

Meeting	Agenda Briefing Forum – for Ordinary Council Meeting – 26 March 2024				
Location	Council Chambers				
Date	19 March 2024	Start Time	7:00pm	Finish Time	8:40pm

Please note, during the meeting it was identified that the audio on the live stream was not working. These issues were rectified during the meeting at 7:51pm. The City apologises for any inconvenience this may have caused.

1. ATTENDANCE

<p><u>Members</u></p> <p>Cr Elli Petersen-Pik Deputy Mayor Cr Assunta Meleca Cr Josh Eveson Cr Sally Palmer (following Swearing-In ceremony) Cr Michelle Sutherland Cr Nat Latter Cr Lorna Clarke Cr Giorgia Johnson</p> <p><u>Leave of Absence</u></p> <p><u>Apologies</u></p> <p>Mayor Filomena Piffaretti Cr Steven Ostaszewskyj Cr Dan Bull</p> <p>Public: 20</p>	<p><u>Officers</u></p> <p>Mr Luke Botica A/Chief Executive Officer Ms Bianca Sandri Director Community Services Mr Bryce Coelho A/Director Infrastructure and Assets Ms Kym Leahy Director Corporate Services Ms Amanda Albrecht Manager Governance and Strategy Ms Karen D’Cunha Coordinator Governance Ms Helen Smith Manager Statutory Planning and Compliance Ms Alix Bray A/Manager Property and Economic Development Mr Jon Vines Manager Project Services Mr Stuart Monks Manager Financial Services</p> <p><u>Apologies</u></p> <p>Mr Jeremy Edwards Chief Executive Officer</p>
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2. SWEARING-IN CEREMONY

In accordance with section 2.29(1) of the *Local Government Act 1995*. A person elected as the Mayor or as a Councillor is to make a declaration in the prescribed form as set out in Form 7 of the *Local Government (Constitution) Regulations 1995* before acting in office.

The Deputy Mayor called upon the Acting Chief Executive Officer, Luke Botica, to officiate the swearing-in for elected member, Councillor Sally Palmer (North Ward) who made the declaration of office in the prescribed form.

3. DISCLOSURE OF INTEREST SUMMARY

The following disclosures of interest were made at the Agenda Briefing Forum and will also apply at the Ordinary Council Meeting when the matters are considered:

Name	Item No.	Type of Interest	Nature of Interest
<i>Luke Botica, A/Chief Executive Officer</i>	<i>10.3.2</i>	<i>Proximity</i>	<i>One of the traffic treatments proposed in the Maylands Peninsula Precinct is very close to a property I own and lease on Falkirk Avenue. The works and treatments ongoing function will have an impact on my property.</i>
<i>Cr Lorna Clarke</i>	<i>10.1.1</i>	<i>Financial and Proximity</i>	<i>My house is in the area and affected by the LPS and regulated entities of the Economic Regulation Authority (ERA), my employer, are affected by the decision making.</i>
<i>Cr Lorna Clarke</i>	<i>10.1.2</i>	<i>Impartial</i>	<i>I know Emily Hamilton MLA, Matt Swinbourne, MLC and Martin Pritchard MLC (who are on the Joint Standing Committee on Delegated Legislation) via the ALP and my work as WA Labour President</i>
<i>Cr Lorna Clarke</i>	<i>10.2.1</i>	<i>Impartial</i>	<i>My son swims at Baysie Waves, I'm a member of Bayswater Toy Library and Baysie Bowls Club and have family opposite Embleton Golf Course</i>
<i>Cr Lorna Clarke</i>	<i>10.2.4</i>	<i>Financial and Impartial</i>	<i>My employee at the ERA regulations Western Power and the item specifically refers to Western Power. Also impartial interest due to son swimming at Baysie Waves and family living opposite Embleton Golf Course.</i>
<i>Cr Lorna Clarke</i>	<i>10.3.1</i>	<i>Proximity</i>	<i>My house is included in one of the LCURS maps in the report.</i>
<i>Cr Lorna Clarke</i>	<i>10.3.2</i>	<i>Proximity</i>	<i>My house is affected by LCURS new plans.</i>
<i>Cr Lorna Clarke</i>	<i>10.3.3</i>	<i>Impartial</i>	<i>A number of the nominees in the confidential section are known to me through Council work and the ALP.</i>
<i>Cr Lorna Clarke</i>	<i>10.5.1.3</i>	<i>Impartial</i>	<i>My son swims at Baysie Waves and family live opposite Embleton Golf Course</i>
<i>Cr Elli Petersen-Pik, Deputy Mayor</i>	<i>10.3.3</i>	<i>Impartial</i>	<i>I know some of the nominees through my work as a local Councillor.</i>
<i>Cr Elli Petersen-Pik, Deputy Mayor</i>	<i>10.3.1</i>	<i>Impartial</i>	<i>I own property in one of the precincts mentioned in the item, but no road treatments are proposed on the streets adjacent to my property.</i>
<i>Cr Elli Petersen-Pik, Deputy Mayor</i>	<i>10.1.1</i>	<i>Proximity</i>	<i>I own property in one of the precinct areas mentioned in the strategy.</i>
<i>Cr Sally Palmer</i>	<i>10.1.1</i>	<i>Proximity</i>	<i>I own property in one of the precinct areas mentioned in the strategy.</i>
<i>Cr Sally Palmer</i>	<i>10.3.3</i>	<i>Impartiality</i>	<i>I know some of the applicants for this committee.</i>
<i>Cr Sally Palmer</i>	<i>10.4.5</i>	<i>Impartiality</i>	<i>I know some of the applicants for this committee.</i>
<i>Cr Nat Latter</i>	<i>10.1.1</i>	<i>Proximity</i>	<i>I own (and rent out) one property in a precinct area, and lease (but do not own) two properties in planning areas, one is my residential and the other</i>

			<i>is my business premises.</i>
<i>Cr Nat Latter</i>	<i>10.3.1</i>	<i>Impartial</i>	<i>I rent a commercial property shown in the Maylands Central Precinct map area but it is not proximate to any proposed treatment.</i>
<i>Cr Nat Latter</i>	<i>10.3.2</i>	<i>Impartial</i>	<i>I own one property and rent one property shown on the map for the Maylands Peninsula Precinct but not proximate to any proposed treatments.</i>
<i>Cr Nat Latter</i>	<i>11.1</i>	<i>Financial</i>	<i>I own a business in the town centre that could potentially benefit from increased parking in the area</i>
<i>Cr Josh Eveson</i>	<i>10.1.1</i>	<i>Financial & Proximity</i>	<i>My residential address is within one of the proposed planning areas found in the item attachments in the City report.</i>
<i>Cr Giorgia Johnson</i>	<i>10.1.1</i>	<i>Proximity, Indirect Financial</i>	<i>I own property in one of the precinct areas mentioned in the strategy and my husband owns a property partially located within one of the precinct areas.</i>
<i>Cr Michelle Sutherland</i>	<i>10.1.1</i>	<i>Financial & Proximity</i>	<i>I own property on Cantlebury Road and Bunya Street Noranda which are adjacent to the identified planning area.</i>

4. DEPUTATIONS

In person deputations

In person deputations were received by the Council in the Chamber.

1. 10.3.1 Low-Cost Urban Road Safety Program - Update on Treatment Plans & 10.3.2 Low-Cost Urban Road Safety Program - New Treatment Plans

In relation to item 10.3.1 and 10.3.2 Kate Bowker was in attendance in opposition to the officer recommendation.

Cr Lorna Clarke declared a proximity interest in item 10.3.1 and 10.3.2.

Mr Luke Botica declared a proximity interest for item 10.3.2.

At 7:30pm Cr Lorna Clarke and Mr Luke Botica withdrew from the Council Chambers for the duration of this deputation. At 7:35pm Cr Lorna Clarke and Mr Luke Botica returned to the meeting.

2. 10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed

In relation to item 10.4.1, Kevin Osbourne was in attendance in support of the officer recommendation.

3. 10.4.3 Proposed Eight Multiple Dwellings – Lot 6, 10 Hewton Street Morley

In relation to item 10.4.3, Brian Davis was in attendance in opposition to the officer recommendation.

4. 10.4.3 Proposed Eight Multiple Dwellings – Lot 6, 10 Hewton Street Morley

In relation to item 10.4.3, Carlo Famiano, on behalf of the landowners, was in attendance in support of the officer recommendation.

5. 11.1 Cr Elli Petersen-Pik - Deputy Mayor – Potential Land Acquisition for Parking in Maylands

In relation to item 11.1, Rebecca Hall was in attendance in support of the motion.

6. 11.1 Cr Elli Petersen-Pik - Deputy Mayor – Potential Land Acquisition for Parking in Maylands

In relation to item 11.1, Bill Busby was in attendance speaking in support of the motion.

Cr Nat Latter declared a financial interest for this item. At 7:53pm Cr Nat Latter withdrew from the Council Chambers for the duration of this deputation. At 8:02pm Cr Nat Latter returned to the meeting.

Written deputations

Written deputations were circulated to Council and copies provided on the City's website.

7. 10.3.1 Low-Cost Urban Road Safety Program - Update on Treatment Plans

In relation to item 10.3.1, Georgina Ker submitted a **written deputation** in support of the officer recommendation.

8. 10.3.2 Low-Cost Urban Road Safety Program - New Treatment Plans

In relation to item 10.3.2, Kelsey Hunt submitted a **written deputation** in opposition to the officer recommendation.

9. 10.3.2 Low-Cost Urban Road Safety Program - New Treatment Plans

In relation to item 10.3.2, Georgina Ker submitted a **written deputation** in opposition to the officer recommendation.

10. 10.3.2 Low-Cost Urban Road Safety Program - New Treatment Plans

In relation to item 10.3.2, Georgina Gibbs submitted a **written deputation** in support of the officer recommendation.

11. 10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed

In relation to item 10.4.1, Jasmine Borovina submitted a **written deputation** in opposition to the officer recommendation.

12. 10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed

In relation to item 10.4.1, Akanshu Shah submitted a **written deputation** in opposition to the officer recommendation.

13. 10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed

In relation to item 10.4.1, Jacky Fisher submitted a **written deputation** in opposition to the officer recommendation.

14. 10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed

In relation to item 10.4.1, Gerard and Vicki Roelofs submitted a **written deputation** in opposition to the officer recommendation.

15. 10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed

In relation to item 10.4.1, Thomas Boyd submitted a **written deputation** in opposition to the officer recommendation.

16. 10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed

In relation to item 10.4.1, James Reed and Yuki Takeno submitted a **written deputation** in support of the officer recommendation.

4. QUESTIONS TAKEN ON NOTICE FROM ELECTED MEMBERS ON AGENDA ITEMS

The following questions were taken on notice at the briefing and responses are provided below to assist Councillors in their deliberations on the matter.

Cr Elli Petersen-Pik – Deputy Mayor

10.3.1 Low-Cost Urban Road Safety Program - Update on Treatment Plans

Question 1

Has the City aligned any of the proposed road treatments with the approved plans, bike plans, safe routes to school etc.?

Response 1

The proposed road treatments are aligned with the City's Bike Plan and the Safe Routes to School Plan. Given the current scope of the Safe Route to School program is predominantly within Maylands, consideration has been given for the proposed traffic calming devices in this program to be in line with the LCURS program under the Maylands Peninsula Precinct. Some of the location of these treatments include East Street and Mephan Street. It should be noted however that a number of proposed treatments under the Safe Route to School program was not qualified under the LCURS program and were therefore excluded.

The LCURS treatments selected are cycle friendly and provide a safer road environment by slowing down the general traffic and improve the visibility at intersections by applying prominent road markings.

Cr Elli Petersen-Pik – Deputy Mayor

10.3.1 Low-Cost Urban Road Safety Program - Update on Treatment Plans and 10.3.2 Low-Cost Urban Road Safety Program - New Treatment Plans

Question 2

In regard to Shearn Park, it states 35% were opposed to the recommended treatments. What was the opposition in relation to, and can we also be provided with any other areas where there were high levels of opposition to the recommended treatments <39%?

Response 2

The most common responses within the Shearn Park Precinct included the following: streets are too narrow, cars parking on the street already slows vehicle speed, speed bumps hurt your spine and damage vehicles and will affect parking.

The other precinct that had received a high level of objection was in the Weld Square Precinct. This precinct consisted of sites that generated an against score of 40%. These sites consisted of two proposed treatments (raised platforms) within a street. This however is in the context of only five comments being received from residents on this street equating to two comments against and three comments for.

Cr Lorna Clarke declared a proximity interest for item 10.3.1 and 10.3.2.

At 8:07pm Cr Lorna Clarke withdrew from the Council Chambers and did not participate in questions from members on this item.

At 8:13pm Cr Clarke returned to the meeting.

Cr Giorgia Johnson

10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed

Question 1

What are the current rules for distances with an off-lead dog area near a playground?

Response 1

Dogs are required to be on lead within 20 metres of any dog park.

Cr Josh Eveson

10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed.

Question 1

Are there any records of any dog issues in the past, when this reserve had an off-lead dog area?

Response 1

State Government records have been checked until 1973 and during that time Battersea Reserve has not been designated as an off-lead dog exercise area.

One dog related matter has been reported to the City since 1 January 2000 which related to two dogs being off lead within the reserve.

Cr Elli Petersen-Pik – Deputy Mayor

10.4.1 Petition for Battersea Reserve Morley to be Reclassified as a Dog Exercise Area and Playground to be enclosed.

Question 1

This reserve was previously an off-lead dog area. Do we know why this changed to an on-lead dog area?

Response 1

Section 31 of the *Dog Act 1976* sets out that all dogs must be on lead in a public area unless a public place is designated as an off-lead dog exercise area by the local government.

A review of Western Australian Government Gazette since 1973 indicate Battersea Reserve has not been designated as an off-lead exercise area during that period.

Cr Nat Latter

10.2.4 2023/24 Statutory Mid-Year Budget Review

Question 1

There was a council resolution from August 2023 in relation to Maylands Brickworks, to allocate \$250,000 for the project but there was an additional limb to allocate additional funds in the mid-year budget review for annual maintenance?

Response 1

In relation to the additional limb for the consideration of an allocation of additional funding in the mid-year budget review for annual maintenance, Council at its Ordinary Meeting of 22 August 2023, resolved, in

part, as follows:

4. Requests the Chief Executive Officer to present a report at the Ordinary Council Meeting in December 2023 in relation to the following matters: (a) A proposed schedule of annual maintenance works and associated estimated costs for the Maylands Brickworks Reserve (inclusive of all buildings) to inform an annual amount to be considered by Council as part of the mid-year 2023/24 Budget review and the subsequent annual budgets process.

Notwithstanding the above, at the Ordinary Council Meeting of 12 December 2023, Council resolved in part as follows:

2. Note the existing budget allocation for maintenance of the site, and defer any consideration of the annual maintenance budget until scoping works have been completed for the baseworks to the Hoffman Kiln.

In accordance with the above, there has not been any allocations of additional funds in the mid-year budget review at this time for annual maintenance, as consideration has been deferred until the scoping works have been completed. Scoping works are currently being undertaken and a further report will be provided to Council.

Cr Lorna Clarke declared a financial interest for item 10.2.4.

At 8:30pm Cr Lorna Clarke withdrew from the Council Chambers and did not participate in questions from members on this item.

At 8:35pm Cr Clarke returned to the meeting.

Cr Elli Petersen-Pik – Deputy Mayor

10.4.2 Proposed Change of Day for Annual Australia Day Citizenship Ceremony and Awards

Question 1

Can we please confirm why we are considering holding the Citizenship Ceremonies up to three days after Australia Day and not including the option of three days prior to Australia Day?

Response 1

The amendments undertaken by the Department of Home Affairs was presented to the Reconciliation Advisory Committee for feedback on 19 April 2023. The views of the four members in attendance suggested that of the two options, the three days after the Australia Day public holiday, if changed, would be more appropriate.