

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 3 July 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

10 July 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*.

2.5 Additional Comments

Mayor Vaughan welcomed Danielle Uniza, the Town's Senior Governance Officer and said it was great to have her join the team at Victoria Park and being at meetings to assist.

3 ATTENDANCE

Mayor:	Mr T (Trevor) Vaughan
Banksia Ward:	Cr J (Julian) Jacobs Cr R (Ronhhda) Potter Cr K (Karen) Vernon
Jarrah Ward:	Cr J (Jennifer) Ammons Noble Cr B (Bronwyn) Ife Cr B (Brian) Oliver Cr V (Vicki) Potter (Deputy Mayor)
Chief Executive Officer:	Mr A (Anthony) Vuleta
Chief Operations Officer:	Mr B (Ben) Killigrew
Chief Financial Officer:	Mr N (Nathan) Cain
Chief Community Planner:	Ms N (Natalie) Martin Goode
Manager Development Services:	Mr R (Robert) Cruickshank
Senior Governance Officer:	Ms D (Danielle) Uniza
Secretary:	Mrs A (Alison) Podmore
Public:	7

3.1 Apologies

Banksia Ward:	Cr C (Claire) Anderson
----------------------	------------------------

3.2 Approved Leave of Absence

Jarrah Ward:	Cr J (Jennifer) Ammons Noble
---------------------	------------------------------

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	14.4 – Review of Wards and Representation
Nature of Interest	Local Government Advisory Board Member
Extent of Interest	Impartiality

5 PUBLIC QUESTION TIMESue Coltrona

1. With regards to Item 14.6 on the agenda, and the recommendation from the Future Planning Committee around the Draft Local Planning Strategy (LPS). Understanding projections around Australian Bureau of Statistics (ABS) data and population growth, why have we put in a figure of 110,000 on plan that you are proposing to go out to consultation?

R. The Chief Community Planner, Natalie Martin Goode advised that the draft population projections are from two sources. One (1) is the State Planning Framework, which has population projections for each local governments. The target that has been set for the Town in terms of number of dwellings, is 19,400 and are actually planning for more than that. When the Town did the Evolve community consultation, the community told the Town where they would prefer the density to be and that is in the Peninsula and also along the train station. Based on the density's we could achieve, the Administration has projected those population, not just from the 19,400 dwellings, but also what could be achieved, based on where the community told the Town could have some additional density.
2. Did the community specifically say an extra 35,000 people, which is almost three (3) times the Town's current population?

R. The Chief Community Planner, Natalie Martin Goode said she wasn't employed at the Town then, however understand that the workshops that were undertaken simply asked the community where they would like to see density, not specifically what the population should be.
3. Has the Department of Planning Lands and Heritage Green Paper concepts the modernising the strategically lead planning system been factored into the draft LPS?

R. The Chief Community Planner, Natalie Martin Goode said no it hasn't. The draft LPS was finalised prior to the Green Paper. The Town is looking at putting in a submission on the Green Paper. There is one particular matter that relates to Local Planning Strategies, however, Ms Martin Goode doesn't think it will affect the commission considering the draft for the purpose of advertising.
4. When other Councils are refusing to amend and increase densities and disregard the Minister for Planning, as was evidence in the papers today; why is the Town's Administration proposing beyond Peel and Perth 3.5 million, at this stage?

- R. The Chief Community Planner, Natalie Martin Goode said the difference between the Perth and Peel projections is the 19,400 dwellings, compared to what the Town has projected, would be around 22,000. The that the Government set for the Town of 19,400 are about 10 years old, so they are quite low. While the projections are forward for "X" number of dwellings, is just for the planning framework to provide for that population increase. That doesn't necessarily mean that developers will take up all of that capacity and if they do take up a large portion of that capacity, that will take some time.
5. I understand there isn't a Public Open Space policy at present; how has this been assessed against balancing Public Open Space requirements?
- R. The Chief Community Planner, Natalie Martin Goode said that the last Council meeting, there was a project plan presented to Council on the Public Open Space strategy. That strategy will out to consultants to do a detailed analysis of what is needed, in what area, what can be useful. What is in the LPS about Public Open Space is a preliminary investigation, just simply on figures, so that detailed Public Open Space strategy, which the Administration is hoping will be complete by the end of the year, will go further in that detail.
6. How can you predict, that for 110,000 people, that there will be enough Public Open Space right now?
- R. The Chief Community Planner, Natalie Martin Goode advised that the strategy says the Town doesn't, because it does not meet 10%.

Kim Holland

1. I asked a few questions at the June meeting, am I able to get the answers here?
- R. The Manager Development Services, Robert Cruickshank advised that a letter had been sent out in the mail today providing an answer to his questions. It related to the two matters raised, one in response to the question taken on notice about the percentage of onsite landscaping for the school. In terms of the other question in regards to compliance with car parking, no that wasn't the subject of the letter, but is the subject of investigations still, so Mr Cruickshank isn't able to provide an answer as yet, it is being looked into.

6 PUBLIC STATEMENT TIME

Sue Coltrona

Made a statement regarding Item 14.5 on the agenda on the draft LPS coming out at the same time as there is a Green Paper out looking at a major reform of the planning system, recognising it is overly complex, difficult to navigate and lacks clear ways in which the community can be engaged.

7 CONFIRMATION OF MINUTES

RESOLVED:

Moved: Cr V Potter

Seconded: Cr Ife

That the minutes of the Elected Members Briefing Session meeting held on Tuesday, 5 June, 2018 be confirmed.

The Motion was Put and

CARRIED (7-0)

In favour of the Motion: Mayor Vaughan; 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)

6:45pm Item 11.2 – 67 Hubert Street. Jude Milan from Stillness in Motion Pty Ltd was in attendance to discuss this application.

6:50pm Item 11.2 – 67 Hubert Street – Jim McIntosh, owner, was in attendance to discuss this application.

6:55pm Item 11.3 – 33 Stiles Avenue – Jesse Dunbar and Nathan Dars from Planning Solutions 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 11.1 No. 877 (Lot 10) Albany Highway, East Victoria Park – Retrospective Additions and Alterations to Existing Restaurant (Increased Dining Floor Area, External Coolroom & Signage)
- Item 11.3 No. 33 (Lot 73) & No. 35 (Lot 74) Stiles Avenue, Burswood – Change of Use from General Industry to Light Industry
- Item 11.4 No. 37 - 39 (Lot 20) & No. 41 (Lot 194) Cohn Street, Carlisle - Proposed Local Development Plan No.2
- Item 12.1 Tender TVP/18/04 – Construction Works at 6 & 8 Kent Street, East Victoria Park
- Item 13.1 Integrated Planning and Reporting Framework 2017 – Endorsement of the Long Term Financial Plan
- Item 13.3 Sale of land for recovery of rates and charges – Assessment #77271
- Item 13.4 Tender TVP/18/07 - Preventive and reactive maintenance of commercial pool facilities
- Item 14.1 Recommendation from the Finance and Audit Committee - Schedule of accounts for 31 May 2018
- Item 14.2 Recommendation from the Finance and Audit Committee meeting - Financial statements for the month ending 31 May 2018
- Item 14.3 Recommendation from the Finance and Audit Committee - Auditor's Interim Audit Report 2017-2018 Financial Year
- Item 14.4 Review of Wards and Representation 2018
- Item 14.5 Recommendation from the Future Planning Committee - Draft HLTH6 Mobile Food Vendors (Vic Park Vendor's) Policy
- Item 14.6 Recommendation from the Future Planning Committee - Draft Local Planning Strategy – Victoria Park Towards 2050
- Item 14.7 Recommendation from the Future Planning Committee - Adoption of the City of South Perth and Town of Victoria Park Joint Bike Plan
- Item 14.8 Recommendation from the Future Planning Committee - Proposed Amendment to St James – East Victoria Park Suburb Boundary
- Item 14.9 Recommendation from the Future Planning Committee - Proposed Closure of Right of Way Bounded by Grantham Place, Harris Street, Mercury Street and Star Street (ROW17)
- Item 14.10 Recommendation from the Future Planning Committee - Review of Local Planning Policies 3, 4 and 5
- Item 14.11 Recommendation from Future Planning Committee – Endorsement of Kensington Bushland Management Plan

Section 2:

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

Item 11.2 No. 67 (Strata Lot: 1, Strata Plan: 72688) Hubert Street, East Victoria Park - Change of Use to Unlisted Use (Yoga Studio) and Consulting RoomsCouncil Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:Cr Vernon

1. With regards to the requirements that are being proposed now, is there still a requirement for a 15min gap between classes and if so, where would I find that in the papers?
R. The Chief Community Planner, Ms Natalie Martin Goode said that was condition 1.11 at the top of page 40.
2. In light of what we heard from the owner of the business, that they would be looking at approximately five (5) classes per day, with 15 minute intervals, is it the view of the staff that that could be achieved within the recommended opening hours remaining as they are from the original approval?
R. The Chief Community Planner, Ms Natalie Martin Goode advised that staff haven't done a calculation of the five (5) classes per day and if they will fit in that time, that is more a role for the management of the site to determine.
3. In relation to the submission made on behalf of the owner of the business that the noise from vehicles arriving for classes earlier than 7:15am, could be mitigated by a requirement that those clients visiting the studio only park in the Hubert Street carpark; is that something that planning staff would be considered by way of mitigation?
R. The Chief Community Planner, Ms Natalie Martin Goode advised that it would partially go some way to mitigating as there is slightly further distance from the carpark to the front door. Whether it would completely mitigate, however, there is an advice note 1.19 that no matter what the conditions on the approval are, they must comply with noise restrictions at all times, and that is similar to any residential use in a residential area.

Item 11.5 Final Approval of Amendment No. 80 to Town Planning Scheme No. 1 to introduce new use classes and amend general and land use definitionsCouncil Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:Cr Oliver

1. In regards to the zoning table, would Town staff consider recreation private in residential to be zoned discretionary use as opposed to prohibited use?
R. The Chief Community Planner, Ms Natalie Martin Goode said that on page 88, Recreation Private is fourth from the bottom and is a prohibited use ie. Ex-use in a residential zone. That is what this amendment proposes.
2. Could we consider changing that to be discretionary and would you recommend that could be appropriate?
R. The Chief Community Planner, Ms Natalie Martin Goode said generally not. Of course there will be residential development that is of different scales from something that is very low impact to something that is very high impact. Generally speaking full commercial uses in residential zones, is not supported in most Local Governments on principals and the West Australian Planning Commission. Would council see that appropriate, probably not on the balance of impact on commercial use on residential areas. When this goes to the Ordinary Council Meeting and Council felt very strongly about that, then certainly Council could raise an amendment to change, but in an officer's opinion, Ms Martin Goode wouldn't recommend it be a discretionary use.
3. Could you provide maybe some examples that maybe could expose Council if it was for discretionary use; are we limiting ourselves by making it prohibited or can we provide ourselves some opportunities by passing that as discretionary.
R. The Chief Community Planner, Ms Natalie Martin Goode said that if she was to give an example of where you would be worried that type of uses in residential areas, when you look at the definition of recreation private, it talks about sport or leisure, that is not open to the public without payment. When I think of recreation private the main ones in Local Governments are indoor play centres for kids, indoor paintball, 24hour gyms, so generally those uses, right next door to residential have high amenity impacts in terms of noise, in terms of traffic. They often involve a large amount of people. So if you think of the comparison, think of another commercial use in a residential zone - Consulting rooms, which is a doctor, quite often, officers would consider low scale consulting rooms of one (1) or two (2) consultants where they are only going to have a receptionist, one medical practitioner with only one (1) client waiting. That is a lesser type of impact than 15 or 20 people going to a gym/yoga studio or going to a kids outdoor play centre.

Item 13.2 Adoption of the 2018-2019 Annual BudgetCouncil Agenda Modifications:Additional Information Sought:Questions / Responses:Cr Oliver

1. Page 19, the amount for materials and contracts is \$33m, up from \$21m last FY – can you please provide information as to what work is contained within this amount, or the reason for the increase?
R. The Chief Financial Officer, Mr Nathan Cain advised that materials and contracts are defined as *'all expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, memberships, periodicals, publications, hire expenses, rental leases, postage and freight etc.'* The primary contributor to this increase in materials and contracts is the implementation of Underground Power (\$12.5 million total project).
2. Page 48, what is the transfer of \$1.8m from the Future Projects reserve for?
R. The Chief Financial Officer, Mr Nathan Cain advised that \$1.54 million is assisting in the delivery of Zone 2 of the Lathlain Redevelopment Project and \$0.26 million is assisting in the delivery of Zone 2x of the Lathlain Redevelopment Project.
3. Page 49, what is the transfer of \$1.38m in to the Land Asset Optimisation reserve for?
R. The Chief Financial Officer, Mr Nathan Cain said there is \$2.00 million proposed in land sales for this financial year, with \$0.61 million towards readying property for 'optimisation'. The remainder (\$1.386 million) is then transferred to Reserve.
4. Page 50, what is the \$300k out of the Other Infrastructure Renewal Reserve for?
R. The Chief Financial Officer, Mr Nathan Cain said that the transfer from Other Infrastructure should actually be from Roads Renewal and had advised Councillors today. However, it is still correct in that it is for 'other infrastructure'. The funds are assisting in delivery of Zone 7 of the Lathlain Redevelopment Project and in particular the car parking.
5. Page 50, what is the \$200k out of the Pathways renewal reserve for?
R. The Chief Financial Officer, Mr Nathan Cain said that he funds are assisting in the delivery of Zone 7 of the Lathlain Redevelopment Project.

6. Page 51, what is the transfer out of \$250,000 out of the Waste management reserve for?
- R. The Chief Financial Officer, Mr Nathan Cain advised that the transfer out of the Waste Management Reserve is to 'lessen the blow' of the above-inflation forecast increase in gate fees and also the fallout from China's refusal to accept recycled waste from Australia. These represent very significant costs for Council. There are a series of diminishing payments forecast over the next few years. The impact is that rate increases can be more readily managed and reasonable.
7. How much money is being transferred in to reserves for 2018/19?
- R. The Chief Financial Officer, Mr Nathan Cain said that a total of \$9.7 million is budgeted to be transferred into Reserves in the 2018-2019 financial year.
8. How much money was transferred in to reserves in 2017/18?
- R. The Chief Financial Officer, Mr Nathan Cain advised that the 2017-2018 financial year has not yet been completed and final transfer values will not be known for some months. For the purpose of setting the 2018-2019 Annual Budget, it is estimated that \$4.4 million will be transferred in the 2017-2018 financial year.
9. Are you able to provide information/comparative data regarding carry forwards (totals or percentages) for this year compared to last year or previous years?
- R. The Chief Financial Officer, Mr Nathan Cain advised that the Carried Forward balance for the 2017-2018 Annual Budget had a Net Carried Forward value of \$5.5 million. This was spread over 84 individual line items. The Carried Forward balance for the 2018-2019 Annual Budget has a Net Carried Forward value of \$4.5 million. This is spread over 78 individual line items.

Cr lfe

1. None of the people who made submissions on the rates commented on differential rates; can you advise the wording of the public consultation information? Was it not clear what information we were seeking?
- R. The Chief Financial Officer, Mr Nathan Cain advised that the *Statement of Objects and Reasons for Differential Rates 2018-2019* contains the wording of the public consultation information, which requested comment on whether they perceive that the differentiation between differential and non-differential is a suitable discerner on levying rates on. What I have generally found during my time in local government is that people have only one key interest – "how much are my rates going up?" In previous years we sent only the document out seeking comment. This year we expanded the consultation to Your Thoughts and Social Media, where people really only commented on the aspect of the rate increase. It was comforting that some people commented on the calculation method, or alternate methods, however this document was really seeking comment on the Differential Rates, as required by legislation. However, no-one really commented on whether differential rates was or wasn't the way to go for Victoria Park.

2. The report mentions under rating years. Can you expand on that? How many years did the council “under rate” and what were the consequences of this in terms of community facilities and services?
 - R. The Chief Financial Officer, Mr Nathan Cain advised when Council was first created in 1995, the residential rates being applied were based on the City of Perth’s rating, which has traditionally rated quite low in comparison to other local governments for residential rating, choosing instead to rely heavily on its commercial CBD rates. The Town, in its very early inception rated at near 0% increase, which what that effectively meant, we were behind. The impact is that for the years where under rating occurred, the level of funds that perhaps could have been injected into community facilities and services has not been. This has resulted in deteriorated assets faster than they otherwise would have.

3. The cost increases that we are facing this year, have we received any information about whether these are one off increases or are they projected to continue to rise?
 - R. The Chief Financial Officer, Mr Nathan Cain advised that all the Town’s costs are projected to continue to rise. The State Government has indicated that fees and charges associated with its levying of waste, water, electricity, and emergency services levies etc. are likely to increase above inflation rates, so the Town experiences that as well.

4. I often hear community members asking about the money that is held in reserve, and asking why that can’t be used to bring rates down. Can you briefly explain when we access the money in reserve and how we know that the time is right to do so?
 - R. The Chief Financial Officer, Mr Nathan Cain advised there are generally two (2) types of Reserve Funds available. One is for item specific – you save up money for something particular and the other is for a generalised purpose. The generalised reserve funds is what the Town has most of. They are funds that are kept aside incase of project overruns or the like, so it lessens the impact on rating effort in future years. For the most part, we as council determine when it is that it is the right time to draw down off those funds. There is reserved funds for Edward Millen, which when determined what is going to be done there, then the Town would use those funds for that. In terms of lessening impact, you can choose not to put the money in Reserve, which is an easier process, than trying to draw down off the Reserve, as there is a legislative process to go through if the Town chooses to do that outside of normal Reserve transfers.

Cr Vernon

1. In regards to Page 383 of the appendices, with regards to Economic Services, could we have some explanation with regards to that increase?
 - R. The Chief Financial Officer, Mr Nathan Cain advised that is where the Underground Power is stored, and the Underground Power is determined in the Economic services program area.

15 APPLICATIONS FOR LEAVE OF ABSENCE

None

16 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None

17 QUESTIONS FROM MEMBERS WITHOUT NOTICE

None

18 NEW BUSINESS OF AN URGENT NATURE

None

19 PUBLIC QUESTION TIME

Nil

20 PUBLIC STATEMENT TIME

Nil

21 MEETING CLOSED TO PUBLIC

21.1 Matters for Which the Meeting May be Closed

21.2 Public Reading of Resolutions That May be Made Public

22 CLOSURE

There being no further business, Mayor Vaughan closed the meeting at 7:19.p.m.