

# minutes

Elected Members Briefing  
Session



Please be advised that the Elected Members Briefing Session commenced at **6.30pm** on **Tuesday 1 September 2015** 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**

8 September 2015

## 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 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.

### 2.3 No Adverse Reflection

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 Additional Comments

Mayor Vaughan advised that he would be attending a meeting on Wednesday 2 September with the Mayors from the Town of Vincent and Bassendean regarding the Transparency Working Group of which Cr Maxwell has an item for discussion in this agenda.

## 3 ATTENDANCE

<b>Mayor:</b>	Mr T (Trevor) Vaughan
<b>Banksia Ward:</b>	Cr J (John) Bissett Cr K (Keith) Hayes Cr M (Mark) Windram
<b>Jarrah Ward:</b>	Cr V (Vince) Maxwell Cr D V (Vin) Nairn Cr B (Brian) Oliver Cr V (Vicki) Potter
<b>Chief Executive Officer:</b>	Mr A (Anthony) Vuleta
<b>Director Future Life &amp; Built Life</b>	Ms R (Rochelle) Lavery
<b>Director Renew Life</b>	Mr W (Warren) Bow
<b>Director Community Life</b>	Ms T (Tina) Ackerman
<b>Director Business Life</b>	Mr N (Nathan) Cain
<b>Executive Manager Built Life:</b>	Mr R (Robert) Cruickshank
<b>Secretary:</b>	Mrs A (Alison) Podmore
<b>Public:</b>	36

### 3.1 Apologies

**Banksia Ward:** Cr C (Claire) Anderson (Deputy Mayor)

### 3.2 Approved Leave of Absence

Nil

## 4 DECLARATIONS OF INTEREST

Declarations of interest are to be made in writing prior to the commencement of the Meeting, (a form to assist Elected Members and Staff is attached at the end of this Agenda).

### Declaration of Financial Interests

Name/Position	Cr Vin Nair
Item No/Subject	Item 12.4
Nature of Interest	Financial
Extent of Interest	Member of the Perth Football Club

### Declaration of Proximity Interest

Nil

### Declaration of Interest affecting impartiality

Name/Position	Mr Robert Cruickshank
Item No/Subject	Item 11.9
Nature of Interest	Impartiality
Extent of Interest	Owner of No. 6 Midgley Street has been a friend of Mr Cruickshank's family

## 5 PUBLIC QUESTION TIME

### 5.1 Responses to Questions Raised and Taken on Notice at the Briefing Session held on 4 August 2015

#### Fred Borthwick

1. Earlier this year Enkel advertised that they were holding an event in the rear yard of the property. Who held insurance on that?  
  
R. Enkel hasn't run an event at 874 Albany Highway this year or last year. The question may be referring to the "Vic Park Fringe" events run by the Vic Park Collective that were held in the backyard of 874 Albany Highway in February 2015. The Vic Park Collective have their own community organisation insurance that covers them for these types of events.
2. Why do you have to show a certificate of currency of insurance when a room is leased for an hour or two at Leisurelife. Why can't Leisurelife cover that insurance?  
  
R. The requirement is part of the policy: RECN1 Recreation Reserves – Hire, which reads:
  4. A copy of a Certificate of Currency for Public Liability insurance in the sum of not less than \$10,000,000 (ten million dollars) is required from clubs, associations, incorporated organisations, or organisers of large groups or events.

It is in place for all regular hire by community groups or commercial organisations as an insurance requirement of the Town. We do not require this for individuals who do not book regularly or provide a service. An example that is exempt would be someone booking a room for a child's birthday party or a one off celebration such as the cultural celebrations.

3. Why is Enkel being given a 'leg up' in this instance?  
  
R. Enkel is supported by the Town because it is a member-owned non-distributing co-operative without share capital, and has links to the Victoria Park Collective. Enkel proposes to use the property for engaging the local community in a variety of open learning services, education, skill-building and hosting of workshops and cultural events.

#### John Gleeson

- Q. What is the saturation point for the sewage system in the Town?  
  
R. The Town is not privy to an assessment of the capacity of the Water Corporation's sewerage infrastructure within the Town of Victoria Park or elsewhere. This query is best directed to the Water Corporation.

Chris Locantro

1. Why hasn't the number of permanent and contracted staff, employed by the Council been included in the budget? Has the document been finalised? If it hasn't perhaps give some thought to the numbers of employees currently in the Council.
- R. The information on staffing levels is contained within the Workforce Plan and, as such, is not replicated in the Annual Budget per se. The Annual Report of Council does provide staffing levels for the period being reported upon.

The most recent review of staffing levels occurred in April and May 2015, as a minor review. The review findings were presented to Council on 9 June 2015, and made available for public consultation following that meeting. The dollar values of those staffing levels are then included within the Annual Budget as per legislative requirements.

Minor adjustments to staffing establishment levels occur on an ongoing basis and are the direct responsibility of the Chief Executive Officer. As per legislative requirements, major reviews occur every four years as part of the Integrated Planning and Reporting cycle. The next major review reporting requirement for the Town of Victoria Park is due for completion by 30 June 2017.

More information on integrated reporting by Local Governments can be found at <https://integratedplanning.dlg.wa.gov.au>.

2. What are Enkel's qualifications? Who are they and what gives them the priority to use a facility that Council is not prepared to decide on the use of for another year?
- R. Enkel is a member-owned non-distributing co-operative without share capital. Staff are not aware of any specific qualifications that Enkel hold. Enkel has links to the Victoria Park Collective; another member-based community organisation that the Town is forging a strong relationship with. Enkel proposes to use the property for engaging the local community in a variety of open learning services, education, skill-building and hosting of workshops and cultural events.

## **5.2 Public Questions / Responses, Raised at the Briefing Session on 1 September 2015**

David Crann

- Q. Is there a guarantee that the Victoria Park Bowling Club is not a public health risk?
- R. The Director Renew Life Program, Mr Warren Bow took the question on notice.

John Gleeson

- Q. What is the capacity of the sewage system in the Town?
- R. The Director Renew Life Program, Mr Warren Bow took the question on notice.

Fred Borthwick

Q. Can I have a transcript of the question from the 4 August meeting?

R. The Chief Executive Officer, Mr Anthony Vuleta took the question on notice.

John Gleeson

Q. When is the Council going to do something about the pile of rubble on Briggs Street?

R. The Chief Executive Officer, Mr Anthony Vuleta advised that there was further advice received from the Department of Environment Regulation. The issue is not an issue the Town can control. It's not in the Town's boundary even though the dust is flying over into the Town's boundary. It's a City of Canning issue and the Department of Environment Regulation have authority over this particular issue. The Town is keeping tabs on what is happening, the Department is dealing with it. The Town has no authority to deal with the issue and has checked that it has no authority to deal with this issue and has been in constant conversation with the Department. The Department is taking further sampling and they're undertaking that during this week. They have contacted the majority of complainants, the Minister and the Premier, about this particular issue that you've raised and the gentleman from the Department is more than happy to have the conversation with any residents/ratepayers that are affected by this issue. Mr Vuleta has the number and is happy to provide that.

Peter Lesiter

Q. Has the Town been in touch with the Canning Council?

R. The Chief Executive Officer, Mr Anthony Vuleta advised that the Town has been in contact with the City of Canning a number of times, and has been in constant conversation with them as well as the Department of Environment. As mentioned earlier, the Town cannot do anything about this pile of rubble, we make complaints about it, but we can't control it because it is not in our Town boundary.

## **6 PUBLIC STATEMENT TIME**

John Gleeson

Mr Gleeson made a statement regarding the pile of rubble in Briggs Street.

David Crann

Mr Crann made a statement regarding a response received in a letter from Mr Vuleta.

## **7 CONFIRMATION OF MINUTES**

### **RESOLVED:**

**Moved: Cr Bissett**

**Seconded: Cr Hayes**

**That the minutes of the Elected Members Briefing Session meeting held on Tuesday, 4 August 2015 be confirmed.**

**The Motion was Put and**

**CARRIED (8-0)**

**In favour of the Motion: Mayor Vaughan; Cr Bissett; Cr Hayes; Cr Maxwell; Cr Nairn; Cr Oliver; Cr Potter and Cr Windram**

## **8 PRESENTATIONS**

### **8.1 Petitions**

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

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

- 6:35pm Item 11.1 – Douglas Campbell was in attendance to discuss this application.
- 6:40pm Item 11.3 - Geraldine Farrell was in attendance to discuss this application.
- 6:45pm Item 11.5 - Mark Kinsman of Kerr Engineering and Jeremy Hofflan from Rowe Group were in attendance to discuss this application.
- 6:50pm Item 11.8 - Trevor Moran of Landvision and Steven Kargotich will be in attendance to discuss this application.
- 6:55pm Item 11.9 - Neil Teo of Dynamic Planning and Developments Pty Ltd was in attendance to discuss this application.
- 7:00pm Item 11.8 - Mr Richard Morup and Joe Mucci, residents, were in attendance to discuss Amendment 67.

7:05pm      Item 11.6 – Josh Watson 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 10.1 2016 Schedule of Council Meetings & Elected Member Briefing Sessions
- Item 11.2 206-210 (Lot 8) Swansea Street East, East Victoria Park and 18 - 20 (Lots 3 and 4) Forward Street, Welshpool – Additions and Alterations to Motor Vehicle Sales Premises
- Item 12.2 Proposed Naming of Right of Way Bounded by Kate Street, Lake View Street, Shepperton Road and Norseman Street (ROW67)
- Item 12.3 Proposed Naming of Right of Way Bounded by Albany Highway, Dane Street, Hubert Street and Mint Street (ROW52)
- Item 14.1 Schedule of Accounts for 31 July 2015
- Item 14.2 Financial Statements for the Month ending 31 July 2015
- Item 14.3 New Fees and Charges in the Burswood Parking Precinct

### Section 2

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

- Item 10.2 Integrated Planning and Reporting Framework Major Review Process (EVOLVE 2017)

#### Council Agenda Modifications:

Nil

#### Additional Information Sought:

Nil

#### Questions / Responses:

- Q. Why do we have to endorse something that has to be done?
- R. The Chief Executive Officer, Mr Anthony Vuleta felt it reasonable to ask Council to endorse this process as it's a 2year long process. Last time the Administration undertook the Strategic Community Plan process it was done in a fairly short period of time. This process incorporates a large component of community engagement, which is totally different to what has been undertaken before. It could be up to six (6) months' worth of different levels of community engagement so felt it wise to bring it to Council's attention and also to get them to endorse the project moving forward because it is for a long period of time.
- Q. What is the approach? If it's Public consultation, what is the Public Consultation? What is the approach going to be or what methodologies are going to be used to go out to the community?

- R. The Chief Executive Officer, Mr Anthony Vuleta advised it endorses the approach outlined in the body of the report so the framework that has been outlined in the report, is the approach Administration is taking. This complies with the recently approved Public Participation Policy that Council endorsed some months ago, that looks at a totally different way of engaging with the community. The Administration anticipates taking it to the extreme in some parts, which is empowering the community to make decisions, on behalf of their community. About how they prioritise and how the Council actually deals with some of the infrastructure improvement services that it will deliver into the future. That framework that Council endorsed a few months back, that came from the Town Centre and other major consultation approaches the Administration have had in the past is basically the framework that is going to be used, and is outlined in the report.
- Q. Does this approach mean that Council have to wait until 2017 to find out how the Administration is going to make the commitment of actually reducing the wages bill in the Town?
- R. The Chief Executive Officer, Mr Anthony Vuleta advised that the finances at the Town inclusive of wages are being looked at and also the operations of the organisation at present. This process will help inform some of that because if the community says they want something, and the Town needs to deliver it, then there will have to be some budget alignment in what will have to be delivered. It won't take that entire length of time to determine that, the Administration have started the process to deal with that. Bearing in mind, this Town is in a growth trajectory to something much more significant to what the Town has now, in terms of population. The anticipated growth in staff numbers over time will continue to go up because of the population increases. The Administration will be looking at all associated costs in the Town, both income and expenses inclusive of staff wages in the near future.

Item 11.1 3 (Lot 102) Graham Farmer Freeway, Burswood – Change of Use to Unlisted Use (Recreational Facility)

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Where is it actually in this section?
- R. The Executive Manager Built Life, Mr Robert Cruickshank said it's to the left of the carparking area on the plan on page 32.
- Q. Does the Town know what the cost will be per person?
- R. The Executive Manager Built Life, Mr Robert Cruickshank said that's not a relevant planning consideration.

Item 11.3 159 (Lot 1) Berwick Street, Victoria Park – Demolition of Existing Dwelling and Construction of Single House

Council Agenda Modifications:

Nil

Additional Information Sought:

Cr Potter requested an alternate recommendation for approval for the Ordinary Council Meeting.

Questions / Responses:

- Q. Is it a valid consideration for Council making the decision, that because it can't be seen, it doesn't have the same value as it would if it was visible without a wall?
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised it comes down to the streetscape contribution of the existing dwelling. While the visibility from Berwick Street is somewhat limited, there is a high degree of visibility of the existing dwelling from George Street, given the house is on stumps and elevated above the East fence line. Not a lot of weight should be given to the fence; it could be moved at any time.
- Q. What contribution would the new dwelling make to the street scape in context with other dwellings in that vicinity?
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised the new proposal is for a new 2 storey dwelling. The important consideration is the form scale of the new proposed 2 storey and how it fits in with its neighbours. The officer's report outlines that in the first instance there are concerns about the demolition of the existing dwelling but importantly, officers are concerned about the replacement dwelling, given its 2 storey with limited articulation, stepping and the location at the floor, it is quite a visual dominant impact and particularly the setback variations. It is noted that there are other 2 storey houses located nearby and other corners, however, with respect the Administration would suggest they would have a much greater setback to the street boundaries and they've been designed in a way that have limited the building bulk and less of a bulky impact than this proposal does.
- Q. If this property was demolished, can the Administration go back to them and say it's too bulky and ask for something to be submitted that the Town recommends?
- R. The Executive Manager Built Life, Mr Robert Cruickshank said that Councillors would recall that the Administration has been doing that for some time, this application came to Council for demolition only last year so between last year and this point in time, the Administration has been negotiating with the applicant to try and address some of the concerns about the quality, scale and bulk of the replacement dwelling. The applicant has made some improvements to the plans, but in the officer's view, not sufficient to be in a position to where the application could be supported.

## Item 11.4 36 (Lot 295) Sunbury Road, Victoria Park – Demolition of Existing Dwelling

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. What is the difference between inadequate and unsound?
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised that Administration can't say for certain what the engineers interpretation of structurally inadequate is however would suggest that as there is no flooring in it, would probably be the major consideration. It comes down to a Council considerations as to whether the dwelling is structurally unsound and in the officers views, it's not structurally unsound, it's not in such a bad state that structurally it's failing in any way.
- Q. Is it correct that the applicants haven't submitted a proposal for a new dwelling?
- R. The Executive Manager Built Life, Mr Robert Cruickshank said yes, that is correct.
- Q. Isn't it a requirement to get the plans approved before demolition?
- R. The Executive Manager Built Life, Mr Robert Cruickshank said yes, that is correct.
- Q. Does the applicant know that?
- R. The Executive Manager Built Life, Mr Robert Cruickshank said yes, that is correct and the applicants response was they didn't want to commit funds to the cost involved in preparing plans.

## Item 11.5 185 (Lot 116) Star Street, Carlisle – Application for Retrospective Approval for Change of Use to Unlisted Use (Open Air Storage Yard and Parking)

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Are there plans for a new building and did they have plans in for their application in 2008?

R. The Executive Manager Built Life, Mr Robert Cruickshank advised that in 2008 the applicant sought approval to use the site in for open air storage and carparking. The Council officers put forward a recommendation for refusal, however, the applicant at the time indicated it wasn't their intention to build a new building on the site within the near future. They did subsequently apply for a planning approval for a new building on site and were granted that approval. However, they did not proceed with that approval at that time. As time has progressed that approval has expired. The applicant has now obtained a new approval for the new building to go on the site, a new planning approval. That was granted in April in 2015 and expires in April 2017. So they do have a planning approval at the moment to build a new purpose built building on site, as is outlined in the report. The proponent mentioned in their deputation earlier, that there may be plans being prepared for submission of a building permit fairly soon, however they still require a permit for a further two years to use it for a temporary carpark.

Q. Did Council approve it? Was it for 2 years? Can a report be prepared for a one year period?

R. The Executive Manager Built Life, Mr Robert Cruickshank said yes.

Q. Does the current Development Application for the warehouse/factory is similar to the previous one or whether it's changed substantially?

R. The Executive Manager Built Life, Mr Robert Cruickshank took the question on notice.

Q. If Council approve this application for a further one (1) or two (2) years, will they have a temporary approval of this storage in the open air for eight (8) to (9) years all up?

R. The Executive Manager Built Life, Mr Robert Cruickshank said yes, that is correct.

Item 11.6 13/12-16 (Lot 10 Strata Lot 13) Milford Street, East Victoria Park – Change of Use to Unlisted Use – Rehearsing and Recording Studio

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

Q. What is the different with this report and previous report as there seems to be inconsistency in both reports?

- R. The Executive Manager Built Life, Mr Robert Cruickshank advised that as was outlined in the report for the previous application, the same group of units, with little exception, Council officers have recommended refusal on every instance for a non-industrial use in an industrial area. This was one of the exception, unit 14, the adjoining tenancy to this tenancy was one of the exceptions where, yes, Council officer's recommended approval on the basis that the recording and the rehearsing studio had some characteristics of an industrial use. It had operations both during the day and at night and into the evening hours. It is acknowledged that the recommendation that is being put forward potentially could have implications drawn upon by the applicant for the other proposal, as Administration proceeds through State Administrative Tribunal (SAT) proceedings. The relevant point here is that there already is an existing use of the same kind next door, this is purely an extension of that.
- Q. Is the Town considering putting music studios and similar, into the Town's new Town Planning Scheme?
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised the Town hasn't had many applications of this kind, perhaps three (3) in the last 10 years, however, it is noted that this hurdle is raised each time there is such an application, so it may be appropriate when time and resources permit to review that.

Item 11.7 Final Approval of Amendment No. 66 to Town Planning Scheme No. 1 – Reclassification of Lots to Modify the Boundaries of the District Centre Zone Along Albany Highway.

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Why isn't the Department recommending the rezoning of the properties that are fronting onto Miller Street?
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised there are two properties that front onto Miller Street where we have received a submission from a land owner, seeking for those properties to be included in the Amendment. One of those properties was already included in the proposal because it's currently zoned commercial. The property at Lot 330 Miller Street is currently zoned residential, which the applicant has made a submission seeking for it to be included in the District Centre Zone. The reason for not supporting that submission is firstly it's to do with the long standing position the Town has had by not supporting the encroaching of commercial uses in residential areas into residential side streets.

The second issue would be by changing the zoning from residential to District Centre there are different building height limits, plot ratios, setbacks and car parking provisions that apply and given the relationship or interface to residential properties next door, it is considered that the allowable building height, plot ratios etc, for a District Centre Zone property would not be appropriate, given the interface.

- Item 11.8 Amendment No. 67 to Town Planning Scheme No. 1 – Additional Use of ‘Multiple Dwellings’ on 2, 4, 6 - 8 & 8A (Lots 1, 2, 137 – 141) Basinghall Street, East Victoria Park

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Where do we go to from here if Council agrees to continue with negotiations?
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised it's appropriate that that be included in the report that goes to the Ordinary Council Meeting on 8 September, to provide some guidance as to the process. Mr Cruickshank expects that the Town arranges a meeting with those landowners of properties that are directly adjoin the subject site, to attend a meeting, to give those landowners the opportunity to express their concerns about the proposal, to talk about particular aspects of the proposal they have concerns about. This would allow the developer to opportunity to hear those concerns; it would be suggested to invite some Elected Members as well to be involved in the discussions. This will everyone to get their feelings out there and get an understanding of where the different parties are coming from. Mr Cruickshank expects that the developer will go away and prepares a further revised plan that responds to the comments that are made. There will probably be a further discussions thereafter on the revised proposal, where again there will be that level of engagement from adjoining land owners, the developers, Council staff and Elected Members and ultimately, once Council staff are satisfied with what's being proposed and it's in a form for further advertising, it will go out for wider community consultation, to all members of the surrounding area, to make comments. Then it would come back to Council again for Council to resolve whether to proceed with that further revised proposal.
- Q. If there was a model of this development, then Council probably wouldn't have agreed to have initiated the advertising. Why did the Town's Planning Department go beyond the bounds of what's in the Town Planning Scheme?
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised the support that was provided by the Council staff in the first place, at the time felt that it was appropriate given the site context. The proposal involved discussions with the Town's Design Review Committee. This Council has a lot of faith in their opinions and their abilities. However, the community have expressed serious concerns and

reservations about what was proposed and on reflection there have been some valid concerns that have been expressed. As the Administration move forward with the discussions on a revised proposal, if Council was to agree with the recommendation, the applicant had indicated that they would do modelling and imagery to provide the community with a better understanding of what may be visible on the ground.

- Q. In the report there were three (3); Why does the Administration prefer option one (1) over option two (2)?
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised that the Administration is recommending option one (1) over option two (2) because the community have clearly spoken to say that option two (2) is not acceptable and as previously mentioned, there are some valid concerns that have been raised. To pursue option one (1) allows the Administration the opportunity to continue to work on a revised proposal that addresses the concerns that have been received.

*The Executive Manager Built Life, Mr Robert Cruickshank left the Council Chambers at 8:01pm*

- Item 11.9 Amendment to Town Planning Scheme No. 1 – Recoding of 6 - 10 (Lots 150, 110 & 101) Midgley Street and Portion of 200 (Lot 10) Great Eastern Highway, Lathlain from 'Residential R20' to 'Residential R60'

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Why did the Administration add Lot 151 Great Eastern Highway in to the rezoning?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery advised that when the proposal for 6, 8 & 10 Midley Street to be rezoned, it would have left Lot 151 as the only piece of R20, which isn't an orderly or proper way of dealing with zoning. That same principal applies going the other way; the Administration wouldn't look ad-hoc rezoning of just one (1) lot but would look at what the most appropriate zoning was for the remaining lots around to finish off the sale. That is what the Administration were looking at. The rest of the site, that used to be Red Castle, that has now been approved for another development, is R60, with the exception of what formally was called Lot 151. The Administration is extending the R60 zoning so that on both Midley Street and Streatley Road, it actually finishes at the substation.
- Q. How did 8 & 10 Midley Street get added in?



- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery advised that she thought she covered that, however, looking at the fact that you would look at the orderly and proper planning for that whole area the Town wouldn't look at the ad hoc rezoning of one lot. So for that reason 8 & 10 and Lot 151 were considered.
- Q. Could the Town break the procedure up whereby the Administration conduct consultation initially and then depending on consultation do the rezoning?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery advised that yes that option was looked at and that is an option that could be taken, if Council sees fit, rather than the standard process identified under the current regulations.
- Q. Who are the owners of No. 8 and 10 and have they been approached to rezone?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery took the question on notice.
- Q. What can be built on R60 on these lots if amalgamated?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery advised that the proposal is to extend the provisions from the Red Castle site which allows for a maximum of three (3) storeys for multiple dwellings. The proposal put in by the applicant includes two (2) medium scale / medium density developments.
- Q. What can be built on this 2000sqm of dirt?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery advised that potentially from No 6 to No 10 could accommodate up to 21 multiple dwellings.
- Q. How high?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery said three (3) storey. If the Administration extends the provisions, Council can restrict the height limit to the same as elsewhere in the area which is two (2) storeys with a loft. This is the standard height for the standard residential area. That could also be done at the front and allow them to have three (3) storeys at the back where it actually backs onto the Red Castle development. That can be incorporated into the proposal. This proposal is extending the provisions from the Red Castle onto these sites.
- Q. Isn't the approved Red Castle development 5 – 7 storeys high?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery said yes it was approved by Development Assessment Panel (DAP) for that height.
- Q. If the Administration recommended 3 storeys high for the Red Castle site and then the DAP approved 7, so using that formula, what can be built on this 2000sqm site?

- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery advised that if it's developed as a whole entire site, at this stage it's under separate ownerships. The likelihood of being able to development anything higher than 3 storeys on that site, is not great under separate ownership. The DAP should also be taking into account context and even the Red Castle development actually drops back to 2 storeys adjacent to this site. So it would be less likely, however we don't have control over the DAP decisions, all the Administration can ask them to do is to take consideration the provisions of the Town Planning scheme, the local context and any submission that might be received from adjoining owners and the recommendations from officers of this Council.
- Q. The 2 storeys that Red Castle site drops back to is actually on that portion that in now R20 and the rest is 5 – 7 storeys?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery advised that the whole of that site isn't 5 – 7, it goes from 2 to 3 and gradually works its way up to the 7 at the section where it was considered by the DAP that it had less impact on the surrounding residential area. The interface drops back to 2 storeys on either sides, for the very reason that the precedent is set by the fact that even for the Red Castle site, they considered it was important to actually drop back to fit in with the existing streetscape. Having said that, each development application is dealt with on its merits and that's the requirement. The Scheme provisions that the Administration is intending to put in with the amendment is 3 storeys.
- Q. In the last paragraph in the recommendation, it infers that Council can proceed, modify or abandon the process after public consultation is initiated. Is it accurate advice to be giving Elected Members that the Administration can start these processes, under the pretext so that can be abandoned, is that advice accurate in report for Item 11.8?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery advised that is the correct terminology under the regulations and the way that Amendments are worded and that is exactly what Council gets to make the decision on, whether it's abandoned and no longer proceeds, or whether it proceeds in another form. The Western Australian Planning Commission and the Minister for Planning have the final say on all Town Planning Scheme amendments.
- Q. Will there be a recommendation reflecting that they're going to do some consultation amongst the local residents, without any other recommendation?
- R. The Director Future Life and Built Life Program, Ms Rochelle Lavery said yes the recommendation can be modified to reflect that

*The Executive Manager Built Life, Mr Robert Cruickshank returned to the Council Chambers at 8:15pm*

## Item 12.1 Mindarie Regional Council (MRC) Infrastructure Options Assessment

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Why is commit used there? What benefit is there to the Town of Victoria Park to commit to consulting MRC if we want to do anything with waste. Shouldn't it be that we might consider that, depending on the circumstances?
- R. The Director Renew Life Program, Mr Warren Bow advised that it is showing the Town's intention to work with the structure of the MRC to make sure the Town delivers any plans or ideas to the Strategic Working Group for consideration by the member partners of the MRC.
- Q. What if we don't want to?
- R. The Director Renew Life Program, Mr Warren Bow said that given the Town's commitment and membership to the MRC, believe it's suggested that the Town does.

*Cr Nairn left the Council Chambers at 8:21pm*

## Item 12.4 Lathlain Precinct Redevelopment Project – Zone 1 – Perth Football Club and Community Facility - Business Case for Perth Football Club and Community Facility

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Does this mean that we're committing money or not?
- R. The Director Renew Life Program, Mr Warren Bow said no.

*Cr Nairn returned the Council Chambers at 8:22pm*

Item 14.4 New Fees and Charges in the Raphael Area Parking Precinct

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. The actual paid parking area and the other timed parking areas haven't changed, is it just the fee that's changing and change to the structure?
- R. The Director Business Life, Mr Nathan Cain said yes it is just the fee, however will confirm in writing.
- Q. Has the consultant looked at the parking restrictions in the cross streets between Gloucester and Berwick Street?
- R. The Director Business Life, Mr Nathan Cain took the question on notice.

## 15 APPLICATIONS FOR LEAVE OF ABSENCE

None

## 16 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Item 16.1 Notice of Motion from Cr Maxwell – Accountability Policy

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Recording Elected Members contact with developers, is that developers that have applications in? Can there be an explanation of the definition?
- R. Mayor Trevor Vaughan advised this is going to be a policy and within that policy these issues should be outlined. The item will be taken to a workshop.

Item 16.2 Notice of Motion from Cr Maxwell – Proposed Amendment to Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law in relation to Shopping Trolleys

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. When was the last time that impounded trolleys were destroyed and sent for scrap metal?
- R. The Director Business Life, Mr Nathan Cain advised that the last time was approximately three (3) years ago at approximately 50c a trolley.
- Q. How many impounded trolleys are at the depot at present?
- R. The Director Business Life, Mr Nathan Cain advised there are approximately 200 trolleys at the Depot.
- Q. How many of those impounded trolleys have had a \$100 infringement issued?

- R. The Director Business Life, Mr Nathan Cain advised that all of them have had an infringement issued. The infringements are being paid by Coles Corporation, in the majority of instances. However, what isn't being paid is impoundment fees which are payable on collection.
- Q. Is there a case that we need to increase the fees and charges of the fine?
- R. The Director Business Life, Mr Nathan Cain advised that under the methods in which infringements are calculated, they're calculated for Local Government, in this instance, 10% of what can be imposed by the court. The court is only permitted to impose \$1000 at this point in time, so the maximum we can charge under legislation is 10%, which is \$100.
- Q. How much is it to pay the fee to extract one trolley from the Town's compound?
- R. The Director Business Life, Mr Nathan Cain advised he wasn't sure of the daily impoundment fees. If it's \$30 per day, and one shopping trolley is \$150 to purchase brand new and it's in there longer than 5 days, it's not economical for the company to pay the fee to release the shopping trolley.
- Q. They're taking up space and then there is a process with paperwork, when the claim the trolley; Can the Town have the fine of \$100 and to extract the trolley would be \$5?
- R. The Director Business Life, Mr Nathan Cain advised that he would be happy to look at alternative means to this shopping trolley problem. The fees are set by the Town, so that can definitely be looked at.
- Q. Will that be setting the Town up as a trolley collecting business?
- R. The Director Business Life, Mr Nathan Cain advised that the infringement stands regardless, if the trolleys are not collected within 3 hours advisement timeframe, the infringement stands.
- Q. Would bulk waste pick up the trolley?
- R. The Director Renew Life Program, Mr Warren Bow took the questions on notice.
- Q. Litter gets taken away; what's stopping the Town classifying shopping trolleys as litter?
- R. The Director Business Life, Mr Nathan Cain advised that under a section of the Local Government Act a shopping trolley is a prescribed item that is dumped, which enforced the Town to hold it for one (1) month under the Act.
- Q. So if the wheels were taken off, would they be classed as litter?
- R. The Director Business Life, Mr Nathan Cain said that the wheels are in fact the most expensive part of a trolley.

## **17 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

### Cr Windram

- Q. There is large Vodafone advertised in the Deli on Berwick Street Deli; is there approval?
- R. The Executive Manager Built Life, Mr Robert Cruickshank said that the Administration will look at that.

### Cr Maxwell

- Q. How many vehicles does the Town have and how many are used by staff for private use?
- R. The Director Renew Life Program, Mr Warren Bow took the questions on notice.

## **18 NEW BUSINESS OF AN URGENT NATURE**

Nil

## **19 PUBLIC QUESTION TIME**

### John Gleeson

- Q. Can the Councillors, who are the Directors of this company, direct the staff to find when the saturation point is for the sewage?
- R. The Director Renew Life Program, Mr Warren Bow took the question on notice.

### Chris Locantro

- Q. How many staff, permanent and casual, is currently employed by the Town of Victoria Park?
- R. The Chief Executive Officer, Mr Anthony Vuleta took the question on notice.

## **20 PUBLIC STATEMENT TIME**

### Chris Locantro

Made a statement regarding Items 10.2 and 12.4 on the agenda.

### John Gleeson

Made a statement about the shopping trolleys in the Town.

## **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 8:45pm.