culture and Recreation Vicki Lummer – Director Development and Community Services	That Council agrees for the City to advertise the draft City of South Perth Community Safety and Crime Prevention Plan 2022–2027, as shown in Attachment (a) .	COMPLETED 1 March 2023 The City has now advertised its draft Community Safety and Crime Prevention Plan 2022–2027 for public and stakeholder comment. A follow-up report will be presented to Council in May 2023 to seek formal adoption of the Plan.
Ordinary Council Meeting 28 February 2023	0223/006 Item 10.1.2 City of South Perth Access and Inclusion Plan 2022-2027	Patrick Quigley – Manager Community, Culture and Recreation Vicki Lummer – Director Development and Community Services	That Council adopt the City of South Perth Access and Inclusion Plan 2022–2027, as shown in Attachment (a) with the following amendment to Plan Outcome 7.2: The City will provide work placement opportunities where practical, including for disadvantaged people, such as people with disability, long term unemployed people etc. Furthermore, to support our local special needs school, being Kensington Secondary School, the City shall engage where possible with the school’s workplace learning and work ready programs.	COMPLETED 28 February 2023 The City has now commenced implementation of its new Access and Inclusion Plan 2022–2027. Progress reports will be submitted to Council each quarter over the life of the Plan.
Ordinary Council Meeting 28 February 2023	0223/007 Item 10.1.3 Response to Councillor Mary Choy Notice of Motion	Rebecca de Boer – Project Lead Anita Amprimo – Director Infrastructure Services	That Council notes the update as provided by the City in the body of the report.	COMPLETED 28 February 2023 No further action required. Council noted report.
Ordinary Council Meeting 28 February 2023	0223/008 Item 10.2.1 Lease of Property - Former Manning Library - 144 Manning Road, Karawara	Toni Fry – Governance Coordinator Garry Adams – Director Corporate Services	That Council: 1. Notes the public submissions received on the proposed lease conditions with Be Our Guest Holdings Pty Ltd for the purpose of a Community Centre including a Kiosk and Kitchen for a portion of the building (Old Manning Library) located with Reserve 33639, 144 Manning Road, Karawara as contained in Confidential Attachment (a) ; 2. Authorises the Chief Executive Officer to finalise the lease documentation; and 3. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the proposed lease between the City of South Perth and Be Our Guest Holdings Pty Ltd for the purpose of a Community Centre including Kiosk and Kitchen located with Reserve 33639, 144 Manning Road, Karawara.	In progress The City has recently received the lease for review.
Ordinary Council Meeting 28 February 2023	0223/009 Item 10.2.2	Toni Fry – Governance Coordinator	That Council:	In progress

	Lease of Property – Boatshed Café	Garry Adams – Director Corporate Services	<ol style="list-style-type: none"> 1. Notes that no public submissions were received on the proposed lease conditions with Millar Holdings Pty Ltd trading as Boatshed Café to accommodate restaurant and alfresco dining for approximately 1,574m² of land on Lot 1203, on Plan 28824 and approximately 310m² of land on Lot 11835, on Plan 240379 to be excised from Crown Reserve 34565. 2. Authorises the Chief Executive Officer to finalise the lease documentation; and 3. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the proposed lease between the City of South Perth and Millar Holdings Pty Ltd trading as Boatshed Café to accommodate restaurant and alfresco dining for approximately 1,574m² of land on Lot 1203, on Plan 28824 and approximately 310m² of land on Lot 11835, on Plan 240379 to be excised from Crown Reserve 34565. 	Awaiting the Head Lease to be drafted by the Department of Planning, Lands and Heritage.
<p>Ordinary Council Meeting 28 February 2023</p>	<p>0223/010 Item 10.3.1 Proposed 7 x Four and Five Storey Grouped Dwellings. Lot 229, No(s) 112 Lockhart Street and 11 McDougall Street, Como - Section 31 Reconsideration.</p>	<p>Fiona Mullen – Manager Development Services Vicki Lummer – Director Development and Community Services</p>	<p>That pursuant to Section 31 of the <i>State Administrative Tribunal Act 2004</i> Council reconsider its decision of 25 October 2022 and this application for planning approval for 7 x Four and Five Storey Grouped Dwellings at Lot 229, No(s) 112 Lockhart and 11 McDougall Street, Como be approved subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The development shall be in accordance with the approved plans unless otherwise authorised by the City. 2. Prior to the submission of a building permit application, a public art concept for the subject development or alternatively a contribution to public art within the vicinity of the development, to the value of 1.0% of the total contribution value of development (maximum \$500,000 contribution) shall be submitted and approved in writing by the City. The approved public art concept shall be to the satisfaction of the City. 3. Prior to occupancy of the dwellings, the approved public art shall be implemented and maintained thereafter, to the satisfaction of the City of South Perth. 4. Prior to the submission of a building permit applicant, an acoustic report shall be provided demonstrating the development will meet noise targets set out in State Planning Policy 5.4 Road and Rail Noise, to the satisfaction of the City. 5. Prior to occupation of the dwellings, any recommendations of the Acoustic report required under Condition 4 shall be implemented, to the satisfaction of the City. 6. Prior to the submission of a building permit application, the applicant must be in receipt of an approved “Crossings Application” that confirms the design is to the satisfaction of the City. 7. Prior to the submission of a building permit application, the applicant must be in receipt of an approved “Stormwater Drainage Application” that confirms the design is to the satisfaction of the City. 	<p>COMPLETED 28 February 2023</p> <p>Decision Notice issued and applicant withdrew the SAT proceedings Pursuant to section 46(1) of the State Administrative Tribunal Act 2004 (WA).</p>

			<ol style="list-style-type: none"> 8. Prior to the submission of a building permit application, certification completed by a Liveable Housing Australia assessor confirming that the detailed design of the dwellings are compliant with the 'Silver Level' of the 'Liveable Housing Design Guidelines' produced by Liveable Housing Australia, must be submitted to, and approved in writing by, the City of South Perth. 9. Prior to the submission of a building permit application, a hydraulic design plan shall be submitted with the appropriately certified statement signed by a suitably qualified Practising Engineer stating that the stormwater design meets the design requirements of the City. The submitted hydraulic design plan shall be to the satisfaction of the City. 10. Prior to the submission of a building permit application, the applicant is to demonstrate to the satisfaction of the City, that the development incorporates either: i) One significant energy efficiency initiative that exceeds minimum practice in reference to Clause 4.15 of the State Planning Policy 7.3 – Volume 2; or ii) All dwellings exceed the minimum NATHERS requirement by 0.5 stars. 11. Prior to the submission of a building permit application, a detailed landscape plan shall be submitted to and approved in writing by the City. 12. Prior to occupation of the dwellings, landscaped areas shall be installed in accordance with an approved landscaping plan. All landscaping areas shall be maintained thereafter to the satisfaction of the City. 13. Prior to the submission of a building permit application, a tree protection zone (TPZ) shall be indicated on the plans and implemented during construction until occupancy stage, to protect the trees on site identified for retention as well as the verge tree at all times, to the satisfaction of the City. 14. Prior to the submission of a building permit application, the applicant is to submit a final material, colours and finishes schedule to the satisfaction of the City. Prior to occupation of the dwellings, the endorsed material and finishes schedule shall be implemented into the building design and maintained thereafter, to the satisfaction of the City. 15. Prior to the submission of a building permit application, a Construction Management Plan must be submitted to, and approved in writing by the City. The approved Plan shall be implemented and adhered to at all times during the construction stage, to the satisfaction of the City. 16. Prior to occupation of the dwellings, all visual privacy protection devices to Major Openings and/or Outdoor Active Habitable Spaces shown on the approved plans shall be installed and remain in place permanently, to the satisfaction of the City. 17. Prior to occupation of the dwellings, external fixtures, such as air-conditioning infrastructure, shall be integrated into the design of the 	
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			<p>building so as to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City.</p> <p>18. Prior to occupation of the dwellings, all vegetation, structures, ground coverings and treatments within the Council verge area, aside from the crossover(s), are to be modified or reinstated to meet the provisions of the City's Verge Street Landscape Guidelines, to the satisfaction of the City.</p> <p>19. As noted on the approved plans, kerbside waste collection shall be from McDougall Street only. For the avoidance of doubt, no kerbside collection shall be undertaken from Lockhart Street.</p> <p>20. No street tree shall be removed, pruned or disturbed in any way, without prior approval from the City.</p> <p>21. The existing crossover shall be removed, and the verge and kerbing shall be reinstated to the satisfaction of the City.</p> <p>22. All fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating to discourage potential graffiti and/or be decorated in such a way to reduce the effect of blank facades, in accordance with Requirements 15.1 and 16.1 of the Canning Bridge Activity Centre Plan.</p> <p>23. Hard standing areas approved for the purpose of car parking or vehicle access shall be maintained in good condition at all times, free of potholes and dust and shall be adequately drained, to the satisfaction of the City.</p> <p>24. Prior to the submission of a building permit application, details of the proposed lighting to pathways, communal areas and car parking areas shall be provided, to the satisfaction of the City of South Perth.</p> <p>25. All grouped dwellings shall be provided with a mechanical dryer prior to the occupancy or use of the development.</p> <p>26. Any external clothes drying areas shall be screened from view from all streets or any other public place.</p> <p>Note: City Officers will include relevant advice notes in the determination notice.</p>	
<p>Ordinary Council Meeting 28 February 2023</p>	<p>0223/011 Item 10.3.2 Transition from Rivers Regional Council to Rivers Regional Subsidiary</p>	<p>Steve Atwell – Manager Programs Delivery Anita Amprimo – Director Infrastructure Services</p>	<p>1. That Council endorse the revised Charter for the Rivers Regional Subsidiary with an operative date of 31 March 2023, for execution by the Mayor and Chief Executive Officer.</p> <p>2. That Council authorise the Chief Executive Officer to appoint an employee of the City as board member and a further employee as deputy board member of the Rivers Regional Subsidiary.</p>	
<p>Ordinary Council Meeting 28 February 2023</p>	<p>0223/012 Item 10.4.1</p>	<p>Abrie Lacock – Manager Finance Garry Adams – Director Corporate Services</p>	<p>That Council receives the Listing of Payments for the month of December 2022 as detailed in Attachment (a).</p>	<p>COMPLETED 28 February 2023 No further action required.</p>

	Listing of Payments December 2022			
Ordinary Council Meeting 28 February 2023	0223/013 Item 10.4.2 Monthly Financial Statements – December 2022	Abrie Lacock – Manager Finance Garry Adams – Director Corporate Services	That Council notes the Financial Statements and report for the month ended 31 December 2022.	COMPLETED 28 February 2023 No further action required.
Ordinary Council Meeting 28 February 2023	0223/014 Item 10.4.3 Listing of Payments January 2023	Abrie Lacock – Manager Finance Garry Adams – Director Corporate Services	That Council receives the Listing of Payments for the month of January 2023 as detailed in Attachment (a) .	COMPLETED 28 February 2023 No further action required.
Ordinary Council Meeting 28 February 2023	0223/015 Item 10.4.4 Monthly Financial Statements – January 2023	Abrie Lacock – Manager Finance Garry Adams – Director Corporate Services	That Council notes the Financial Statements and report for the month ended 31 January 2023.	COMPLETED 28 February 2023 No further action required.
Ordinary Council Meeting 28 February 2023	0223/016 Item 10.4.5 Tender 7/2022 “Provision of Cleaning Services”	Shirley King Ching - Building Anita Amprimo – Director Infrastructure Services	That Council: 1. Accepts the tender submitted by Brightmark Group Pty Ltd for RFT 7/2022- Separable portion - Group 1 in accordance with Tender Number 7/2022 for the period of supply up to five years inclusive; 2. Accepts the tender submitted by Uniting Global Pty Ltd for the RFT 7/2022- Separable portions - Groups 2, 3 and 4 in accordance with Tender Number 7/2022 for a period of supply up to five years inclusive; 3. Accepts the tender price of \$1.32 million from Brightmark Group Pty Ltd for Group 1 and \$1.90 million from Uniting Global Pty Ltd for Groups 2, 3 and 4 included in Confidential Attachment (a) .	COMPLETED 1 April 2023 Contract entered with Brightmark Group Pty Ltd & Uniting Global Pty Ltd.
Ordinary Council Meeting 28 February 2023	0223/017 Item 10.4.6 Budget Review for the Period ended 31 January 2023	Abrie Lacock – Manager Finance Garry Adams – Director Corporate Services	That Council: 1. Adopts the mid-year budget review and changes contained in the Statement of Financial Activity Attachment (a) , as well as the detailed changes contained in Attachments (b), (c) and (d) . 2. Amend the Fees and Charges schedule adopted as part of the 2022/23 Budget to remove the \$5.00 charge for Replacement Animal Tags.	COMPLETED 28 February 2023 Budget Review adopted. Fees and Charges schedule adopted.
Ordinary Council Meeting 28 February 2023	0223/018 Item 10.4.7 Council Caretaker Policy	Garry Adams – Director Corporate Services	That Council adopts Policy P702 Council Caretaker Policy as contained in Attachment (a) .	COMPLETED 28 February 2023 Caretaker policy adopted.
Ordinary Council Meeting 28 February 2023	0223/019 Item 10.4.8 Local Government Elections	Toni Fry – Governance Coordinator Garry Adams – Director Corporate Services	That Council: 1. Declare, in accordance with section 4.20(4) of the <i>Local Government Act 1995</i> , the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls which may be required.	COMPLETED 8 March 2023 Electoral Commissioner notified of Council’s resolution to conduct the 2023 Ordinary election (D-23-9467).

			<p>2. Decide, in accordance with section 4.61(2) of the <i>Local Government Act 1995</i> that the method of conducting the election will be as a postal election.</p>	
<p>Ordinary Council Meeting 28 February 2023</p>	<p>0223/021 Item 12.1 Notice of Motion – Councillor Stephen Russell – Amendment to Policy P665 Use of Council Facilities</p>	<p>Garry Adams – Director Corporate Services</p>	<p>That with respect to Policy P655 “Use of Council Facilities”, I move that the CEO amend the Policy to reflect the following:</p> <ol style="list-style-type: none"> 1. The title changed from “Use of Council Facilities” to “Use of Council Facilities and Mayoral Regalia” 2. The amendment of statement “This policy is relevant to officers and members of the community who would like to use Council facilities.” to “This policy is relevant to Elected Members, officers and members of the community in the use of the resources prescribed within.” 3. The addition of a bullet point stating “Mayoral Regalia- is for the use of the Office of Mayor in performing the functions of Mayor as per the <i>Local Government Act 1995</i>” 4. The amendment of statement “These facilities shall at all times be used in a responsible manner” to “These facilities shall at all times be used in a responsible manner. Mayoral Regalia shall only be worn at the following: <ol style="list-style-type: none"> a. When presiding over meetings in accordance with the Act, b. When carrying out civic and ceremonial duties at occasions that have been organised or managed by the City, c. At civic and ceremonial occasions that have been invited by other parties through the City, The wearing of the Mayoral Regalia does not extend to a person acting for the Mayor or delegated by the Mayor.” 5. The inclusion of a statement stating “Council facilities and Mayoral Regalia are classed as “local government resources” as per the Councillor Code of Conduct definition.” 6. The inclusion of the Councillor Code of Conduct as a reference document. 	<p>COMPLETED 1 March 2023 Policy updated and posted to the City’s website.</p>
<p>Ordinary Council Meeting 28 February 2023</p>	<p>0223/022 Item 12.2 Notice of Motion – Councillor Mary Choy – Donation to the Lord Mayor’s Distress Relief Fund Appeal for the Kimberley Floods</p>	<p>Patrick Quigley – Manager Community, Culture and Recreation Vicki Lummer – Director Development and Community Services</p>	<p>That Council:</p> <ol style="list-style-type: none"> 1. Express its condolences to the victims of the devastating Kimberley floods; 2. Approves the contribution of \$10,000 to the Lord Mayor’s Distress Relief Fund in support of those affected by the Kimberley floods; 3. Approves for the City’s donation to be allocated from the City’s Community Funding Program Account Number 300202-1110-63151; and 	<p>COMPLETED 25 March 2023 The City has prepared the donation request for the Lord Mayor’s Distress Relief Fund in support of those affected by the Kimberley floods. Letters are also being sent to the Shire of Derby West Kimberley, Shire of Broome, Shire of Wyndham East Kimberley and Shire of Halls Creek to express the</p>

			4. Approves for the City to transfer \$10,000 cost savings from the Elected Member's Account to the Community Funding Program Account during the mid-year budget review process.	City's condolences to the victims of the floods.
Ordinary Council Meeting 28 February 2023	0223/024 CONFIDENTIAL Item 15.1.1 Councillor Code of Conduct – Matter 1	Mike Bradford - CEO	That Council endorses the findings contained within Confidential Attachment (a) .	COMPLETED 28 February 2023 Council endorsed the findings. Confidential matter
Ordinary Council Meeting 28 February 2023	0223/025 CONFIDENTIAL Item 15.1.2 Councillor Code of Conduct – Matter 2	Mike Bradford - CEO	That Council defer Item 15.1.2 – Councillor Code of Conduct – Matter 2 to a future Ordinary Council Meeting.	COMPLETED 28 March 2023 Council report went to the March 2023 Ordinary Council Meeting.

28 MARCH 2023 ORDINARY COUNCIL MEETING

Meeting Type / Meeting Date	Resolution No./Item No.	Report Author / Responsible Officer	Council Resolution	Action Taken
Ordinary Council Meeting 28 March 2023	0323/032 Item 10.1.1 Collier Park Village	Vicki Lummer – Director Development and Community Services Mike Bradford – Chief Executive Officer	That Council approves the Chief Executive Officer to commence a “Request for Proposal” process for Collier Park Village consistent with the framework outlined in this report.	IN PROGRESS
Ordinary Council Meeting 28 March 2023	0323/033 Item 10.1.2 Proposed Lease Agreement for the Collins Street Centre Playgroup (Inc.) located at the Collins Street Centre, Collins Street, South Perth	Patrick Quigley – Manager Community, Culture and Recreation Vicki Lummer – Director Development and Community Services	That Council: 1. Approves a lease agreement between the City of South Perth and Collins Street Playgroup Inc. for its continued use of part of Collins Street Centre located on Lot 11 & Lot 13, on the Corner of Collins Street and Shaftesbury Street, South Perth, subject to the following main terms and conditions: a. Use of the playgroup room, nature play outdoor area and storage shed; b. Playgroup purposes; c. A term of five years with an option of renewal for a further five-year term; d. A peppercorn/\$1 annual rental (if demanded) to reflect the Playgroup's small-scale operation and in recognition of the community benefits provided by the Playgroup to local families; e. An annual contribution of \$360 for storage costs; and f. An annual contribution of \$500 towards outgoings, utilities and minor building maintenance costs.	IN PROGRESS

			<p>2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal to the lease documentation between the City of South Perth and Collins Street Centre Playgroup Inc. for its continued use of part of Collins Street Centre located on Lot 11 & Lot 13, on the Corner of Collins Street and Shaftesbury Street, South Perth.</p>	
<p>Ordinary Council Meeting 28 March 2023</p>	<p>0323/038 Item 10.3.1 Draft Local Planning Scheme No.7 – Consideration of Submissions and Recommendation</p>	<p>Jessica Birbeck – Principal Strategic Planner Vicki Lummer – Director Development and Community Services</p>	<p>That Council:</p> <p>1. Pursuant to Regulation 25(3) of the Planning and Development (Local Planning Schemes) Regulations 2015 SUPPORTS draft Local Planning Scheme No. 7 with proposed modifications to address issues raised in the submissions, as set out in Attachment (a) – Draft Local Planning Scheme No. 7 - Schedule of Text and Map Modifications with the following amendments:</p> <ul style="list-style-type: none"> a) Delete Scheme Map Modification No. 7 in Attachment A and replace Scheme Map Modification No. 6 in Attachment A with the following wording: ‘Modify No. 90 McDonald Street from Private Community Purpose Zone to Residential Zone with a density code of R40’. b) Modify the scheme map to re-code all R100 coded lots bounded by Canning Highway, South Terrace, Thelma Street and McDonald Street, other than corner lots No 367 (Lot 702) Canning Hwy and 245-247 (Lot 51) Canning Hwy to R80. c) Replace Scheme Map Modification No. 4 in Attachment A with the following wording: ‘Modify lots subject to ASR13 requirements ‘Preston Street Neighbourhood Centre’ from ‘R-AC0’ to ‘R-AC3’. d) Replace Scheme Text Modification No. 6 in Attachment A for the ‘Office’ and ‘Shop’ Land Uses with the following: <ul style="list-style-type: none"> i) Land Use ‘Office’ minimum number of car parking bays from “1:50sqm NLA” to “1:50sqm NLA for staff plus spaces for visitors equal to 10% of the number of staff spaces, for offices of 100sqm NLA and greater. For example, 520sqm NLA / 50sqm = 10.4 roundup to 11 car parking bays + 10% of 11 = 1.1 roundup to 2 car parking bays. Total 13 car parking bays.” ii) Land Use ‘Shop’ minimum number of car parking bays from “1:25sqm NLA” to “1:25sqm NLA for visitors plus spaces for staff equal to 10% of the number of visitors spaces, for shops of 100sqm NLA and greater. Refer to Office for calculation method.” iii) Land Use ‘Shop’ minimum bicycle parking spaces from “1:500sqm NLA for staff, plus 1:200sqm NLA for visitors” to “1:200sqm NLA for staff, plus 1:25sqm NLA for visitors” e) Under Clause 38(1) ‘Home Business’ (f) and ‘Home Occupation’ (g) the respective sub-clauses shall be modified as follows: 	<p>COMPLETED 3 April 2023 Mailchimp sent to submitters to advise of Councils resolution. Draft LPS 7 submitted to WAPC for assessment. Website and Your Say updated.</p>

			<p>‘does not involve the presence, use or calling of a commercial vehicle; and’</p> <p>f) Under Schedule A, include an additional Relevant Deemed Provision titled “Part 3 – Heritage Assessment Clause 11A Protection Against Demolition” with the following provision: “(1) Demolition to a Heritage Listed place, shall not be permitted.”</p> <p>g) Modify Scheme Text Modification No.10 in Attachment A to include Murray Street in Clauses (1) and (2).</p> <p>h) Schedule A, Part 7, 60A(1)(a) by removing “The tree achieves a minimum height of eight (8) metres from the natural ground level” and replacing with; Schedule A, Part 7, 60A(1)(a) “The tree achieves;</p> <ul style="list-style-type: none"> • A minimum height of 8 metres above natural ground level; or • A minimum canopy width of 6 metres” <p>i) Modify the Scheme Map to re-code the entirety of Lot 3685 (No. 3) Downey Drive, Manning from ‘R100’ to ‘Civic and Community’.</p> <p>j) Delete Modification No. 10 of the Scheme Map Modifications within Attachment A and modify to No. 1 Waverley Street South Perth as ‘Residential’ R40.</p> <p>2. Pursuant to Regulation 28(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, requests the Chief Executive Officer to forward draft Local Planning Scheme No. 7 to the Western Australian Planning Commission with all relevant information required by Regulations.</p> <p>3. Requests the CEO, in addition to Point 2 include within its submission to the WAPC, the Integrated Transport Plan (inclusive of the supporting Traffic Consultant’s report).</p> <p>4. Requests the CEO, in addition to Point 2 include within its submission to the WAPC, a separate note or memorandum stating “Mainroads Western Australia (MRWA) as a Subject Matter Expert (SME) agency, in its submission (Ref: 05/10466-03 (D22#1167701)) to the advertised LPS7, recommended that prior to any density increase alongside Canning Hwy and the Preston Street Neighbourhood Centre, that a TIA, Transport Study or Traffic Assessment be undertaken to determine the impact and therefore by reason possible mitigations on MRWA road and movement network. The City has an Integrated Transport Plan (ITP), to which the City provided to MRWA in May 2021 as part of the consultation process. The City has not provided the ITP to MRWA as part of the draft LPS 7 advertising nor consideration periods. The ITP is included within its documentation to the WAPC. In order for WAPC to assist in its consideration of LPS7 and to assure itself that MRWA, as a SME, are satisfied that the intent of their letter is</p>	
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			met, the City recommends that the WAPC request MRWA to peer review the ITP and to provide advice as it sees necessary to WAPC.”	
Ordinary Council Meeting 28 March 2023	0323/039 Item 10.4.1 Listing of Payments February 2023	Abrie Lacock – Manager Finance Garry Adams – Director Corporate Services	That Council receives the Listing of Payments for the month of February 2023 as detailed in Attachment (a) .	COMPLETED 28 March 2023 No further action required.
Ordinary Council Meeting 28 March 2023	0323/040 Item 10.4.2 Monthly Financial Statements – February 2023	Abrie Lacock – Manager Finance Garry Adams – Director Corporate Services	That Council notes the Financial Statements and report for the month ended 28 February 2023.	COMPLETED 28 March 2023 No further action required.
Ordinary Council Meeting 28 March 2023	0323/041 Item 10.4.3 Electors’ General Meeting 2021/22	Toni Fry – Governance Coordinator Garry Adams – Director Corporate Services	<ol style="list-style-type: none"> 1. That the minutes of the 2023 Electors’ General Meeting held Tuesday 7 February 2023 and contained in Attachment (a) be received. 2. That Council NOTES the decisions made at the 2023 Electors’ General Meeting held Tuesday 7 February 2023 as outlined in the body of this report. 	COMPLETED 28 March 2023 Minutes received. Decisions noted.
Ordinary Council Meeting 28 March 2023	0323/042 Item 10.5.1 Audit Register Progress Report Q2	Garry Adams – Director Corporate Services	<p>The Audit, Risk and Governance Committee recommends to Council that it:</p> <ol style="list-style-type: none"> 1. Notes the progress recorded against each item within the Audit Register in Confidential Attachment (a); 2. Approves the findings marked as Complete (100%) in the Audit Register, to be registered as closed and no longer reported to the Committee; and 3. Notes the revised Strategic Audit Plan as shown at Confidential Attachment (b). 	COMPLETED 28 March 2023 No further action required.
Ordinary Council Meeting 28 March 2023	0323/043 Item 10.5.2 Risk Management and Business Continuity Activity Report	Christine Lovett – Senior Governance Officer Garry Adams – Director Corporate Services	<p>The Audit Risk and Governance Committee recommends to Council that it:</p> <ol style="list-style-type: none"> 1. Notes the Risk Management and Business Continuity Activity Report as contained in the body of the report; 2. Notes the changes to the Corporate Operational Risk Register as contained within the report; and 3. Endorses the Strategic Risk Register as contained in Confidential Attachment (a). 	COMPLETED 28 March 2023 No further action required.
Ordinary Council Meeting 28 March 2023	0323/044 Item 10.5.3 Compliance Audit Return	Bernadine Tucker – Manager Governance Garry Adams – Director Corporate Services	<p>That the Audit, Risk and Governance Committee recommends to Council that it:</p> <ol style="list-style-type: none"> 1. Adopts the Department of Local Government, Sport and Cultural Industries Compliance Audit Return for the period 1 January 2022 to 31 December 2022 as contained in Attachment (a); and 2. Authorises the certification to be jointly completed by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996. 	COMPLETED 28 March 2023 No further action required.
Ordinary Council Meeting 28 March 2023	0323/045 Item 10.5.4	Christine Lovett – Senior Governance Officer	That the Audit, Risk and Governance Committee recommends to Council that it:	COMPLETED 28 March 2023

	Annual Review of Council Delegations	Garry Adams – Director Corporate Services	<p>1. Notes that in accordance with Section 5. 46(2) of the <i>Local Government Act 1995</i>, the following Delegations to the Chief Executive Officer and/or City Officers as shown at Attachment (a) have been reviewed with ‘no changes’ being proposed:</p> <ul style="list-style-type: none"> DC102 Community Funding Program DC115 Granting Fee Waiver – City Reserves and Facilities DC374 Appoint Authorised Officers for the purposes of the <i>Building Act 2011</i> DC376 Infringement Notices under the Building Regulations 2012 DC401 Graffiti Vandalism Act – Local Government Functions DC511 Partial Closure of a Thoroughfare for Repair or Maintenance DC601 Preparation of Long Term Financial Plan, Annual Budget & Annual Financial Report DC602 Authority to Make Payments from the Municipal and Trust Funds DC603 Investment of Surplus Funds DC607 Acceptance of Tenders/E-Quotes/Common Use Agreements DC607B Non Acceptance of Tenders DC608 Acceptance of Contract Variations Relating to Tenders Approved by Council DC612 Disposal of Surplus Property DC616 Write-off Debts DC642 Appointment of Acting CEO DC664 Dogs – Local Government Functions DC665 Cats – Local Government Functions DC677 <i>Bush Fires Act 1954</i> – Local Government Functions DC678 Appointment of Authorised Officers DC679 Administer the City’s Local Law 	No further action required.
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			<p>DC684 Sealed Documents</p> <p>DC685 Inviting Tenders or Expressions of Interest</p> <p>DC686 Granting Fee Concessions – Development Applications</p> <p>DC690 Town Planning Scheme 6</p> <p>DC702 Granting Fee Waiver – Collier Park Golf Course</p> <p>DC703 Minor Amendments to Delegations Register and Policies</p> <p>2. Notes that in accordance with Section 5. 46(2) of the <i>Local Government Act 1995</i>, the following Delegation to the Chief Executive Officer as shown at Attachment (b) has been reviewed with ‘major changes’ being proposed:</p> <p>DC370 Approve or Refuse Granting of a Building Permit</p> <p>DC371 Approve or Refuse Granting of a Demolition Permit</p> <p>DC372 Grant, or Refuse to Grant Occupancy Permits or Building Approval Certificates</p> <p>DC373 Approve or refuse an Extension of the Duration for Occupancy Permits or Building Approval Certificates</p> <p>DC375 Issue or Revoke Building Orders</p> <p>DC609 Leases</p>	
<p>Ordinary Council Meeting 28 March 2023</p>	<p>0323/049 CONFIDENTIAL Item 15.1.1 Councillor Code of Conduct – Matter 1</p>	<p>Mike Bradford - CEO</p>	<p>That Council endorse the findings and recommendation contained within Confidential Attachment (a).</p>	<p>COMPLETED 28 March 2023 Council endorsed the findings. Confidential matter</p>
<p>Ordinary Council Meeting 28 March 2023</p>	<p>0323/050 CONFIDENTIAL Item 15.1.2 Councillor Code of Conduct – Matter 2</p>	<p>Mike Bradford - CEO</p>	<p>That Council defer Item 15.1.2 – Councillor Code of Conduct – Matter 2 to the May Ordinary Council Meeting.</p>	<p>IN PROGRESS</p>
<p>Ordinary Council Meeting 28 March 2023</p>	<p>0323/051 CONFIDENTIAL Item 15.1.3 Information Systems Audit (External) Report</p>	<p>Garry Adams – Director Corporate Service</p>	<p>That the Audit, Risk and Governance Committee recommends to Council that it:</p> <ol style="list-style-type: none"> Note the letter from the WA Auditor General contained in Confidential Attachment (a); and Accept the findings contained in the Information Systems Audit for the year end 30 June 2022 Confidential Attachment (b) and include in the Audit Register. Note the attached Cyber Security Response Confidential Attachment (c). 	<p>COMPLETED 28 March 2023 No further action required.</p>

30 MARCH 2023 SPECIAL COUNCIL MEETING

Meeting Type / Meeting Date	Resolution No./Item No.	Report Author / Responsible Officer	Council Resolution	Action Taken
Special Council Meeting 30 March 2023	0323/058 Item 7.0.1 Recreation and Aquatic Facility	Rebecca de Boer – Project Lead Anita Amprimo – Director Infrastructure Services	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the Officer Report, and in particular, highlights that: <ol style="list-style-type: none"> (a) “the advice and information used to prepare the 2020 RAF Business Case documents were reflective of the circumstances at that time”; and (b) “the combined impact of a rapid increase in interest rates, capital funding shortfall and delays to the RAF Project since 2020 have contributed to the City’s assessment that RAF Stage 1 is no longer viable”. 2. Notes: <ol style="list-style-type: none"> (a) that the original funding proposal from the City to the State Government of \$20 million (2021 State Government Funding Proposal) was submitted in October 2021; (b) Councillor Resolution Number 0922/154, Item 12.1 Notice of Motion - Councillor Mary Choy – RAF (Cr Choy Motion), appearing at Item 12.1 of the Minutes of the Ordinary Council Meeting dated 27 September 2022; and (c) that the letter received from the Hon David Templeman MLA dated 23 January 2023 in response to the Cr Choy Motion, states “the State Government has not yet made any final decision on your funding request”. 3. Requests the Chief Executive Officer write to the Hon David Templeman MLA and to Mr Geoff Baker MLA: <ol style="list-style-type: none"> (a) to update the State Government on the current status of the RAF Project; (b) to advise that the RAF Project is considered unviable and will not proceed unless the current capital shortfall is addressed; and (c) to call upon the State Government to commit to providing the final \$20 million in capital funding necessary to deliver Stage 1 of the RAF Project, and advise the City of South Perth of the State Government’s decision either prior to (or at the same time that) the 2023/24 State Budget is delivered. 4. Requests the Chief Executive Officer to investigate methods of financing the estimated annual operating deficit of the RAF, to be presented to Council at a workshop to be held not later than 31 May 2023. 	<p>COMPLETED</p> <p>3 May 2023</p> <p>The Chief Executive Officer sent letters to the Hon David Templeman MLA and Mr Geoff Baker MLA on 4 April 2023. A response was received from the Hon David Templeman MLA on 19 April 2023. The State Government has not made a final decision on the City’s funding request, however, the request for \$20 million to be provided in the context of the 23/24 WA State Budget was declined. A workshop for Councillors regarding part (4) of the motion was held on 3 May 2023.</p>

18 April 2023 ORDINARY COUNCIL MEETING

Meeting Type / Meeting Date	Resolution No./Item No.	Report Author / Responsible Officer	Council Resolution	Action Taken
Ordinary Council Meeting 18 April 2023	0423/064 Item 10.1.1 Tender 08/2022 - Provision of Sound, Lighting and Staging for the City's Community Events	Patrick Quigley – Manager Community, Culture and Recreation Donna Shaw – Director Development and Community Services	That Council: 1. Accepts the tender submitted by One20 Productions for the provision of Sound, Lighting and Staging Services for the City's Community Events in accordance with Tender Number 08/2022. 2. Accepts that the tender contract is for an initial one-year period with options to extend the period for three subsequent one-year extensions at the City's discretion, subject to satisfactory performance of the Contract and subject to budget. 3. Notes the tender contract expenditure for the provision of sound, lighting and staging for the City's community events based on the schedule of rates is estimated at \$62,249 per annum plus CPI, or approximately \$268,299 for the maximum proposed four-year contract term. 4. Notes the cost of the contract for the first year is included in the 2022/23 budget and the supply costs for subsequent years will be sought in future City operational budgets for the life of the contract. 5. Accepts the tendered schedule of rates included in Confidential Attachment (a) .	IN PROGRESS
Ordinary Council Meeting 18 April 2023	0423/065 Item 10.1.2 Tender 09/2022 - Provision of Traffic Management for the City's Community Events	Patrick Quigley – Manager Community, Culture and Recreation Donna Shaw – Director Development and Community Services	That Council: 1. Accepts the tender submitted by Evolution Group Holdings Limited (trading as Evolution Traffic Control) for the provision of Traffic Management Services for the City's Community Events in accordance with Tender Number 09/2022. 2. Accepts that the tender contract is for an initial one-year period with options to extend the period for three subsequent one-year extensions at the City's discretion, subject to satisfactory performance of the Contract and subject to budget. 3. Notes the tender contract expenditure for the provision of traffic management for the City's community events based on the schedule of rates is estimated at \$18,552 per annum plus CPI, or approximately \$79,961 for the maximum proposed four-year contract term. 4. Notes the cost of the contract for the first year is included in the 2022/23 budget and the supply costs for subsequent years will be sought in future City operational budgets for the life of the contract. 5. Accepts the tendered schedule of rates included in Confidential Attachment (a) .	IN PROGRESS
Ordinary Council Meeting 18 April 2023	0423/066 Item 10.3.1	Alaleh Maghsoudi - Urban Planner	That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for development approval for Six x four storey Grouped Dwellings on Lot 277, No. 120 Mary Street, Como be refused for the following reasons:	

	<p>Proposed Six (6) Four Storey Grouped Dwellings - Lot 277, No. 120 Mary Street, COMO</p>	<p>Donna Shaw – Director Development and Community Services</p>	<ol style="list-style-type: none"> 1. The CBACP requirement 18.1 states that in Q3 vehicle access be designed in accordance with Residential Design Codes Vol. 2 Element 3.8. An Elemental Objective of 3.8 is for vehicle access points to be designed and located to reduce visual impact on the streetscape. Element 3.8 further provides guidance under DG 3.8.1 that streetscape visual impact can be reduced by the use of a secondary street where possible. Although not explicit within Residential Design Codes Vol. 2, the Residential Design Codes Vol. 1 further notes a priority for vehicle access being a right-of-way, secondary street then primary street. Hence as this proposal has access to a right-of-way then to meet the full intent of Elemental Objective 3.8 then <u>all</u> vehicle access should be via this right-of-way i.e. it is considered unreasonable to have 2 separate vehicle access points at different localities servicing this site. Furthermore, as a consequence of the primary street crossover servicing Unit 01 being removed, then the additional verge area and kerb length allows for the increased propensity of street trees and on-street parking respectively and thereby further enhancing the amenity of the locality. 2. The CBACP requirement 1.15 states that in Q3, development be designed in accordance with Residential Design Codes Vol. 2 Element 4.9 with respect to universal design. The objective for Element 4.9 is for development to include dwellings with universal design features, to which an acceptable outcome is that either a Silver or Platinum level of the “Liveable Housing Design Guidelines” be incorporated into the design. The application is silent with respect to the specifics to how both the objective and an acceptable outcome are to be met. 3. The CBACP Q3 refers to the provisions of Parts 3, of the Residential Design Codes Volume 2 which includes 3.3 ‘Tree canopy and deep soil areas (DSA)’ Elemental Objectives of 3.3 is for (i) site planning to maximise the retention of healthy and appropriate trees and (ii) adequate measures are taken to improve tree canopy or to offset reduction of tree canopy from a pre-development condition. Both Elemental Objectives noted above require a site plan showing pre-development trees with a supporting arborist report. It is noted that the former is provided but the latter is not and therefore it is indeterminate to how the element objective is being met in any respect. To this effect Element 3.3 is not currently met. Although the City is recommending Condition 13 to cover such, the protection and enhancement of canopy is considered sufficiently important that Council and not the City be the due regard making body under the Planning and Development (Local Planning Schemes) Regulations 2015, Sch 2, Part 9, Clause 67(2)(p) “whether adequate provision has been made for the landscaping of the land to which the 	
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			application relates and whether any trees or other vegetation on the land should be preserved.”	
Ordinary Council Meeting 18 April 2023	0423/068 Item 10.3.2 Traffic and Parking Impacts in the Canning Bridge Activity Centre Plan Area	Fiona Mullen – Manager Development Services Donna Shaw – Director Development and Community Services	That Council: 1. Notes Policy P210 will be reviewed with respect to the use of the City’s street verges for visitor parking bays for developments throughout the district; and 2. Notes a further report will be presented to Council on this matter.	
Ordinary Council Meeting 18 April 2023	0423/069 Item 10.4.1 Listing of Payments March 2023	Abrie Lacock – Manager Finance Garry Adams – Director Corporate Services	That Council receives the Listing of Payments for the month of March 2023 as detailed in Attachment (a) .	COMPLETED 18 April 2023 No further action required.
Ordinary Council Meeting 18 April 2023	0423/070 Item 10.4.2 Monthly Financial Statements – March 2023	Abrie Lacock – Manager Finance Garry Adams – Director Corporate Services	That Council notes the Financial Statements and report for the month ended 31 March 2023.	COMPLETED 18 April 2023 No further action required.
Ordinary Council Meeting 18 April 2023	0423/071 Item 10.4.3 Appointment and Authorisation of Deputy	Fiona Mullen – Manager Development Services Donna Shaw – Director Development and Community Services	That Council 1. Appoints the Chief Executive Officer, Director Development and Community Services, Manager Development Services, Environmental Health Coordinator and Environmental Health Officers as deputies in relation to the <i>Health (Miscellaneous Provisions) Act 1911</i> ; and 2. Authorises the Chief Executive Officer, Director Development and Community Services, Manager Development Services, Environmental Health Coordinator and Environmental Health Officers to discharge all or any of the powers and functions of the City under the <i>Health (Miscellaneous Provisions Act 1911</i> .	
Ordinary Council Meeting 18 April 2023	0423/075 Item 14.1 Correspondence between the Department of Local Government, Sport and Cultural Industries and City of South Perth	Mike Bradford – Chief Executive Officer	1. That Council authorise the Chief Executive Officer to release all correspondence between the Department of Local Government, Sport and Cultural Industries and the City of South Perth in relation to governance concerns as part of the minutes. 2. That Council note a further report will be submitted to the Ordinary Council meeting in May requesting authorisation to release the letter submitted to the Department of Local Government, Sport and Cultural Industries by 30 April 2023.	Completed 21 April 2023 Documents released between DLGSC and the City as part of the minutes. Recommendation 2. Noted.