

Meeting	Agenda Briefing Forum – for OCM 28 June 2022				
Location	Council Chambers				
Date Time	21 June 2022	Start Time	7:00pm	Finish Time	10:59pm

1. ATTENDANCE

<u>Members</u>		<u>Officers</u>	
Cr Dan Bull (attended via electronic means)		Mr Doug Pearson	Director Major Projects and Commercial Activities
Cr Josh Eveson		Ms Lorraine Driscoll	Director Corporate and Strategy
Cr Giorgia Johnson		Mr Luke Botica	Director Works and Infrastructure
Cr Elli Petersen-Pik		Mr Des Abel	Director Community and Development
Cr Steven Ostaszewskyj		Mr Mitchell Halls	Agenda and Minutes Officer
Cr Assunta Meleca		Mr Brett Wright	Manager Parks and Gardens
Cr Sally Palmer		Mr George Rimpas	Manager Engineering Works
<u>Leave of Absence</u>		Mr Dan West	Manager Sustainability, Environment and Waste
Cr Filomena Piffaretti, Mayor		Ms Helen Smith	Development and Place
Cr Catherine Ehrhardt, Deputy Mayor		Mr Michael Worthington	Manager Environmental Health and Statutory Planning
<u>Apologies</u>		Ms Alix Bray	Principal Strategic Planning and Place
Cr Lorna Clarke		Mr Bryce Coelho	Principal Engineer Major Projects
Cr Michelle Sutherland		Mr Tom Stacey	Senior Project Manager Support
Public: 16		Ms Karen D'Cunha	A/Governance Project Officer
		Mr Michael Robson	A/Coordinator Statutory Planning
		Ms Alex Barker	Technical Officer – Tree Services
		Ms Chelsea Beavington	Executive Assistant to the CEO
		<u>Apologies</u>	
		Mr Cliff Frewing	Chief Executive Officer

2. 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
Cr Sally Palmer	10.4.2	Impartial	<i>I have been involved with the WA Premix. I visited the sight two weeks ago which is in the developer's register.</i>
Cr Steven Ostaszewskyj	10.4.2	Impartial	<i>I also visited the plant a couple of weeks ago at the invitation of WA Premix to see what happens at that site.</i>
Cr Steven Ostaszewskyj	10.4.4	Impartial	<i>This is my uncle and auntie [giving the deputation] ... this would be an impartial interest and for transparency I will be leaving the room and not participating in this item</i>
Cr Sally Palmer	10.5.1	Impartial	<i>I have an impartial interest being the chair of the City of Bayswater Child Care Centres.</i>
Cr Dan Bull	10.5.1	Impartial	<i>St Columbus Primary School is on that street and my kids go there and Bayswater Primary School is on the street and I am a member of that school board.</i>
Cr Dan Bull	10.5.4	Proximity	<i>The Tonkin Gap Project is on my back fence.</i>
Cr Giorgia Johnson	10.3.1	Proximity	<i>It mentions the area I live in.</i>

3. DEPUTATIONS

1. 10.3.2 Urban Forest Strategy Update

In relation to Item 10.3.2 Ms Wendy Garstone was in attendance, speaking against the officer's recommendation (*refer page 134*).

2. 10.3.2 Urban Forest Strategy Update

In relation to Item 10.3.2 Ms Erin Pedretti submitted a written deputation, against the officer's recommendation (*refer page 134*).

3. 10.4.1 Proposed Two Storey Single House - Lot 2, 4 Neville Street, Bayswater

In relation to Item 10.4.1 Mr Adrian Dhue was in attendance, speaking against the officer's recommendation (*refer page 159*).

4. 10.4.2 Proposed Alterations and Additions to Concrete Batching Plant - Lot 2, 277-279 Collier Road, Bayswater

In relation to Item 10.4.2 Mr Jamie Petrovic was in attendance, speaking against the officer's recommendation (*refer page 169*).

5. 10.4.2 Proposed Alterations and Additions to Concrete Batching Plant - Lot 2, 277-279 Collier Road, Bayswater

In relation to Item 10.4.2 Ms Kasia Betka was in attendance, speaking in support of the officer's recommendation (*refer page 169*).

6. 10.4.4 Proposed Land Dealings - Various Rights of Way in Bayswater and Noranda

In relation to Item 10.4.4 Ms Jenny (Genowefh) Ostaszewskyj was in attendance, speaking against the officer's recommendation (*refer page 202*).

7. 10.4.4 Proposed Land Dealings - Various Rights of Way in Bayswater and Noranda

In relation to Item 10.4.4 Mr Grant Speldewinde was in attendance, speaking in support of the officer's recommendation (*refer page 202*).

8. 10.5.1 Traffic Management – Roberts Street, Bayswater

In relation to Item 10.5.1, Ms Anna Huska was in attendance, speaking against the officer's recommendation (*refer page 223*).

9. 10.5.1 Traffic Management – Roberts Street, Bayswater

In relation to Item 10.5.1, Mr Steven Barbuto submitted a written deputation against the officer's recommendation (*refer page 223*).

10. 10.6.1.4 Revised Urban Trees Policy

In relation to Item 10.6.1.4, Ms Aileen O'Rourke submitted a written deputation against the officer's recommendation (*refer page 360*).

11. 10.6.1.4 Revised Urban Trees Policy

In relation to Item 10.6.1.4, Ms Kate Bowker submitted a written deputation against the officer's recommendation (*refer page 360*).

4. QUESTIONS 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.

QUESTIONS FROM MEMBERS TAKEN ON NOTICE

Item 10.2.5 Schedule of Proposed Fees and Charges for 2022/23

Question 1 - Cr Elli Petersen-Pik

We used to have a concession for those with a resident card and that was cancelled last year and I wasn't aware of that. Has the City had heard any complaints about that and has there been any impact from that change?

Response 1

No written concerns were received from residents and staff advise that comments from patrons relating to the change were minimal.

Item 10.2.6 Gas Supply Contract

Question 1 - Cr Giorgia Johnson

Our emissions and fossil fuel reduction plan doesn't include gas, so why are we buying gas? (Answered)

When will this plan reach the end of its useful life?

Response 1

The plan will reach the end of its useful life in approximately 12 years when the current gas boiler reaches the end of its expected useful life.

Item 10.3.2 Urban Forest Strategy Update

Question 1 - Elli Petersen-Pik

In relation to the implementation plan provided in the Urban Forest Strategy it essentially elaborates the actions from the strategy, and when we achieve each one of them or haven't. Is it possible to provide us that table for next week before we make a final decision on the target so we can see the progress? I'm assuming just taking each action - have we done it or not? If we did it, in which year was it? This is what the implementation plan actually needs to have so we can make an informed decision by next week.

Response 1

A progress update report on the action list in the Urban Forest Strategy was last presented to the Audit and Risk Committee in May 2021. The report provides an update on the progress of each action item. City officers are updating the list with the latest progress updates and will provide the list to Councillors as soon as it is finalised.

Question 2 - Cr Josh Eveson

How many trees have been planted since the UFS (Urban Forest Strategy) was endorsed?

Response 2

Tree plantings are generally separated between urban areas and natural areas.

The following table provides information on urban area planting since Winter 2018:

	2022 Winter	2021 Winter	2020 Winter	2019 Winter	2018 Winter
Total tree planting requested/proposed	1,901				
Total trees planted		1,292	1,618	1,204	1,235
Locations:					
Residential Verges - Requested	971	624	590	190	129
Residential Verges - Identified	TBA	NA	NA	}	466
Medians	315	127	NA	} 201 (Verges + Medians)	}
Parks/Reserves	615	441	1,028	572	} 640 (Medians + Parks)
Industrial Verges/Drainage Reserves	TBA	100 (identified)	NA	241 (identified)	

The figures above for Winter 2022 are as at the 15 June 2022. The City is still sourcing locations for further tree planting and the figures are expected to increase. It should be noted that there may be tree supply issues that may affect the planting numbers. City officers are working on securing tree supplies to meet the requested and proposed planting numbers.

For natural areas, officers do not have a specific number, as they record the total number of tubestock planted and that includes shrubs etc. Since the UFS was approved, officers have planted in excess of 250,000 tubestock. Of that, at least 5% (12,500) are species that grow in excess of five metres in height.

Item 10.4.2 Proposed Alterations and Additions to Concrete Batching Plant - Lot 2, 277-279 Collier Road, Bayswater

Question 1 - Cr Elli Petersen-Pik

On page 175, the City mentioned two non-compliance incidents that were identified. Can I please find out when did they occur and how did the City hear about them and what was the outcome?

Response 1

Since the concrete batching plant commenced operations, compliance action has been undertaken by the City once in respect of non-compliance with the stipulated plant operating hours and once in respect of non-compliance with dust requirements.

The plant owner admitted on 11 October 2019 to operating outside of the stipulated operating hours in order to accommodate the needs of a specific customer and the court imposed a fine of \$7,500 and ordered the company to pay the City's costs.

The plant owner admitted on 20 August 2021 to exceeding the dust emission limits between 5 March 2020 and 24 November 2020 and the court imposed a fine of \$20,000 and ordered the company to pay the City's costs.

Item 10.4.3 Proposed Relocation of Loading Bay on Eighth Avenue, Maylands

Question 1 - Cr Giorgia Johnson

What is the definition of the taxi bays and can other ride sharing people use it?

Response 1

I just wanted to check the definition of taxi bays, can other ride sharing people use it? I'm not sure what the taxi bays are reserved for.

In accordance with the City's *Parking and Parking Facilities Local Law 2016*:

"6.2 Stopping in a taxi zone or a bus zone

(1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi."

It is considered that authorised ride share operators, technically known as 'passenger transport drivers' or 'on demand passenger transport services' would be able to utilise taxi bays if they are authorised drivers by the Department of Transport (DoT). Unauthorised drivers would not be able to park in the bays.

It is noted that all ride share drivers within Western Australia are required to register with the DoT as a 'passenger transport driver' and should be authorised to park within the taxi bays.

Item 10.6.1.1 Community Facility Lease and Licence/User Agreement Policy

Question 1 - Cr Elli Petersen-Pik

Can the City please remind me why the current policy talks about charging annual rent from not-for-profit community groups but none from sporting clubs? Why do we have that '\$1' and that we do have a charge? What is the difference between the sport clubs and the not-for-profit community groups?

Response 1

The rental amounts for specific tenant categories were adopted at the Ordinary Council Meeting on 9 April 2019, following a Councillor Workshop. These amounts have not changed since April 2019, however the 'Lease Fees and Charges' column was further amended in response to a Notice of Motion at the Ordinary Council Meeting held on 20 August 2019, to exclude rates and utility costs, however the rental amounts remained the same. \$1 is the consideration payable under the lease for legal reasons.

Question 2

Can we get a full list of our groups being covered by this in accordance with each category?

Response 2

Officers will provide Councillors with the above information in a separate document, as the information is confidential.

Question 3 - Cr Dan Bull

In a confidential attachment in a previous report, the traffic light system showed which lessees were worse off. Could we have a spreadsheet of each lease of each policy presented with the traffic light system?

Response 3

Officers will provide Councillors with the above information in a separate document, as the information is confidential.

Question 4

What would be the increase of decrease of amounts payable if this policy is adopted?

Response 4

On page 258 of the Agenda to the Ordinary Council Meeting for 28 June 2022, it states the following: *"Aside from the amendment that all tenants will be responsible for utility costs as a part of their outgoings (unless otherwise exempt), the tenant's responsibilities and lease fees and charges remain unchanged."* Further information relating to the above is addressed in the confidential document that will be provided separately to Councillors.

Item 10.6.1.4 Revised Urban Trees Policy

Question 1 - Cr Elli Petersen-Pik

What is the cost of doing that exercise just mentioned? That of going back and forth with each specific residence they tell us or write to us - no I don't want a tree. What is the cost to our officer time to do that?

Response 1

The City does not have any record of costs for engaging with specific residents on tree planting matters. It is difficult to estimate this cost due to the variability associated with requests, which areas are targeted, and other factors.

The following provides an insight into the engagement during previous years. The City would send a letter to residents advising of the City's intent to plant trees in their street, and the species and location of the tree would already have been decided by a City officer to best suit each verge and existing species within the street. From this process, residents would sometimes question the selected species and ask for another to be considered (for example, requesting a Jacaranda even though they have overhead powerlines), resulting in officers spending time explaining why the particular species was selected and potentially come to a compromise with the resident for another suitable species. Also, if a resident declined to have a tree, officers would spend time engaging with those residents in an effort to convince them that having a tree on their verge is of real value to them and the broader community. There are also times where trees are planted and the resident then contacts the City requesting the tree to be removed, which leads to an engagement process that can either result in the trees remaining or being transplanted elsewhere.

Question 2 - Cr Elli Petersen-Pik

There are changes here of how we are going to deal with the issue of poisoning verge trees and all the sections that were added in 2017 with regards to putting signs and painting part of the tree were removed. My question is how many people has the City found to be related to poisoning trees and how many people have continued to prosecution until now?

Response 2

No instances of vandalism in recent years have led to prosecution, due to lack of evidence.

Question 3 - Cr Steven Ostaszewskyj

Were residents allowed to prune trees under the policy from April 2019 under the tree memorial clause?

Response 3

Residents were permitted to maintain verge trees under the previous tree memorial clause.