



Agenda Briefing Forum Meeting notes – 6 August 2019



Please be advised that an **Agenda Briefing Forum** was held at **6:30 pm** on **Tuesday 6 August 2019** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

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His Worship the Mayor Trevor Vaughan 9 August 2019

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1 About the Agenda Briefing Forum

The purpose of the Agenda Briefing Forum is to ask questions and seek clarity on the draft Ordinary Council Meeting agenda, in line with the Agenda Briefing, Concept Forum and Council Workshops Policy.

The meeting is open to all members of the public, except during the consideration of matters deemed confidential in line with the *Local Government Act 1995*.

Members of the public that are directly impacted by an item on the agenda may participate in the meeting through any of the following methods.

1. Deputation

A deputation is a presentation made by a group of between two and five people affected (adversely or favourably) by a matter on the agenda. A <u>Deputation Form</u> must be submitted to the Town no later than 24 hours prior to the meeting and is to be approved by the Chief Executive Officer.

2. Presentation

A presentation is a submission made by an individual affected (adversely or favourably) by a matter on the agenda. A <u>Presentation Form</u> must be submitted to the Town no later than 24 hours prior to the meeting and is to be approved by the Chief Executive Officer.

All others may participate in the meeting during the allotted Public Participation Time. While it is not required, members of the public are encouraged to submit their questions and statements in advance by <a href="mailto:emailto

For any questions regarding the Agenda Briefing Forum or any item presented in the draft agenda, please contact the Governance team at GovernanceVicPark@vicpark.wa.gov.au

Disclaimer

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Any advice provided by an employee of the Town on the operation of written law, or the performance of a function by the Town, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Town. Any advice on a matter of law, or anything sought to be relied upon as representation by the Town, should be requested in writing.

Noting that the Agenda Briefing Forum is only for the purpose of seeking further information on the draft Ordinary Council Meeting Agenda, and does not constitute a decision-making forum, any person or entity who has an application or submission before the Town must not rely upon officer recommendations presented in the draft agenda. Written notice of the Council's decision, and any such accompanying conditions, will be provided to the relevant person or entity following the Ordinary Council Meeting.

2 Opening

Deputy Mayor Vicki Potter opened the meeting at 6:30 pm.

Acknowledgement of the traditional owners

I am not a Nyungar woman, I am a non-Indigenous woman. I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

Ngany yoowart Noongar maam, ngany wadjella maam. Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.

I acknowledge the traditional custodians of this land and respect past, present and emerging leaders, their continuing cultural heritage, beliefs and relationship with the land, which continues to be important today.

Ngany kaaditj Noongar moort keny kaadak nidja Wadjak Noongar boodja. Ngany kaaditj nidja Noongar birdiya – koora, ye-ye, boorda, baalapiny moorditj Noongar kaadijtin, moort, wer boodja ye-ye.

I thank them for the contribution made to life in the Town of Victoria Park and to this region.

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

3 Announcements from the Presiding Member

3.1 Purpose of the Agenda Briefing Forum

The purpose of this forum is to provide an opportunity for Elected Members to ask questions and obtain additional information on officer reports in the draft Ordinary Council Meeting agenda. It is not a decision-making forum, nor is it open for debate.

Members of the public that may be directly affected by an item on the agenda can make presentations, deputations, statements, and ask questions, prior to the matter being formally considered by Council at the next Ordinary Council Meeting.

3.2 Notice of recording and live-streaming

All participation in the meeting will be audio recorded and live-streamed on the Town's website. The live-stream will be archived and made available on the Town's website after the meeting.

3.3 Conduct of meeting

All those in attendance are expected to extend due courtesy and respect to the meeting by refraining from making any adverse or defamatory remarks regarding Council, the staff or any elected member. No one shall create a disturbance at a meeting by interrupting or interfering with the proceedings through expressing approval or dissent, by conversing, or by any other means.

All questions and statements made by members of the public are not to personalise any elected member or member of staff. Questions and statements are to be directed to the Presiding Member, who may choose to

call upon an officer of the Town, or another elected member, to assist with responses.

3.4 Public participation time

There are two opportunities to ask questions and make statements at the beginning and at the end of the meeting. Each public participation time will be held for 30 minutes. Any additional time must be by agreement from the meeting and will be in five-minute increments.

In line with the intended purpose of the Agenda Briefing Forum, questions and statements relating to an agenda item will be considered first. All others will be considered in the order in which they are received.

3.5 Questions taken on notice

Responses to questions taken on notice that relate to an agenda item will be presented in the officer report for the Ordinary Council Meeting agenda under the heading 'Further consideration'.

Responses to general matters taken on notice will be made available in the relevant Ordinary Council Meeting agenda under the section 'Responses to public questions taken on notice'.

4 Attendance

Deputy Mayor Cr Vicki Potter

Banksia Ward Cr Claire Anderson

Cr Ronhhda Potter

Jarrah Ward Cr Jennifer Ammons Noble

Cr Bronwyn Ife Cr Brian Oliver

A/Chief Executive Officer Mr Ben Killigrew

A/Chief Operations OfficerMr Gregor WilsonChief Financial OfficerMr Michael Cole

Chief Community Planner Ms Natalie Martin Goode

Manager Development ServicesMr Robert CruickshankManager Governance and StrategyMs Danielle Uniza

Secretary Mr Liam O'Neill

4.1 Apologies

Mayor Mayor Trevor Vaughan

Banksia WardChief Executive Officer
Cr Julian Jacobs
Mr Anthony Vuleta

4.2 Approved leave of absence

Banksia Ward

Cr Karen Vernon

5 Declarations of interest

Declaration of interest affecting impartiality

Name/Position	Cr Ronhhda Potter			
Item No/Subject	12.4 Variation of Lease			
Nature of interest	Impartiality			
E to all a Chalana	Member of the Board of Harold Hawthorn as a representative of			
Extent of interest	the Town			

6 Public participation time

John Gleeson

1. How many people have we got working in the Town planning department?

The Chief Community Planner said approximately ten.

Mr Gleeson made a statement regarding a planning consultation letter that he had received. Mr Gleeson spoke in relation to the number of car bays.

The Deputy Mayor explained the process for the granting of a planning approval.

Mr Gleeson spoke about the process to provide feedback on the development application.

The Deputy Mayor explained that Mr Gleeson was not required to give feedback, but could give feedback if he desired. The Deputy Mayor agreed to take Mr Gleeson's concerns on notice and provide him with further information.

Mr Gleeson spoke about receiving a parking fine on mother's day and that he did not believe it was fair dinkum to issue fines on mother's day.

2. Who moved and seconded the motion to close the IGA laneway?

The Deputy Mayor took the question on notice.

Sam Zammit

1. Do parking inspectors go out at night?

The Deputy Mayor responded that the Town does.

Mr Zammit made a statement regarding the potholes at the Oats Street station crossing.

The Deputy Mayor pointed Mr Zammit to item 11.4 on the agenda regarding Metronet advocacy in relation to this matter.

2. Do ratepayers pay their rates in advance?

The Deputy Mayor responded that yes rates are paid in advance for the whole financial year. Ratepayers may pay rates in instalments.

3. There are penalties for paying them late then?

The Deputy Mayor explained that an administrative charge is applied for payments in instalments.

Mr Zammit made a statement regarding payments in instalments.

4. Why does our road sweeper sweep adjacent local governments?

The Deputy Mayor explained that the Town has a memorandum of understanding with the City of South Perth to sweep their roads and the City pays the Town for this service.

5. What services does the Town get from the City of South Perth?

The Deputy Mayor took the question on notice.

6. The Town recently disposed of some furniture and some desks and they went out in a skip. Why were these not provided for local community groups?

The Deputy Mayor explained that the furniture disposed of was attached to the wall and did not have legs and ongoing renovations when they were removed resulted in their disposal. What furniture was salvageable is stored at the depot.

7. The Town has facilities to dispose of batteries and lightbulbs. New lightbulbs contain mercury, does this represent a safety risk?

The Deputy Mayor explained the process for the disposal and emptying of those bins.

8. How many Freedom of Information requests are active at this time?

The Deputy Mayor took the question on notice.

Mr Zammit spoke about the selling of the croquet club land. If the land was sold where the money would go and has the land been valued?

The Deputy Mayor explained that no conversations have been had with elected members regarding the selling of the croquet club land but it happened, the money would be supplied to land asset optimisation fund. The Deputy Mayor explained how that fund recently purchased new land on Albany Highway in the John Macmillian precinct.

Craig Major - President of the WA Mobile Food Vendors Association

1. In reference to item 11.2. Does this policy ban food trucks on Council land outright?

The Manager Development Services explained the process that was undertaken during the summer trial of food trucks. Following community feedback, the recommendation is to end the trial and prohibit food trucks from parks and reserves except for approved events.

Mr Major made a statement in regards to the proposed policy and his arguments against the officers' recommendations and submissions provided by local businesses. He highlighted the successes in Inglewood and the unique differences between food trucks and bricks and mortar tenants.

2. Can I contact elected members?

The Deputy Mayor advised Mr Major to contact elected members via the website.

John Gleeson

Mr Gleeson made a statement regarding the need to clean the carpets at the entrance.

7 Presentations

Nil.

8 Deputations

Nil.

9 Method of dealing with agenda business

Nil.

10 Chief Executive Officers Reports

10.1 Review of the Town Policy Manual

Questions and responses

Cr Jennifer Ammons Noble

1. What is the benefit overall of making changes to policies that are under review?

The Manager of Governance and Strategy outlined the process of the minor review of the policy manual. The changes proposed are to ensure all policies conform to the policy template that was previously presented to Council. The next step will be to upload all policies on to the website individually for ease of navigation.

Policies that are currently under review vary in time on when they will be presented to Council, some as early as a few months with some not until the next year.

As this is the first wholescale review of the policy manual since 2015, the main benefit to be gained by making changes now to policies that are also under review is to ensure there is consistency across the board.

2. I noticed that not all the commentary was received prior to putting this item up —is there an urgency to the timing of this review?

The Manager of Governance and Strategy responded that at its May Ordinary Council Meeting, Council resolved to request that the full policy manual review be presented to Council in August.

Perhaps it is a bit understated in the report – however, discussions with managers (particularly those with further changes to policies under their responsibility) have already occurred. The current consultation with managers is merely a 'final review' of the document.

There are a few steps that have been undertaken to review this policy manual. There has been a first round of review – where discussions with specific managers have occurred. After this, another draft review was completed then placed on the elected member portal for feedback. Upon the close of that feedback period, the full manual was reviewed again for consistency. The result of that last review is what has been included in the ABF agenda – and the version currently with managers for a 'last review'.

3. Was there any community commentary or feedback considered as part of this review?

No – as stated in Policy 001 – the full policy review 'entails a broad review of the content of each policy to allow for minor amendments. Any amendments arising from a policy review should not

alter the purpose of the policy'. Because no material changes have been made to policies, no community feedback was conducted at this time.

Cr Brian Oliver

1. Where a policy has had a policy objective and scope included, who determined the objective and scope for these policies?

The Manager of Governance and Strategy stated that most of the proposed policy objective and scope have been taken from existing wording within the policy itself – either from an existing 'policy objective' and/or 'scope' taken from the 'policy statement' section.

In this manner, the policy scope and objective were drafted by Governance in the first instance. That said, at current, the policy manual has been circulated to each 'responsible officer' – which in most cases are Managers in the Town – for their review. One of the key points of review are relating to the accuracy of the proposed scope and objective of each policy.

2. At paragraph 10, Policies currently under review, who determined for these policies to be reviewed and how will elected members be involved in the review of these policies?

The Manager of Governance and Strategy explained that the policies identified in the report at paragraph 10 were identified on the criteria set out in Policy 001. The individual reasons for each policy were read out and will be included in the final report.

As stated in section 5(c) of Policy 001, elected members will set policies for the Town by considering policies presented for adoption, review and evaluation. That said, different policies may require different levels of involvement depending on the nature of the change.

That said, in accordance with paragraph 6 of Policy 023, draft documents which require elected member feedback, including policies, will first be placed on the elected member portal for review. Policies that are more complex and require further discussion will be brought to a Concept Forum.

3. In May, the Manager of Strategy and Governance advised that the administration would provide recommendations on policies that need to be reviewed in full. Following the minor review, did the administration identify any policies to be reviewed in full?

The only policies recommended for full review, other than those already being reviewed, is the Legal Advice Policy and the Access to Reserve Funds Policy. Including those two, there are 15 policies undergoing a full review.

On top of this, the recent assent to the *Local Government Legislation Amendment Act 2019* will further require the development of five additional policy documents:

- 1. Standards for CEO recruitment, performance and termination
- 2. Acting CEO policy

- 3. Event attendance policy
- 4. Code of conduct for elected members, committee members and candidates.
- 5. Elected members training and development policy.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Details for the reasons for each policy review.

10.2 Poll of Electors - Background Statement and Arguments

Questions and responses

Cr Claire Anderson

1. I note in the proposed arguments to electors that the matter relating to grant funding has been removed. Can further information be provided regarding this matter?

The Manager of Governance and Strategy stated that this can be further addressed in the report and in frequently asked questions that will be provided on the Town's website.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Information regarding the previously provided argument relating to grants.

10.3 Submission to the Select Committee into Local Government

Questions and responses

Cr Jennifer Ammons Noble

1. Why have elected members not been included in partnership as authors for this submission?

The Manager of Governance and Strategy outlined the timeline of events leading to the Town's submission with a letter requesting a submission only arriving on 9 July. The Town followed the process undertaken for phase two of the local government act review and the draft submission was uploaded to the Councillor Portal on 5 August.

At the recent meeting of the Committee, the deadline for submissions was extended to 13 September. The Manager Governance and Strategy has written to the Committee to request an additional extension to 18 September to enable further time for this items consideration by elected members. However, the extended deadline is not convenient to the current meeting schedule as such this item is listed for consideration at this month's OCM. The Town had a three week turnaround time to prepare a submission to come to Council.

Cr Brian Oliver

1. Why has the submission been done without any engagement with elected members when it specifically relates to us?

The Manager of Governance and Strategy reemphasised her previous answer regarding the short timeline and pointed to the broad terms of inquiry which made it difficult to prepare surveys similar to what occurred with phase two. The Town's intended course of action was to follow the process undertaken for the phase two submission in preparing a draft submission that elected members then adapted.

2. Has the administration considered a Special Council Meeting to meet the deadline?

The Manager Governance and Strategy outlined that the Town was only advised of the extension today. The first action that was taken was to request a slightly longer deadline to make the September Ordinary Council Meeting an option. If the extension request is not accepted then the Town will advise elected members who may consider a Special Council Meeting accordingly.

11 Chief Community Planner Reports

11.1 Naming of Parks and Reserves

Questions and responses

Cr Bronwyn Ife

1. What is the history of Rayment Park?

The Chief Community Planner outlined that no significant history has been identified in relation to that park.

Cr Ronhhda Potter

- 1. Are we able to get more information on the list of prominent women, in relation to their historical significance?
- 2. Has there been consideration for the names of Zone 2 and 2x?
- 3. Is there a clearer timeline on the consideration on indigenous names?

The Chief Community Planner advised this would be included in the council report.

Deputy Mayor Vicki Potter

1. Have we asked the Aboriginal Advisory Group for more than just names of people?

The Chief Community Planner advised that additionally significant place and fauna names were being considered.

Further consideration to be added to the Ordinary Council Meeting agenda

- 1. More information on the list of prominent women, in relation to their historical significance.
- 2. Any consideration given to the names for Zone 2 and 2x.
- 3. A clearer timeline on the indigenous names.

11.2 Adoption of Draft Council Policy 406 - Temporary Food Businesses and Itinerant Food Vendors

Questions and responses

Cr Jennifer Ammons Noble

1. Will mobile food vendors be allowed to trade on private property? What conditions will apply and what effect will this have on existing tenants?

The Manager Development Services advised that trading on private property would be permitted subject to having a temporary food business permit. If a vendor traded on private property for a significant period of time, planning approval would be required.

2. Was any data from other local governments considered when drafting this policy?

The Manager Development Services explained that in the initial drafting of this policy, discussions were held with the City of Fremantle and City of Vincent. In relation to this revision, no discussions were held with other local governments.

3. What percentage of submissions were from businesses, what percentage was from residents and what was the make-up of the community workshop?

The Manager Development Services detailed that of 76 submissions received, 12 were from businesses. 10 businesses attended the workshop.

4. Are there any risks associated with allowing mobile food vendors at formally recognised events?

The Manager Development Services advised that it was not expected as this would maintain the status quo that currently exists.

5. Given we have no current policy, how many food vendors would need to cease operating if this policy were adopted by Council?

The Manager Development Services stated that there are no food vendors the Town is aware of that would have to cease operating as a result of this policy.

11.3 Etwell Street Revitalisation Concept Design Report

Questions and responses

Cr Bronwyn Ife

1. Once consultation concludes, when would the next steps be undertaken?

The Chief Community Planner advised that the only further funding allocated in this budget was to obtain a detailed design proposal. It would then be up to Council to provide funding in a future budget to deliver the project.

11.4 Town of Victoria Park METRONET Advocacy Platform

Questions and responses

Cr Jennifer Ammons Noble

1. How likely is it that control would be taken away from the Town by the Metropolitan Redevelopment Authority? How often and where has this happened previously?

The Chief Community Planner advised there is only one case that the Town is aware of and that is the Bayswater Train Station redevelopment. This was due to controversy regarding design outcomes.

2. Will there be a role for community residents in advocacy on this project?

The Chief Community Planner stated yes and hopes that the community will be strongly engaged.

Cr Ronhhda Potter

1. Has the Town considered any engagement or undertaken any other engagement in businesses in relation to the advocacy role, particularly those near Carlisle Station?

The Chief Community Planner said that no engagement has been undertaken, however it is a great suggestion.

Cr Brian Oliver

1. Should the Town explicitly state that it requires additional State funding for these outcomes?

The Chief Community Planner advised that she does not agree as the Town does not know, nor has the expertise to cost the options detailed.

11.5 413 (Lot 763) Berwick Street, St James - Application for Residential Building (Lodging House)

Questions and responses

Cr Claire Anderson

1. In line with the requirements for short-term accommodation of this size, is universal access and an accessible bathroom required?

The Manager of Development Services took the question on notice.

2. In line with the objectives of the management plan, the garage is mentioned as both being a storage facility for the lodging house and as two potential car bays, is this garage a TARDIS or is there another storage space?

The Manager of Development Services advised that no, the garage is not a TARDIS. The Town has discounted the use of the garage as car parking as it is for storage of equipment and materials. Once the garage is eliminated, there are only five compliant car bays.

Cr Ammons Noble

1. The applicant has advised that informally it has been a lodging house prior to this application. Have there been any complaints and were any elevated to the police?

The Manager of Development Services advised that he was aware of three complaints, one in 2007, one in 2012 and one in 2019. He is unaware of the nature of the complaints and takes that matter on notice. The Town is unaware of any police reports relating to the property.

2. There was mention of prosecution for other properties relating to the property owner, could there be some comments in relation to this prosecution?

The Manager of Development Services advised that the matter mentioned went before the court last week. This land owner owns another property in the Town that contains two dwellings, each of those two dwellings was used as short-term accommodation without Town approval. Prosecution was undertaken by the Town and the owner pleaded guilty.

Further consideration to be added to the Ordinary Council Meeting agenda

- 1. Information about whether universal access and an accessible bathroom are required.
- 2. Information about previous complaints.

11.6 Community Sp	oorting and	Recreation	Facilities	Fund	(CSRFF)	- Small
Grants Application						

There were no questions asked or presentations made in relation to this item.				

12 Chief Operations Officer Reports

12.1 Single-Use Plastic and Polystyrene Ban

Questions and responses

Cr Bronwyn Ife

1. Have we contacted the farmer's market to advise them that this is coming?

The Acting Chief Operations Officer advised that a communications plan is being developed and they will be contacted.

Cr Brian Oliver

1. Why has 2(c) been included in the recommendation when it was not part of Council's original resolution?

The Acting Chief Operations Officer stated the recommendation will be revised.

Cr Jennifer Ammons Noble

1. In all the research that was undertaken, what was the period taken to move to plastic free?

The Acting Chief Operations Officer stated that research indicated six months to one year. The Town is hopeful to complete this in three months.

2. On page 80 there are some costings listed for the transition of \$60,000 to \$100,000. How much are we currently spending on single use plastic?

The Acting Chief Operations Officer took the question on notice but advised that this figure is on top of current spending.

3. Is this expenditure ongoing or once off?

The Acting Chief Operations Officer advised it is mostly ongoing.

The Acting Chief Executive Officer explained that most of the alternatives costed are currently bespoke options. Costs may however diminish as demand increases.

Further consideration to be added to the Ordinary Council Meeting agenda

- 1. Revise recommendation based on feedback received.
- 2. Information on how much is currently being spent on single-use plastic.

12.2 TVP-19-05 - ROW 52 Laneway Upgrade

Questions and responses

Cr Bronwyn Ife

1. Following approval, how long will construction take?

The Acting Chief Operations Officer advised that 10 to 12 weeks construction is expected.

12.3 TVP/19/07 - Higgins Park Tennis Courts Upgrade

There were no questions asked or presentations made in relation to this item.

12.4 Extension and Variation of Lease of Lot 3 Memorial Avenue, Harold Hawthorn Senior Citizens Centre and Memorial Hall, and Lot 404 Rutland Avenue, Aged Day Care Centre

There were no questions asked or presentations made in relation to this item.

13 Chief Financial Officer Reports

13.1 Schedule of Accounts for June 2019

There were no questions asked or presentations made in relation to this item.

13.2 Financial statement for the period ending 30 June 2019

There were no questions asked or presentations made in relation to this item.

13.3 Amendment (Dogs) Local Law 2019

There were no questions asked or presentations made in relation to this item.

13.4 TVP-19-09 Microsoft Office 365 E3 Licencing

There were no questions asked or presentations made in relation to this item.

14 Committee Reports

14.1 Draft Interim Audit Report 2018-2019 Financial Year

Questions and responses

Cr Ammons Noble

1. The Audit Committee made a resolution regarding writing to the Auditor General about the Draft Interim Audit Report, should this be included?

The Chief Financial Officer took this question on notice.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Revise recommendation based on feedback received.

14.2 Asset Sustainability Ratio - Audit opinion

There were no questions asked or presentations made in relation to this item.

15 Questions from members without notice on general matters

Cr Ronhhda Potter

1. I have a question about the West Coast Eagles' new facilities. Do we have a date when the community can have access to the ovals?

The Acting Chief Operations Officer advised that the Town has contacted the Eagles and access will only relate to Roberts Road Oval.

Cr Jennifer Ammons Noble

1. With the croquet operating subsidy for gardening, will it be for all the spaces in the future? Do we give a greens keeping assistance subsidy to Higgins Park as well?

The Acting Chief Operations Officer advised that we don't give a subsidy to Higgins Park at this time. The Town intend to transfer it across and extend it to utilities as well with the co-location plan.

The Acting Chief Executive Officer noted that the club have the permanent use of a croquet court. In the co-location, to maintain a court that can be taken up and pulled down, maintenance will be high.

16 Public participation time

Sam Zammit

1. Are we going to take down the old building from the croquet club and relocate it somewhere?

The Deputy Mayor advised that it was moved on plinth for that reason.

Mr Zammit highlighted that the building dates back to the 1930s or earlier. He believed that buildings such as this need to be preserved and made a plea to the Council to preserve it.

Mr Zammit made a statement regarding public rubbish bins.

2. What is going to go in the IGA laneway?

The Acting Chief Executive Officer explained that it is a revitalisation of the laneway and making it more accessible to pedestrians by closing it to cars. It will include benches, eating space, busking spaces and shade structures.

17 Confidential matters

The meeting was closed to the public to hear a matter that is confidential under section 5.23(2) of the *Local Government Act 1995*.

18 Closure

There being no further business, Cr Vicki Potter closed the meeting at 8:29 pm.