

## 11.5 Annual Meeting of Electors 30 May 2023

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Governance and Strategy
<b>Responsible officer</b>	Manager Governance and Strategy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Minutes of the Annual Meeting of Electors 2023

### Recommendation

That Council:

1. Receives the Annual Meeting of Electors 2023 Minutes as contained in Attachment 1.
2. That Council considers the decisions made at the Annual Meeting of Electors held Tuesday 30 May 2023 as contained within the body of this report.

### Purpose

For Council to receive the Minutes and the decisions stemming from the Annual Meeting of Electors held on Tuesday 30 May 2023.

### In brief

- The Annual Meeting of Electors was held on Tuesday 30 May 2023.
- There were approximately 43 electors in attendance at the meeting.
- 11 motions were carried by electors at the meeting.
- As per Policy 053, decisions made at electors' meetings are to be considered by Council at the next Ordinary Council Meeting, or as soon as reasonably practicable.

### Background

1. The Annual Meeting of Electors' was held at 6.30pm on Tuesday 30 May 2023 in the Council Chamber. There were approximately 43 members of the public present.
2. In accordance with Section 5.33 of the *Local Government Act 1995*, Council is required to consider any decisions that result from the meeting.

### Strategic alignment

<b>Civic Leadership</b>	
Strategic outcome	Intended public value outcome or impact

CL2 – Communication and engagement with community.

The Annual Meeting of Electors provides electors with the opportunity to raise motions that are related to the responsibilities and functions of Local Government.

CL3 – Accountability and good governance.

The motions included in this report were carried by electors of the Town. For these items to be carried, the majority of electors present were required to

	vote in favour of the item.
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## Engagement

### Internal engagement

Stakeholder	Comments
Governance & Strategy	Provided comments and recommendations in this report.

### External engagement

Stakeholders	Electors
Period of engagement	Tuesday 30 May 2023 from 6.30pm to 8.40pm.
Level of engagement	Involved
Methods of engagement	Annual Meeting of Electors
Advertising	The Annual Meeting of Electors was advertised using the following methods: 1. Public notice in Perth Now Southern 2. Social media posts 3. Town of Victoria Park website – public notice and event 4. Public noticeboard at the administration building.
Submission summary	Motions and questions were raised by electors of the District at the meeting.
Key findings	15 motions were raised at the meeting and 12 motions were carried.

## Legal compliance

Part 5, Subdivision 4 of the *Local Government Act 1995*.

Part 3 of the *Local Government (Administration) Regulations 1996*.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.					
Environmental	Not applicable.				Medium	
Health and	Not applicable.				Low	

safety					
Infrastructure/ ICT systems/ utilities	Not applicable.			Medium	
Legislative compliance	Not applicable.			Low	
Reputation	Negative public perception of the Council.	Minor	Likely	Moderate	Low
Service delivery	Not applicable.			Medium	

## Financial implications

<b>Current budget impact</b>	Not applicable.
<b>Future budget impact</b>	Not applicable.

## Analysis

- There were 12 motions carried and 3 items lost at the Annual Meeting of Electors. Under the Local Government (Administration) Regulations 1996, Council is required to consider these motions.

- Motion 1:

**Moved:** Deputy Mayor Claire Anderson **Seconded:** Cr Bronwyn Ife

That the Annual Report 2021/22 be received.

The motion was carried unanimously.

- Motion 2:

**Moved:** Kristen Marr, Lathlain **Seconded:** Tracey Pola, Lathlain

That Council supports the current plan to construct an off-road walking and cycling path along Rutland Avenue based on the extensive community consultation carried out in 2018 and does not proceed with a new one-way street design that will result in increased traffic being pushed to other streets through Lathlain.

Carried For: 14 Against: 12

### **Officer Comment:**

The project does not deviate from the construction of an off-road walking and cycling path along Rutland Avenue. A final round of community consultation will be conducted during July 2023 to provide the community with recent one-way trial traffic data and indicate whether their concerns around the redistribution of traffic are supported. A report with findings and recommended direction will be taken back to council in the coming months

- Motion 3:

**Moved:** Kristen Marr, Lathlain **Seconded:** Sky Croeser, East Victoria Park

That Council:

1. Investigates the pedestrian safety along Gallipoli Street and Goddard Street, with the high levels of car traffic currently experienced, that were further exacerbated by the recent Rutland Avenue one-way trial.
2. specifically investigates the intersections of Cornwall/Gallipoli, Howick/Goddard and the section of road at the Gallipoli St shops where there are large number of children needing to cross while travelling to and from school (St Augustine's Primary School, Lathlain Primary School, Ursula Frayne Catholic College) that were again further affected by the recent Rutland Avenue one-way trial.

Carried by show of hands.

**Officer Comment:**

Traffic volumes before and during the recent one-way trial were within the desirable limits of a local road (3000 Vehicles per day). Gap analysis will be reviewed and presented to council along with the final round of community consultation. Traffic data was obtained at Cornwall/Gallipoli Street and Gallipoli St shops and will be reviewed to see whether gap analysis is achieved for pedestrians crossing. All traffic volumes along Gallipoli Street during the trial remained below the threshold for a local road.

During the trial there was an overall drop in average speed along Gallipoli. Further detailed data will be extrapolated for the school drop of and pickup times to determine whether the traffic volumes and speeds were beyond reasonable limits.

7. Motion 4:

**Moved:** Amber Douglas, Lathlain **Seconded:** Rose Kamarudin, Lathlain

That Council:

1. investigates the impacts of increased traffic on residential arterial roads in Lathlain should the zoning of certain lots along Rutland Avenue change to R60.
2. ensures any identified impacts are incorporated into any traffic modelling relating to other plans and development proposals such as the trial converting Rutland Avenue to a one-way street to accommodate the shared cycle pathway.

Carried For: 18 Against: 0

**Officer Comment:**

Any increase in zoning to these lots would be expected to result in increased traffic volumes on the nearby residential roads, however not to an extent that will result in the traffic volumes exceeding the road capacity. Any large-scale development may also require a traffic impact statement confirming that the proposed development has adequately considered the traffic movements and that no adverse impacts on the surrounding area would be a result. Accordingly, Officers do not consider any further investigation is required.

8. Motion 5:

**Moved:** Rick Sneddon, East Victoria Park **Seconded:** Vince Maxwell, Victoria Park

For the purposes of leveraging differential rates, the Council determine the definition of vacant land to mean unimproved or cleared land that has been left undeveloped for more than five (5) consecutive years.

Carried For: 20 Against: 6

**Officer Comment:**

S6.25 of the *Local Government Act 1995* defines the Vacant Land as "vacant land has the same meaning as under the Valuation of Land Act 1978". S6.33 of the *Local Government Act 1995* defines the characteristics of differential rates. For the vacant land, it is "whether or not the land is vacant land" (S6.33 (1)(c)). Therefore, we are not able to impose the differential rates by the duration of vacant condition.

9. Motion 6:

**Moved:** Rick Sneddon, East Victoria Park **Seconded:** Melanie Lund, East Victoria Park

That Council incentivise the development of vacant land by waiving rates for three (3) years for any new purchase of vacant land.

Carried For: 12 Against: 10

**Officer Comment:**

The suggested proposal loses approx. \$2.5M, which is 5% of total rates revenue. Without finding the alternative income for the lost revenue, this is not a responsible financial and budget management of the Town. Therefore, this motion is not supported.

10. Motion 7:

**Moved:** Graham Ferstat, Burswood **Seconded:** Fred Borthwick, Victoria Park

That Council amend delegation 1.1.16 tenders for goods and services function to read: "Authority to undertake exempt procurement in accordance with the Purchasing Policy requirements where the total consideration under the resulting contract is equal to or less than \$250,000 in value and a sufficient budget allocation is included in the adopted annual budget."

Carried by show of hands

**Officer Comment:**

The increase of threshold from \$250k to \$500k is in response to the change in 11A LG (Functions and General) Regulations. It is also in line with the current economic climate - inflation and increase in cost. As a consequence, this motion is not supported.

11. Motion 8:

**Moved:** Sam Zammit St James **Seconded:** Mike Lanternier, Lathlain

That Council immediately suspend the Business Grants Program.

Carried by show of hands

**Officer Comment:**

The Business Grants Program and associated Policy is the subject of a previous Council approval. It has been a successful program and was only recently discussed (with support) by the Town's Business Advisory Group. Administration does not recommend the Business Grants Program be suspended.

12. Motion 9:

**Moved:** Vince Maxwell, Victoria Park **Seconded:** Jayden Burns, East Victoria Park

That Council immediately commission the Auditor General to conduct a forensic audit of the Town's activities in relation to the following matters:

1. Changes to the Deed of Agreement and the Structure Plan for Burswood Lakes Development
2. The sale of 355 Shepperton Road
- 3 Edward Millen Adaptive Heritage and landscape redevelopment project

And that the resultant Auditors report be made publicly available in its entirety.

Carried by show of hands

**Officer Comment:**

A request was made in the Petition dated 26 October 2022 received from the Ratepayers Association of Town of Victoria Park Inc for Council to request the Office of the State Auditor General to conduct an independent audit into three matters described as follows and in substantially similar terms to the three matters listed in motion 9:

- a) conduct of agreement to sell 355 Shepperton Road East Victoria Park;
- b) conduct of agreement to lease Edward Millen House and adjoining land;
- c) overall administration of the Burswood Lakes lots 1 to 25 development site and the associated contractual obligations in regard to maintenance.

The Petition was provided to the Auditor General's office together with questions from elected members of the Town of Victoria Park. The Office of the Auditor General responded with advice including the following:-

*In response to the questions from elected members:*

*It is rare for the Auditor General to accept a request audit from community members, we conducted these for subsidiaries or joint ventures of State-owned entities.*

*We will treat the request, and matters raised in the petition, as a referral. Referrals help us understand community sentiment about issues and provides important sources of intelligence that we value and use as part of our general audit planning. Information is collated in our intelligence database, where we have recorded the information from the meeting for consideration as a potential future performance audit.*

13. Motion 10:

**Moved:** Vince Maxwell, Victoria Park **Seconded:** Graham Ferstat, Burswood

I move a motion of no confidence in the Council and direct the Council to immediately resign on mass immediately and call fresh elections due to the Council's demonstrated inability to provide good governance and oversight over the Town's activities, although not exhaustive the matters of concern include:

1. The Town's covert actions that have culminated in Mirvac's Burswood Development maintenance responsibilities and associated costs being transferred to the Town resulting in additional costs to ratepayers.
2. The bungling of the sale of the Town's carpark at 355 Shepperton Road that after more than three years has delivered little more than an unsightly hole in the ground and a large legal bill.
3. The Town's inability to execute the much hyped and expensive Edward Millen project and that includes the Town sitting on a \$4 million federal grant which was sufficient to cover the total restoration works when it was granted in September 2020 but now due to inflation and rising building costs has left the Town with a large shortfall.
4. And failure of the Council to engage with the Auditor General to investigate the anomalies in the Town's activities in relation to these matters.

Carried For: 20 Against: 13

**Officer Comment:**

Resignation is a matter for individual Councillors to decide. Dismissal of Councillors can only occur if Part 2, Division 5 of the *Local Government Act 1995* – Qualifications for holding office on the council, has not been met, or under Part 8, Division 1A, subdivision 3 of the *Local Government Act 1995* - Council member may be dismissed by the Governor.

14. Motion 11:

**Moved:** Ronnhda Potter, Lathlain **Seconded:** Sky Croeser, East Victoria Park

That Council:

1. That Council promotes the outcome of the vote at the March 21st 2023 Ordinary Council Meeting to support the Uluru Statement from the Heart with a series of supporting statements on all of the Town's social media platforms in the run up to the Referendum date.

That the CEO present a report for approval to the July 18 Ordinary council meeting on the following:

- i. Costings
- ii. Strategies
- iii. Locations

Of signage, banners and other mediums to be placed throughout the Town, promoting the outcome of the vote and the 21 March 2023 Ordinary Council Meeting supporting The Uluru Statement from the Heart, leading up to the National Referendum.

Not Carried For: 9 Against: 9

**Officer Comment:**

Administration has worked with the Mayor and Council to present every opportunity to promote the Uluru Statement from the Heart in line with our new Reconciliation Action Plan (once endorsed), the intent of the Statement, and Council's willingness to engage. This has included promotion of these outcomes as part of

National Reconciliation Week, and NAIDOC Week communications, with quotes provided by both the Chair of the Mindeera Advisory Group and Mayor. Council did not allocate budget for a large scale communications and signage campaigns for promoting the Statement and the level of 'support' and direct involvement of the Town regarding these activities was not provided.

#### 15. Motion 12

**Moved:** Leigh Dix, Carlisle **Seconded:** Sky Croeser, East Victoria Park

That Council investigates the establishment of a peace park and peace pole in the Town similar to those in other Town's around Perth.

Lost For: 5 Against: 8

#### **Officer Comment:**

As there are no current funds available, it is suggested that this be something to consider as part of a future Park upgrade in conjunction with the Place Planning team. This would incorporate doing specific research into the proposal. At present, this is not considered a priority and therefore, this motion is not supported at this time.

#### 16. Motion 13

**Moved:** Mike Lanternier, Lathlain **Seconded:** Graham Ferstat, Burswood

That the Town review the design of the speed bumps installed in the Lathlain area with the view to reduce the risk of vehicle damage to residents' cars. The review to include but not limited to the recycled rubber bolt down speed humps such as those on Howick Street, and the asphalt type humps such as those installed on Goddard and Gallipoli Streets.

Carried For: 14 Against: 0

#### **Officer Comment:**

The Town is supportive of conducting a review.

#### 17. Motion 14:

**Moved:** Jethro Sercombe, East Victoria Park **Seconded:** Rick Sneddon, East Victoria Park

That Council immediately implements changes to the sections of the Health Local Law 2003 related to poultry and bees, so that keeping bees and poultry is more accessible to Vic Park citizens and that the requirements, particularly for distances from fences, buildings and streets are more reasonable and able to be met for the normal range of block sizes.

Carried For: 16 Against: 0

#### **Officer Comment:**

The requirements of the Local Law have been established to minimise the nuisance resulting from the keeping of bees and poultry in close proximity to residential properties. Despite these requirements, the Town receives a number of complaints each year relating to the keeping of bees and poultry



impacting upon the amenity of adjoining properties. The Town's Health Local Law 2003 is made under the Health Act 1911, which is being incrementally replaced by the Public Health Act 2016 and associated Regulations. It is expected that this could result in the Town's Health Local Law being redundant. In such circumstances, it is considered to not be an efficient use of the Town's resources to be reviewing or amending the Health Local Law. Accordingly, the Officer's recommendation is that Council not support the motion, and that Council awaits the release of the final parts of the Public Health Act 2016 and associated Regulations to determine whether any further action is required.

#### 18. Motion 15

**Moved:** Marc Allen, East Victoria Park **Seconded:** Jethro Sercombe, East Victoria Park

That the Town complete a study into the implications of and implementation of mass electrification across the Town and community renewable energy and battery storage.

Lost For: 6 Against: 7

#### **Officer Comment:**

There are some future actions under the Climate Emergency Plan that relate to this, including investigating the feasibility of a community microgrid within the Town. The Town has also put in an expression of interest for grant funding to install batteries on some of our high energy-consuming facilities. There is no allocated budget this financial year to conduct a stand-alone study.

19. The purpose of the Annual Electors Meeting is to discuss the contents of the Annual Report and any other general business. Council are to consider the 15 motions.
20. Councillors may call for a report on any of the motions proposed.

### **Relevant documents**

Not applicable

### **Further consideration**

21. At the Agenda Briefing Forum on 4 July 2023, the following information was requested.
22. In relation to motion 13 of the Annual Electors Meeting, the Town had received complaints about some speed bumps soon after installation in Lathlain mainly associated with noise due to vehicles speeding over them. There were minimal complaints of speed hump induced damage to vehicles across the Town. The Town reviews the design of speed humps on an ongoing basis and has in the past replaced or repaired worn out speed humps and cushions as residents were complaining that they have become too thin over time and speeding incidents had increased as a result.