

minutes

Elected Members Briefing
Session



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

4 December 2015

1 OPENING

Deputy Mayor, Brian Oliver 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.

3 ATTENDANCE

Deputy Mayor: Cr B (Brian) Oliver (Deputy Mayor)

Jarrah Ward: Cr J (Jennifer) Ammons Noble
Cr V (Vince) Maxwell
Cr V (Vicki) Potter

Banksia Ward: Cr C (Claire) Anderson
Cr K (Keith) Hayes
Cr J (Julian) Jacobs
Cr M (Mark) Windram

Chief Executive Officer: Mr A (Anthony) Vuleta

Director Future Life & Built Life Ms R (Rochelle) Lavery
Director Renew Life Mr W (Warren) Bow
Director Community Life Ms T (Tina) Ackerman
Director Business Life Mr N (Nathan) Cain

Executive Manager Built Life: Mr R (Robert) Cruickshank

Secretary: Mrs A (Alison) Podmore

Public: 19

3.1 Apologies

Mayor: Mr T (Trevor) Vaughan

3.2 Approved Leave of Absence**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

Nil

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 3 November 2015**David Crann

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

- R. Ms Browne – Executive Manager Communications and Marketing advised that she telephoned Mr Crann to advise that there would be no religious service at the Remembrance Day Celebrations.

5.2 Public Questions / Responses, Raised at the Briefing Session on 1 December 2015John Gleeson

Q. What is the Council doing about the rubbish at the end of Briggs Street?

- R. The Director Business Life Program, Mr Nathan Cain advised that the information provided to Mr Gleeson via the telephone and via correspondence, regarding the

dust pile in question is contained within the City of Canning Municipality. The Town is in contact with the Department of Environmental Regulation on a continuous basis and as explained previously, they are undertaking a community consultation. They have also carried out testing of the site. They have determined a dust contaminant in the area and as such are imposing restrictions on the operational licence. They will be engaging in a community consultation with the community within the immediate surround of that area. During the Directors conversation with Mr Gleeson, it was indicated that Mr Gleeson would like the consultation area expanded; that has been conveyed that to the Department of Environmental Regulation. Mr Cain also advised that there were a series of numbers that were also given to Mr Gleeson to assist him.

David Crann

1. Is the bench on the corner of Harper and Kitchener Street staying or going?

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

2. Has the Recreation Centre ever been fumigated or cleansed? Are the streets in Albany Highway hosed down on weekends now or has that been discontinued?

This question was taken on notice, awaiting a response from Mr Kipkurgat, Manager Environmental Health.

3. Why hasn't the Council ever advised residents of the stowage yard that is being built on the railway in Kitchener Avenue?

R. The Director Renew Life Program, Mr Warren Bow advised that in relation to the Rail Car Stowage area, the Town is in receipt of the letter that was forwarded from the concerned resident of Rutland Avenue to the Public Transport Authority (PTA). The Administration will provide a response and will obtain a response from the PTA in relation to that. The project is run by the PTA; it is a public work that is beyond control of the Town. The Town has been engaged and advised of the project. The Administration is aware of a public meeting that was held by the alliance in Lathlain Park some weeks ago, to inform the community. However, the Administration will endeavour to ensure that the community is better informed on the project moving forward.

4. Will you advise the PTA that the residents want brick walls up on both sides, as they have done elsewhere, to contain the noise the dust and the vibration?

R. The Director Renew Life Program, Mr Warren Bow advised that the Administration will take the question and put to the PTA the option of building a wall.

5. Mr Crann requested a meeting with the Chief Executive Officer and Mayor Vaughan to discuss Remembrance Day?

R. Deputy Mayor Oliver advised Mr Crann that a meeting would be arranged.

Ashley Williams

Q. What is the reason why his dog is being detained as evidence?

R. The Director Business Life Program, Mr Nathan Cain advised that he is not able to answer Mr Williams questions, as it is in the hands of legal representatives. However, the Administration is in receipt of a letter that was delivered late Tuesday afternoon that will provide Mr Williams access based on strict conditions.

6 PUBLIC STATEMENT TIME

Zoe Croft

Made a statement regarding Item 11.2 on the agenda.

John Gleeson

Made a statement suggesting that the Councillors hire a bus to inspect the rubbish in Briggs Street.

Peter Lesiter

Made a statement regarding the pile of rubbish and expressed his concerns that the City of Canning have a habit of putting their rubbish on the Town's boundaries.

Ashley Williams

Made a statement regarding the cleanliness of the streets and the pile of rubbish.

Darcy Young

Made a statement regarding Item 11.2 and advised it's been quite disruptive.

Ashley Williams

Made a statement seeking that his dog is not destroyed.

Miguel from Area 5 football

Made a statement regarding Item 12.2 on the agenda and advised that he'd be happy to answer any questions relating to their item on the agenda

7 CONFIRMATION OF MINUTES

RESOLVED:

Moved: Cr Hayes

Seconded: Cr Jacobs

That the minutes of the Elected Members Briefing Session meeting held on Tuesday, 3 November 2015 be confirmed.

The Motion was Put and

CARRIED (8-0)

In favour of the Motion: Cr Ammons Noble; Cr Anderson; Cr Hayes; Cr Jacobs; Cr Maxwell; 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)

The Director Business Life, Nathan Cain and the Executive Manager Built Life, Robert Cruickshank left the Council Chambers at 6:52pm and returned at 6:54pm.

6:35pm Item 11.1 – Kim Doepel of Doepel Marsh was in attendance representing the applicants and to answer any questions if required.

6:45pm Item 11.3 – Nam Nguyen was in attendance to discuss his application and to answer any questions if required.

6:55pm Item 11.5 – Cris Leal of Barrio Enoteca Pty Ltd was in attendance to discuss their application and answer any questions if required.

7:00pm Item 11.6 – Bernadine Briety was in attendance with Ms Bernadette Wayne to discuss Ms Wayne’s application and to answer any questions if required.

9 METHOD OF DEALING WITH AGENDA BUSINESS

10 14 REPORTS

Section 1:

No questions were asked in relation to the following:

- Item 11.5 834 (Lot 7) Albany Highway, East Victoria Park – Change of Use from Restaurant to Tavern
- Item 11.6 No. 20A (Lot 4) Bishopsgate Street, Lathlain – Retrospective Approval for Home Occupation (Graphic Design)
- Item 13.1 Tender TVP/15/09 Delivery of 2016 John Hughes Slopestyle Event
- Item 14.1 Schedule of Accounts for 31 October 2015
- Item 14.2 Financial Statements for the Month ending 31 October 2015
- Item 14.3 Audit Committee Meeting – 23 November 2015
- Item 14.4 Annual Report 2014-2015

Section 2:

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

- Item 11.1 1002-1004 (Lots 1 and 2) Albany Highway, East Victoria Park – Change of Use to Unlisted Use (Car Wash)**

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Are the applicants applying for temporary approval? What is the Department's attitude towards that?
- R. The Executive Manager Built Life, Robert Cruickshank advised that he would check with the Planning Department. If that is the case, there are two (2) issues – the land use and the traffic. If the use is appropriate for a five (5) year period given a transition to further development that may happen in the area, that doesn't get the Administration past the concerns they have for the traffic, the parking and the access issues that officers have. For the applicant to obtain an approval or support from the Administration, they will need to address the traffic issues and car parking.
- Q. Where do they access the carwash behind Franklin Tavern?
- R. The Executive Manager Built Life, Robert Cruickshank advised that they have right-of-way access and street access from Albany Highway.
- Q. What is the current zoning and current usage for 1000 Albany Highway?

- R. The Executive Manager Built Life, Robert Cruickshank advised that it is zoned residential/commercial and the current usage is residential.
- Q. Are there any other lots in the area that have begun or had any approval or look like applying for approval for development in the style that Council is looking for in that area?
- R. The Executive Manager Built Life, Robert Cruickshank advised that on page 19 on the agenda, there is a vacant site, three (3) lots away. That lot is being developed at the moment with a mixed used development with offices on the ground and residential on two (2) floors above. This site is undergoing the sort of development that the Administration would anticipate being done in the future on the subject site.

Item 11.2 No. 149 (Lot 525) Planet Street, Carlisle – Retrospective Change of Use to Unlisted Use (Collection, Storage & Dispatch of Metal)

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. What is that site zoned as?
- R. The Executive Manager Built Life, Robert Cruickshank advised that it was zoned residential.

Item 11.3 No. 65 (Lot 47) Etwell Street, East Victoria Park – Application for Retrospective Development Approval for Façade Alterations to Existing Building and Proposed Wall Sign

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Can Elected Members have some feedback regarding the issues that were raised regarding the painting over of the murals?
- R. The Executive Manager Built Life, Robert Cruickshank advised that is a valid issue that will be investigated between this meeting and the Ordinary Council Meeting. The Administration will need to establish exactly what was proposed verbally by the applicant.

- Q. Can the Elected Members get some background what exactly did happen and can this information be provided as soon as possible?
- R. The Executive Manager Built Life, Robert Cruickshank advised that a response will be provided in a memo on Friday.
- Q. Is there a copyright issue having the wall being painted over?
- R. The Chief Executive Officer, Anthony Vuleta took the question on notice.

Item 11.4 No. 4 (Lot 69) Camberwell Street, East Victoria Park – Retrospective Development Approval for Additions and Alterations to Existing Dwelling

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. What is the difference between a skillion verandah and a bullnose verandah?
- R. The Executive Manager Built Life, Robert Cruickshank advised that the difference is the shape and the pitching of the roof.
- Q. What verandah was there before?
- R. The Executive Manager Built Life, Robert Cruickshank advised that there was a skillion roof verandah that ran across the whole front façade of the dwelling.

Item 12.1 Greywater Re-use Rebate Program

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. Is \$236 for the 10 applications big enough?
- R. The Director Renew Life, Warren Bow advised that the Administration is hoping to get the program drafted and endorsed. The total amount set aside in the draft budget next year is up for review and can be modified. Mr Bow advised he was sure that the \$236 would promote or encourage applicants to seek the rebate.

- Q. Will that amount also incorporate advertising and marketing the program?
- R. The Director Renew Life, Warren Bow advised that it doesn't cover advertising and marketing, it's merely the estimated 10 rebates.
- Q. Why is the Administration looking at this, should it be put off to discuss the reasons for doing this and why?
- R. The Director Renew Life, Warren Bow took the comments on board, however it is an identified objective of the Town's endorsed Environmental plan and was referred to by the Community Environmental Working Group and the logical progression is to seek Council endorsement and that's why it's on the agenda.
- Q. Was the recommendation from the Working Group to come to Council or did this come from the Administration?
- R. The Director Renew Life, Warren Bow advised no there was no resolution from the Community Environmental Working Group to refer this to Council.
- Q. Do you know in the last 12 months have there been any applications? Do you have to have a planning application for a rainwater tank? What is the process?
- R. The Director Renew Life, Warren Bow advised that he was unsure of the statistics but Environmental Health staff will be able to provide that information for the grey water reuse applications in relation to rainwater tanks. Mr Bow advised that he doesn't believe there is a planning approval required for a rainwater tank.

Item 12.2 Proposed Sub-Lease of Portion of Premises at 18 Kent Street, East Victoria Park, to Area 5 Football Pty Ltd.

Council Agenda Modifications:

Nil

Additional Information Sought:

Nil

Questions / Responses:

- Q. What is the area of land occupied by the Bowling club and what portion of that land will be occupied by Area 5 football?
- R. The Director Renew Life, Warren Bow advised that one (1) bowling green of the four (4) bowling greens would be used. Mr Bow will provide the figures from the instrap system to the Elected Members.

- Q. The Bowling Club are paying \$6,000/year and it proposed that Area 5 pay a sub-lease of \$12,000/year to the Bowling Club, does that mean that the Administration is undercharging the Bowling Club or that the Area 5 football team are paying a premium?
- R. The Director Renew Life, Warren Bow advised that when Council considered the lease for the Victoria Park Carlisle Bowling Club, that the market valuation of the rental was provided and a decision was made to award the lease at a less than market value. From the Administration's prospective, and having workshopped this matter, and being mindful of Councils decision to grant the Bowling Club a five (5) year lease with a further five (5) year option, the Administration believe that the sub-lease proposal will increase the sustainability of the Bowling Club over the term of the lease, and that is why the Administration supports the sub-leasing proposal.

15 APPLICATIONS FOR LEAVE OF ABSENCE

None

16 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None

17 QUESTIONS FROM MEMBERS WITHOUT NOTICE

None

18 NEW BUSINESS OF AN URGENT NATURE

None

19 PUBLIC QUESTION TIME

John Gleeson

- Q. Mr Gleeson asked if could move the motion for Elected Members to hire a bus to inspect the dirt pile?
- R. Deputy Mayor Oliver, advised this wasn't the forum for that to take place, however advised Mr Gleeson that he could raise that matter with Elected Members outside of the meeting.

Peter Lesiter

1. What will the Council be doing about the pile of rubbish?

R. The Director Business Life Program, Mr Nathan Cain advised that he was aware that Elected Members have driven past and looked at the pile of rubbish at various times. The Town is in weekly communication with Department of Environmental Regulations, which are working to bring the dust pile under management and in accordance with the Environmental regulations. They can't remove the dust pile, however they can enforce strict regulations over the site. Such as, a continuous wetting agent being applied and management of activities so as not to cause additional dust. It is going to public consultation. The Administration's recommendation is that the Department of Environmental Regulations be address with that. Mr Gleeson was also supplied with numbers of those officers that the Town is dealing with. Mr Cain suggests that residents continue to lobby the Department and the Town is continually doing so on a weekly basis.

2. Do you know what restrictions/conditions there are?

R. The Director Business Life Program, Mr Nathan Cain advised that the Administration is not privy to the actual details of the restrictions, as yet; the Administration is hoping to gain access to this in the next few weeks. This is a suggested course of action as the Administration is of the understanding that they only have a few days left to change their behaviours on site.

3. Will a copy of the conditions be available to the people in Planet Street?

R. The Director Business Life Program, Mr Nathan Cain advised that he hoped that the Department will allow the document to be made public. The Administration does do passive monitoring of that site, however driving down that road continuously and it has been noted that the pile is growing and hence the reason for the Town's continued communication with the Department.

20 PUBLIC STATEMENT TIME

John Gleeson

Made a statement encouraging Elected Members to hire a bus and have a look at the pile of rubbish.

Rob Dixon

Made a statement regarding the dust pile in Briggs Street.

Chris Locantro

Made a statement regarding the Annual Report.

Rob McGillvray

Made a statement regarding the application at Item11.2, and highlighted the damage it's doing to the value of property in the area.

Zoe Croft

Made a statement regarding the email that was received from the applicants of Item 11.2 and consider the impact that the property has had on the residents.

Ashley Williams

Made a statement in support of the rainbow painted wall in Etwell Street.

21 MEETING CLOSED TO PUBLIC**RESOLVED:****Moved: Cr Potter****Seconded: Cr Anderson**

That the meeting be closed to the Public at 7:54pm.

The Motion was Put and**CARRIED (8-0)****In favour of the Motion: Cr Ammons Noble; Cr Anderson; Cr Hayes; Cr Jacobs; Cr Maxwell; Cr Oliver; Cr Potter and Cr Windram**

The Director Business Life Program, Mr Nathan Cain left the Council Chamber at 7:54pm and returned at 8:00pm.

21.1 Matters for Which the Meeting May be Closed

21.1.1 1/12-16 (Lot 1) Milford Street, East Victoria Park – Application for Retrospective Approval for Change of Use from factory Unit/Warehouse to Unlisted Use (Club Premises) – Section 31 Reconsideration – *Confidential Item*

RESOLVED:**Moved: Cr Potter****Seconded: Cr Windram**

That the meeting be reopened to the Public at 8:21pm.

The Motion was Put and**CARRIED (8-0)****In favour of the Motion: Cr Ammons Noble; Cr Anderson; Cr Hayes; Cr Jacobs; Cr Maxwell; Cr Oliver; Cr Potter and Cr Windram****21.2 Public Reading of Resolutions That May be Made Public**

22 CLOSURE

There being no further business, Deputy Mayor Oliver closed the meeting at 8.21 pm.