



TOWN OF  
VICTORIA PARK



## Special Council Meeting Agenda – 28 July 2020

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**WE'RE OPEN  
VIC PARK**

Please be advised that a **Special Council Meeting** will be held at **6pm** on **Tuesday 28 July 2020** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Mr Michael Cole – Acting Chief Executive Officer**  
24 July 2020

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# 1 Declaration of opening

## Acknowledgement of Country

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

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

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

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

*Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.*

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

## 2 Announcements from the Presiding Member

### 2.1 Recording and live streaming of proceedings

In accordance with clause 39 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, as the Presiding Member, I hereby give my permission for the administration to record proceedings of this meeting.

This meeting is also being live streamed on the Town's website. By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to public. Recordings are also made available on the Town's website following the meeting.

### 2.2 Public question time and 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 40 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, 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.

As this is a Special Council Meeting, questions and statement must relate to the business of the agenda.

### **2.3 No adverse reflection**

In accordance with clause 56 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, 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 Meeting Procedures Local Law 2019**

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 Meeting Procedures Local Law 2019*.

### **3 Attendance**

**Mayor**

Ms Karen Vernon

**Banksia Ward**

Cr Claire Anderson  
Cr Ronhhda Potter  
Cr Wilfred Hendriks  
Cr Luana Lisandro

**Jarrah Ward**

Deputy Mayor Bronwyn Ife  
Cr Brian Oliver  
Cr Jesvin Karimi

**Chief Executive Officer**

Mr Anthony Vuleta

**Chief Operations Officer**

Mr Ben Killigrew

**Chief Financial Officer**

Mr Michael Cole

**Chief Community Planner**

Ms Natalie Martin Goode

**Governance Advisor - Compliance**

Mr Liam O'Neill

**Secretary**

Ms Amy Noon

**Public liaison**

Ms Alison Podmore

#### **3.1 Apologies**

#### **3.2 Approved leave of absence**

**Jarrah Ward**

Cr Vicki Potter

## **4 Declarations of interest**

Declarations of interest are to be made in writing prior to the commencement of the meeting.

### **Declaration of financial interests**

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees can continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

### **Declaration of proximity interest**

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

### **Declaration of interest affecting impartiality**

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

- 5 Public question time**
- 6 Public statement time**
- 7 Presentations**
  - 7.1 Petitions**
  - 7.2 Presentations**
  - 7.3 Deputations**
- 8 Method of dealing with agenda business**

## 9 Chief Operations Officer reports

### 9.1 Lathlain Precinct Redevelopment Project Zone 1 Community and Sport Club Facility Project Advisory Group Community Participants

<b>Location</b>	Carlisle Lathlain
<b>Reporting officer</b>	Kevin Cunningham
<b>Responsible officer</b>	Ben Killigrew
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL - Advisory Nominee Evaluations [9.1.1 - 23 pages]

#### Recommendation

That Council appoints the following persons to the two available community member positions in the Project Advisory Group for the Lathlain Precinct Redevelopment Zone 1 project:

- a. Mr Timothy Botica, of Lathlain, as a participating member representing the residents of Lathlain and Carlisle.
- b. Mr Paul Kellick, of East Victoria Park, as a participating member representing residents of the Town.

#### Purpose

This update responds to Ordinary Council Meeting Tuesday 21 July 2020, agenda Item 13.3 resolution that Council:

1. Resolves to hold a Special Council Meeting on 28 July 2020 at 6pm for the purpose of appointing persons to the community member positions on the Lathlain Precinct Redevelopment Project Zone 1 Community and Sport Club Facility Project Advisory Group.
2. Requests that the Chief Executive Officer bring a report to the Special Council Meeting regarding the community appointments to the Lathlain Precinct Redevelopment Project Zone 1 Community and Sport Club Facility Project Advisory Group, including a confidential attachment with the details of the nominee assessments.

This is in addition to the June 2020 Ordinary Council Meeting Item 13.4 resolution 431/2020 - point 5. in respect to the establishment of a Lathlain Precinct Zone 1 Community and Sport Facility Project Advisory Group;

*"Requests that the Chief Executive Officer seeks further expressions of interests for the two community member vacancies to the Lathlain Precinct Redevelopment Project Zone 1 Community and Sporting Club Facility Project Advisory Group and presents a further report back to Council on recommended community member appointments by its July Ordinary Council"*

The reason for that request was that the public expression of interest period in June 2020 did not result in a significant number of applicants for appointment to this group, and it was considered appropriate to give the community more time to express their interest. People that expressed their interest in June 2020 are to be considered with others that may do so in July 2020.



## In brief

- This report is informed by the June 2020 Ordinary Council Meeting Report 13.4.
- In order to address Council Resolution 431/2020 (number 5), the time for the invitation of Expression of Interest from the community was extended to close on 10 July 2020. This is after the Agenda Briefing Forum for the July OCM on 7 July 2020 (so a recommendation is not available at that ABF date).
- Evaluation and recommendation of nominations for community members will be an attachment (confidential) to this report when presented to OCM and will be provided to Elected Members as soon as available prior to the OCM as a Confidential Item on the Elected Member Portal.
- Under Resolution 431/2020, Council have appointed Mayor Karen Vernon, Cr Brian Oliver, Russ Clark (as representative from Perth Football Club) and Josh Bowler (as representative to the Western Australian Football Commission), as participant members of the Lathlain Precinct Redevelopment Project Zone 1 Community and Sporting Club Facility Project Advisory Group.
- Council also resolved that all other Elected Members are appointed as deputies in the event that an Elected Member representative is unable to attend a meeting.

## Background

1. The purpose and objective of the LPRP Zone 1 Project Advisory Group is "Supporting and advising the Council with the development of concept plans for the Community and Sport Club Facility by providing advice and guidance to Council through the Project Executive, for the preparation by the Project of the LPMP compliant Design Concept Plan for the staged development of the LPRP Zone 1 community and sports club facility."
2. The WAPC Approved Lathlain Park Management Plan July 2017 (LPMP) is a community-informed Planning document that will guide the LPRP Zone 1 project plan or Project Initiation Document (PID) and the preparation of a new concept plan.
3. For the preparation of the PID, a combined Project Advisory Group inclusive of Elected Member representation, members of the community, Town Officers and external stakeholders (Perth Football Club, WA Football Commission) is formed to guide the concept plan preparation.
4. The Project Advisory Group will ensure that the preparation of the revised concept plan is compliant with the LPMP.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact

CL03 - Well thought out and managed projects that are delivered successfully.	The mandated Project will be managed in accordance with the Towns PRINCE2 applied project principles and workflow
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Economic	
Strategic outcome	Intended public value outcome or impact

EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	The development will replace an obsolete, dilapidated, high maintenance, no longer fit for purpose structure and provide accommodation
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that will support community groups and broader activation of the locality.

## Legal compliance

Not applicable.

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Property</b> Further deterioration of the existing Structures (Grandstand). The buildings becoming unsafe for use and occupation.	Moderate	Likely	High	Continue annual engineering structural audits and recommendations; ongoing repairs in accordance with recommendations; Building condemned and no longer accessible for accommodation or by the public.
<b>Reputational</b> Negative public perception towards the Town may result from a structure related failure and personal injury in the existing grandstand	Moderate	Likely	High	Community consultation about the project. Community engagement workshops.
<b>Reputational</b> Negative public perception related to the expenditure of Town funds for required rectification works	Moderate	Likely	Moderate	Ongoing community engagement and communication of the requirements and potential outcomes.

## Financial implications

<b>Current budget impact</b>	<p>Sufficient funds exist within the annual budget in respect to the creation of this Project Advisory Group.</p> <p>The residual of the 2019/20 Operational Budget carryover funding is \$375,000.</p>
<b>Future budget impact</b>	<p>The creation of the Project Advisory Group is not intended to impact Future Budget.</p>

## Analysis

5. The establishment of this Project Advisory Group accords with the PRINCE2 Project Management methodology for Directing a Project and is informed by Town Policy 101. Establishment of this Group is resolved at Council, inclusive of endorsing its purpose and objective, participant composition and criteria for membership.

The Group is established as an advisory one only (Policy 101) and has no authority to direct, nor to make decisions (other than decisions in respect to its own operation), nor to approve or to instruct. The Group, or any individual participative member, shall –

- a. Not commit or authorise the expenditure of any Town funds in respect to the Project;
  - b. Not correspond with any party in regard to their participation;
  - c. Not speak for or on behalf of the Town or Council;
  - d. Not issue any press release;
  - e. Not issue any instruction to Town staff.
6. Community members formally appointed to an advisory group are participating members of that Group.
  7. Should any community member be unable to fulfil their role on the Group Policy 101 procedures shall be followed.
  8. The CEO appointment of Officers will be at the discretion of the CEO. Participatory Officers appointed to the Group are to provide professional and technical advice relevant to the Project and conduct research in line with the group's purpose and objectives. The Group shall always be cognisant of the project scope and funding constraints in providing its advice.
  9. Group participation shall be on an individual basis and Group consensus, while welcome, need not be required.
  10. It is anticipated that there may be differing, conflicting or ambiguous feedback from respective members in relation to different participant imperatives.
  11. The Town shall record advisory information but Council shall receive it wholly at their discretion and are in no way compelled to accept or apply any feedback, opinion, comment or guidance from the Group participant membership.
  12. The Terms of Reference are effective upon endorsement by Council at OCM and continue until the endorsement by Council of a Design Concept Plan for the staged development of LPRP Zone 1 community and sports club facility.
  13. The life of this Group shall be from the date of the first meeting and shall cease from the date of Design Concept Plan endorsement, or as directed by Council.
  14. The anticipated period for preparation and delivery of that Design Concept Plan is prior to 30 June 2021, and unless otherwise resolved by Council the Group will cease from that date.
  15. The Group shall be comprised of:

Community Group Represented	Participant
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Whole of Town of Victoria Park	Elected Member
Lathlain and Carlisle Locality (Banksia Ward)	Elected Member
Lathlain/ Carlisle Residents	Community member
Town Residents	Community member
Football Event Users	WA Football Commission representative
Perth Football Club User	PFC representative
Town Officer	Locality Planning Compliance
Town Officer	Asset Management Officer of the Town

16. The Officer participant members have been advised as:

Locality Planning Compliance	Manager Development Services
Town Asset Management	Manager Strategic Assets

17. Project ex-officio facilitation is from the Project Executive; the Project Manager for provision of information and presentations; and Project Administration for secretarial and governance support. The Project ex-officio non-participant Officers are advised as:

Project Executive	Chief Operations Officer
Project Manager	Strategic Project Manager
Project Administration	Executive Assistant COO

18. The Project Manager shall present and refer information to the Group and is the person the presiding member liaises with on the required preparations of the Group.

19. Project Administration shall arrange meeting times, prepare and distribute the agenda, take and share the minutes.

20. The Membership Criteria for respective Community participant membership shall be their evidence for their -

<b>Membership Criteria</b>	<b>Weighting</b>
• Being a ratepayer and resident for a minimum of 5 years who has been part of the community group they will represent	20%
• Having a project relevant qualification and expertise (Planning, Architecture, Engineering or similar)	15%
• Being able through experience, network or skill to broadly represent their relevant representation community group	25%
• Ability to work collaboratively with others holding differing opinions in a group	10%
• Willingness to equitably and fairly represent their relevant community group	30%

21. All memberships expire at the end of the Group's term.

22. No Remuneration - Members appointed to a Group are not entitled to a sitting fee, or any such type of remuneration.

23. Each member of the Group is responsible for attending meetings, reviewing relevant material to enable informed discussion and making timely progress for the objectives of the Group.
24. Each member shall abide by the Town's Code of Conduct, to have open and honest discussions and to treat each member with due courtesy and respect.
25. The specific roles for each membership type are as follows:

Elected members	Are responsible for ensuring that the Group adheres to the direction set by Council, contributing respectively from either a Town-wide or locality perspective, and ensure delivery of the Group's objective.
Community members	Are responsible for responding for their represented group and for the delivery of the Group's objectives within the scope of their skills, knowledge and capabilities.
Participating Officers	Are responsible for contributing for their professional and technical expertise to assist informed responses.
Non-participating Officers	Are responsible for facilitating, presenting and informing the Group, and receiving the Group members advice.

26. At the first meeting the Group will elect a presiding member and deputy presiding member. Council have noted the draft Terms of Reference, which will be considered by the Project Advisory Group in accordance with Policy 101 at that first meeting.
27. The presiding member will consult on the day-to-day operations of the Group (inclusive of ensuring adherence to the Group's endorsed Terms of Reference and to Policy 101) and work with the Project Manager in respect to project information, required preparations, the agenda, and the schedule of meetings.
28. The Group will meet as required, upon the calling of the meeting by the presiding member.
29. The Group may only make decisions in respect to its day-to-day operations and these are to be made by consensus (i.e. members being satisfied with a decision even though it may not be their first choice). If consensus is not possible, the presiding member can make the final decision.
30. The Group shall report to Council by way of its minutes.

## Relevant documents

[Policy 101.](#)

**10 Public question time**

**11 Public statement time**

**12 Closure**