

minutes

Elected Members Briefing
Session



TOWN OF
VICTORIA PARK

To: His Worship the Mayor and Councillors

Please be advised that an Elected Members Briefing Session commenced **6.30pm** on **Tuesday 6 November 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 November 2018

NOTE: *The minutes of this meeting were confirmed at the Elected Members Briefing Session held on Tuesday 4 December 2018, with changes to wording on page 8, to reflect the correct Point of Order sequence.*

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

Mayor:	Mr T (Trevor) Vaughan
Banksia Ward:	Cr C (Claire) Anderson Cr J (Julian) Jacobs Cr R (Ronhda) Potter Cr K (Karen) Vernon
Jarraah 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 Advisor:	Ms D (Danielle) Uniza
Secretary:	Ms G (Gaye) Last
Public:	10

3.1 Apologies

Nil

3.2 Approved Leave of Absence

Nil

4 DECLARATIONS OF INTEREST

Declaration of Interest affecting impartiality

Name/Position	Robert Cruickshank – Manager Development Services
Item No/Subject	Item 11.3 - 51 Streatley Road, Lathlain – Perth Royals Football Club (Inc). Application For An Extended Trading Permit – January to March
Nature of Interest	Impartiality
Extent of Interest	I was previously a member of the Perth Royals Soccer Club

Name/Position	Brian Oliver - Councillor
Item No/Subject	Item 11.5
Nature of Interest	Impartiality
Extent of Interest	I am friends with Paul Cunningham from Rowe Group who has written a report in question to the item.

5 QUESTION TIME

5.1 Responses to Questions Raised and Taken on Notice at the Elected Member Briefing Session held on Tuesday 2 October 2018

Sebastian Pagana

- Q. 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 Embargo Bar operated from 7 January 2018 to 14 March 2018 within 'Zone 8' of McCallum Park, estimated land area of 7965sqm. The hirer was charged \$32,429.50, as approved by the Director Community Life.

Christina Harding

- Q. 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. The Town's Leisurelife facility directly and in partnership with community clubs delivers a wide range of programs for children including basketball and netball. These are popular however there is still space for new players and teams. The Town is progressing with the planned upgrade for John Macmillan Park (John Mactivation) outside of the Library and along Sussex Street, with an aim to make the park friendlier, safer and more interesting for the community. The concept plan prepared for the Town was based on a series of design elements that were ranked in order of priority by the community through the Town's community engagement. Whilst still retaining large areas of green open space for passive and active play. There will also be a number of upgrades to the landscaping, pathways, paving and park fixtures such as benches and tables.

John Bissett

- Q. 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. A further analysis has been undertaken of the public submissions received. It has been concluded that a total of 76 submissions were received, not 59 as previously

stated. Of the 76 public submissions received, 53 were made through the Your Thoughts system (20 being in support; 15 objecting; 11 supporting with concerns; 7 unstated position with concerns) and 23 were received through other means (2 in support; 16 objections; 3 supporting with concerns; 2 unstated position with concerns).

Of the 76 submissions received, 12 submissions were received from existing food businesses or retailers including 6 submitted through Your Thoughts.

In relation to the Your Thoughts system there was a reported outage of the system on 16th August for a period of 15 minutes (site was still visited on this day and submissions were still received on this day).

In addition to the use of the Your Thoughts system, other methods of lodging a submission included:

- Online, using the [submission form](#)
- By email: admin@vicpark.wa.gov.au, quoting reference TPS1/78
- By letter: Town of Victoria Park, Locked Bag No. 437, Victoria Park WA 6979, quoting reference TPS/78
- In person at 99 Shepperton Road or the Library

This response was also included in the report for the Ordinary Council Meeting held on 9 October 2018.

5.2 Responses to Questions Raised at the Elected Members Briefing Session held Tuesday 6 November 2018

Neil Kidd

1. Are Councillors aware that its officers, under delegated authority, made a recommendation to the 19 October 2018 JDAP meeting for approval of a development at Burswood Lakes Estate on lot 10 (now lot 9000) for a 47% increase in height from 21 storeys to 31 storeys and an increase from 106 apartments to 197 apartments, and that Mirvac is part of that application profit an estimated 1702 dwellings on an estate which currently has an approved structure plan of 1250 and that the development was approved with a condition which states in an advisory note from the meeting “that the Town notes that based on dwelling yields constructed approved and estimated across the Burswood Lakes planning plan area, that maximum total dwelling yield required of 1250 dwellings is anticipated to be exceeded. Accordingly the owners of undeveloped land within the precinct to note that the Town will not support any development application which will result in the total dwelling yield exceeding 1250 dwellings unless a comprehensive review of the Burswood Lake Structure Plan has been completed and approved.”
- R. The Manager Development Services, Mr Robert Cruickshank advised that Elected Members were provided with a briefing on the proposed development and were made aware of the non-compliance items being sought and the Council officers provided a report to the JDAP in accordance with delegations from the Council to Council officers.

2. Will the Council now be directing the new Burswood Lake Structure Plan be developed and approved before any further approvals can be considered?
- R. The Manager Development Services, Mr Robert Cruickshank advised that the question of the need for a review of the Burswood Lake Structure Plan came up at JDAP and each of the JDAP members was clear that the structure plan was in need of review. Mr Cruickshank gave an undertaking at the meeting it would be our attention to review the structure plan. We are not yet at the point of who will undertake the review or the timing.

Vince Maxwell

Prior to asking his question Mr Maxwell said that the previous month, prior to his asking a question, the Mayor read out a statement directed towards him about him asking questions. That statement is not in the Minutes and Mr Maxwell requested that he be provided with a copy of the statement.

1. The audio recording of the minutes for the October EMBS and the October OCM are not on the website and the September recordings were late in being placed on the website, is this delay in providing the recordings intentional or is there a technical issue?
R Mayor Trevor Vaughan said that it would not be intentional and there may be a technical issue that will be followed up.
2. For the third month the Economic Development Committee Agenda is blank, none of the other Committees have blank Agendas and the Local Government Act states that the CEO must give notice of meetings and their Agenda. Does the CEO believe a blank sheet paper with the word 'Agenda' printed on it meets that requirement?
R The Senior Governance Officer, Ms Danielle Uniza advised that the Committee structure that the Council currently uses has the Committee meeting first followed by a Committee Workshop. As, the workshop is not open to the public, that agenda is not published; however, the Committee Agenda is. At that particular Committee meeting, there were no reports to be considered but there was a Workshop, in which items were considered, after the Committee meeting.

Sam Zammit

1. Could Councillors possibly park under building to leave more parking space for public?
R. Mayor Vaughan said that Councillors will take note of Mr Zammit's request.

Mike Lanternier

1. How many four wheel drive vehicles are in the Council fleet?
R The Chief Operations Officer, Mr Ben Killigrew, took the question on notice.
2. Where are they used and are they necessary within the Town?
R The Chief Operations Officer, Mr Ben Killigrew, said that the Town is undertaking a review into its Fleet Management practice with an aim to identifying the operational needs of our fleet, both heavy and light, and our capacity to deliver the operational needs of our fleet.

Neil Kidd

1. Can the Town confirm that it is currently in negotiations with Mirvac for the Town to

assume responsibility for the parks within the Burswood Lakes Estate and, if so, why?

- R. The Chief Operations Officer, Mr Ben Killigrew took the question on notice.
2. Can the Town advise why prior development approvals or building permits on the Burswood Lakes Estate have not required Mirvac to meet the Town's policy on public art contributions?
- R The Manager Development Services, Mr Robert Cruickshank said that he can't explain why the Council didn't ask for a public art contribution for previous developments. Council officers requested a public art contribution for the application that went to JDAP recently but previous approvals did not, this was either an oversight of officers or in recognition of the other significant investment that Mirvac has put into the area through public infrastructure and parks etc.

6 PUBLIC STATEMENT TIME

Mr Neil Kidd

1. Mr Mayor I am a little astounded at the Lot 20/9000 BLE development approval, I have an apartment within 150 meters of the development but not I was not formerly advised of the consultation process and found out by word of mouth. I have commented in this forum of the Town's inconsistencies in consultation. I am also astounded by a development which proposed an uplift of 47% in height is grossly different in form, had no imagery in showing the context to the rest of the estate and was seen as an officer level decision by Council and did not go to full Council. At the JDAP Mirvac's consulting planner purported to understand my reasons for objecting to the development. I can tell you that in that regard Mr Castleton is totally clueless, I've stood in several planning forums and describe this process as an adhoc planning process, and a death by a thousand cuts but in this case the Town is supplying the knife and that concerns me quite a bit. As the planning officer has advised the matter of the review of the Structure Plan was actually discussed at the JDAP but what he didn't advise was that it was discussed at the prior JDAP that lot 10 was approved at. It didn't come to this Council, the Council didn't go through that process and there was Mirvac being given a free kick notwithstanding that apparently we don't charge it for art or anything like that because it does lots of wonderful things on the estate. What we want is pretty simple, what we want is what was promised to us, Page 8, Item 3.3 paragraph 4, second bullet point of approved Burswood Lakes Structure Plan, the word is certainty, that's all we are looking for and that can only come from a Structure Plan review. What I am hoping for is that somebody here tonight is going to put their hand up and say it's about time we actually moved for a Structure Plan review.
- R The Executive Manager Built Life, Mr Robert Cruickshank said that in regards to the consultation there was consultation with all residents within a 200 metres radius as per council policy and the apartment building Mr Kidd lives in is 230 metres.

Vince Maxwell

The Economic Development Committee like the other three strategic Committees plays integral part in the development of policy for the Town. Strategies for Economic Development require thoughtful planning and foresight with much of the benefit occurring sometime in the future. It requires long term thinking and planning. How is it possible that the Economic Development Committee itself does not appear to be able to plan its meetings in advance? The Committee should know what it is doing in six months and twelve months' time and yet for the last three months I can only assume that Members are arriving at meetings without the foggiest notion of what they will be working on. The chair of each Committee is responsible to ensure that the meetings are planned for properly and that there is a serious focus for the participants and not just waste the time of those attending. If the Chair of the Economic Development Committee is incapable or out of their depth then the Committee should replace the Chair or....

Cr Vernon called for a Point of Order. The Presiding Member did not call on Cr Vernon to speak to her Point of Order, as he proceeded to determine that Mr Maxwell was reflecting adversely on members of the Committee.

Cr Oliver called a Point of Order for Mr Maxwell to withdraw his statement.

The Presiding Member, Mayor Vaughan, upheld the point of order on that basis that the withdrawal of Mr Maxwell's statement, which adversely reflected on members of the Committee, was an appropriate course of action.

The Presiding Member, Mayor Vaughan, formally instructed Mr Maxwell to withdraw his statement in line with s6.17 of the Town of Victoria Park Standing Orders Local Law 2011.

Mr Maxwell refused to leave the meeting.

RESOLVED:**Moved: Cr Anderson****Seconded: Cr R Potter****That the meeting be adjourned at 18.51pm for 10 minutes for the purpose of restoring order.****The Motion was Put and****CARRIED (9-0)****In favour of the Motion: Mayor Vaughan; Cr Ammons Noble; Cr Anderson; Cr Ife; Cr Jacobs; Cr Oliver; Cr R Potter; Cr V Potter; and Cr Vernon**

The Mayor, Elected Members and staff, except of Deputy Mayor Potter, Cr Jacobs, Cr Vernon, the Chief Executive Officer, Chief Financial Officer and Senior Governance Officer, left the Council Chamber at 18.51pm.

The Mayor, Elected Members and staff returned to the Council Chamber at 18.59pm.

RESOLVED:**Moved: Cr V Potter****Seconded: Cr Jacobs****That the meeting be reconvened at 18.59pm.****The Motion was Put and****CARRIED (9-0)****In favour of the Motion: Mayor Vaughan; Cr Ammons Noble; Cr Anderson; Cr Ife; Cr Jacobs; Cr Oliver; Cr R Potter; Cr V Potter; and Cr Vernon***The Presiding Member, Mayor Vaughan, called Mr Maxwell to the podium.**Mr Maxwell withdrew his comment.*Sam Zammit

1. Mr Zammit made a statement regarding an old historical building a building on the corner of Hill View Terrace and Berwick Street which is proposed to be demolished. The building has been there for many years and he did not think the Council had taken any measures to photograph it and get any historical information about it. This is another historical building in our town being demolished in the very near future. Is something going to do anything about this?

R Mayor Vaughan said that the Town would follow its normal process and take photos.

2. Mr Zammit made a statement about bikes on Albany Highway footpaths going fast, up to 30ks an hour, without warning. Has the Town any data on accidents or incidents in the area.

R The CEO, Mr Anthony Vuleta said Police have that data if there is an accident or incident and send to Council.

David D'Orizio

Mr D'Orizio made a statement with regard to the retrospective signage and alterations at 550 Albany highway. The building was previously in disrepair and is now a mattress retail store so people require privacy to try the beds. In relation to the windows there is a degree of window shopping available and don't believe that opening up of windows is really necessary. Some of the internal advertising will be removed and this shows how much frontage is open for viewing and it is a reasonable amount, enough for window shopping. If it isn't inappropriate there is no reason it can remain the way it is now every aspect of retrospective works is reversible. The heritage fabric of the building is essentially retained, the signage will be restored at the top.

John Carroll

Mr Carrol made a statement regarding Paramount apartments and concerns about change of use of Lot 47 and the strata which is included in Paramount apartments. It is now to change to virtual reality which means changing the use and will impact the strata owners. Worries about the noise and young people there blocking alleyway and felt that it would not enhance the quality of life.

7 CONFIRMATION OF MINUTES

RESOLVED:

Moved: Cr Oliver

Seconded: Cr Anderson

That the minutes of the Elected Members Briefing Session meeting held on Tuesday, 2 October 2018 be confirmed.

The Motion was Put and

CARRIED (9-0)

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

8 PRESENTATIONS

8.1 Petitions

Nil

8.2 Presentations (Awards to be given to the Town)

Nil

8.3 Deputations (Planning / External Organisations)

6:50pm Item 11.4 – 295 – 299 Albany Highway, Victoria Park – Change of Use to ‘Unlisted Use (Amusement Parlour)’ – the applicant Mr Andrew Lyttle attended to discuss this application.

6:55pm Item 11.5 - Amendment 78 to Town Planning Scheme No. 1 to Recode No. 384 (Lot 3) Berwick Street, East Victoria Park from Residential R30 to R40/R60 – Paul Cunningham from Rowe Group was in attendance to discuss this application.

7:00pm Item 11.5 - Amendment 78 to Town Planning Scheme No. 1 to Recode No. 384 (Lot 3) Berwick Street, East Victoria Park from Residential R30 to R40/R60 – Stephen Pelosi from Hamlen Property Group 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 10.2 Annual General Electors' Meeting 2018
- Item 11.4 295-299 (Lot 47, Strata 34199) Albany Highway, Victoria Park – Change of Use from 'Shop' to 'Unlisted Use (Amusement Parlour)' and associated Signage
- Item 12.1 Tender TVP/18/14 for Air Conditioning Maintenance Services for Council Owned Buildings
- Item 13.3 QTVP/18/13 - Library Management System
- Item 14.1 Recommendation from the Finance and Audit Committee: Schedule of accounts for 30 September 2018
- Item 14.2 Recommendation from the Finance and Audit Committee: Financial statements for the month ending 30 September 2018
- Item 14.4. Recommendation from the Future Planning Committee: Proposed Local Planning Policy 38 'Signs' and Associated Actions

Section 2:

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

Item 10.1 Adoption of the 2019 Meetings of Council Schedule

Council Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:

Mayor Vaughan

The Mayor requested that the date for the October Ordinary Council Meeting be changed from Tuesday, October 22 to Tuesday, October 15. With the impending 2019 Local Government Elections, the purpose of making this change is so that the current sitting Council that attends the October Elected Member Briefing Session is the same Council that votes on those items at the Ordinary Council Meeting.

Item 11.1 547-553 (Lot 929) Albany Highway, Victoria Park – Retrospective Approval for Alterations to Building Façade and Proposed SignsCouncil Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:Cr Anderson

1. Has the Town ever issued a fine for retrospective approval in relation to the fact that the original approval has not been adhered to?
- R. The Manager Development Services, Mr Robert Cruickshank, said that the Administration's approach is, where there is retrospective works involved, would prefer to work with the applicant to try and remedy the issue through either an application for retrospective approval or rectifying the works. Prosecution is used as a last resort if the applicant is not willing to work with officers or try to resolve the matter. This item went to Council last year and the applicant had the opportunity to make their submissions but despite the Council's decision the applicant went ahead and did what they had otherwise applied for. However, the applicant indicated they would be prepared to work through the issue and Council officer's decided to go with that.

The Chief Community Planner, Ms Natalie Martin Goode added that in terms of fines, with a retrospective fee, the fee would be triple which is in itself, is a fine. If you go to prosecution you could lose the ability to what fine might be and it can be disproportionate.

Cr Vernon

1. Has any information been received from the owner of the business as to whether it is possible to move the location of the customer service counter so that it appears to be on the back wall rather than near the windows in what would be the far right hand corner?
- R. The Manager Development Services, Mr Robert Cruickshank said this matter was discussed with the applicant when considered last year, however for some reason it was not possible. The applicant is here tonight and maybe he will take away the suggestion and there may be a further response.

Item 11.2 35 (Lot 263, Plan 757) Enfield Street, Lathlain – Application for Residential Building (Short Term Accommodation)Council Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:Cr R Potter

1. In the Management Plan it says that any complaints can be directed to the owner but later refers to someone managing the property who is not the owner and there is no relation to numbers or contact details about the owner; I cannot see any details?
- R The Manager Development Services, Mr Robert Cruickshank said there is contradictory statements that make reference to complaints being made to the owner but elsewhere it makes reference that Phoebe Hoe will manage the property. There is a telephone number for Phoebe Hoe in the Management Plan and an indication from the applicant that a copy of the management plan will be provided to all the neighbours.

Cr Ammons Noble

1. Regarding the timeframe for complaints to be responded to by management, is there a standardised timeframe delineated in our policy? I note this reports alludes to ASAP as this application's standard, but I seem to recall other management plans for short term accommodation as indicating specific timeframes?
- R The Manager Development Services, Mr Robert Cruickshank said there is nothing in the policy for acceptable timeframes to deal with complaints, there is just a reference to the need for a complaints manager and procedure to be in place. While some other applicants have stated a timeframe that they will deal with the complaint it is not necessarily a requirement of ours.
2. Is this policy scheduled to be reviewed or updated anytime soon, given the number of applications we are receiving?
- R The Manager Development Services, Mr Robert Cruickshank said yes the schedule is being reviewed and will be presented to November Future Planning Committee meeting.

Cr Vernon

1. With regards to the last paragraph on page 47 regarding the Agenda papers, it indicates that earlier this year it was brought to the Town's attention about the dwelling being used for short term accommodation without Council approval; when was it brought to Town's attention and, following the investigations of the Town, was it revealed how long the dwelling had been used for short term accommodation without approval?
- R The Manager Development Services, Mr Robert Cruickshank said he did not have the answers to the questions and will include additional responses in the report next week.

Item 11.3 51 Streatley Road, Lathlain – Perth Royals Football Club (Inc), Application For An Extended Trading Permit – January to MarchCouncil Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:Cr Ammons Noble

1. On page 64 there is reference to a Code of Conduct — but there are no details around this in the recommendation; would this be subject to Town's approval?
- R The Chief Community Planner, Ms Natalie Martin Goode said there is a condition which requires a Code of Conduct increment, there is no planning instrument i.e. scheme or policy which requires a Code of Conduct but that condition has been included because it directly relates to amenity impacts, and added a reminder that the Town is not the final approving body of the extended trading permit and while this is the Town's recommendation the Department of Gaming and Liquor are under no obligation to take on those conditions.

Cr Vernon

1. The fourth condition in the report where it proposes that the Council will support, where it indicates the Club prepare and implement a Code that all players and regular patrons are to agree to at the time of registration with the club; is that intended to indicate that only those players or patrons that register with the Club after the approval is granted will be bound by the Code of Conduct or is it intended that the Code of Conduct should apply to all players and regular patrons who are members of the Club at any one time?
- R The Chief Community Planner, Ms Natalie Martin Goode said that in hindsight it should apply to all members as clubs have guests that are not necessarily members and the Code should apply to them as well. The report can be amended to reflect this.

Cr Iffe

1. Are there other sporting clubs in Town that have extended trading permits?
- R The Chief Community Planner, Ms Natalie Martin Goode said that she did not know the answer and would need to make checks.

Item 11.5 Report on Submissions - Amendment 78 to Town Planning Scheme No. 1 to Recode No. 384 (Lot 3) Berwick Street, East Victoria Park from Residential R30 to R40/R60

Council Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:Cr Oliver

1. What guides the cash in lieu contribution for public open space?
- R. The Chief Community Planner, Ms Natalie Martin Goode replied that cash in lieu is payment that is made through the sub-division process. When land is sub-divided the State Planning Policy that requires normally a cash in lieu contribution, but certainly, if it is a small area, there is a preference for it to be cash in lieu and the Commission will give that option to the Local Government. The condition based on Valuer General Valuations for the land or it's a general worded sub-division that refers to getting a valuation from the Valuer General.

2. If this progressed and received the cash in lieu where does the money go?
R. The Chief Community Planner, Ms Natalie Martin Goode advised that the State policy requires that it is spent in the vicinity on public open space. It must be in the immediate vicinity and cannot be spent several kilometres away and must be spent on public open space for use such as landscaping, playground equipment etc.
3. Could the Town buy new public open space?
R. The Chief Community Planner, Ms Natalie Martin Goode said yes, there would need to be a plan, adopted by Council stating the public open space we were going to buy.

Cr Ife

1. Relating to point 2 of the recommendation on page 89 of the report regarding In Principle support to facilitate the development of the site in a manner general consistent with the Concept Plan; Would this mean we would have to re-negotiate or re-consider the issue regarding access of vehicles via Carson and Bailee Streets which had previously been resolved by the Council?
R. The Manager Development Services, Mr Robert Cruickshank said that is the intent, Town officers are seeking Council's In Principle support for a development of this form but there is further work to be undertaken in terms of determining the acceptability of the vehicle access arrangements the density coding and some of the other matters. If Council was to support the recommendation it doesn't preclude the Council from deciding that vehicle access needs to be dealt with in a certain manner.

Cr Anderson

1. Would it be possible to use those funds for use in the vicinity for the Urban Forest Strategy? If it is not in the vicinity could the two be linked together?
R. The Chief Community Planner, Ms Natalie Martin Goode said yes, the Urban Forest Strategy outcomes can be linked with spending on open space. The planting of trees is about beautifying about public open space.

Cr Vernon

1. Is it possible to use that money as a down payment on a stretch of land that already operates as a park?
R. The Chief Community Planner, Ms Natalie Martin Goode said that if there is a Public Space Strategy that is adopted by Council that says that strategic land that needs to be purchased it could be possible.

Item 13.1 Adoption and Gazettal of Town of Victoria Park Dog Local Law 2018Council Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:

Cr Ammons Noble

1. For those offences not delineated in this Dog Local Law 2018, but noted in the Dog Act and Regulations, who will be responsible for enforcement/compliance? Are we sufficiently resourced and appointed to administer these if the responsibility falls with the Town?
R The Chief Financial Officer, Mr Nathan Cain, replied that the Rangers are responsible for the enforcement of Dog Act and Regulations, we currently do this on a regular basis, we are resourced to administer the Dog Act as required and Rangers authorised officers under the Dog Act.

Item 13.2 Policy review – EM6 Fees, Expenses and Allowances – Elected MembersCouncil Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:

Cr Ammons Noble

1. Are there any risks posed by the deletion of text in the previous policy —such as the notes regarding types of expenses paid?
R The Chief Financial Officer, Mr Nathan Cain took the question on Notice.
2. Is there another document, perhaps more operational, that captures concerns raised regarding reference to the statutory mechanisms or resolutions that allow payments, reimbursements and allowances to be paid?
R The Chief Financial Officer, Mr Nathan Cain took the question on Notice.
3. Is a resolution of council required to cover reimbursements for Independent Committee Members? Does this policy have sufficient detail to cover this?
R The Chief Financial Officer, Mr Nathan Cain took the question on notice.
4. With the terminology not including the word allowances, will this still encompass things like the IT allowance?
R The Chief Financial Officer, Mr Nathan Cain took the question on notice.

Item 14.3 Recommendation from the Community Development Committee: Town of Victoria Park- Reflect Reconciliation Action Plan

Council Agenda Modifications:

Nil.

Additional Information Sought:

Nil.

Questions / Responses:

Cr Oliver

1. In feedback during the consultation I note comments that the Reflect Reconciliation Action Plan should be endorsed and introduced by the Town of Victoria Park Council or the Mayor. The officer's response said that the final version will include Mayor's address. Can you please let me know where the draft can be found?
R. The Chief Community Planner, Ms Natalie Martin Goode said that it had not been drafted yet and the Strategy hasn't been graphically designed yet so the Mayor's statement referred to in the Appendices hasn't been done. It will be done in final version.

2. Will the draft documents be presented in a Word format to Councillors?
R. The Chief Community Planner, Ms Natalie Martin Goode said yes this will be done.

15 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

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 TIMEVince Maxwell

1. Can you confirm that the Town's accounts are being audited by the Auditor General and do you expect that the line item for actual employment costs will change as a result of this audit?
R Mayor Vaughan said that the Auditor will look at this a provide feedback. We will wait and see what the Auditor's decision is regarding a change to the actual employment costs.
2. Last month Cr R Potter requested the CEO report on the amount of times on answering my questions, inferring that my questions were unnecessary. Mr Maxwell asked at that meeting that the report be itemised to show the amount of time the staff spent in not answering my questions, the time taken to provide responses that avoided directly answering my questions. When will this report be provided?
R. The Chief Financial Officer, Mr Nathan Cain said that the report will be ready soon.

20 PUBLIC STATEMENT TIMEVince Maxwell

I received a letter from Mr Cain in response to a question at the last Ordinary Council Meeting regarding community members on Council Committees. I don't know why it was not emailed instead posted to avoid costs. I require clarification of the statement in the letter that says there are four local residents one member who works within the town. Does this mean he works for Council or works in a business in the Town? When Cr Potter asked for a report on staff times in answering my questions I don't know whether it was

genuine concern or concern that I might expose some truth about the Town's finances. If the Council are really concerned about staff costs you may need to ask why it was necessary to post a letter to answer two questions from the Ordinary Council meeting with two letters when my email address is available. I don't know if this request for a report is about costs or about cover up.

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 19.57pm.