

# minutes

Elected Members Briefing  
Session



To: His Worship the Mayor and Councillors

Please be advised that an Elected Members Briefing Session commenced at **6.30pm** on **Tuesday 2 October 2018** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

A handwritten signature in black ink, appearing to read "A. Vuleta".

**MR ANTHONY VULETA**  
**CHIEF EXECUTIVE OFFICER**

**9 October 2018**

## 1 OPENING

Mayor Vaughan opened the meeting at 6:30pm.

## 2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

### 2.1 Recording of Proceedings

In accordance with clause 5.14 of the *Town of Victoria Park Standing Orders Local Law 2011*, as the Presiding Member, I hereby give my permission for only the Administration to record proceedings of this meeting.

### 2.2 Public Question & Public Statement Time

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 5.15 of the *Town of Victoria Park Standing Orders Local Law 2011*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

### 2.3 No Adverse Reflection

In accordance with clause 14.1 of the *Town of Victoria Park Standing Orders Local Law 2011*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees

### 2.4 Town of Victoria Park Standing Orders Local Law 2011

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Standing Orders Local Law 2011*.

### 3 ATTENDANCE

<b>Mayor:</b>	Mr T (Trevor) Vaughan
<b>Banksia Ward:</b>	Cr C (Claire) Anderson Cr J (Julian) Jacobs Cr R (Ronhda) Potter Cr K (Karen) Vernon
<b>Jarraah Ward:</b>	Cr B (Bronwyn) Ife Cr B (Brian) Oliver Cr V (Vicki) Potter (Deputy Mayor)
<b>Chief Executive Officer:</b>	Mr A (Anthony) Vuleta
<b>Chief Financial Officer:</b>	Mr N (Nathan) Cain
<b>Chief Community Planner:</b>	Ms N (Natalie) Martin Goode
<b>A/Chief Operations Officer:</b>	Mr J (John) Wong
<b>Manager Development Services:</b>	Mr R (Robert) Cruickshank
<b>Senior Governance Advisor:</b>	Ms D (Danielle) Uniza
<b>Secretary:</b>	Mrs A (Alison) Podmore
<b>Public:</b>	

#### 3.1 Apologies

<b>Chief Operations Officer:</b>	Mr B (Ben) Killigrew
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#### 3.2 Approved Leave of Absence

<b>Jarraah Ward:</b>	Cr J (Jennifer) Ammons Noble
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### 4 DECLARATIONS OF INTEREST

#### Declaration of Financial Interests

Nil.

#### Declaration of Proximity Interest

Nil.

**Declaration of Interest affecting impartiality**

Name/Position	Anthony Vuleta – Chief Executive Officer
Item No/Subject	10.1 - Proposed Retention of Current Ward and Representation Structure 2018
Nature of Interest	Impartiality
Extent of Interest	I am a member of the Local Government Advisory Board.

Name/Position	Ronhhda Potter - Councillor
Item No/Subject	21.1.1 – Victoria Park Youth Accommodation Inc. – outstanding lease matters – <i>confidential item</i>
Nature of Interest	Impartiality
Extent of Interest	I was on the board of the Vic Park Youth Accommodation

Name/Position	Trevor Vaughan - Mayor
Item No/Subject	21.1.1 – Victoria Park Youth Accommodation Inc. – outstanding lease matters – <i>confidential item</i>
Nature of Interest	Impartiality
Extent of Interest	I was on the board of the Vic Park Youth Accommodation

**5 PUBLIC QUESTION TIME****5.1 Responses to Questions Raised and Taken on Notice at the Elected Member Briefing Session held on Tuesday 4 September 2018**John Gleeson

- Q. How much money is put away for the future fund?
- R. As at 30 June 2017, the Future Fund Reserve contained \$12.33 million. The Financial Statements for the year ended 30 June 2018 have not yet been finalised, however it is anticipated that the Future Fund Reserve will have a balance in the order of \$14.38 million.

Peter McMillan

- Q. Is there any information on the development in 14 Clydesdale Street?
- R. Development approval has been granted for the development of the site with six (6) two storey dwellings.

## 5.2 Responses to Questions Raised at the Elected Members Briefing Session held on Tuesday 2 October 2018

### John Gleeson

1. How many people on this council own a business or have owned one; how long have they owned it for and how many staff do they have?  
R. Mayor Trevor Vaughan advised Mr Gleeson, that the Elected Members don't answer questions at public meeting. Elected Members will provide that information directly.
2. How much money is put aside for the future that is not in the budget?  
R. The Chief Financial Officer, Mr Nathan Cain advised that the future fund reserve will have in the order of \$14.4 million.

### Sebastian Pagana

1. The Embargo Bar on the foreshore; what were they paying for rent to the Town of Victoria Park (ToVP) and what was the square metre rate they were allowed to use down there?  
R. The Chief Financial Officer, Mr Nathan Cain took the question on notice.
2. With regards to the food trucks that are on the agenda, I tried to put my input onto the webpage and was unable to; is there any reason for that?  
R. The Chief Executive Officer, Mr Anthony Vuleta said he believed there was a query about whether the webpage was working, it was checked, it all worked, so not sure what the issues are from the other end, but the webpage and the *YourThoughts* engagement process works.
3. How are we supposed to know that this was happening apart from a third party copying and posting it to me?  
R. The Chief Community Planner, Ms Natalie Martin Goode advised that the draft food truck policy was advertised via the website, there were almost 2000 letters sent out to owners and occupiers that surrounded the proposed areas, it was on the Town's social media platforms and it was also in Southern Gazette newspaper. It was advertised for a total of 21 days and there were 57 submission received.

### John Bissett

1. With regards on page 176, of the report; if this is passed will the Town be hiring another person to administer this food vendor's policy?  
R. The Chief Community Planner, Ms Natalie Martin Goode said that the Town won't be hiring additional staff to administer the policy.
2. In respect to the *YourThoughts*, the website may have been checked internally or from the library or from your workshop, which is connected to your main frame system, but from the outside world *YourThoughts* didn't work; how many of the 59 submissions, which is only 3% of the letters that were sent out, came through on *YourThoughts*?  
R. The Chief Community Planner, Ms Natalie Martin Goode took the question on notice.

3. Why in the original report did you state that there were 117 *YourThoughts* responses, why didn't this report have the number that came through?
- R. The Chief Community Planner, Ms Natalie Martin Goode said the Administration is happy to look into that and amend the report accordingly.

#### Christina Harding

1. The road closures are affecting all the businesses on the strip down 891 Albany Highway end of the strip and now the food trucks are coming for the summer months; can the food trucks be put on hold until our business can survive? Can you think about the businesses that are suffering? How long is the road closure going to be closed for?  
R. The Acting Chief Operations Officer, Mr John Wong advised that according to the Water Corporation, the road closure will last until November. So by the end of November, Albany Highway will be open.
2. What are you going to do for the children? There are thousands of children in this area who want to play basketball or netball, they either play at Oasis in Belmont or take their teams out to Warwick; what are you planning to do for the children in the rebuild near the library area?  
R. Mayor Trevor Vaughan advised that he Administration would respond to the question.

#### Sandro Puca

1. Signed the lease for corner of Mackie Street and Albany Highway; why wasn't I informed because I am also a resident in King George Street? What was actioned to notify the Town of Vic Park in regards to the Food Trucks?  
R. The Chief Community Planner, Ms Natalie Martin Goode said there were almost 2000 letters were sent within the surrounding property, from the parks that are subject to the advertised policy; there were also 142 emails sent to known food business contacts; it was also advertised in the Southern Gazette newspaper; there was online consultation and an invitation sent by *YourThoughts*; and there was advertising on the Town's social media hub. That was all done for 21 days, between 13 August and 3 September.
2. What is action plan in regards to the streetscape from Duncan Street, where Domino's pizza is, up until John Hughes? That end of the strip is fairly dry and acrid and I would like to see some rejuvenation in regards to perhaps some streetscape pot plants, similar to Beaufort Street where they have bought a wrought iron bed and turned it into a garden bed; or those claw tooth baths filled up with herbs; can something like that be implemented down our end? The median strip is quite dry and acrid as well, so like Subiaco where they have got the beautiful trees down the centre; is something like that going to be actioned in the new future?  
R. The Chief Community Planner, Ms Natalie Martin Goode said the Town has recently formed a Place Planning team and on Friday afternoon there was a workshop on some of the proposed things that could happen, not just that location but several other locations. Ms Martin Goode said she would get the Place Leaders to contact you and discuss what is being proposed and to also listen to your ideas.

Sam Zammit

1. Since the last meeting, I have contacted our local member about the pot holes, so he is now in the equation, Can the organisation get the ball rolling on that?  
R. The Acting Chief Operations Officer, Mr John Wong advised that the Town has contacted the relevant stakeholders, especially the PTA, the Public Transport Authority. There is a process to go through to get the area approved for the Town's contractor to move in. The quotations have been received too, to get the works done, it is just a matter of time. Any works to be done within that zone of the railway reserve, unfortunately requires that permit application process.
2. When we call the council, is our phone call being recorded?  
R. Mayor Trevor Vaughan said no it's not.  
R. The Chief Executive Officer, Mr Anthony Vuleta added that there was a recording of phone calls coming in, that was stopped for a period of time. There has been a changed to the protocols and people are advised that there was a recording for quality purposes.
3. So if we don't want our conversation recorded, what do we do?  
R. Mayor Trevor Vaughan said we would investigate that and let Mr Zammit know.

Mike Lanternier

1. Can all Councillors and Council staff seriously think about the food truck business and how it is going to affect business owners?  
R. Mayor Trevor Vaughan said that he was sure the Elected Members would take notice of what the people have said tonight.

Vince Maxwell

1. The Town charges rates totally about \$45m and \$22m of this is spent on staff costs; there are discrepancies in the Town's financial documents, that are not small, with amounts as high as \$900,000 that are questionable. As you know Mayor, I have written to you on several occasions, since July, seeking answers to explain these discrepancies. While you have written back to me, you have not answered my question and in your last correspondence, you indicated that you were not going to answer my questions. I have since taken this issue to the Ombudsman and the Ombudsman has indicated that before commencing an investigation that I should first seek the answers to these questions directly from the CEO and so last week I wrote to the CEO and the CEO advised that he will respond in due course. So my question to the CEO is, when does the CEO anticipate he will write back to me?  
R. The Chief Executive Officer, Mr Anthony Vuleta advised that he would have that response back within a week from the day I responded to your email, which was yesterday.
2. Last month I identified that the Town had budgeted \$410,000 for fringe benefits tax this year, which is an increase of \$110,000 over last year. It was advised to me that the largest contributor to this increase, was the increase in the value of car parking provided to staff. Can you advise, what is the actual amount in dollars of the increase in the fringe benefits tax for staff car parking and if it is less than \$110,000, what part of the other items in dollars that contributed to this \$110,000 increase.  
R. The Chief Financial Officer, Mr Nathan Cain said he would need to take that question

3. When will I get an answer to that, am I waiting seven (7) days?
- R. The Chief Financial Officer, Mr Nathan Cain said that at the moment Mr Maxwell has a number of questions in his in-tray awaiting responses, so each of them will be given due course and time and I hope to be on top of all of his questions by the end of this week.

#### Nick Duncan

1. Who came up with the truck idea, is that something that trucks have come to you or is it something that the Council has thought we're low on revenue we better get something else to make some revenue?
- R. The Manager Development Services, Mr Robert Cruickshank said that the food truck policy came about as a result of a number of enquiries of food operators, seeking to operate such businesses in the Town. Council is aware of the success there has been of such operations in other municipalities, so in the absence of having a policy in place or any guidelines, there is obviously a need for the Council to provide a policy giving some direction as to whether the Council favours such uses, if so, where and what are the parameters around them. So it was largely a response to a gap in the Town's policy framework.
2. When you look at success, is that looking at the food truck success or success for the people that have businesses in those other Councils, because I don't think that would be the case?
- R. The Manager Development Services, Mr Robert Cruickshank said he understood the success that he referred to was probably the success or the positive response that was given by residents in the community within those municipalities having such facilities in close proximity to them that resulted in activation of parks and reserves nearby their premises which otherwise had been fairly sterile and only used for sporting purposes. So Mr Cruickshank's understanding is that it is a success from a community dividend type of perspective.

#### Craig Wright

1. Of the 2000 letter and the 185 emails, what is the population of the Town of Vic Park?
- R. Mayor Trevor Vaughan said there were approximately 38,000.

## **6 PUBLIC STATEMENT TIME**

#### John Gleeson

Made a statement regarding his questions earlier and expanded saying that people have never owned a business have no idea what the costs are. Mr Gleeson said he would like an answer from the Elected Members about who has ever owned a business or does own one.

#### John Bissett

Mr Bissett made a statement relating to the Food Truck policy and said that there were over 40 businesses that did not receive notification about the new policy. Mr Bissett says that it's great to see the Town trying to activate spaces in the Town but perhaps this isn't the right way to go about it.



Sandro Puca

Mr Puca's statement resonates with Mr Bissett's comments and thinks the Town would have had a better approach and a more inclusive approach with business owners if it wasn't tendered out to food trucks. Perhaps if they had asked business owners if they would like to have pop ups in rotation process, giving businesses first preference and make them feel more inclusive.

Mike Lanternier

Made a statement about the food trucks and *yourthoughts* and said it doesn't really work. The feedback process for *yourthoughts* they can't do it properly, it doesn't always work. The consultation process is in dribs and drabs and doesn't work.

Sebastian Pogana

Mr Pogana has been in the Town running his business for over 21 years and have been rate payers since 1966. When he started there were car businesses in my area. It seems like the Town going to start stopping the restaurants from coming into the Town. The parking over the last few years has declined due to parking in the Town, and said there were no loading zones. Would suggest putting a restriction on the restaurants.

Nick Duncan

Said it's clear that everyone is upset and thinks the best idea would be to can the foodtrucks and said he is probably the highest ratepayers and because paid parking is until 8pm, people don't want to stop for a beer, they just keep driving. You need to come to a decision to value business that support the area.

Ashok Khadka

Mr Khadka is a business owner and is concerned about the food trucks as it is already hard to make any money.

William Lee

Shared his concerns with the Food Truck policy.

Amit Kumar

Very concerned about the Food Trucks and doesn't want them in the Town. Many of the business owners have five (5) or ten year leases and the food trucks don't have any.

## 7 CONFIRMATION OF MINUTES

### RESOLVED:

Moved: Cr R Potter

Seconded: Cr V Potter

That the minutes of the Elected Members Briefing Session meeting held on Tuesday, 4 September 2018 be confirmed.

The Motion was Put and

CARRIED (8-0)

In favour of the Motion: Mayor Vaughan; Cr Anderson; Cr Ife; Cr Jacobs; Cr Oliver; Cr R Potter; Cr V Potter; and Cr Vernon

## **8 PRESENTATIONS**

### **8.1 Petitions**

### **8.2 Presentations (Awards to be given to the Town)**

### **8.3 Deputations (Planning / External Organisations)**

6:55pm      Item 11.3 – Margaret Nielsen, the applicant, was in attendance to discuss this application.

## **9 METHOD OF DEALING WITH AGENDA BUSINESS**

## 10 – 14 REPORTS

### Section 1:

No questions were asked in relation to the following:

- Item 10.1 Proposed Retention of Current Ward and Representation Structure 2018
- Item 11.1 No. 366 (Lot 2000) Albany Highway, Victoria Park – Roof Sign
- Item 11.3 3/12 (Lot 3, Strata Plan 51935) Forster Avenue, Lathlain – Application for Residential Building (Short Term Accommodation)
- Item 11.4 6 (Lot 125) The Circus, Burswood – Home Occupation (Beauty Salon)
- Item 12.2 Proposed Lease of Aqualife Café to Onca Enterprises Pty Ltd
- Item 12.3 Proposed Lease of Leisurelife Café and Leisurelife Commercial Kitchen to Onca Enterprises Pty Ltd
- Item 12.4 TVP/18/16 - Request for Quotation (RFQ) – Construction Works for the Rutland Avenue Shared Path – Welshpool Road to Oats Street
- Item 12.5 Tender – TVP/18/09 Kerblin and Footpath Weed Control
- Item 12.8 Petition Relating to Hillview Terrace Bushland and Remnant Bushland Management Plan
- Item 13.1 Financial statements for the month ending 31 August 2018
- Item 14.1 Recommendation from the Finance and Audit Committee: Schedule of accounts for 31 August 2018
- Item 14.2 Recommendation from the Future Planning Committee: Review of Local Planning Policy 2 – Home Occupation
- Item 14.4 Recommendation from the Future Planning Committee: Burswood Station East Structure Plan: Project Update and Developer Contribution Plan Analysis
- Item 14.5 Recommendation from the Community Development Committee: Commemorative Recognition Application - Arms Memorial Sculptures

### Section 2:

Council Agenda Modifications; Additional Information Sought; Questions and Responses – in relation to the following:

- Item 11.2 63A (Lot 1, Strata Plan 29985) Devenish Street, East Victoria Park - Application for Residential Building (Short Term Accommodation)**

#### Council Agenda Modifications:

Nil.

#### Additional Information Sought:

Nil.

#### Questions / Responses:

##### Cr Vernon

1. On page 28, reference is made on a pending review of the relevant policy; can some clarification be provided as to when that review of the policy is going to commence or complete?

- R. The Manager Development Services, Mr Robert Cruickshank advised that the review has commenced in so far as internal staff have had an initial discussion and there has been a review of other like policies of other local governments, so there has been some work done internally. At this stage, it is anticipated that it could go to the Future Planning Committee in October but more likely November. That being the case, and assuming there is a draft to that committee that will follow through to the December EMBS and OCM.
2. Why is it proposed at recommendation 1.5 that one sign will be permitted for the property, when in the agenda papers at page 32 it indicates in the analysis that no sign is proposed by the applicant?
- R. The Manager Development Services, Mr Robert Cruickshank said his understanding is that condition 1.5 is allowing for a sign and has some limitations around the size of that sign. 1.5 is not obligating the owner to actually provide a sign. It is providing the flexibility, where if the applicant chooses to have the sign, notwithstanding the indication that they may not, that it allows them to do so and provides them with the restrictions on what is allowable.

#### Cr Oliver

1. On page 28, it states that council officers have delegated authority to determine the application but instead have decided to refer the matter to Council for determination and that is in relation to Item 11.2 and 11.3; is this common for officers not to exercise their delegated authority?
- R. The Manager Development Services, Mr Robert Cruickshank said it is not common for officers not to exercise their delegated authority, in most instances officers would exercise their delegated authority. However, it has become rather apparent that there has been some sensitivity around short term accommodation applications in the Council Chambers and for that reason and given the pending policy review, Mr Cruickshank said he thought it was more appropriate that the Council make the decision on these applications.

The Chief Community Planner, Ms Natalie Martin Goode added it is not uncommon for officers to choose to not exercise delegation where they think it is contentious or know that something is up for review. No-one can compel an officer to exercise their delegation, it is a choice and it is up to them.

#### **Item 12.1 Proposed Lease of 874 Albany Highway to David Winchester and Tina Charles, trading as OnSite Psychology Pty Ltd ABN 78 607 105 635**

##### Council Agenda Modifications:

##### Cr Oliver

Can the officer's recommendation be updated to reflect the monthly adjustment to carry out the disability accessibility work?

##### Additional Information Sought:

Nil

Questions / Responses:Cr Oliver

1. In regards to condition 5, I believe that \$50,000 was allocated for an accessibility audit and/or modifications several budgets ago; has and or was the \$50,000 expended?
- R. The Chief Executive Officer, Mr Anthony Vuleta said he didn't believe that any money had been expended on disability access. These modifications, as advised by the Town's building surveyors, are not to the same extent that was originally proposed in terms of making the modifications at the site. These are for access in to and around the building for the purposes of ensuring it is accessible for people coming into that facility.
2. The condition states that modifications be made should there be sufficient funds identified during the mid-year budget review process; should we not be implementing the accessibility requirements as a matter of course and not subject to a mid-year budget review? What avenues would be available to council to implement the accessibility requirements as a matter of priority?
- R. The Acting Chief Operations Officer, Mr John Wong advised that the Town has had consultant and building surveyors and the requirement for universal access, as far as officers are aware, can be undertaken while the new tenants have moved in. That is one of the options. If there is a way to get the works done earlier, those options will definitely be considered as well.

The Chief Executive Officer, Mr Anthony Vuleta added the Administration will look at other options to fund the works, not including just the mid-year budget review, but perhaps a monthly adjustment.

**Item 12.6 Petition from Residents Opposing Traffic Calming Devices in Egham Road, Lathlain.**Council Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:Cr Oliver

1. Why did council officer determine to recommend not to proceed with the traffic calming, because a majority of residents on Egham Road, between Gallipoli and Goddard Street signed the petition, when the officer's comments state that the reasons outlined in the petition are not as critical as the potential traffic safety issues that may occur in future after other streets in the network have been treated?
- R. The Acting Chief Operations Officer, Mr John Wong advised that the Town has reviewed the priority of the traffic management projects within the Lathlain precinct and based on the initial assessment Egham Road was originally earmarked for delivery during year seven (7) and year eight (8) of a 10 year plan and when officer's looked at the traffic volume and speed information that they have now, there is no need for immediate action now. As a result of the consolidation and

condensation of a 10 year programme into two (2) years, there is benefits of doing that in terms of costs and community engagement. However there is valid justification as explained by the petitioners at the moment there is no immediate need for treatments.

### **Item 12.7 Lathlain Traffic Management Plan – Petition Requesting to Halt Committed Works**

#### Council Agenda Modifications:

Nil.

#### Additional Information Sought:

Nil.

#### Questions / Responses:

##### Cr R Potter

1. With Item 12.6, the officer's recommendation is t not to go ahead with traffic calming measures, however with this petition it is recommended that we do continue with the traffic calming measures; can you explain the rationale for that?
- R. The Acting Chief Operations Officer, Mr John Wong said that the petition for 12.7 is related to the entire Lathlain Precinct. The Town has progressed the entire stage one (1) projects and also have started on a lot of the stage two (2) projects, which are basically the year two (2) projects. If the Town was to not continue with the entire precinct program there is a lot of concern about the overflow of traffic onto those street's that's that have been treated. Egham Road, as mentioned previously, is not one of the highest ranking streets and as a result the Town is able to remove it or delay it to a future for construction.

##### Cr Vernon

1. On the top of page 104 it states that a reduction of operating speeds in the Lathlain area has the potential to secure Main Roads WA's (MRWA) in principle support to introduce area wide speed limit for 40km/h; can we have some information as to whether the Town is considered the introduction of the area wide limit and if so is the area referred to as Lathlain or a wider area than that? Has there been any consultation with the community of Lathlain, or wider than that, with regards to an introduction of speed limit of 40km/h in residential areas?
- R. The Acting Chief Operations Officer, Mr John Wong said the Town has been in communication with MRWA, the state government body looking after road networks, and have been discussing with them the potential of introducing the 40km/h speed limit for the Lathlain Precinct. There is a project that is currently being trialled at the City of Vincent and MRWA are looking at having an area wide 40km speed limit in that area. In terms of community engagement, once the Town knows from MRWA that there is going to in principle support then it can go out to the community again and see the input and potentially to introduce an area wide speed reduction. It will take a number of years to implement. It is still at its early stages.

**Item 14.3 Recommendation from the Future Planning Committee: Trial of Draft HLTH6 Mobile Food Vendors (Vic Park Vendor's) Policy**Council Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:Cr Jacobs

1. Did Council take into consideration the road closures currently in November? What is the rush to bring the food vendors?
- R. The Manager Development Services, Mr Robert Cruickshank said that the two are at different times. As explained by Mr Wong, the road closure Water Corporation project concludes in November, this trial period of the Food Truck Policy starts in November, so they are mutually exclusive.

Cr Ife

1. Was there any consideration given to the trial period being a shorter trial period, given some of the feedback?
- R. The Manager Development Services, Mr Robert Cruickshank said he didn't recall that being discussed, that is an option, there are other options outlined in the report that Council may wish to also consider.

Cr R Potter

1. Can I ask what the officer's responses has been to community feedback so far?
- R. The Manager Development Services, Mr Robert Cruickshank advised that alot of the responses are contained on page 178 and without going through all of them in detail, Mr Cruickshank said he would speak about some of the main ones. It is probably relevant as a starting point, that there was some preliminary consultation undertaken by way of the *yourthoughts* system some time ago and understand that was purely by *yourthoughts* only at that stage, seeking some initial feedback from the community as to whether they had an appetite for food trucks in general. As a result of that feedback, it was considered there was something that the Council should consider, so then there was a draft policy prepared and was subject of a consultation, that there has been much about discussion tonight. What Mr Cruickshank did highlight that the original policy that was advertised proposing 12 locations for food trucks within the Town, and it was proposing that there could be potentially be six (6) trucks at each of those locations. In response to the comments that came through, Mr Cruickshank suggested that the Town has been very responsive to the comments received. That is not to dismiss that there are still some lingering concerns from some landowners, and obviously the Council can consider those on their merit. To highlight, effectively, the Town has now gone from 12 sites, where the food truck are being considered, to six (6) sites that are largely located on the periphery of the Town, rather than being in close proximity to bricks and mortar operators. With the exception of McCallum Park that still retains six (6) vendors, all the other five (5) remaining sites will be reduced from six (6) food trucks to three (3) food trucks. At McCallum Park, there were three (3) sites proposed and

has now reduced to two (2) sites and the location of those has been moved. There has been changes to the proposed operating hours, particularly in relation to packing up and setting down. In reducing the 12 sites to six (6), the Administration has acknowledged that some of the sites may not have been suited to food trucks given their current use and ongoing issues that there may have been in the past. Of course an overlying concern was, yes there were concerns expressed by a number of operators that food trucks were going to compete unfairly against bricks and mortar operators, so that was a large part of why a number of the originally proposed sites were illuminated. So without going through all of the changes, there is at least 12 outline on page 178 and 179, there has been a very responsive response to the concerns that have been expressed.

### Cr Vernon

1. Relating to the 59 submissions received, can Town staff identify how many of the 59 submission received came from business within the Town?  
R. The Manager Development Services, Mr Robert Cruickshank said the Administration can provide that information, it is not at hand tonight.
2. In relation to the matters that we have heard tonight from members of the business community, is there any reason why a workshop could not have been held with businesses within the Town, in the same way that a workshop was held with mobile food vendors who might be interested in coming to the Town of Victoria Park?  
R. The Manager Development Services, Mr Robert Cruickshank said no, he could see no reason why that could not have similarly been held.
3. In those circumstances and in light of that answer, is it possible now that the Town may be prepared to consider holding a workshop involving the businesses of the Town, that are so interested, to further discuss the question of the Mobile Food Vendors Policy?  
R. The Manager Development Services, Mr Robert Cruickshank said that was an option that council has to it. Council might want to turn it mind to that before next Tuesday.
4. Can Mr Cruickshank clarify, with regards to McCallum Park retains six (6) vendors. As I read the draft policy, McCallum Park provides for a maximum of 12 vendors because it specifically refers to designated trading area A and B and indicates that the maximum of vendors is to be six (6) per trading area, operating at any one time; is your answer intended to indicate that there can be 12 mobile food vendors in McCallum Park split into both trading area A and B or is only one of those trading areas allowed to operate to the exclusion of the other trading area?  
R. The Manager Development Services, Mr Robert Cruickshank said that his answer was intended to convey that up to six vendors on each A and B, total 12.
5. In those circumstances, can we seek some clarification as to what is the rationale for permitting at any one time from the hours of 7am to 8:30pm, that there could be 12 mobile food vendors effectively operating in the entire café strip of McCallum Park?  
R. The Manager Development Services, Mr Robert Cruickshank said yes, the Administration can provide further clarity around that. In response to the concerns



that have been expressed, that is another option available to the Council. The Council can choose to completely scrap McCallum Park; it can choose to reduce the number of sites to one (1); it can consider to reduce the number of vendors at each site to less than six (6), so there is a number of options available to the Council to consider before next week.

#### Cr Anderson

1. Initially it is in relation to suggestion from the gallery that local businesses have opportunities to have pop up and I am reminded similarly when the Friday night markets started and there were some concerns around that time, and I know that local businesses had participated in running their own business but also doing pop ups as well at the Friday markets, so it is something I would like to consider fleshing out in the policy so that we are actually prioritising the businesses in the Town to given them that opportunity; Can I have some clarification from the staff in relation to the origin and the discussions around developing the policy and the issue the Town had in relation to illegal parking of food trucks in the Town, how they managed it and how that highlighted the fact that we had this gap?
- R. The Manager Development Services, Mr Robert Cruickshank said that the policy came about as there were a few enquiries being received about this potential uses throughout the Town. There was one specific instance where a food truck had received a permit from the Council and it was operating in the Goodwood Parade area in close proximity to another business and that business operator felt somewhat aggrieved in the same manner that has been expressed tonight about proximity to existing bricks and mortar operations, so it was a result of a few things, but most notably that particular operation, that it was felt the need to prepare a policy to provide some greater guidance on how to deal with these things in the future.

#### Cr Oliver

1. In the event that the policy is adopted, on page 1, under the heading of dated review, can it be amended to read that the Council, not the Administration, will determine whether to continue, cease and/or alter the policy prior to the 2019/2020 financial year?
- R. The Manager Development Services, Mr Robert Cruickshank said yes that can be changed, that sentiment is already expressed in the recommendation that it would come back before Council, rather than the Administration to make sure they are aligned.

## **15 APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Julian Jacobs – 10 October to 8 November 2018, inclusive.

## **16 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

## 17 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil.

## 18 NEW BUSINESS OF AN URGENT NATURE

Nil.

## 19 PUBLIC QUESTION TIME

### John Bissett

1. When will I be notified of how many *youthoughts* submissions were made and who is going to notify me?
- R. The Chief Community Planner, Ms Natalie Martin Goode advised that it will be amended in the report between now and the agenda being distributed.

### Nick Duncan

1. How will the vendors be charged and will that money go to Council? Are all of the spots on parkland?
- R. The Manager Development Services, Mr Robert Cruickshank advised that the recommendation before council as outlined on page 181, says at least for the trial, from November 2018 to 31 March 2019, there would be no fee payable.

### Vince Maxwell

1. If ratepayers choose to pay their rates by instalments, rather than a lump sum, they are charged additional fees and part of this fee is interest charged at 5.5% per annum, this amount is consistent across all local governments. The other part of the additional fee is an administration charge. City of South Perth charge \$10 per transaction and the Town charges \$14 per transaction; why does our administration cost 40% more to process these payments than South Perth?
- R. The Chief Financial Officer, Mr Nathan Cain said that each year the Town does an analysis of the cost that it will take the Administration to deliver the instalment option, and that is what it is. Mr Cain advised that he has recently undertaken a survey of other councils on this exact matter and is happy to provide that information to Mr Maxwell.

### Craig Wright

1. What is the process of applying for a food truck location?
- R. The Manager Development Services, Mr Robert Cruickshank advised it is outlined in the policy, and his understanding is that there is an application form that needs to be filled out and there is a permit that is issued by the Town. There are various things that the Administration assess in issuing that permit. Mr Cruickshank wasn't sure if Mr Wright had a copy of the policy, but advised that it is outlined on pages 3, 4 and 5. The application would be made and assessed by the Town staff and a permit would be issued and that allows you to operate at any of the trading areas under the policy.

2. Has anyone applied as of yet, including Embargo, to be on any of these locations?
- R. The Manager Development Services, Mr Robert Cruickshank advised that the policy is contemplating a different type of permit or approval that has been the case in the past. Typically, mobile food vendors have been the subject of temporary food business permit from the Environmental Health Department. This is a different type of permit that is being contemplated with a different process in place. This allows them to operate at any of the designated trading areas that are proposed. This is a different permit.

The Chief Executive Officer, Mr Anthony Vuleta added that in relation to the Embargo Bar issue, there has been new liquor licencing policies put in place in relation to how they can operate. They have to operate with an associated event, they can't actually operate as they have done in the past.

3. Closing in a venue, obviously Embargo was enclosed and at times they were charging; was that money going directly to them or was it a revenue raiser for them or given to Council?
- R. Mayor Trevor Vaughan took the question on notice and said the Administration will follow that up.

#### John Bissett

1. How many people are going to be here next Council meeting, if you are going on leave and another, who will be here next Tuesday?
- R. Mayor Trevor Vaughan advised it was just himself that wouldn't be at the meeting.

#### Vince Maxwell

1. In relation to Item 12.7 on the agenda, the report by the staff, supposedly professional advice, based on the subject matter and the legal framework in which a decision is to be made, the report shouldn't be influenced by the views or the political opinions of the staff member making the report. The officer states in the report, that some of the electors live in the same house and therefore their opinion doesn't count, they have eliminated a number of people from the number of people that signed the petition, on the basis that they live in a house with someone that has signed the petition even know that qualifies as an elector; does that sound democratic Mr Mayor and does this mean we might move to a system where only one person in each house can have a vote?
- R. Mayor Trevor Vaughan said he wasn't sure, that he would look into it.
2. This is just an observation Mr Mayor, on the website, the Economic Development Committee meeting agenda has been published. They have a meeting in two (2) days' time but they have nothing on their agenda. I have noticed this happened again last month, the agenda was put on the website with not business on the agenda, then it changed on the day of the meeting; what is happening there?
- R. The Chief Community Planner, Ms Natalie Martin Goode said that was correct, it is not uncommon, for there not to be reports to certain committees, not just necessarily the Economic Development Committee, it has happened to other committees. For instance, the Community Development Committee. There are, however, many matters discussed after the committee meeting at a workshop, for instance there are four (4) workshop topics proposed to be discussed after the Economic Development Committee.

Mike Lanternier

1. If any Council officers or staff have been to Lathlain to witness what you have done to the traffic calming, because it's terrible?
- R. The Acting Chief Operations Officer, Mr John Wong advised that the Town officers have at the community engagement workshops provided a blank canvas on all the road networks, and what was done was explain to the participants the options available, Mr Wong said he recalled there being a dozen disciplines to choose for each street and every street has a specific design chosen under consensus by the participants without influence from the officer's. That was the outcome and understands that a lot of the treatments for their road networks, are quite non-conventional and do not look consistent across the whole network and this was done specifically to comply with the wishes of the community members who participated in the workshops. This was followed by the online information which was published since February and again, residents have been asked to provide their feedback on those chosen designs.

## 20 PUBLIC STATEMENT TIME

John Gleeson

Why won't the question be answered, have you owned a business? I hope that Councillors will all contact me personally so I can talk to them about this.

John Bissett

Mr Bissett made a statement pleading with the Council to defer this item and reconsider their community engagement. It is important to these restaurants. Mr Bissett also said that he thought there was a criteria in local government, to get a response to a survey in a questionnaire, there should be at least 10% higher to get a valid response. The response to the September and August questionnaire was only 59 that is only 3%, so the Council will be making a decision on a rather flawed statistical outcome.

John Gleeson

Made a statement saying he couldn't understand why the rates were rising so much. He feels that the rates are driving the older residents out of the Town. Mr Gleeson also said it is important for Elected Member to attend public meetings with their community.

## 21 MEETING CLOSED TO PUBLIC

**RESOLVED:****Moved: Cr V Potter****Seconded: Cr Anderson**

**That the meeting be closed at 8:19pm to members of the public in accordance with Clause 5.2 of the *Town of Victoria Park Orders Local Law 2011* and Section 5.23(2) of the *Local Government Act 1995*. Staff are permitted to remain.**

**The Motion was Put and****CARRIED (8-0)**

**In favour of the Motion: Mayor Vaughan; Cr Anderson; Cr Ife; Cr Jacobs; Cr Oliver; Cr R Potter; Cr V Potter; and Cr Vernon**

## **21.1 Matters for Which the Meeting May be Closed**

**Item 21.1.1 Victoria Park Youth Accommodation Inc. 8 Kent Street, East Victoria Park – Outstanding Lease Matters – *Confidential Item***

**RESOLVED:**

**Moved: Cr V Potter**

**Seconded: Cr Ife**

**That the meeting be reopened to members of the public at 8.23pm**

**The Motion was Put and**

**CARRIED (8-0)**

**In favour of the Motion: Mayor Vaughan; Cr Anderson; Cr Ife; Cr Jacobs; Cr Oliver; Cr R Potter; Cr V Potter; and Cr Vernon**

## **21.2 Public Reading of Resolutions That May be Made Public**

## **22 CLOSURE**

There being no further business, Mayor Vaughan closed the meeting at 8.23pm.