

# minutes

Elected Members Briefing  
Session



Please be advised that the Elected Members Briefing Session commenced at **6.30pm** on **Tuesday 3 November 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**

6 November 2015

## 1 OPENING

The Chief Executive Officer opened the meeting at 6:30pm.  
Mayor Trevor Vaughan was elected unopposed as the Presiding Member.  
Deputy Mayor, Cr Brian Oliver was elected unopposed as the Deputy Presiding Member.

## 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

Welcome to Cr Ammons Noble and Cr Jacobs. Congratulations on your election, it's great to have you both on board and I look forward to working with you both over the next few years.

## 3 ATTENDANCE

<b>Mayor:</b>	Mr T (Trevor) Vaughan
<b>Jarraah Ward:</b>	Cr B (Brian) Oliver (Deputy Mayor) Cr J (Jennifer) Ammons Noble Cr V (Vince) Maxwell Cr V (Vicki) Potter
<b>Banksia Ward:</b>	Cr C (Claire) Anderson Cr K (Keith) Hayes Cr J (Julian) Jacobs
<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

**Executive Manager Built Life:** Mr R (Robert) Cruickshank

**Secretary:** Mrs A (Alison) Podmore

**Public:** 15

### 3.1 Apologies

Nil

### 3.2 Approved Leave of Absence

**Banksia Ward:** Cr M (Mark) Windram

## 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	Mayor Trevor Vaughan
Item No/Subject	Item 12.2
Nature of Interest	Financial Interest
Extent of Interest	Donation for the Mayoral Election Campaign

### Declaration of Proximity Interest

Nil

### Declaration of Interest affecting impartiality

Nil

## 5 PUBLIC QUESTION TIME

### 5.1 Responses to Questions Raised and Taken on Notice at the Briefing Session held on 6 October 2015

Chris Locantro

Q. What is the definition of account expenses? (9,215,000)

R. The chart of accounts for each business unit is broken down into the same groupings. The expenses groupings include Employment Expenses, Office, Professional Services, Asset Operations, Programs, Interest Expense and Accounting Expenses. Accounting Expenses include Depreciation and On-Costs.

Sam Zammit

Q. What about telephone lines, do they get services?

R. The Town has done initial investigations and is not aware of any laneways which have communication cables owned by major utility companies such as Telstra, NBN and Optus.

### 5.2 Public Questions / Responses, Raised at the Briefing Session on 3 November 2015

Sam Zammit

Q. With regards to Item 12.2 on the agenda, is there anyone here tonight that can advise what the benefit to the Town to get rid of the Right of Way?

R. The Director Renew Life Program, Mr Warren Bow advised that the benefit for the Town will be relinquishing any future maintenance responsibilities if the right-of-way

;

David Crann

Q. Has Reverend Gordon Scantlebury from the Uniting Church been organised to conduct the service at the Centennial Remembrance Service for November 11?

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

- Q. Previously, it has been requested permission to arrange a tribute to the Anzacs in front of the photograph and flag in the Council foyer on Remembrance Day. Will that be possible?
- R. The Chief Executive Officer, Mr Anthony Vuleta advised he would speak to Town officers.
- Q. Would you like us to bring poppies to the Remembrance Day so that everyone can have them for the service on Wednesday?
- R. Mayor Vaughan appreciated the offer and said that the Town will also have some, but if Mr Crann could bring extras that would be appreciated.
- Q. Has anything been done to restore the audio system? Can the man that fixed it get his fine to be refunded to him?
- R. Mayor Vaughan advised that he would have to put that in writing to the Town requesting the refund.

#### Ashley Williams

- Q. Is there any reason there has been no response from the Administration in relation to my request for my dog to be professionally assessed in a place where it would be more suitable and not in the pound but at an animal behaviour centre, where it would give the dog some freedom?
- R. The Director Business Life, Mr Nathan Cain advised that the officers that had been written to were both on leave. Mr Cain is of the understanding that the emails have been addressed directly to the officers and that unfortunately the systems don't allow for a reply. If you were to address emails to the Town's Administration as opposed to the individual, then a timely response could be provided. Mr Cain advised the part of the reason you haven't received a response is due to you electing to go through a legal service. Your legal representatives have made contact with the Town. Mr Patrick has spoken to your legal representative, prior to his departure of leave. The Administration has been advised that because it's in the hands of the solicitors that the comments are to be restrained and allow the legal representatives to act on the Town's behalf.

With regards to access, Mr Cain advised he would investigate why Mr Williams can or can't have access, however, believed that permission could be granted by the Administration, but would confirm. Mr Cain isn't sure of the legal ramifications of this, but would investigate and have a response provided to Mr Williams on Wednesday.

## 6 PUBLIC STATEMENT TIME

### Gordon Edwards

Made a statement regarding an accident that occurred on the new intersection at Berwick Street and Hillview Terrace last Thursday evening. Mr Edwards acknowledged the work of one of the Town's officers and suggested that the Council tell Main Roads to do something about the intersection and in particular the turning lanes/arrows.

### Marian Fitzgerald

Made a statement regarding the place of worship in Albany Highway and explained that she and her husband don't have a problem with them, however, the parking on Friday's is overflows to many businesses and is concerned about another development that has been approved opposite. Ms Fitzgerald is worried that the parking will become even worse.

### Ashley Williams

Made statement regarding Hillview Terrace and Berwick Street and agreed it's a very dangerous intersection and the issues should be raised with Main Roads.

### Sam Zammit

Mr Zammit made a statement about the right-of-way that will be discussed at Item 12.2 and believes it should be kept as a right-of-way.

*The Director Business Life, Mr Nathan Cain left the Council Chamber at 7:00pm.*

### David Crann

Mr Crann made a statement about Council Meetings at other Councils as well as some of the members that were up for election at the Town and suggested that they are invited to a Council meeting.

### Barry Watkins

Mr Watkins made a statement, with pleasure, that the residents of McCallum Lane are getting closer to getting street lighting and looks forward to Council approving the lighting at the Ordinary Council Meeting to be held Tuesday 10 November 2015. Mr Watkins advised that due to the security problems in the complex, it was agreed at their recent AGM, to spend some money on fencing.

## 7 CONFIRMATION OF MINUTES

RESOLVED:

Moved: Cr Hayes

Seconded: Cr Potter

That the minutes of the Elected Members Briefing Session meeting held on Tuesday 6 October 2015, be confirmed.

The Motion was Put and

CARRIED (8-0)

In favour of the Motion: Mayor Vaughan; Cr Ammons Noble; Cr Anderson; Cr Hayes; Cr Jacobs; Cr Maxwell; Cr Oliver; and Cr Potter

## 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 – Sara Gregory was in attendance to answer any questions regarding this application.

6:40pm Item 11.2 – Andrew Dienhoff was in attendance to discuss this application.

*The Director Business Life, Mr Nathan Cain returned to the Council Chambers at 7:09pm.*

6:45pm Item 11.3 - Joe Algeri spoke on behalf of the applicants regarding this application.

## 9 METHOD OF DEALING WITH AGENDA BUSINESS

## 10 14 - REPORTS

### Section 1:

No questions were asked in relation to the following:

- Item 11.3 No. 1019 (Lot 5) Albany Highway, St James – Retrospective Approval for Change of Use from Unlisted Use (Community Use) to Unlisted Use (Community Use) & Place of Worship
- Item 11.4 Amendment 70 to Town Planning Scheme No. 1 to Designate Burswood Station East as a Development Area under Schedule 7
- Item 12.1 McCallum Lane Lighting Project - Reallocation of Surplus Funds
- Item 12.3 Tender TVP/15/07 Monthly Servicing of Heating Ventilation Air Conditioning (HVAC) Plant and Equipment
- Item 14.1 Schedule of Accounts for 30 September 2015

### Section 2

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

#### **Item 10.1 Annual General Meeting of Electors 2015**

##### Council Agenda Modifications:

Nil

##### Additional Information Sought:

Nil

##### Questions / Responses:

1. What happens if Council doesn't accept the Annual Report, will the meeting still be held or would it be cancelled?  
  
R. The Chief Executive Officer, Mr Anthony Vuleta took the question on notice.
2. When is it likely that Elected Member's will see the report?  
  
R. The Director Business Life, Mr Nathan Cain advised that the Annual report is broken up in two (2) sections – the first section being the text part of the report the second being the Annual Financial Statement. As of today, the text portion is nearly finished and the Annual Financial Statements are just awaiting the auditors signoff. The Annual Financial Report will be presented to the Audit Committee prior to the Annual General Meeting. The Administration could deliver to the Elected Members a draft copy of the report as soon as next week, however, the completed report won't be ready until after the Audit Committee meeting, which is yet to be set.

Cr Maxwell confirmed that he would like to see the draft version.



**Item 11.1 789 (Lot 103) Albany Highway, East Victoria Park – Change of Use to Unlisted Use (Car Wash)**Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

1. Are there anything from the Town's Health prospective that needs signing off on or is it just from a planning prospective?
  
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised he understood there were Health requirement and would find out what they were before the Ordinary Council Meeting (OCM), being held Tuesday 10 November 2015.

**Item 11.2 No. 19 (Lot 499) Balmoral Street, East Victoria Park – Proposed Carport Addition to Existing Dwelling**Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

1. Can there be an alternate motion prepared to approve the application to be presented to Council at the OCM next week.
  
- R. The Executive Manager Built Life, Mr Robert Cruickshank advised if there was a mood of Council to approve the application as presented, then there's no need for an alternate motion, there will just be a need for Elected Members to delete condition 1.1.

**Item 11.5 Nomination of Elected Member for Development Assessment Panel**Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

1. For the benefit of the new Councillors, can you explain who is currently on the committee and what this is about?

- R. Mayor Vaughan advised that Cr Potter is on the panel; Cr Bissett was which is why there is a vacancy. Cr Oliver and Cr Windram are the Deputies. Mayor Vaughan advised that the Development Assessment Panel is about a lot of the decisions that are made on big projects, has been taken away from Council and the DAP makes those decisions.

The Executive Manager Built Life, Mr Robert Cruickshank added that the DAP is a State appointed panel who make decisions on large scale development applications. For applications over \$10million in value the application is automatically determined by the DAP and no longer determined by the Local Government Authority. For a proposal that is over the value of \$2million and under \$10million, the applicant has a choice whether they would like their application determined by the Local Government or the DAP. The Development Assessment Panel comprises five (5) people, three (3) professionals, appointed by the Minister and two (2) from the Local Government.

*Mayor Trevor Vaughan left the Council Chamber at 7.28pm. The Deputy Mayor, Cr Brian Oliver, took the chair.*

## **Item 12.2 Proposed Closure of Right of Way Bounded by Albany Highway, Teddington Road, Shepperton Road and Twickenham Road (ROW128)**

### Council Agenda Modifications:

Nil

### Additional Information Sought:

Nil

### Questions / Responses:

1. Is there a rough figure of what it has cost the Town over a 12month period to maintain the laneway?

R. The Director Renew Life Program, Mr Warren Bow took the question on notice.
2. Should the laneway be closed, what is involved in establishing a ROW in the future?

R. The Director Renew Life Program, Mr Warren Bow advised that the ROW is used exclusively for the use of the adjoining property and property owners. The proposed deed of agreement that officers are recommending that the Town enter into effectively maintains the access for those adjacent properties, as is. In effect the Town doesn't have to establish the ROW to maintain it functionality.
3. In the event that sometime in the future that ROW gets amalgamated into one or more of the other blocks there and then the Town wants to re-establish the ROW, what will Council do then?

R. The Director Renew Life Program, Mr Warren Bow took the question on notice.

4. The report is for the closure of the ROW and doesn't go beyond that point, is that correct or does it involve a future disbursements or future sale of the ROW?
- R. The Director Renew Life Program, Mr Warren Bow advised that it is the Administration's understanding that the Department of Lands responsibility to dispose of the ROW. The recommendation in front of Council is to endorse the closure, which will allow the Department of Lands to dispose of the land to the adjoining property owners.
5. If the ROW is closed and the Department of Land dispose of it, can they dispose of it to the Town?
- R. The Director Renew Life Program, Mr Warren Bow took the question on notice.

*Mayor Trevor Vaughan returned to the Council Chamber at 7.35pm*

#### **Item 12.4 Tender TVP/15/08 – Turf Mowing and Maintenance**

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

1. Is the \$233,000 a direct comparison against the contracted costs of \$298,000 that was expended during the last financial year?
- R. The Director Renew Life Program, Mr Warren Bow advised that was correct.

#### **Item 13.1 Request for Additional Financial Contributions and to Renew Sponsorship Agreement - Southern Districts Band Incorporated (SDBI)**

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

1. In light of the fact that Elected Members are of the understanding that a report will be presented to Council early 2016 on the Community Grants and Community subsidies, why is this item on the agenda tonight?

- R. The Director Community Life Program, Ms Tina Ackerman advised that report is expected to come to Council early in 2016, however as the Southern Districts Band has written to the Town requesting an extension of the agreement, it was timely that the request be put to Council now for consideration. The Administration could renew the sponsorship agreement for a period of only one (1) year, if that was preferred, by which time the Administration would have the policy and procedure in place.
2. Foreshadowing that an Alternate Motion could get moved so that Council only grant a one (1) year sponsorship, could the Administration get comment from the Club on what their views would be and how that could possibly impact them on any ventures or activities they might have planned for the next three (3) years?
- R. The Director Community Life Program, Ms Tina Ackerman advised yes they could.

#### **Item 14.2 Financial Statements for the Month ending 30 September 2015**

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

1. Are we still \$86,000 ahead due to the shortage of parking staff?

R. The Director Business Life, Mr Nathan Cain advised that was correct.

#### **Item 14.3 Sale of land for recovery of rates and charges – Assessment #7377**

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

1. Is there any idea of what the value of the property is and how much is owing to the financial agency, as they would have first right of refusal?

R. The Director Business Life, Mr Nathan Cain advised that information isn't privy to the Town, in terms of what is owing on the mortgage? A land valuation could be obtained; however, the Town does not have one at present.

2. Even though Council are claiming \$27,000 we could get nothing, is that correct?

R. The Director Business Life, Mr Nathan Cain advised that was correct.

**Item 14.4 Tender TVP15/15 – Supply of Consultancy Services of Business Systems Analyst**Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

1. How many hours do the contractors do and if the contract is for a lengthy time would the hourly rate be reduced? Has this come to a workshop? Why would the Town be bringing in another consultant when there have been discussions on putting a freeze on staff?  
  
R. The Director Business Life, Mr Nathan Cain advised that the Town first considered a tender not to dissimilar to this tender, approximately three (3) years ago. The proposed consultants were awarded the tender three (3) years ago. That tender is now expired and this is the new one. The item refers to approximately \$225,000 per annum, which is the value of what is being spent with the current tenderers. They are needed to observe and analyse what the Administration does, offer project support, provide with systems process improvements and assist with implementing technology.
2. What does the commencing hourly rate of \$160.00 an hour mean?  
  
R. The Director Business Life, Mr Nathan Cain advised that is the rate that will be set for the contract.
3. What is the relationship between the company and the person?  
  
R. The Director Business Life, Mr Nathan Cain advised that they had submitted a joint tender. The tender allowed for separate invoicing to occur.
4. Why aren't the Town looking for a full time employee, if the requirement is there?  
  
R. The Director Business Life, Mr Nathan Cain advised that they are used on a project to project basis. The Town is continually implementing new technology through the organisation; the Town is certainly not fully based on technology. They have assisted in the past with rolling out the new Records Management Systems under the Federal Government Grant that the Town received about three (3) years ago. They assisted throughout the Reform process to provide advice on systems going forward. It equates to 27 – 28 hours per week as part of their tender process. They're not here every day of the week. The Town isn't getting a full time person because the standard of the skill set that they have is quite specialised to the Local Government Sector
5. What is their current hourly rate?  
  
R. The Director Business Life, Mr Nathan Cain advised its \$140 / hour.

6. How can this current level be justified, particularly in the current labour market? What was the process involve in looking for these people and who was on the panel?
- R. The Director Business Life, Mr Nathan Cain advised that the evaluation panel was himself, the Manager of ICT, Mark Dunne, The Executive Manager of Business Performance, Graham Pattrick. It was tendered in accordance Council's Financial Policy 4. It was an advert that met the requirements. Mr Cain offered to get the advert and present it to Council.
7. Has the Town looked at someone to audit it for the month and then let the business run? Why does it have to be a full year or would there be benefit for them to come in for a full month and getting done what needed to be done.
- R. The Director Business Life, Mr Nathan Cain advised that the Town is forever putting in new systems. They're not an auditor, they're a consultant that comes in to assist with putting in the systems. They write ad hoc reports as needed. If there is no work they don't attend. Mr Cain doesn't believe that for them to attend for a month basis would suit the workflow.
8. What impact would it have on the organisation if we didn't award this tender?
- R. The Director Business Life, Mr Nathan Cain advised that the Town would have to look at a different way of delivering on a number of projects, such as Customer Request Management System, mobile computing, a number of infrastructure upgrades that they are also pivotal and a part of. The Town could put in an application to staff this, however, certain project will pause.
9. Can Elected Members see outcomes from the last three (3) years, of what has been achieved using this consultancy company?
- R. The Director Business Life, Mr Nathan Cain said yes, he would arrange that.
10. Can you also include the cost, whether it did come to \$200,000 or not and so the Elected Members will have an idea of what they will cost the Town in the future?
- R. The Director Business Life, Mr Nathan Cain said yes, he would arrange that.

**15 APPLICATIONS FOR LEAVE OF ABSENCE**

None

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

None

**17 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

None

**18 NEW BUSINESS OF AN URGENT NATURE****19 PUBLIC QUESTION TIME**Gordon Edwards

1. Is it possible to have some parking inspectors every day twice a day at schools so that parents don't park illegitimately?
- R. The Director Business Life, Mr Nathan Cain advised that unfortunately due to the number of schools in the Town, the Administration don't have the resources to go to all schools twice a day, every day. However, the parking officers do random inspections of school throughout the period, so inspectors will have been at each school at least once in the fortnight.

Ashley Williams

1. Has there been any correspondence between the Town and Curtin University with regards to parking in Jarrah Road and Adie Court?
- R. The Director Business Life, Mr Nathan Cain advised that he wasn't aware of any correspondence, however, has taken note of this area as a visitation spot for the Parking officers. There is work scheduled to happen in the Tech Park area in the not too distant future, however, not on Jarrah Road.
2. What would the Fire Brigade do if they needed to get down Creaton Street and Pallet Street? They park on the verge of Higgins Park during the day, which is out of the norm of the past.
- R. The Director Business Life, Mr Nathan Cain took note of the intersection for the Parking Officers to check.

## **20 PUBLIC STATEMENT TIME**

Nil

## **21 MEETING CLOSED TO PUBLIC**

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

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

## **22 CLOSURE**

There being no further business, Mayor Vaughan closed the meeting at 7:57pm.