

NOTES

Council Agenda Briefing

Meeting Date & Time: 6.00pm, Wednesday 25 October 2023

Meeting Location Council Chamber

1. DECLARATION OF OPENING

The Presiding Member opened the Briefing at 6.01pm and welcomed everyone in attendance.

ITEMS FOR COUNCIL

The Presiding Member informed the meeting that Agenda Items 2, 3, 6, 7, 8.1, 8.2, 9, 11, 13 and 14 will be dealt with at the Ordinary Council Meeting to be held 31 October 2023.

4. ATTENDANCE

Presiding Member

Mayor Greg Milner

Councillors

Como Ward

Councillor Glenn Cridland

Como Ward

Councillor Bronwyn Waugh

Manning Ward

Councillor André Brender-A-Brandis

Manning Ward

Councillor Blake D'Souza

Mill Point Ward

Councillor Mary Choy

Mill Point Ward

Councillor Nic Coveney

Moresby Ward

Councillor Jennifer Nevard

Moresby Ward

Councillor Hayley Prendiville

Officers

| | |
|---|------------------|
| Chief Executive Officer | Mr Mike Bradford |
| Director Corporate Services | Mr Garry Adams |
| Director Development and Community Services | Ms Donna Shaw |
| Director Infrastructure Services | Ms Anita Amprimo |
| Manager Development Services | Ms Fiona Mullen |
| Manager Finance | Mr Abrie Lacock |
| Manager Governance | Ms Toni Fry |
| Communications and Marketing Coordinator | Ms Karys Nella |
| Governance Coordinator | Mr Morgan Hindle |
| Governance Officer | Ms Jane Robinson |

Gallery

There were 7 members of the public present.

4.1 Apologies

Nil.

4.2 Approved Leave of Absence

Nil.

5. DECLARATIONS OF INTEREST

- Mayor Greg Milner – Item 10.1.1 – Impartiality Interest as ‘I serve on the board of Amaroo Care Services Inc. Amaroo operates in the aged care and retirement village sectors, albeit in different catchment areas. In addition, I know people who are employed at two of the three tenderers.’
- Councillor Bronwyn Waugh – Item 10.1.1 – Impartiality Interest as ‘to the extent it might be considered an impartiality interest, I hereby disclose that:
 - In 2019 I acted for a client on a matter involving the sale of their business to Amana Living;
 - In 2019 I acted for a local government in respect to a prosecution of one member of the management team of Amana Living in respect to a breach of notice; and
 - the firm of which I am a director advised a local government in respect of a matter involving Amana Living.

I have no other knowledge of the matter and did not have any involvement in any matter of advice or otherwise in respect to Amana Living.’

- Mayor Greg Milner - Item 10.1.2 – Impartiality Interest as ‘I know a number of the nominees.’
- Councillor Mary Choy – Item 10.1.2 – Impartiality Interest as ‘some of the nominees are known to me.’
- Councillor Bronwyn Waugh – Item 10.3.2 – Proximity Interest as ‘I live on Mary Street within proximity of number 45 Mary Street Como and I previously raised an objection to a change of use.’
- Mayor Greg Milner - Item 10.4.10 – Impartiality Interest as ‘I know three of the applicants.’

- Councillor Mary Choy – Item 10.4.10 – Impartiality Interest as ‘some of the applicants are known to me’.
- Councillor Jennifer Nevard – Item 10.4.10 – Impartiality Interest as ‘my interests are impartial as some of the applicants are known to me’.

8. PRESENTATIONS

8.3 Deputations

1. Peter Quinn of Como who spoke **FOR** the Officer’s Recommendation.

**Item
10.1.1**

10. DRAFT OCTOBER 2023 REPORTS

The Chief Executive Officer, Mr Mike Bradford gave a brief summary of the October 2023 Agenda Items to be considered by Council, as follows.

Mayor Greg Milner and Councillor Bronwyn Waugh declared an Impartiality Interest in Item 10.1.1.

10.1.1 Collier Park Village Request for Proposal

This Item was the subject of one Deputation.

The purpose of this report is for Council to consider the outcome of the Request for Proposal process for Collier Park Village and to seek Council's authorisation for the City to enter into negotiations with the preferred proponent.

The report outlines the assessment process used during evaluation of the proposals received as well as consultation undertaken with Collier Park Village staff, residents and Elected Members.

Mayor Greg Milner and Councillor Mary Choy declared an Impartiality Interest in Item 10.1.2.

10.1.2 City of South Perth Volunteer of the Year Awards - Assessment and Recommendations for 2023

This report seeks Council's approval of the eligible nominations submitted for the 2023 City of South Perth Volunteer of the Year Awards Program.

10.3.1 Draft Payment in Lieu of Parking Plan

This report presents the draft Payment in Lieu of Parking Plan for final approval following public advertising.

Councillor Bronwyn Waugh declared a Proximity Interest in Item 10.3.2 and accordingly left the meeting at 6.14pm prior to consideration of Item 10.3.2.

10.3.2 Proposed Amendment to Approved Use Not Listed (Short Term Accommodation) - Lot 2, Unit 1/45 Mary Street, Como

The purpose of this report is to consider an application to amend the development approval for a Use Not Listed (Short Term Accommodation) at Lot 2, Unit 1/45 Mary Street, Como.

The applicant is seeking to delete Condition No. 3 of the approval granted in September 2022, which time-limited the use of the property for a period of 12 months. Approval of the current application will enable the property to be used as Short Term Accommodation in perpetuity. This item is referred to Council as the proposed land use is a 'Use Not Listed' under Town Planning Scheme No. 6 and therefore falls outside of the delegation to the officers.

For the reasons outlined in this report, it is recommended that the application be approved.

At 6.20pm following Item 10.3.2 Councillor Bronwyn Waugh returned to the meeting.

10.3.3 Proposed Six (6) Four Storey Grouped Dwellings - Lot 277, No. 120 Mary Street, Como - Section 31 Reconsideration

The City received an application for Six (4 Storey) Grouped Dwellings on Lot 277, No. 120 Mary Street, Como in August 2022.

The application was refused by Council at its Ordinary meeting held on 18 April 2023 and the applicant subsequently sought a review of that decision by the State Administrative Tribunal (SAT).

Minor modifications have been made to the original proposal following two mediation sessions and as such, the SAT issued an order on 20 September 2023 inviting Council to reconsider the matter under section 31 of the State Administrative Tribunal Act 2004.

The modifications include minor revisions to the front elevation of Unit 1, a revised landscaping plan to include three native trees, additional conditions to address universal access and a proposed access easement.

Accordingly, the application is recommended for approval.

10.3.4 Draft Local Planning Policy P303 - Design Review Panel and Draft Local Planning Policy P316 - Developer Contribution for Public Art and Public Art Spaces (Final Adoption)

The purpose of this report is for Council to consider adopting draft amended Local Planning Policy - Design Review Panel and draft amended Local Planning Policy - Developer Contribution for Public Art and Public Art Spaces following advertising.

10.3.5 Draft Local Planning Policy - Heritage Conservation and Development (Advertising) and Local Planning Policy P313 - Local Heritage Listing (Revocation)

The purpose of this report is to consider draft Local Planning Policy – Heritage Conservation and Development for the purposes of advertising, and to revoke Local Planning Policy P313 - Heritage Listing.

10.4.1 Audit, Risk and Governance Committee

This report seeks the appointment of Councillors to the Audit, Risk and Governance Committee for the period 31 October 2023 to 18 October 2025.

10.4.2 Chief Executive Officer Evaluation Committee

This report seeks the appointment of Councillors to the Chief Executive Officer Evaluation Committee for the period 31 October 2023 to 18 October 2025.

10.4.3 Rivers Regional Council

This report seeks the appointment of Councillors to the Rivers Regional Council for the period 31 October 2023 to 18 October 2025.

10.4.4 City of South Perth Inclusive Community Advisory Group

This report seeks the appointment of a Councillor to the City of South Perth Inclusive Community Advisory Group for the period 31 October 2023 to 18 October 2025.

10.4.5 Perth Airports Municipalities Group Inc.

This report seeks the appointment of Councillors to the Perth Airports Municipalities Group Inc. for the period 31 October 2023 to 18 October 2025.

10.4.6 City of South Perth Public Health Reference Group

This report seeks the appointment of a Councillor to the City of South Perth Public Health Reference Group for the period 31 October 2023 to 18 October 2025.

10.4.7 City of South Perth Arts Advisory Group

This report seeks the appointment of two Councillors to the City of South Perth Arts Advisory Group for the period 31 October 2023 to 18 October 2025.

10.4.8 Western Australian Local Government Association South-East Metropolitan Zone

This report seeks the appointment of Councillors to the Western Australian Local Government Association South-East Metropolitan Zone for the period 31 October 2023 to 18 October 2025.

10.4.9 Local Emergency Management Committee For Canning / South Perth - Delegates

This report seeks the appointment of two Councillor Delegates to the Local Emergency Management Committee for Canning / South Perth for the period 31 October 2023 to 18 October 2025.

Mayor Greg Milner and Councillors Mary Choy and Jennifer Nevard declared an Impartiality Interest in Item 10.4.10.

10.4.10 Appointment of Community Members to City of South Perth Audit, Risk and Governance Committee

This report seeks Council's endorsement of the recommended independent members for the City of South Perth Audit, Risk and Governance Committee.

10.4.11 Listing of Payments September 2023

This report presents to Council a list of accounts paid under delegated authority between 1 September 2023 to 30 September 2023 for information.

10.4.12 Monthly Financial Statements September 2023

The monthly Financial Statements are provided within **Attachments (a)–(i)**, with high level analysis contained in the comments of this report

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 Notice of Motion - Councillor Mary Choy- Community Safety and Crime Prevention Group – Change to the Terms of Reference and Membership

15. MEETING CLOSED TO THE PUBLIC

The meeting was closed to the public at 6.40pm prior to questions asked in relation to Item 10.4.10.

Questions were asked in relation to **Confidential Attachment (a)** and **(b)** of Item 10.4.10 Appointment of Community Members to City of South Perth Audit, Risk and Governance Committee

The meeting was reopened to the public at 6.44pm

16. CLOSURE

At 6.45pm the Presiding Member closed the Council Agenda Briefing and thanked everyone for their attendance.

COUNCIL AGENDA BRIEFING

Responses to questions taken on notice

Meeting Date & Time: 6.00pm, Wednesday 25 October 2023

Meeting Location Council Chamber

REPORTS:

ITEM 10.4.11 Listing of Payments September 2023

Councillor Mary Choy had the following question taken on notice at the Agenda Briefing as follows:

- I've just noticed there is just shy of \$50,000 on legal fees expended in the September expenditure. Three quite hefty amounts in the tens of thousands. Can the City please outline what these payments were for or related to?*

Response provided by Director Corporate Services – Garry Adams

The legal expenditure relates to a number of business as usual activities including:

- Prosecutions
- Rates collection
- Preparation of lease documents
- Advice on land tenure and the RfP for Collier Park Village
- Advice on the tender for Collier Park Golf Course

There was also some further expenditure incurred on the ongoing issues with the Pinnacles building.