

# NOTES

## Council Agenda Briefing

**Meeting Date & Time:** 6.00pm, Tuesday 15 October 2024  
**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 22 October 2024.

### 4. ATTENDANCE

Presiding Member Mayor Greg Milner

#### Councillors

Como Ward	Councillor Glenn Cridland
Como Ward	Councillor Bronwyn Waugh
Manning Ward	Councillor Blake D'Souza
Mill Point Ward	Councillor Mary Choy
Mill Point Ward	Councillor Nic Coveney
Moresby Ward	Councillor Jennifer Nevard

#### Officers

Chief Executive Officer	Mr Mike Bradford
Director Corporate Services	Mr Garry Adams
A/Director Development and Community Services	Mr Patrick Quigley
Director Infrastructure Services	Ms Anita Amprimo
Manager Customer, Communications and Engagement	Ms Danielle Cattalini
Manager Development Services	Ms Fiona Mullen
Manager Finance	Mr Abrie Lacock
Manager Governance	Ms Toni Fry
Governance Coordinator	Mr Morgan Hindle
Governance Officer	Ms Jane Robinson
Governance Administration Officer	Ms Kira Digwood

#### Gallery

There were 4 members of the public present.

#### 4.1 Apologies

- Councillor Hayley Prendiville
- Councillor André Brender-A-Brandis

#### 4.2 Approved Leave of Absence

Nil.

### 5. DECLARATIONS OF INTEREST

- Councillor Jennifer Nevard – Proximity Interest in Item 10.5.1 as ‘my interests are impartial as the family has been resident in the same dwelling across from Sir James Mitchell Park for 77 years and we are completely accustomed to the location’s busyness at times.’
- Mayor Greg Milner - Impartiality Interest in Item 12.2 as ‘I am one of the Elected Members who has made a declaration appearing on the City’s public Disclosure of Political Party Associations register.’
- Councillor Nic Coveney – Impartiality Interest in Item 12.2 as ‘I am on the political register.’
- Councillor Bronwyn Waugh – Impartiality Interest in Item 12.2 as ‘my name appears on the political register.’
- Councillor Glenn Cridland – Impartiality Interest in Item 12.2 as ‘my name appears on the political register.’
- Councillor Mary Choy - Impartiality Interest in Item 12.2 as ‘I tabled and moved the request for a creation of a ‘Disclosure of Political Interests Register’ and updating of the Councillor Code of Conduct to include a requirement for Elected Members and election candidates to disclose their political party membership and employment status ahead of Council endorsing it at the April 2022 Ordinary Council Meeting.’
- Mayor Greg Milner - Impartiality Interest in Item 12.6 as ‘the motion seeks to change the reporting requirements that I am subject to.’

### 8. PRESENTATIONS

#### 8.3 Deputations

- |    |   |               |
|----|---|---------------|
| 1. | Ms Louise Walker of South Perth who spoke <b>AGAINST</b> the Officer Recommendation at Item 10.3.5. | <b>10.3.5</b> |
| 2. | Ms Joanne Ord of Como who spoke <b>AGAINST</b> the Notice of Motion Recommendation at Item 12.2.    | <b>12.2</b>   |

## 10. DRAFT OCTOBER 2024 REPORTS

The Chief Executive Officer, Mr Mike Bradford gave a brief summary of the October 2024 Agenda Items to be considered by Council, as follows.

### 10.1.1 Proposed Lease of Portion of Lot 3 on Plan 14563, City of South Perth Civic Centre for a Telecommunications Facility

This report recommends that Council consider advertising for the disposition of a portion of 59 Sandgate Street, South Perth by way of a lease.

### 10.3.1 Scheme Amendment No. 1 to Local Planning Scheme No. 7 - Short Term Rental Accommodation, Draft Local Planning Policy - Unhosted Short-Term Rental Accommodation (Advertising) and Revocation of Policy P350.18 - Short-Term Accommodation

The purpose of this report is for Council to consider Scheme Amendment No. 1 to Local Planning Scheme No. 7 to update the scheme text to introduce new and revised land use classes and general definitions to facilitate State Government reforms for short-term rental accommodation; to consider revoking Policy P350.18 – Short-Term Accommodation and to adopt a new draft Local Planning Policy – Unhosted Short-Term Rental Accommodation for the purpose of advertising.

### 10.3.2 Canning Bridge Activity Centre Plan - Extension to Approval Timeframe

The purpose of this report is to seek approval from Council to request the Western Australian Planning Commission to approve an extension to the approval period of the Canning Bridge Activity Centre Plan.

### 10.3.3 Proposed Three Storey Grouped Dwelling - Lot (1) No. 52A Leonora Street, Como

The purpose of this report is to consider an application for development approval for a Three Storey Grouped Dwelling on Lot 1, No.52A Leonora Street, Como.

The item is referred to Council as the proposed building height falls outside the delegation to Officers.

For the reasons outlined in the report, it is recommended that the application be approved subject to conditions.

### 10.3.4 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 1, No. 1/15 Angelo Street, South Perth

The purpose of this report is to consider an application for development approval for a Change of Use from a Grouped Dwelling to Unhosted Short-Term Rental Accommodation on Lot 1, 1/15 Angelo Street, South Perth.

The item is referred to Council as the proposed land use falls outside of the delegation to Officers.

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

### **10.3.5 Proposed Change of Use - Multiple Dwelling to Unhosted Short-Term Rental Accommodation - Lot 8, No. 8/5 Clarence Street, South Perth**

*This Item was the subject of a Deputation.*

The purpose of this report is to consider an application for development approval for a Change of Use from a Multiple Dwelling to Unhosted Short-Term Rental Accommodation on Lot 8, No. 8/5 Clarence Street, South Perth.

The item is referred to Council as the proposed land use falls outside of the delegation to Officers.

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

### **10.3.6 RFT 5/2024 - Provision of Various Minor Concrete Works**

This report considers the submission received from the advertising of Tender 5/2024 for the Provision of Various Minor Concrete Works.

This report will outline the assessment process used during evaluation of the tender received and recommend approval of the tender that provides the best value for money and level of service to the City.

### **10.4.1 Listing of Payments September 2024**

This report presents to Council a list of accounts paid under delegated authority between 1 September 2024 to 30 September 2024 for information. It also includes purchase card transactions between 1 August 2024 to 31 August 2024 in line with new legislative requirements.

### **10.4.2 Monthly Financial Statements September 2024**

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

### **10.4.3 City of South Perth Cats Local Law 2024**

This report proposes that Council, in accordance with section 3.12(4) of the *Local Government Act 1995*, makes the City of South Perth Cats Local Law 2024.

This local law will repeal the City of South Perth Cats Local Law 2016 and was presented to Council at the Ordinary Council Meeting held 25 June 2024, at which time Council endorsed the proposed new local law and resolved to give local public notice.

This report considers the feedback received during this process and recommends the City of South Perth Cats Local Law 2024 be made.

### **10.4.4 City of South Perth Fencing Local Law 2024**

This report proposes that Council, in accordance with section 3.12(4) of the *Local Government Act 1995*, makes the City of South Perth Fencing Local Law 2024 which will establish the minimum requirements for fences within the district.

This report considers the feedback received during this process and recommends the City of South Perth Fencing Local Law 2024 be made.

#### 10.4.5 Local Government Elections - Review of WALGA Advocacy Positions

This report is to consider WALGAs request for Council to consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

*Councillor Jennifer Nevard declared a Proximity Interest in Item 10.5.1 and accordingly left the Chamber at 6.55pm.*

#### 10.5.1 Policy Review

The Terms of Reference of the Audit, Risk and Governance Committee include responsibility for reviewing the City's policies. A number of policies are now presented for the consideration of the Committee and referral to Council for adoption.

*Councillor Jennifer Nevard returned to the Chamber at 7.03pm prior to consideration of Item 12.*

### 12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

#### 12.1 Notice of Motion - Councillor Mary Choy - Investigating Opportunities to Address Derelict Houses and Untidy Blocks on Canning Highway

*Mayor Greg Milner, Councillors Nic Coveney, Bronwyn Waugh, Glenn Cridland and Mary Choy declared an Impartiality Interest in Item 12.2.*

#### 12.2 Notice of Motion - Councillor Nic Coveney - Political Register

*This Item was the subject of a Deputation.*

#### 12.3 Notice of Motion - Councillor Nic Coveney - Expression of Interest for an E-Scooter Trial

#### 12.4 Notice of Motion - Councillor Bronwyn Waugh - Mends Street Jetty South Perth Seaplanes

*Councillor Blake D'Souza left the meeting at 7.33pm and returned at 7.36pm during consideration of Item 12.5.*

#### 12.5 Notice of Motion - Councillor Bronwyn Waugh - Payment In Lieu of Parking Plan

*Mayor Greg Milner declared an Impartiality Interest in Item 12.6.*

#### 12.6 Notice of Motion - Councillor Bronwyn Waugh - Mayoral Reporting

#### 12.7 Notice of Motion - Councillor Nic Coveney - Expression of Interest for Floating Venue Trial at Coode Street Jetty

### 15. MEETING CLOSED TO THE PUBLIC

Nil.

### 16. CLOSURE

At 8.04pm 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, Tuesday 15 October 2024  
**Meeting Location** Council Chamber

### REPORTS:

#### ITEM 10.3.4 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 1, No. 1/15 Angelo Street, South Perth

Councillor Nic Coveney had a question taken on notice at the Agenda Briefing as follows:

1. *Does the applicant have the approval of the Strata Council?*

#### Response provided by Fiona Mullen – Manager Development Services

The applicant has the written consent of the owners of the two other strata titled properties within the group dwelling.

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#### Item 10.5.1 Policy Review

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

1. *First of all, Policy P687 - my reading interpretation of that Policy (which is regarding development of Council owned land, which was implemented in around the early 2000s and is proposed to be revoked by Council this month, is that it applies to all applications pertaining to the significant development of land for commercial purposes, which is situated on Council owned or controlled land. Is my understanding correct?*

#### Response provided by Fiona Mullen – Manager Development Services

No, this policy applies to commercial developments on City owned or managed land other than those that are specifically excluded by the Policy itself.

- This is in relation to Policy P106, which relates to the ‘Use of City Reserves and Facilities’. The first question is, how many and what type of Expressions of Interest has the City received over the last two years for commercial and private events involving over 500 attendees on the South Perth Foreshore?*

### **Response provided by Patrick Quigley – A/Director Development and Community Services**

Each year, the City receives several hundred enquiries for events on Sir James Mitchell Park. Most enquiries are for events with low attendance such as birthday parties, corporate BBQs or business sundowners; or are categorised as low-risk events such as community events or charitable fundraising walks that have minimal impact on surrounding residents.

The City receives 5-10 enquiries per year for large-scale commercial events such as concerts, festivals and activations. In recent years, only two companies progressed their event proposals from the ‘enquiry’ phase to the ‘application’ phase for large-scale commercial events on Sir James Mitchell Park, being the ‘Big Wedgie’ water slide activation and the Kylie Minogue Concert. Both applications were submitted to Council for approval as per the requirements outlined in Policy P106 ‘Use of City Reserves and Facilities’.

Additionally, two companies recently decided to withdraw their applications for potential commercial events on the Park (being a circus with up to 750 people per session and an open-air cinema with up to 1,500 people per session). Their withdrawals were based on several factors, including the City’s extended-time lag for event approval, as such events over 500 people require a Council resolution. The current arrangement creates a disincentive for event companies to hire the Park, which has an adverse effect on activations of the foreshore.

Currently, only one commercial event over 500 people is being discussed with the City, which is a combined Tourism WA and Perth Airport event planned at Sir James Mitchell Park in March 2025. If this proposal proceeds to the application phase, it will be referred to Council beforehand.

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### **12.2 Notice of Motion - Councillor Nic Coveney - Political Register**

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

- Did the City respond to the Department's inquiry about the register as I cannot see this documented in any of the City's responding letters that I had access to the DLGSC?*

### **Response provided by Garry Adams– Director Corporate Services**

*Yes. The response was contained in the letter dated 28 April 2023 and sent to the Executive Director Local Government at DLGSC. This letter is available on the Councillor Hub.*

- The motion that was passed at the April 2022 Ordinary Council Meeting was the City’s suggested Alternative Recommendation. Was it not?*

### **Response provided by Garry Adams– Director Corporate Services**

Yes.

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**12.3 Notice of Motion - Councillor Nic Coveney - Expression of Interest for an E-Scooter Trial**

Councillor Jennifer Nevard had a question taken on notice at the Agenda Briefing as follows:

1. *Is the City aware of any e-scooter companies that supplies bells or horns as part of the package?*

**Additional Information provided by Anita Amprimo – Director Infrastructure Services**

In WA a bell or other warning device must be fitted to the eRideable.

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**12.4 Notice of Motion - Councillor Bronwyn Waugh - Mends Street Jetty South Perth Seaplanes**

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

1. *Who originally decided on the current Queen Street Jetty location for the South Perth Sea Planes, I have some sort of recollection that the State Government was involved?*

**Response provided by Garry Adams – Director Corporate Services**

From City records, it would appear that the SWSP initially made an application through DBCA to use the Queen Street Jetty and the City agreed to this in January 2017.