



TOWN OF
VICTORIA PARK

Agenda Briefing Forum Notes – 3 November 2020



WE'RE OPEN
VIC PARK

Please be advised that an **Agenda Briefing Forum** was held at **6:30pm** on **Tuesday 3 November 2020** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Her Worship the Mayor Karen Vernon
5 November 2020

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1 About the Agenda Briefing Forum

The purpose of the Agenda Briefing Forum is to ask questions and seek clarity on the draft Ordinary Council Meeting agenda, in line with the Agenda Briefing, Concept Forum and Council Workshops Policy.

The meeting is open to all members of the public, except during the consideration of matters deemed confidential in line with the *Local Government Act 1995*.

Members of the public that are directly impacted by an item on the agenda may participate in the meeting through any of the following methods.

1. Deputation

A deputation is a presentation made by a group of between two and five people affected (adversely or favourably) by a matter on the agenda. A [Deputation Form](#) must be submitted to the Town no later than 24 hours prior to the meeting and is to be approved by the Chief Executive Officer.

2. Presentation

A presentation is a submission made by an individual affected (adversely or favourably) by a matter on the agenda. A [Presentation Form](#) must be submitted to the Town no later than 24 hours prior to the meeting and is to be approved by the Chief Executive Officer.

All others may participate in the meeting during the allotted Public Participation Time. While it is not required, members of the public are encouraged to submit their questions and statements in advance by [email](#) or by completing the [Public Question/ Statement Form on the Town's website](#). Please note that questions and statements related to an agenda item will be considered first. All those dealing with matters of a general nature will be considered in the order in which they have been received.

For any questions regarding the Agenda Briefing Forum or any item presented in the draft agenda, please contact the Governance team at GovernanceVicPark@vicpark.wa.gov.au

Disclaimer

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Any advice provided by an employee of the Town on the operation of written law, or the performance of a function by the Town, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Town. Any advice on a matter of law, or anything sought to be relied upon as representation by the Town, should be requested in writing.

Noting that the Agenda Briefing Forum is only for the purpose of seeking further information on the draft Ordinary Council Meeting Agenda, and does not constitute a decision-making forum, any person or entity who has an application or submission before the Town must not rely upon officer recommendations presented in the draft agenda. Written notice of the Council's decision, and any such accompanying conditions, will be provided to the relevant person or entity following the Ordinary Council Meeting.

2 Opening

Mayor Karen Vernon opened the meeting at 6:30pm.

3 Acknowledgement of country

Acknowledgement of the traditional owners

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

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

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

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

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

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

4 Announcements from the Presiding Member

4.1 Purpose of the Agenda Briefing Forum

The purpose of this forum is to provide an opportunity for Elected Members to ask questions and obtain additional information on officer reports in the draft Ordinary Council Meeting agenda. It is not a decision-making forum, nor is it open for debate.

Members of the public that may be directly affected by an item on the agenda can make presentations, deputations, statements, and ask questions, prior to the matter being formally considered by Council at the next Ordinary Council Meeting.

4.2 Notice of recording and live-streaming

All participation in the meeting will be audio recorded and live-streamed on the Town's website. The live-stream will be archived and made available on the Town's website after the meeting.

4.3 Conduct of meeting

All those in attendance are expected to extend due courtesy and respect to the meeting by refraining from making any adverse or defamatory remarks regarding Council, the staff or any elected member. No one shall create a disturbance at a meeting by interrupting or interfering with the proceedings through expressing approval or dissent, by conversing, or by any other means.

All questions and statements made by members of the public are not to personalise any elected member or member of staff. Questions and statements are to be directed to the Presiding Member, who may choose to call upon an officer of the Town, or another elected member, to assist with responses.

4.4 Public participation time

There are two opportunities to ask questions and make statements at the beginning and at the end of the meeting. Each public participation time will be held for 30 minutes. Any additional time must be by agreement from the meeting and will be in five-minute increments.

In line with the intended purpose of the Agenda Briefing Forum, questions and statements relating to an agenda item will be considered first. All others will be considered in the order in which they are received.

4.5 Questions taken on notice

Responses to questions taken on notice that relate to an agenda item will be presented in the officer report for the Ordinary Council Meeting agenda under the heading 'Further consideration'.

Responses to general matters taken on notice will be made available in the relevant Ordinary Council Meeting agenda under the section 'Responses to public questions taken on notice'.

5 Attendance

Mayor	Ms Karen Vernon
Banksia Ward	Cr Claire Anderson Cr Wilfred Hendriks Cr Luana Lisandro
Jarraah Ward	Deputy Mayor Bronwyn Iffe Cr Brian Oliver Cr Jesvin Karimi
Chief Executive Officer	Mr Anthony Vuleta
A/Chief Community Planner Chief Operations Officer Chief Financial Officer	Mr David Doy Mr Ben Killigrew Mr Michael Cole
Manager Development Services Manager Governance and Strategy Manager Community Strategic Projects Manager Property Development and Leasing Manager	Mr Robert Cruickshank Ms Bana Brajanovic Mr Paul Gravett Mr Jack Bidwell Mr Jon Morellini
Secretary Public liaison	Ms Natasha Horner Mr Liam O'Neill

5.1 Apologies

Chief Community Planner	Ms Natalie Martin Goode
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5.2 Approved leave of absence

Banksia Ward Jarraah Ward	Cr Ronhhda Potter Cr Vicki Potter
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6 Declarations of interest

Declaration of financial interest

Nil.

Declaration of proximity interest

Nil.

Declaration of interest affecting impartiality

Name/Position	Cr Luana Lisandro
Item No/Subject	12.1
Nature of interest	Impartiality
Extent of interest	I live on Goddard Street and although my property does not directly adjoin the property outlined in this development application some in the community may perceive I have an interest.

Name/Position	Cr Luana Lisandro
Item No/Subject	12.2
Nature of interest	Impartiality
Extent of interest	I am a general member of the Lathlain Primary School P&C and have a child at the school.

Name/Position	Cr Wilfred Hendriks
Item No/Subject	12.2
Nature of interest	Impartiality
Extent of interest	Member of Vic Park Men's Shed

Name/Position	Cr Wilfred Hendriks
Item No/Subject	12.3
Nature of interest	Impartiality
Extent of interest	Committee member of Harold Hawthorne Centre

7 Public participation time

Sue Coltrona, Lathlain

1. *Has the Town sought any legal advice on its obligations as the owner on referring the matter to the WAPC? Can the Town please advise if there is any the legal requirement to sign the application form and lodge with the WAPC if it does not support the application?*

The Manager Development Services advised that no legal advice has been sought. The Town is aware of its legal obligation under the Metropolitan Region Scheme to refer the application to the WAPC. In order for a development application to be a valid application it needs to be signed by the owner of the land. In this case it is the Town's CEO. The signing does not reflect the Town's position on the application.

2. *Is the playing of matches by the lessee out of scope of the Management Plan? If in scope please indicate the relevant section of the Management Plan. How the Lathlain Management Plan Zone 3 principles and objectives can provide an accurate assessment against this application when Zone 3 contemplated for the lessee's use of Lathlain Park as a training and administration facility? As per the advice provided on Your Thoughts, why the Management Plan does not need to be updated?*

The Manager Development Services advised that the Management Plan did not contemplate the playing of matches by the WCE but did at page 37 refer to the playing 10 games by the PFC. Zone 3 comprises of the training facility and the two ovals. The principles and objectives apply to the ovals. The Management Plan is a guiding document.

3. *Can the Town please provide the assessment methodology including the evidence used which supports this determination? And a year by year breakdown for the 2018, 2019 and 2020 AFLW, pre-season AFL and WAFL game day parking call outs and the number of infringements issued?*

The Manager Development Services advised that the statement is made by officer's local knowledge of the area, observations over a number of years, and information obtained by the Town's Parking team. At short notice the Town has not been able to verify the number of parking call outs and the number of infringements issued at WAFL game days however based on five busiest days the average has been as follows: in 2018, 12 infringements and less than one call out; in 2019, 18 infringements and less than two call outs; in 2020, 8 infringements and less than one call out.

Yhana Lucas, East Victoria Park

1. *Made a statement about item 12.3 requesting the opportunity to discuss with Town staff the Vic Park Community Centre's application.*
2. *How do you suggest we allocate a dollar value for this kind of work?*

The Manager Community advised that it is a learning journey and the Town will welcome the opportunity to work with organisations for input on the process. The Town is also looking for ways it can support organisations.

Margot Hayes, Victoria Park

1. *Can you confirm that the Impact Statement and many other attachments were considered in the application?*

The Manager Community advised that it was considered as part of the application.

2. *Made a statement on item 12.3 that there appears to be a gap of knowledge between the Vic Park Community Centre's application and the Town.*

Martin Johnson, Carlisle

1. *Made a statement on item 12.3 requesting elected members to reconsider the application.*

Mayor Karen Vernon clarified that no decision has been made for the awarding of operating subsidies until later in the month.

Chloe Leow, Lathlain

1. *Made a statement on item 12.3 describing the Vic Park Community Centre's impact on her life and involved groups.*
2. *Can you please comment on the discrepancy between the application's selection criteria being four parts worth a total of 100 points and assessment criteria being three parts worth a total of 75 points?*

The Manager Community advised that the four assessment criteria's were marked against applicant's four selection criteria. The written error in the report will be amended.

Zoe O'Neill, St James

1. *Made a statement on item 12.3 highlighting the social impact of the Vic Park Community Centre in the community.*
2. *Can you provide some information on the Town working with community groups on the expected qualitative and quantitative outcomes?*

The Manager Community advised that the Town will work with community groups on this process.

Mike Lanternier, Lathlain

1. *In regards to item 12.1, what percentage of submissions were from Lathlain and do they carry more weight than other areas?*

The Manager Development Services advised that there has not been assessment on what percentage of submissions from Lathlain but the report does refer to 60% of all submissions for initial consultation were from within 500m of consultation area, 49% were in support of the application.

2. *And do close proximity submissions carry more weight?*

The Manager Development Services advised that whilst closer residents can appreciate the impact more closely, the judgement is based upon the merits of the submissions.

3. *Do the community get to see and comment on the Town's final submission of the application to WAPC?*

The Manager Development Services advised that what is provided will largely be what is public information and what will be seen in the OCM such as a letter advising WAPC of the outcome of Council along with its relevant attachments and submissions.

- 4. Why is community consultation not required if this goes ahead, and what protections would the community have if this goes ahead, considering that there is no evidence that full compliance has been completed?*

The Manager Development Services advised that in order to prepare a variation to lease there is no statutory requirement for community consultation. A large amount of community consultation has occurred on this development application.

The Chief Operations Officer confirmed the information.

Mayor Karen Vernon advised that if there are no statutory requirements it is open for Council's consideration to decide whether or not community consultation should occur.

Vince Maxwell

- 1. Made a statement passing on Sam Zammit's desire for the meeting to continue without him.*
- 2. In regards to 13.1, has the Chief Executive Officer contravened the Local Government Act by ignoring Council's decision from September in allowing staff to continue helping the developer?*

The Chief Executive Officer advised that he does not believe so.

- 3. Has Woolworths or Fabcot spoken to Council or staff about putting a Dan Murphys on the site? Is there anything in the sales contract that you have signed that prohibits the building of a liquor store?*

The Property Development and Leasing Manager advised that there have been no discussions regarding a Dan Murphys. There is nothing in the contract to control that outcome.

- 4. How much has the Town spent on legal fees and consultants, and how much staff time has been expended?*

The Chief Operations Officer advised that the best estimate is around \$10,000 for professional legal fees and took the staffing question on notice.

8 Presentations

Nil.

9 Deputations

Ray Haeren, Urbis

Presented a deputation with Digby Moulin not in favour of supporting the recommendation for item 12.1 - 34 Goddard Street - Playing of Competitive Matches and provided additional information on related parking, traffic, and reasons on banding management.

Mayor Karen Vernon

1. *In terms of the classification of activities into three bands, the reference to standard events up to 3,500 attendees, what sort of events on the calendar do you consider would fit into standard event?*

Mr Haeren advised that the intention of that is to pick up on standard WAFL-type games with attendees under 3,500.

Mr Moulin agreed on Mr Haeren's response.

2. *In reference to standard events up to 3,500 attendees, is it your belief or understanding that that would include WAFL games played by the WCE WAFL team?*

Mr Haeren advised that is correct. From a land use perspective, the WAFL game attracts attendees below that number.

3. *In relation to the band classification 'medium events' for 3,500 to 6,000 attendees, what types of events the WCE would be likely to hold that would fall into that category.*

Mr Haeren advised that it was envisioned that it would be for events that fall outside the standard match games. The reason for that banding was for the anticipation if there were to be events at around that mark such as a grand final win or community event, there would be specific consultation attached to it with a separate process for that.

4. *With regards to major events, when you say grand final, we're not talking about a grand final for the AFLW, because that would require an eastern state team and likely a larger venue, is that right?*

Mr Haeren clarified that the mention of a grand final was poor communication, it would be that if the WCE were to win and if there was a community event. If there is an appropriate scale for a major event, it would prompt a specific approach for them to seek approval from the Town with community consultation to be held there. Under the current arrangements there will not be a WCE WAFL team going into the next season.

5. *Do you have any statistics available to you about spectator attendances at AFLW matches throughout the country?*

Mr Haeren advised that the statistics have been sought and would be happy to provide them.

Mayor Karen Vernon advised that if it can be provided ahead of the OCM it would be appreciated.

6. *If WCE won the grand final and there was a spectator gathering at the park, are you suggesting that this application that is being made is to accommodate events like that?*

Mr Haeren advised that the notion of events was included as part of the original application. The primary point of the application is for the playing of competitive matches, in particular the WCE WAFL team and the AFLW. During discussions with staff, the proposal of management of different events was developed and included. If there were to be an event in would be in collaboration with the Town.

7. *In relation to traffic impact, what is the extent to which the WCE have gone to, in terms of gathering information, testing and analysing data and predictions for the impact of traffic on each of these event days at the three different classification bands?*

Mr Haeren advised that operations currently exist for under the 3,500 attendees band. For the 3,500 and 6,000 band there was a plan prepared by traffic engineers.

Cr Wilfred Hendriks

1. *Can WAFL and AFLW games be fixed on the same day?*

Mr Haeren advised that fixturing is determined by WAFC and the AFL, but we can put a request in.

Cr Luana Lisandro

1. *With the Flyt report, why was it deemed not to do a study and look at current use? The administration building wasn't built at that time, are you keeping data at this time in relation to parking issues?*

Mr Haeren advised that he is not aware of any issues around parking concerns with the operation of the administration building or during training times. It has only been raised as during spectator games. It is acknowledged that the report would need to be updated as part of the condition of the DA.

2. *In relation to the diaphragm provided for parking, was that encompassing the 600 in the locality bays?*

Mr Haeren advised that there a number of large car parks in the vicinity. If part of the Traffic Management Plan the need to approach Perth Transport Association for the car bays at the train station that could be done.

3. *In relation to the original DA, and the tree replacement policy, to date you have planted 310, with 520 to be planted, when will the WCE be planting them?*

Mr Moulin advised that he would come back to elected members on this.

Cr Wilfred Hendriks

1. *With the figure of 6000, when the new facility is built will the grounds have the facility to hold 6,000? If not, could that figure be reduced sooner rather than later?*

Mr Haeren advised that the facilities on site are currently suited for 6,000. If there were to be more than 6,000 additional facilities will need to be provided.

Mayor Karen Vernon

- 1. Referring to page 34 and 35 of the ABF agenda report, paragraphs 52 to 54, why is it that the applicant did not provide an updated Transport Impact Assessment prior to the Town's officer delivering their recommendation?*

Mr Haeren advised that the applicant felt that they have demonstrated that it could be sufficiently dealt with, and the update should be post-Council decision on the banding before doing an updated assessment.

Cr Luana Lisandro

- 1. Would that mean for this DA, that you would not see that this consideration may be adding to traffic impact implications? In particular especially if the Perth Football Club were to also have their new administration facility built? So there would be a need for an impact assessment?*

Mr Haeren advised that there is a Transport Impact Assessment provided. If there was an item that there was a need for assessment it can be updated. If there was an application by the Perth Football Club it would need to be considered independently.

10 Method of dealing with agenda business

Mayor Karen Vernon indicated that part of item 12.3 may be discussed at agenda item 19.

11 Chief Executive Officer reports

11.1 Adoption of Council meeting schedule for 2021

Location	Town-wide
Reporting officer	Amy Noon
Responsible officer	Bana Brajanovic
Voting requirement	Simple majority
Attachments	Nil

Recommendation

That Council:

1. Adopts the schedule of Agenda Briefing Forums and Ordinary Council Meetings for 2021, with all meetings being held from 6.30pm in the Town of Victoria Park Council Chambers, 99 Shepperton Road, Victoria Park 6100.

	Agenda Briefing Forum	Ordinary Council Meeting
January	No meeting	No meeting
February	2 February 2021	16 February 2021
March	2 March 2021	16 March 2021
April	6 April 2021	20 April 2021
May	4 May 2021	18 May 2021
June	1 June 2021	15 June 2021
July	6 July 2021	20 July 2021
August	3 August 2021	17 August 2021
September	7 September 2021	21 September 2021
October	5 October 2021	19 October 2021
November	2 November 2021	16 November 2021
December	7 December 2021	21 December 2021

2. Provides local public notice of its meetings for the 2021 calendar year, in accordance with regulation 12 of the Local Government (Administration) Regulations 1996.

Purpose

To set the meeting dates for Council meetings open to the public for the 2021 calendar year.

In brief

- The Town of Victoria Park Council has two meetings open to the public each month, the Agenda Briefing Forum and Ordinary Council Meeting.
- Council is required to set the dates for its public meetings and provide local public notice at least once each year.
- In 2020, the Agenda Briefing Forum was held on the first Tuesday of the month, and the Ordinary Council Meeting was held on the third Tuesday of the month.
- The schedule of meetings proposed for the 2021 calendar year follows the same format that was adopted for 2020.

Background

1. Council is required to provide local public notice of its Council meetings at least once each year, in accordance with regulation 12 of the Local Government (Administration) Regulations 1995. To do this, Council must adopt its schedule of Agenda Briefing Forums and Ordinary Council Meetings for 2021.
2. At the Ordinary Council Meeting held on 19 November 2019, Council resolved to continue holding the Agenda Briefing Forum and Ordinary Council Meeting in 2020 on the first and third Tuesday of the month respectively. This schedule was first set in 2018 for the 2019 calendar year.
3. Prior to 2018, Council held its briefing forum, known as the Elected Members' Briefing Session, and the Ordinary Council Meeting on the first and second Tuesday of the month respectively. This was changed to allow elected members more time to engage with the community before making decisions, and to allow the Town time to provide any further information requested to allow for informed decisions to be made.
4. The schedule of meetings proposed for the 2021 calendar year follows the same format that was adopted for 2020.

Strategic alignment

Social	
Strategic outcome	Intended public value outcome or impact
S02 - An informed and knowledgeable community	Whilst legislatively required, the setting and communicating of Council meeting dates allows the community to be informed of when Council will be making decisions that may affect them. This also allows the community to plan their participation in the meetings.

Engagement

Not applicable.

Legal compliance

[Section 5.3 of the Local Government Act 1995](#)

[Regulation 12 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.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Failure to set and advertise Council's meeting dates will contravene the requirements of the Act.	Minor	Unlikely	Low	Low	TREAT risk by adopting meeting dates for 2021 and advertising them as required prior to January 2021.
Reputation	Not applicable.				Low	
Service delivery	Not applicable.				Medium	

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Not applicable.

Analysis

- It is recommended that Council set its meeting schedule for 2021 as follows. Meetings will begin at 6.30pm on the listed date and be held in the Town of Victoria Park Council Chambers, 99 Shepperton Road, Victoria Park 6100.

	Agenda Briefing Forum	Ordinary Council Meeting
January	No meeting	No meeting
February	2 February 2021	16 February 2021
March	2 March 2021	16 March 2021

April	6 April 2021	20 April 2021
May	4 May 2021	18 May 2021
June	1 June 2021	15 June 2021
July	6 July 2021	20 July 2021
August	3 August 2021	17 August 2021
September	7 September 2021	21 September 2021
October	5 October 2021	19 October 2021
November	2 November 2021	16 November 2021
December	7 December 2021	21 December 2021

6. If this meeting schedule is adopted, the Town will communicate all Council meeting dates through a public notice in the Southern Gazette, on the Town’s website and on the Town’s Facebook page.

Relevant documents

[Policy 051 – Agenda Briefing Forum, Concept Forum and Workshops](#)

There were no questions asked or presentations made in relation to this item.

12 Chief Community Planner reports

12.1 34 Goddard Street - Playing of Competitive Matches

Location	Lathlain
Reporting officer	Amie Groom
Responsible officer	Robert Cruickshank
Voting requirement	Simple majority
Attachments	1. Attachment 1 - Applicants Report [12.1.1 - 183 pages]

Landowner	Town of Victoria Park
Applicant	Urbis for West Coast Eagles and Perth Football Club
Application date	14 August 2020
DA/BA or WAPC reference	5.2020.432.1
MRS zoning	Parks and Recreation Reserve – Restricted Public Access
TPS zoning	Parks and Recreation Restricted
R-Code density	Not applicable
TPS precinct	Precinct P7 'Lathlain'
Use class	Not applicable
Use permissibility	Not applicable
Lot area	83,761 square metres
Right-of-way (ROW)	Not applicable
Municipal heritage inventory	Lathlain Oval - Category C
Residential character study area/weatherboard precinct	Not applicable
Surrounding development	Residential development with commercial development along Lathlain Place

Recommendation

That Council advise the Western Australian Planning Commission that the development application for the playing of competitive matches and special events at Lathlain Park is:

(a) Supported in relation to the playing of matches by Perth Football Club, acknowledging the long-term use of Lathlain Park by Perth Football Club, actual attendance numbers in recent years, the general community acceptance of the use of the oval by the club, and the limited amenity impact that has occurred.

(b) Not supported at this time in relation to matches and events involving the West Coast Eagles as the Council is not satisfied that sufficient information has been provided to demonstrate that the traffic and parking impacts of the proposed development can be appropriately managed so as to not have an adverse impact upon the amenity of the area.

Purpose

To consider the results of the public advertising and resolve to provide a recommendation to the Western Australian Planning Commission regarding a development application for the playing of competitive football matches at Lathlain Park.

In brief

- The Town has received a development application for the playing of competitive football matches at Lathlain Park (also known as Mineral Resources Park). The development application was submitted in response to the legal advice obtained by the Town regarding the permitted purpose of Lathlain Park and advice received from the WAPC.
- The application is for land reserved 'Parks and Recreation – Restricted Public Access' under the Metropolitan Region Scheme (MRS) and is not subject to the requirement for approval under the Town's Town Planning Scheme No. 1 (TPS1). The authority for determining the application under the MRS rests with the Western Australian Planning Commission (WAPC).
- The applicant has provided information which estimates the maximum number of games/events to occur on the ovals each year (up to a maximum of 45 games/events) and an estimated number of spectators for particular events (up to a maximum of 6500 people). In this regard, the numbers provided are intended to provide flexibility noting that the actual number of games/events is dependent upon a range of factors such as fixturing determined by the AFL, WAFL etc, and actual spectator numbers will be influenced by matters such as fixture times/days, weather conditions, success of the team etc.
- The expectation is that the actual number of games/events will be far less than 45 per year and that based upon previous events held at the venue, spectator numbers will generally be at the middle of the ranges provided.
- The Lathlain Park Management Plan contemplated the playing of competitive football matches by Perth Football Club with crowds of around 2000 people. Neither the Management Plan or the previous development approvals issued by the WAPC/JDAP for the WCE redevelopment contemplated the playing of competitive football matches by WCE at Lathlain Park.
- Accordingly the advice from the WAPC is that the playing of competitive football matches with crowds well in excess of 2000 people requires development approval.
- The need to obtain development approval for the playing of competitive football matches at Lathlain Park is a prerequisite to the Town's consideration of an amendment to the lease permitting the playing of matches.
- It is accepted that the playing of competitive football matches and special events at Lathlain Park will be beneficial in relation to such matters as community activation, potentially benefitting local businesses and bringing exposure to the Town and locality.
- It is also acknowledged that prior to the AFL competition, there were significant crowds attending Lathlain Park on a regular basis (beyond the 6500 maximum now proposed), and while this has not occurred for some time, there should be an expectation for those residents living near the oval of some level of reduced amenity due to the location close to the oval.
- Noting the long term use of the oval by Perth Football Club, actual attendance numbers and the limited amenity impact that has occurred, the use of the oval for the playing of matches by Perth Football Club is supported.
- However in relation to games/events involving the West Coast Eagles teams, at this time insufficient information has been provided to demonstrate that the traffic and parking impacts of the proposed development can be appropriately managed so as to not have an adverse impact upon the amenity of the area.

- The applicant was requested to consider deferring consideration of the item to the December round of Council meetings in order to provide time to address the traffic and parking issues associated with WCE games/events, however the applicant has advised that due to time imperatives they wish to proceed to the November round of meetings and subsequent consideration of the application by the WAPC.

Background

1. From 2006 to 2011 the Town worked on a plan for the redevelopment of Lathlain Park and ultimately adopted the 'Lathlain Park Master Plan'. This was then the subject of a more detailed business case and a final version of the Master Plan was endorsed by Council in 2013.
2. Following the endorsement of the Master Plan by Council, the West Coast Eagles and Town commenced preliminary discussions relating to the relocation of the West Coast Eagles Training Facility to Lathlain Park. In September 2013 a 'Heads of Agreement' was executed by the Town, Perth Football Club and the West Coast Eagles regarding the relocation of the Eagles to Lathlain Park.
3. From October 2013 to December 2013 the Town undertook a process of developing a Major Land Transaction Plan to determine a future lease area for the West Coast Eagles on Lathlain Park. It was through this process that the West Coast Eagles undertook a process of assessment to determine the location of the two ovals and building on the site. Factors considered included site activation, pedestrian and vehicular access to the site, the location of the existing Perth Football Club grandstand, prevailing winds that impact on the site, sun exposure and direction, the need to provide two ovals to ensure that both the West Coast Eagles and the Perth Football Club can access the grounds when required, and the site constraints including services, levels, width, length and existing vegetation.
4. Approximately a year later on 2 October 2014 a formal Agreement for Lease was executed by the Town and the West Coast Eagles. The Agreement for Lease sets out the Town's and the West Coast Eagles' responsibilities in terms of reaching a point to where a formal lease can be put in place. This was endorsed as part of the Agreement for Lease and as such the agreed oval and building locations have been in place since 2014.
5. The Lathlain Park Management Plan was approved by the WAPC in July 2017. The Management Plan specifies that football matches will only be played by Perth Football Club with an expected crowd of 1,500 – 2,000 people.
6. Advice was provided from the West Coast Eagles prior to their lease commencement that no AFL matches would be played at Lathlain Park.
7. Neither the Management Plan or the previous development approvals issued by the WAPC/JDAP for the WCE redevelopment contemplated the playing of competitive football matches by WCE at Lathlain Park.
8. At the 2020 Marsh Community Series preseason competition AFL game fixture at Mineral Resources Park on Thursday 27th February 2020, queries were raised by Elected Members and members of the community relating to the playing of competitive AFL football matches by the West Coast Eagles within their lease area at Lathlain Park (Mineral Resources Park). In addition, matches have been played at Lathlain Oval by WCE AFLW and WAFL teams.
9. The Town subsequently sought legal advice with respect to the playing of competitive football matches, with the advice being that the playing of matches within the WCE lease area by WCE, PFC or others is not a specified permitted purpose within the lease. However the advice noted that under the lease definition of 'permitted purpose', item (i) provides scope for other uses where agreed to in writing by the parties. Accordingly this lease provision allows a degree of flexibility to approve uses that were not originally contemplated by the lease agreement.
10. The same legal advice also highlighted the planning provisions applying to the land and the need for advice to be obtained from the WAPC.

11. The WAPC subsequently advised that the playing of games with significant crowds (i.e. crowds greater than 2,000 people) will require a development approval to be issued. Accordingly the development application the subject of this report seeks to formalise this.
12. At the 21 July 2020 Ordinary Council Meeting, Council adopted the Communications and Engagement Overview to be implemented upon receipt of a development application for the playing of competitive football matches at Lathlain Park.
13. Advice from the Department of Health and the Town's Environmental Health Services is that having regard to the applicable requirements for public buildings, the maximum capacity of Lathlain Park is 6500 people.

Application summary

- The following information provided by the applicant summarises the application:
 - The maximum crowd capacity of the facility is proposed to be 6,500 people (regardless of the game or event);
 - No home and away season senior AFL games (which attract tens of thousands of spectators) will be played by the West Coast Eagles (WCE) at the facility (regular season senior AFL games will occur at Optus Stadium). The only senior AFL games which may occur at the facility would be pre-season matches (currently known as the Marsh Community Series);
 - The Perth Football Club (Demons) will continue to use the facility for WAFL games;
 - The West Coast Eagles have operated a WAFL team at times and these may be played at the facility in the future;
 - A WAFL Women's competition is in consideration and may be played at the facility;
 - WCE have operated an AFLW team which will continue to be played at the facility; and
 - Games in all categories are generally played on the weekends during daytime, however scheduling can see any of these games move to a twilight or evening game. It is estimated that approximately 10 games per year may be in the evening.
- The following table has been prepared by the applicant to show the frequency and intensity of games which could occur in any given year.

	Frequency (No. of matches per year)	Approximate Crowd Size
AFL Marsh Community Matches	0 – 3	4,000 – 6,500
WCE WAFL	0 – 11	1,500 – 4,000
AFLW	3 – 6	2,000 – 5,000
Perth Demons	9 – 11	1,500 – 4,000
WAFLW	0 - 9	0 - 500
Misc. requests (WAFL Finals / Fan days etc)	0 – 5	0 – 6,500

Applicants submission

14. The following information was provided by the Applicant in their report contained within Attachment 1.

"This development application is seeking approval for Mineral Resources Park to be permitted to host sporting matches and events within various bands of activity up to 6,500 spectators (the development's capacity). This proposal relates solely to the intensity of the use of Mineral Resources Park and does not involve any physical development.

As noted in section 1.1 of this report, Mineral Resources Park already has planning approval for the use of the grounds for training and to host sporting matches and events. Within the context of the Management Plan there is reference to 2,000 people which was derived as an estimate of attendance numbers associated with Perth Football Club matches, which has inadvertently become seen as a limit of spectators or visitors. Recent advice from Perth Football Club is that attendance has been above 2,000 and they are looking to grow the attendance leveraging from the upgraded facilities.

Events on the site (including scratch matches) were always envisioned to attract greater than 2,000 people. However, these were not seen to be at the scale or intensity of competitive AFL matches (i.e. of up to 60,000 spectators). The WCE vs Essendon scratch match was representative of this use and a specific crowd and traffic management plan was developed to ensure that site management addressed and controlled any off-site impacts associated with people movement and traffic.

A key challenge is that attendance is not consistent and will fluctuate based on a range of factors. How successful the club is, who the opposition is, the weather and community trends to name a few are all elements which will influence attendance – although clearly caps are able to be applied. Where larger crowds are sustainable, a range of alternative, more appropriate venues would be considered from a financial and operational perspective.

Given the various number and scale of games to be played and variability which may be applicable, we are proposing to classify activities in 3 bands:

- Standard events (up to 3,500 attendees).*
- Medium events (3,500 – 6,000 attendees).*
- Major events (Over – 6,500 attendees).*

The use proposed as part of this application is entirely consistent with what has already been approved. This proposal is seeking to specify the scale and intensity of this use and establish parameters and requirements associated with these activities.

There is no works or change of use component to this development application."

15. Additionally, at section 3.2 of their report, the applicant makes the following comments :

"The key component of this development application is the proposed intensity of use and how this will be adequately managed in relation to any off-site impacts. Management practices should be adjusted according to the scale and intensity of sporting matches events. Whilst it can be difficult to accurately predict spectator numbers for any given match, based on assumptions of expected crowds, appropriate management protocols can be implemented. This development application proposes three 'bands' of management protocols. These 'bands' are detailed in the below table.

Table 3 - Management Bands

<i>Band</i>	<i>Expected Crowd Numbers</i>	<i>Protocols</i>
<i>A</i>	<i>Equal to or less than 3,500 spectators. Standard practice and game times.</i>	<i>Application of reciprocal parking between Perth Demons and WCE;</i>
<i>B</i>	<i>Greater than 3,500 but less than 6,500 spectators. Special events (eg finals) within ground capacity</i>	<i>LGA notification, Transport plan; Measures and controls as per approved standard Traffic Management Plan.</i>
<i>C</i>	<i>Greater than 6,500 spectators.</i>	<i>LGA notification, Community notice, Additional facilities on site, Transport Plan; Measures and controls as per approved Traffic Management Plan, Crowd Management Plan implementation.</i>

Up to 3,500 persons is within the current standard operating nature of the site which is easily accommodated through reciprocal parking and standard practices. Based on no off-site impact these should be able to be operated without limitation or additional controls beyond what is contained within current Management Plan or Lease.

Although up to 6,500 spectators are able to be accommodated on site, it is acknowledged that some management will be required to ensure that there are no off-site impacts in relation to traffic and parking. It is proposed that a standard traffic management plan be developed with Council for these larger events. This would relate to notification/promotion of public transport and actions to prevent uncontrolled parking in neighbouring streets.

Should a situation occur which would envisage over 6,500 people (a major community event) then additional facilities would be required and a separate notification process (Council and community) and specific traffic/crowd management would be required.

The processes would be informed by the Traffic Impact Statement, prepared by Flyte as part of the original Development Application - refer Appendix B.

The Traffic Management Plan prepared for the Essendon Community Match has been included as a template for what would be prepared for events in Category Band C. We would seek the preparation of these be required as a condition of approval."

16. Clarity has been provided by the applicant that Band C with potentially greater than 6500 spectators relates to community events (such as grand final celebrations, community days etc), and that there will not be more than 6500 spectators for games/matches.
17. In relation to the matter of parking, the applicant comments that 212 on-site parking bays are available on-site for use on game days, and that in addition 54 bays are available in Goddard Street, over 100 bays

exist along McCartney Crescent, and patrons can be directed to parking in Lathlain Place (circa 50 bays), Victoria Park train station (circa 100 bays) and Keyes Street (circa 50 bays). This is partly demonstrated in the following image from the applicant's report :

GAME DAY



LEGEND:

-  SUBJECT SITE
-  WCTF BUILDING
-  PUBLIC ACCESS OVAL
-  CAR PARKING
-  ENTRY POINT
-  2100 MM HIGH - CROWD LOAD FENCE
-  1800 MM HIGH - HIGH OVAL FENCE
-  GAME DAY ACCESS
-  TRAIN STATION
-  BUS DROP OFF/PARKING
-  DISABLED PARKING
-  AMBULANCE PARKING



18. In support of the application the applicant has included a copy of the Transport Impact Assessment (2016) that was prepared and included as part of the development approval for WCE's Administration, Training and Community Building, with the applicant saying that *"the principles and requirements of this plan remains current, with significant focus on demand management and promotion of public and active*

transport.” An updated Transport Impact Assessment analysing the traffic and parking demands now associated with the playing of competitive football matches at the oval has not been provided.

19. At page 11 of the applicant’s report, the applicant contends that the increased use of the facility through the playing of competitive football matches will have significant benefits for the Town including :

“Visitors to the grounds making use of local businesses before and after any events (both Lathlain Place and the strip).

Increased visitation improving the reputation and exposure of the Town, its amenity and facilities.

Brand association between the club and the Town – recognition of the Town of Victoria Park and the “Home of the Eagles” and Wirrapunda Foundation.

Promotion of the site as a recreational hub for both the local and broader community.”

Relevant planning framework

Legislation	<ul style="list-style-type: none"> • Metropolitan Region Scheme (MRS) • <i>Planning and Development Act 2005</i>
State Government policies, bulletins or guidelines	<ul style="list-style-type: none"> • WAPC Development Control Policy 5.3 – Use of Land Reserved for Parks and Recreation and Regional Open Space • WAPC Development Control Policy 2.1 – Development Control – General Principles
Local planning policies	Not applicable
Other	Lathlain Park Management Plan

Clause 30(1) of the Metropolitan Region Scheme (MRS)

20. Under the MRS, due regard is to be given to a number of factors in determining an application. These include the purpose for which the land is zoned or reserved under the Scheme.
21. Preserving the amenity of a locality is one of the factors that must be given due regard when considering an application under the MRS. A number of the issues raised during the community consultation period have the potential to impact upon the amenity of the residents in the area. In particular, parking and traffic management are likely to cause significant issues if not managed appropriately. This has been discussed under the Car Parking and Traffic section of this report (below) in more detail.
22. With respect to the consideration of amenity impacts, the applicant’s response to the public submissions contains the following recurring statement:
“The use of the oval for training and games has been long standing and would arguably form part of the established amenity of the locality. Recreational ovals for competitive and amateur sport are generally located in residential areas (suburban and urban). This will involve both training and competitive games. Regulations and standards exist in relation to impact of noise and light which must be complied with. The site also offers access to recreational facilities and amenities which would other-wise not be available.”
23. Clause 30(3) of the MRS allows the local authority to recommend limiting the time for which the approval granted on the application remains valid. It is open to the Town in making a recommendation to the WAPC, to recommend a time limited approval rather than an approval for an indefinite period of time. It is considered that there would be benefits in a time limited approval in that this would allow opportunity for the playing of competitive football matches to occur, and the impacts to be identified (if any) and if appropriate to continue, to be better managed for future matches.

Development Control Policy – 1.2 – Development Control – General Principles

24. In determining applications for approval to commence development on land reserved under the MRS, the WAPC must have regard to the purpose for which the land is reserved.
25. In this case the land is reserved for ‘Parks and Recreation – Restricted Public Access’ and has been used as such for an extended period of time.
26. The WAPC will have regard to the following relevant planning considerations when making decisions on development applications:
 - Compatibility with relevant planning policies, strategies and development control criteria.
 - Integration of development into the site and its surroundings.
 - Transport and traffic impacts.
 - Vehicular and non vehicular access circulation and car parking.
 - Relevant environmental, economic and social factors.
 - Relevant factors of amenity and sustainability.

Development Control Policy 5.3 – Use of Land Reserved for Parks and Recreation and Regional Open Space

27. Development Control Policy 5.3 outlines the circumstances that the WAPC may approve the use and development of land reserved for Parks and Recreation and Regional Open Space for various purposes. A key objective of the policy is to ensure that the intent of Parks and Recreation reserves are not prejudiced by inappropriate development and that any uses carried out are ancillary to and/or enhance the use and enjoyment of the reserve for parks and recreation purposes.

Relevant Policy Provisions	Officer Comments
<p>The use and development of land reserved for Parks and Recreation under the MRS shall be restricted to that which is consistent with furthering the enhancement of the reserve and facilitating its use for recreational or conservation purposes.</p>	<p>The proposed development will likely result in further restricted access to the useable public recreation area, due to the number and occurrence of the games proposed. However the use will increase the public access to the facility for passive consumption of events.</p>
<p>The use and development of land reserved for Parks and Recreation or Regional Open Space for purposes inconsistent with the purpose of the reserve will not be supported.</p>	<p>The use of the facility for specific games is considered to be consistent to the primary ‘Parks and Recreation – Restricted Public Access’ reservation of Lathlain Park.</p>
<p>The use and development of land reserved for Parks and Recreation or Regional Open Space for commercial</p>	<p>The playing of specific games is considered to be consistent to the purpose of the reserve and its long-term historical use.</p>

<p>purposes ancillary and or compatible to the purpose of the reserve and likely to enhance the public access to and enjoyment of the reserve may be supported.</p>	<p>A total of 108 submissions were received during the initial consultation period. 69 of the submissions supported the proposal inclusive of the enhanced public access and enjoyment of the reserve both through attendance at the games.</p>
<p>The use and development of land reserved for Parks and Recreation or regional space which would result in long-term restrictions to public access, notwithstanding the possible benefit which could be derived from the use and development to the general community or to a specific educational or religious group within the community, will not be supported.</p>	<p>In view of the 'Parks and Recreation – Restricted Public Access' reservation of Lathlain Park, this policy provision is less applicable than would normally be the case for a reserve for unrestricted public access.</p> <p>Due to the number of games proposed annually, there may be an increased number of instances where public access to the ovals will be restricted, however there will be an increasing number of occasions for the general public to attend the site to watch competitive matches. Under the provisions of the lease, public access to the reserve is to be provided for at least 100 hours per calendar month.</p>
<p>Land reserved for Parks and Recreation or Regional Open Space may be used for:</p> <ul style="list-style-type: none"> • passive recreation; • active sporting pursuits; • cultural and or community activities; • activities promoting community education of the environment; and/or • uses that are compatible with and or support the amenity of the reservation (i.e. cafe, restaurant) 	<p>The land will be used for passive recreation, active sporting pursuits, and cultural and community activities.</p>

28. Clause 6 of Development Control Policy 5.3 states "3. *The WAPC makes a decision on the application based on a planning assessment and the comments of the local government and other referral agencies*". In view of this, the subject application is considered to be largely consistent with the intent and objectives of the WAPC's Development Control Policy 5.3, with the exception of the number and frequency of games having the potential to impact on the public access to the facility for passive recreation.

29. An assessment of the proposal against the principles and objectives of the Lathlain Park Management Plan relating to the development of Zone 3 (West Coast Eagles) is outlined in the table below.

Principle	Objectives	Officer Comments
Use	<p>Provide for administration and related activities with the West Coast Eagles Football Club</p> <p>Provide for activities incidental to the West Coast Eagles Football Club available to the public</p> <p>Provide spaces for use and access by the general public</p>	<p>The development application proposes additional football related activities through the inclusion of competitive football games. This use is not contemplated in the approved Management Plan, however scope exists for the Town and the WAPC to approve uses outside of the Management Plan.</p> <p>Existing services/facilities to the public (eg. club store; café; sports medicine etc) will be retained and are not impacted by this development application.</p> <p>The proposed use seeks to increase the number of events held and capacity of the facility. This has the ability to increase passive recreation and spectatorship of the ovals, however the increased number of events also has the potential to reduce the opportunity for the community's active enjoyment of the reserve. It is important to note the lease agreement does require the oval to be available to the public for a minimum of 100 daylight hours per calendar month.</p>
Built Form	<p>Ensure high quality new development that appropriately responds to the site's physical and social context.</p> <p>Ensure new development is of a scale that is sympathetic to, and appropriately interfaces with adjacent residential areas.</p>	<p>Not applicable to this development application.</p> <p>Not applicable to this development application.</p>

	Ensure car parking and servicing infrastructure do not dominate the streetscape and impact on the amenity of the residential area.	Not applicable to this development application in relation to the visual impact of on-site car parking.
Environment	Ensure public realm and streetscape are of a high quality and protect the amenity of the other residential areas.	Not applicable to this development application.
Access, Safety & Security	Enhance the sense of safety and personal security for users within the area.	Concern was raised during the community consultation period regarding the potential for anti-social behavior to occur following twilight and evening games. Possible safety impacts in relation to increased traffic within the surrounding area.
	Facilitate safe and appropriate levels of pedestrian access.	Not applicable to this development application.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL01 – Everyone receives appropriate information in the most efficient and effective way for them	To consider the evolving operational needs and viability requirements of the WCE, associated commercial benefits to commence within the Town and the impacts on amenity for the immediately surrounding community members.

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	The increased intensity of the site has the potential to increase commerce and tourism for the area.

Environment	
Strategic outcome	Intended public value outcome or impact

EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	The increased intensity of use of the site without appropriate management practices may result in the loss of amenity for the surrounding residential properties.
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Engagement

Internal engagement	
Stakeholder	Comments
Property and Leasing	<p>The development application is for the playing of competitive football matches at Lathlain Park.</p> <p>There is an existing lease between the Town of Victoria Park and the West Coast Eagles, any alterations to development approval may result in the need for the lease to be amended.</p> <p>A Deed of Variation will be required to capture the additional use within the permitted purpose definition which may give the Town an opportunity to amend the lease agreement.</p> <p>Provided that development approval is issued by the WAPC for the playing of competitive football matches, and the Town and the West Coast Eagles mutually agree on the lease amendment, a Deed of Variation will be prepared by the Towns solicitor and signed by both Parties. The Town will present the Deed of Variation to Council for endorsement prior to execution.</p> <p>There are no requirements for community consultation.</p>
Engineering	<p>The Traffic Impact Assessment contained in the current DA application 5.2020.432.1 is dated November 2016 and was prepared on the basis that the subject site included a number of new facilities that did not previously exist such as;</p> <ul style="list-style-type: none"> • West Coast Eagles administration; • West Coast Eagles club support facilities (sports medicine, boardroom, media centre etc.); • Wirrpanda Foundation; • A second oval for training; • Retail, café associated with the West Coast Eagles; and • Associated facilities such as car parking, storage and plant space for oval upkeep. <p>The volume of trips was based on forecast numbers regarding the total number of employees to be housed on the site when it opened, alongside employee movements for the existing Perth Football Club. The volume of employee trips reflects the period of time when the AFL season is active. The facilities have all now been constructed and are in full operation. The traffic impact assessment</p>

should now be updated to better reflect actual trips being made to and from the site and distribution patterns.

The terms of the lease between the Town and WCE allows for a maximum of 250 bays on site, with 212 car bays currently provided on site. An area of over 1.38 hectares of unmarked bitumen (currently where oval 2 is situated) was previously used for overflow parking and is no longer available. Estimates indicated that 530 vehicles could be parked in this area. Parking for patrons/spectators is now predominantly served by on-street bays in the surrounding suburb. In April 2016 a Perth Football Club home game attracted a crowd of approximately 1800 people and a total of 589 vehicles were observed on and off-street in the Lathlain Precinct. The report does not provide any detail on expected parking numbers for a spectator crowd of up to 6500 for some events and the potential flow-on impacts to neighbouring streets. Parking for employees, match officials and other staff must also be included in this assessment. No information is provided as to the estimated mode shift towards public transport given that the locality is well serviced by bus and rail. The Victoria Park Railway Station is located approximately 350m west of the subject site with services running every 15 minutes. Bus services to the north of the site run through the area at 15 minutes during weekday peak periods.

Parking

Parking in the area around Lathlain Park is limited and to increase patron capacity may further impact on nearby residents.

The Tom Wright Park is more successful than expected with high numbers of people going to the park. The parks popularity has already seen an increase on parking in residential streets. The Town is also receiving complaints from residents due to the increased number of vehicles parking on residential streets.

Increasing the crowd capacity at Mineral Resources Park/Lathlain Park is expected to see an increase in complaints the Town receives.

Additional resources would be required during events to manage the additional car parking on residential streets.

Some conditions for consideration:

- Traffic management in place at each event.
- Residents advised of upcoming event and what actions will be in place to minimise the impact to them.
- Social media and other outlets advertising of how to get to the park, using public transport and the like (similar to Optus Stadium, how to get to the stadium info)
- Approach Lathlain Primary for over flow parking opportunities
- Shuttle buses from train station to oval and other strategic locations (similar to what is already in place for Albany Hwy to Optus Stadium)

Waste	<p>It is expected that with additional patrons, collection of the public litter bins in the surroundings prior and after the game days will need to be increased. It is possible too that the number of public litter bins around the Lathlain areas or possible parking areas will also need to be increased.</p> <p>The WCE have their own in-house waste collection service. However no details have been provided regarding waste collection for crowds of this size and whether public bins are to cater for the waste from crowds leaving the area. A trial period would need to occur to assess whether more bins and bin collections may be required.</p>
Health	<p>Noise Modelling would need to be provided from a reputable acoustic consultant to determine the noise level generated (such as whistles/sirens and general crowd noise) and whether this will negatively impact on the surrounding residents. Based upon this, a Noise Management Plan may then need to be prepared to determine how noise impacts will be managed.</p> <p>Some matches are proposed to be played at night, however it is noted that the lights are already used for training purposes and that the lights have been designed to comply with the relevant Australian Standards in relation to light spill.</p>

External engagement	
Stakeholders	Town of Victoria Park residents
Period of engagement	First period of consultation was conducted between 18 September 2020 and 9 October 2020. A total of 2,455 letters were sent inviting people to comment. A second round of consultation has been commenced and will conclude on 6 November 2020.
Level of engagement	2. Consult 3. Involve
Methods of engagement	<ul style="list-style-type: none"> • The Town's 'Your Thoughts' online engagement hub, • Southern Gazette Newspaper notice, • Facebook and Instagram, and • Posters at the Administration Building, Library, Aqualife and Leisurelife.
Advertising	As above.
Submission summary	A total of 108 submissions were received in response to the first round of consultation including 69 letters of support and 39 letters of objection.
Key findings	The feedback is summarised as outlined below.

30. Community consultation was undertaken for 21 days in accordance with the West Coast Eagles Communications and Engagement Overview endorsed by Council at the 21 July 2020 Ordinary Council Meeting. A schedule of submissions received during the consultation period can be viewed at

Attachment 2. Furthermore, the applicants response to the submissions received can be viewed at Attachment 3, as well as a responses from Perth Football Club at Attachment 4.

31. Supporting submissions received during the first round of consultation can be summarised as follows:
- Great exposure for the suburb;
 - Lathlain Park is a wonderful sporting venue;
 - Increased community activation and pride;
 - The facility should be used for its intended purpose;
 - Good for local businesses in the area;
 - More games and open training sessions will increase vibrancy in the area;
 - The adjacent train station provides good public transport links;
 - The inconvenience of parking and traffic on game days is far outweighed by the benefit to Lathlain and Victoria Park;
 - There is not much noise when games are played;
 - Since the site has been redeveloped it has significantly improved the entire area;
 - Support the appropriate use of high cost facilities to foster both women's and men's football locally and more broadly;
 - Modern Australian Rules Football transcends race, gender, sexuality, religion, economic status; something the Town aspires to;
 - Evolution of a successful Town asset;
 - Utilisation of assets provides passive surveillance;
 - Prior to the AFL when WAFL competition was strong there were huge crowds at the oval.
32. The below is a summary of the main objections raised during the first consultation period:
- Availability of car parking;
 - The number of on-site car parking bays were not intended to cater for spectator demand;
 - Traffic and congestion in the immediate area;
 - Traffic congestion at the intersection of Roberts Road and Orrong Road;
 - Unsafe access into private properties due to cars parking across driveways;
 - Parking issues have been repeatedly ignored by Council including emails with photo evidence;
 - Pedestrian traffic;
 - Residential development increasing which is already putting vehicle and parking pressure on surrounding residential streets;
 - Community acceptance was based on this facility only being used for training and during office hours;
 - Victoria Park train station is not designed to cater for large crowds;
 - Noise;
 - Light spill;
 - Anti-social behavior;
 - Commercial rent is not paid for the Community owned land;
 - Lathlain is a quiet residential area;
 - Significant detrimental impact on residents;
 - Increase from approximately 11 games per year to 45 games per year is significant;
 - Reference to large spectator capacities is misleading as the facilities referred to are established and planned with provision for future expansion and parking needs;

- Waste and litter;
- Increased use will diminish community access to the facility. Community currently permitted to use the oval for 100 daylight hours a month;
- The application is only a step in likely future expansions;
- Loss of income to Lathlain Playgroup due to reduced use as a result of limited parking availability;
- The application represents a change of use from a recreational precinct to an entertainment precinct;
- Impact on red tail cockatoos and roost; and
- Redevelopment of WACA will facilitate AFL games and remove need to use Lathlain Park for these type of events.

33. Further community consultation is currently being undertaken for a period of 14 days. The consultation period commenced on 23 October 2020 and will conclude on 6 November 2020. The Ordinary Council Meeting report will be updated to reflect any additional submissions received.

Risk management considerations

Risk category	Impact	Risk description	event	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial		Not applicable.						
Environmental		Noise and light spill into adjoining residential areas.		Moderate	Possible	Medium	Low	Appropriate noise and light management.
		Potential waste and litter within surrounding area.		High	High	High	Low	Appropriate waste management
Health and safety		Safety associated with vehicles and pedestrians.		High	High	High	Low	Transport management.
		Anti-social behaviour before and after events.		Medium	Medium	Medium	Low	Crowd management.
Infrastructure/ ICT systems/ utilities		Not applicable.						
Legislative compliance		Recommendation to the WAPC within statutory timeframes.		High	Likely	High	Medium	Provide recommendation following OCM

	WAPC may determine development application without the Town's recommendation.	High	Medium	High	Medium	Provide recommendation following OCM
Reputation	Negative public perception towards the Town for not ensuring WCE is compliant with its lease and planning approval.	Moderate	Likely	High	Medium	Ensure that any lease agreement conditions are complied with.
	Negative perception from the community and WCE if the Town were to take other legal avenues to remedy the matter.	Moderate	Likely	High	Medium	Ensure that matters are remedied appropriately.
Service delivery	Not applicable.					

Financial implications

Current budget impact	Should development approval be granted by the WAPC, operational expenditure funding may be required for further advice in respect to the preparation of a "permitted purpose agreement" as a variation to the lease.
Future budget impact	Nil.

Analysis

General comments

34. In considering a development application, the principal matter to be addressed is the impact of the playing of matches and level of intensity of proposed crowds on the amenity of the locality through such considerations as traffic, parking and noise impacts. The following table has been prepared by the applicant to show the frequency and intensity of games which could occur in any given year.

	Frequency (No. of matches per year)	Approximate Crowd Size
AFL Marsh Community Matches	0 – 3	4,000 – 6,500

WCE WAFL	0 – 11	1,500 – 4,000
AFLW	3 – 6	2,000 – 5,000
Perth Demons	9 – 11	1,500 – 4,000
WAFLW	0 - 9	0 - 500
Misc. requests (WAFL Finals / Fan days etc)	0 – 5	0 – 6,500

35. The above represents a maximum case scenario in terms of the number of games and maximum attendance numbers. The numbers indicated by the applicant are provided so as to maintain some degree of flexibility and avoiding the need for multiple applications for approval, and acknowledging that spectator numbers can vary quite significantly depending upon a number of factors such as weather conditions, team success, opposition club etc.
36. The expectation is that the actual number of games/events will be less than 45 per year and that based upon previous events held at the venue, spectator numbers will generally be at the middle of the ranges provided. As stated in the response to submissions provided by Perth Football Club (see Attachment 4) *“it is highly improbable that the maximum number in each frequency range would ever be achieved.”*
37. To put the above in perspective and so as to present some data of attendance at actual games/events at Lathlain Park, the following information has been sourced from WAFC/WAFL/AFL web site data :

AFL Marsh Community Match

- AFL Marsh Community Preseason – 27/2/20 WCE V Essendon reported attendance 4,302 (Note – this game was weather effected).

WAFL matches

- WAFL – 25/8/19 WCE v EF crowd 1,148
- WAFL – 16/8/19 PFC v EF crowd 1,340
- WAFL – 10/8/19 PFC v WCE crowd 2,682
- WAFL – 1/8/19 PFC v Subi crowd 1,493
- WAFL – 14/7/19 WCE v WP crowd 3,199
- WAFL – 13/7/19 PFC v SF crowd 1,434
- WAFL – 22/7/19 PFC v Peel crowd 1,061
- WAFL – 1/6/19 PFC v SD crowd 2,091
- WAFL – 18/5/19 PFC v WP crowd 1,570
- WAFL – 4/5/19 PFC v CI crowd 1,667
- WAFL – 25/4/19 PFC v EP crowd 2,587
- WAFL – 6/4/19 PFC v WCE crowd 2,715

AFLW matches

AFLW games have typically been unticketed/ open-gate . The website does not list attendances in the fixture results statistics.

2019 AFLW season

- No WCE Team participation.

2020 AFLW season

- 15/2/2020 WCE v FD attendance not recorded – anecdotally <1,000

- 29/2/2020 WCE v WB attendance not recorded – anecdotally <1,000

38. The playing of competitive football matches at Lathlain Park by Perth Football Club has occurred for some time. It is also acknowledged that prior to the AFL competition, there were significant crowds attending Lathlain Park on a regular basis (beyond the 6500 maximum now proposed). However for at least the last 25 years, attendance at WAFL matches has declined significantly, and in turn the use of Lathlain Park by Perth Football Club only for competitive matches has had a much lesser impact upon surrounding residents of Lathlain Park. Crowd attendances of around 2000 people has become the norm for residents surrounding Lathlain Park. In saying this there should be an expectation for those residents living near the oval of some level of reduced amenity due to the location close to the oval.
39. The applicant has indicated that the following protocols are proposed to manage off-site impacts associated with the playing of competitive matches:

Band	Expected Crowd Numbers	Protocols
A	Equal to or less than 3,500 spectators. Standard practice and game times.	Application of reciprocal parking between Perth Demons and WCE.
B	Greater than 3,500 but less than 6,500 spectators. Special events (e.g. finals) within ground capacity.	LGA notification, Transport plan: Measures and controls as per approved standard Traffic Management Plan.
C	Greater than 6,500 spectators.	LGA notification, Community notice, Additional facilities on site, Transport Plan: Measures and controls as per approved Traffic Management Plan, Crowd Management Plan implementation.

40. On face value there appears to be a contradiction between the information supplied in the tables at paragraphs 35 and 40, in that the latter indicates protocols for events involving more than 6500 people whereas the former indicates a maximum of 6500 persons. Clarity has been provided by the applicant that Band C with potentially greater than 6500 spectators relates to community events (such as grand final celebrations, community days etc), and that there will not be more than 6500 spectators for games/matches.
41. Having regard to the JDAP's approval of 21 December 2016 for WCE's Training, Administration and Community Building it is noted that condition 9 and advice note 9 of the approval makes reference to events and special events occurring at the site, albeit requiring a Special Events Management Plan to be prepared (no such plan has been prepared). It is concluded that the current development approval already authorises the holding of special events such as those proposed in the Band C protocols, and that further development approval for special events through this current application is not required.
42. While of the view that further development approval is not required for special events, it should be noted that the current lease may need to be amended to allow such events to occur, and a Special Events Management Plan will need to be prepared and submitted to the Town for approval.

43. In relation to the estimated number of events and range of crowd numbers, and considering the amenity impacts it is open to the Council and the WAPC to consider restricting the number of matches to a specified number or types, specified crowd numbers and certain days of the week or even certain times of day. For example, consideration could be given to restricting those matches likely to attract the greatest number of spectators (likely to be the AFL Marsh Community matches) to weekends only, and furthermore possibly within daylight hours only. Such a restriction would likely have a lesser amenity impact than such a match occurring on a weeknight as occurred earlier this year in the case of the West Coast Eagles vs Essendon pre-season match.
44. The use of the grounds for the playing of matches by WCE and/or Perth Football Club will deliver beneficial outcomes particularly in terms of increased activation of the area, potential economic benefits to businesses within the area through increased visitation to the Town, and generally through promoting the Town as desirable place to be.
45. Noting the long term use of the oval by Perth Football Club, actual attendance numbers and the limited amenity impact that has occurred, the use of the oval for the playing of matches by Perth Football Club is supported. This is on the basis that there is already a general level of community acceptance that Perth Football Club play competitive matches at the ground, having done so for many years, and as it has been demonstrated over this time that noise, traffic and parking impacts have been appropriately managed with minimal impact on surrounding residents.
46. The amenity impact of matches involving WCE, whether that be their senior men's team for community (pre-season matches), or their AFLW or WAFL teams is less certain and is addressed below.
47. The applicant was requested to consider deferring consideration of the item to the December round of Council meetings in order to provide time to address the traffic and parking issues associated with WCE games/events, however the applicant has advised that due to time imperatives they wish to proceed to the November round of meetings and subsequent consideration of the application by the WAPC.

Car Parking and Traffic

48. A key consideration for this development application is the resulting car parking and traffic impacts associated with the playing of matches and the anticipated crowd numbers. The applicant outlines the possible number of maximum matches and estimated range of crowd numbers at paragraph 30 above.
49. The development incorporates a total of 212 car parking bays on site. No further car parking has been proposed as part of this development application.
50. Within the surrounding area there are 46 car bays currently within Lathlain Place, there are an additional 56 car bays around the park along Rayment Street, Keyes Street and Petherbridge Street, 54 bays off of Goddard Street (in Zone 2) and 102 car bays along McCartney Crescent.
51. It is noted that as part of the applicant's submission for this application they include a copy of the Transport Impact Assessment (2016) that was prepared by their traffic consultant, Flyt, as part of the previous development application. The applicants planning report advises that *"the principles and requirements of this plan remains current, with significant focus on demand management and promotion of public and active transport"*.
52. The development application was submitted to the Town on 14 August 2020. In an email to the applicant dated 18 August 2020, Officers requested further information to be submitted in relation to a number of matters and made the following comments:
 - *"The Flyt report references the parking and traffic implications of the approved Administration, Community and Training facility. This application does not address the parking and traffic implications associated with the playing of matches. ie. Where will spectators park? Is there sufficient*

parking available in nearby areas? What proportion of spectators will travel by means other than car and how will this be encouraged?

- *The submitted Traffic Management Plans are noted, but they too do not address the matter of parking availability and management.*
 - *Who will be responsible for managing parking and traffic on game days? Will parking and traffic management plans be implemented for all bands of events, or if not, which types?"*
53. It was anticipated that an updated Transport Impact Assessment would be prepared and submitted by the applicant to address the traffic and parking impacts associated with the playing of competitive matches. However a revised Transport Impact Assessment has not been submitted, with the applicant only providing some additional commentary as quoted at paragraph 52 and detailing the availability of on-site and public parking as at paragraphs 50 and 51.
54. Of the 39 submissions objecting to the development application as part of the initial consultation period, 35 were based on lack of car parking and the resulting traffic and congestion within the local streets surrounding the facility.
55. The applicant's submission states that *"Although up to 6,500 spectators are able to be accommodated on site, it is acknowledged that some management will be required to ensure that there are no off-site impacts in relation to traffic and parking."* No information has been provided to the Town which confirms that no off-site impacts will occur. The Town's Engineering Department have advised that in April 2016 a Perth Football Club home game attracted a crowd of over 1800 with a total of 589 vehicles observed on and off-street in the Lathlain Precinct. The report does not provide any detail on expected parking numbers for a 6,500 spectator crowd.
56. Furthermore, in the applicant's response to public comments (see Attachment 3) and the specific issue of car parking the applicant states that *"There are 250 bays immediately available and some 600 in the locality which are available for events. The need to parking management for larger events is agreed and would be undertaken in associated with the Town of Victoria Park"*.
57. Whilst it is acknowledged that there is parking within the locality, no information has been provided regarding whether these car bays will adequately cater for the number of people expected to come via car.
58. The application presupposes that there is sufficient car parking available in the immediate locality to accommodate crowds of up to 6500 maximum and that this can be adequately managed. There has been insufficient information provided to demonstrate whether or not this will be the case. The submission of an updated Transport Impact Assessment by the applicant would have gone a long way to addressing this matter. Furthermore, whether or not this is the case will be influenced by the extent to which people alternatively use public transport. In this respect there is no information provided by the applicant as to the likely extent to which spectators would use public transport, or details of any measures that would be actively implemented to encourage public transport usage.
59. It is noted that Optus Stadium is a great example of where limited parking is provided adjacent to a sporting facility however this works effectively because behavioural changes have had to be adopted by patrons and promoted by the venue operator.
60. It could very well be the case that if there is a high uptake of public transport usage to matches at Lathlain Park and active measures implemented to encourage this, then the available car parking within the vicinity of the oval may be sufficient to cope with the demand of crowds of up to 6500 people. However no information has been provided to give Officers any level of comfort that this will be the case.
61. With respect to those matches played at Lathlain Park in 2019 and 2020 it is observed that those AFLW or WAFL matches with patron numbers of up to a maximum of 3,199 do not appear to have had significant traffic and parking impacts upon nearby residents.

62. In relation to the highest attended event that has occurred at Lathlain Park in recent years, being the AFL Marsh Community Series Match on 27 February 2020 (WCE vs Essendon) which attracted a crowd of approximately 4,302 people, a number of submissions express concern as to the impact that this event had upon traffic and parking conditions in the area. This is despite traffic management measures being implemented for this event. Further commentary is being sought from the Town's Parking team at the time of writing this report and will be included in the report to be presented to the Ordinary Council Meeting.
63. In terms of this match it should be noted that this event attracted a crowd approximately 2,200 people less than the maximum capacity expected for such matches in the future. It should be noted that the match was weather affected and occurred on a Thursday night which may explain the attendance number, and with respect to the concerns expressed as to the impact that this event had, this may have been influenced by the match being held on a weeknight and this being the first event of its kind to be held at the redeveloped Lathlain Park with spectators being unfamiliar with parking locations.
64. Having regard to the above and the absence of an updated Transport Impact Assessment addressing the issues, at this time Officers are not satisfied that the traffic and parking impacts associated with the playing of matches will be acceptable and will not adversely impact the amenity of the surrounding area. While a Transport Impact Assessment has not been submitted addressing the playing of matches by Perth Football Club, Officers are satisfied that there is sufficient evidence already available through the playing of such matches over a number of years, to demonstrate no adverse impacts resulting from Perth Football Club matches.
65. However there is insufficient information provided at this time to assess the impact of the playing of matches by West Coast Eagles teams, particularly where crowds in the range of 3000 to 6000 people could be expected. While it is probable that West Coast Eagles AFLW and WAFL teams would attract similar crowds to Perth Football Club, in which case the traffic and parking impacts are likely to be comparable and acceptable, there is no evidence provided to support this.

Noise and Light Spill

66. Some concerns have been expressed by nearby residents in relation to light spill associated with the playing of night time matches under floodlights. In this respect it should be noted that new floodlights were approved as part of WCE's redevelopment, and the floodlights have been demonstrated to meet relevant Australian Standards that apply in relation to light spill.
67. Furthermore it should be noted that the floodlights are currently permitted to be operated until 10pm on Friday or Saturday nights, and to 9pm on any other night. Subject to this time restriction, the floodlights could currently be turned on every night of the week for training purposes.
68. The impact of floodlighting on surrounding residential properties will be no greater for the playing of competitive matches than is the case for training, and is within the acceptable limits.
69. In relation to the matter of noise, concerns have expressed in relation to additional noise resulting sirens, whistles and spectators.
70. It is noted that under the Environmental Protection (Noise) Regulations 1997, spectator noise is regarded as "community noise" which is exempt from the assigned noise levels otherwise applicable under the Regulations. Notwithstanding this, noise still needs to be considered from a land use planning and amenity perspective.
71. It is considered that the noise of sirens, whistles and spectators cheering etc is not unreasonable noise generated by a sporting venue and it is a reasonable expectation for people living in close proximity to the venue that they would experience some level of noise impact from these sources. Such noise would generally be of a short duration confined to periods of matches, rather than being an ongoing noise for the full duration of matches.

72. Should the application be approved, consideration should be given to restricting the use of loud speakers, PAs, music in association with matches held at the ground.

Waste

73. A number of comments were received during the consultation period raising concern that there would be a large increase in waste and litter following the games. The Town's Street Operations Department has advised that whilst it is expected that there would be an increase in waste due to the number of patrons proposed, additional bins and bin services can be provided.

Summary

74. The majority of submissions received during the initial consultation period are in support of the proposal citing the increased exposure for the facility and the Town, the potential benefits to local businesses and the increased activation of the area.

75. Of the submissions received during the initial period of consultation, 66% supported the playing of football matches at Lathlain Park. The remaining 34% of submissions raised a number of objections regarding car parking, traffic and congestion, noise, light spill, waste and litter and comments contending that the communities initial acceptance of the application was based on the facility being for training purposes only.

76. Furthermore, 60% of all submissions received during the initial period of consultation were from people within the 500 metre consultation area for the subject site. Of the submissions received from persons within 500m of the oval, 49% were in support of the application.

77. While Officers are generally supportive of the use of Lathlain Oval for the playing of competitive matches, noting the likely resulting benefits and such a use being consistent with the reservation of the land its long-term use, there has been insufficient information provided to date to address the parking and traffic impacts. While support can be provided for matches played by Perth Football Club for the reasons outlined in this report, in the absence of further information relating to matches played by West Coast Eagles teams, Officers are not yet satisfied that the parking and traffic impacts can be managed so as to not adversely impact upon the surrounding residential area.

78. The applicant was requested to consider deferring consideration of the item to the December round of Council meetings in order to provide time to address the traffic and parking issues associated with WCE games/events, however the applicant has advised that due to time imperatives they wish to proceed to the November round of meetings and subsequent consideration of the application by the WAPC.

79. In the event that Council were to consider recommending to the WAPC that the application be approved, appropriate conditions of approval could include, but not be limited to the following :

- Maximum number of matches per year;
- Maximum number of matches played under lights per year;
- Restricting those games likely to attract larger crowds to certain days and/or times of day;
- Maximum crowd capacity;
- A time limited approval so as to give the Town and the WAPC to review any impacts at a future time;
- The preparation and implementation of measures to encourage spectators to use public transport to get to and from the venue.
- The implementation of traffic and crowd management measures for matches over a certain spectator number.
- Restrictions on the use of loud speakers, PAs, music etc.

Relevant documents

WAPC Approved Lathlain Park Management Plan 2017

A/Chief Community Planner left the chambers at 7.33pm and returned at 7.34pm.

Public liaison left the chambers at 7.34pm and returned at 7.35pm.

Chief Operations Officer left the chambers at 7.36pm and returned at 7:37pm.

Property Development and Leasing Manager left the chambers at 7.36pm and returned at 7:42pm.

Questions and responses

Deputy Mayor Ife

- 1. Does part b of the recommendation include everything involving the WCE including women's AFL team?*

The Manager Development Services advised that part b does relate to all WCE matches.

Cr Luana Lisandro

- 1. Why are the parking bays on Lathlain Place included by the applicant, would it be fair to say that are predominately used by the businesses?*

The Manager Development Services advised that the parking bays in Lathlain Place and near Keyes Street are general public parking bays.

- 2. Is the Town aware that the diagram on page 20 of the ABF 3 November 2020 is incorrect as the 36 bays no longer exist (because the reinforced turf was removed from the concept plan)?*

The Manager Development Services took the question on notice.

- 3. Where are the 600 parking bays in the locality, as stated in paragraph 56?*

The Manager Development Services advised that it is a quote from the applicant. It is assumed it is for the areas referred to in paragraph 50, they represent about 258 bays, there are about 100 bays at the train station, it is assumed that the remaining approximately 250 bays must be bays on adjacent streets. Further clarification is needed from the applicant.

- 4. Given that the report outlines comments that the Victoria Park Train Station cannot accommodate large crowds has the Town considered advocating for a future extension of the train station east with a second entry point especially since the loss of Lathlain Train Station that was specifically built to accommodate football games?*

The Acting Chief Community Planner advised that it has not been a part of the advocacy approach in the discussions with the State Government and Metronet team.

5. *Have the WCE complied and fulfilled the original development application conditions and advice as set out by the WAPC Statutory Planning Committee minutes of ordinary meeting from 24 August*

The Manager Development Services advised that the consideration for the forward works has been satisfied with the exception of the tree replacement strategy. The Town has been liaising with the WCE in fulfilling their remaining obligations and offered to allocate the balance of trees required under the condition on a cost recovery basis but at this stage there has been no commitment to this. The advice notes are not requirements.

6. *What considerations has there been to the redevelopment of the WACA for the WA football games and can this be advocated?*

The Manager Development Services advised that no considerations have been given for that as part of this application. Council is to assess the application on its merits.

7. *If this recommendation were to be supported, what is the likelihood of the WAPC overruling and allowing for additional competitive games other than WAFL game to be played at Lathlain Park?*

The Manager Development Services advised that is unable to speculate on the outcome.

8. *What would be the cost of the changes to lease agreement to allow for competitive games?*

The Chief Operations Officer advised that the estimate would be a couple of thousands of dollars.

Cr Brian Oliver

1. *Was an updated Transport Impact Assessment required by the Town as part of the development application as opposed to the 2016 document?*

The Manager Development Services advised that an email sent to the applicant did not specifically state that the applicant must submit an updated Transport Impact Assessment. It stated that the submitted report does not address the parking and traffic implications.

2. *What guidance does the Lathlain Park Management Plan provide in regards to the provision of parking in and around the site?*

The Manager Development Services advised that the Management Plan identifies the provision of parking within or adjacent to the zones, and also strategies that address potential issues in and around the site.

3. *Does the Town have any role in the provision of street parking in and around the Lathlain Park precinct, in light of the proposed competitive matches by the WCE and regular WAFL games played by the PFC?*

The Manager Development Services advised that the Town is responsible for providing and managing street parking in and around the site. The Town's Parking team have indicated that with increased parking and traffic issues there may be a need to patrol the area on game days.

Cr Luana Lisandro

1. When is the next review of the Traffic Management Plan?

The Manager Development Services advised that it was approved by the WAPC in 2017, and is due for review around July 2022.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Include information on whether or not the diagram on page 20 of the ABF 3 November 2020 is correct as the 36 bays no longer exist.

12.2 Vic Park Funding Program - Community, Arts and Sports grants

Location	Town-wide
Reporting officer	Alison Braun
Responsible officer	Natalie Martin Goode
Voting requirement	Simple majority
Attachments	1. Policy 114 Community Funding 2. CONFIDENTIAL Attachment 1 Community, Arts and Sporting grant Assessment

Recommendation

That Council endorse the recommended Community, Arts and Sporting grant applications;

- a) Seven Community grants;
- (i) The Vic Park Collective (recommendation to be funded from Arts grant)
 - (ii) Kid's Camp Inc \$5,800
 - (iii) Lathlain-Carlisle Playgroup Inc \$10,000
 - (iv) Lathlain Primary School P & C \$4,900
 - (v) Friends of Jirdarup Bushland \$1,903
 - (vi) Burswood Peninsula NHW and Residents Association \$3,560
 - (vii) Victoria Park Community Garden Assoc Incorporated \$1,815
 - (viii) Victoria Park Men's Shed Incorporated \$1,000
- b) One Sporting grant;
- (i) Victoria Park Junior Football Club \$2,250
- c) Two Arts grants;
- (i) Nicole Francois (artist) \$2,500
 - (ii) The Vic Park Collective \$5,000 (application assessed as Community grant)

Purpose

To provide Council with oversight of the Town's Community, Arts and Sporting grant applications and assessments for Council endorsement.

In brief

- The Town's Vic Park Funding program increases opportunities for local collaboration and partnership between the Town and community to enhance the Town's strategic objectives.
- The Vic Park Funding – Community Grants, Art Grants and Sporting Grants funding program opened for a period of three weeks from 17 September 2020 to 5pm 9 October 2020.

- The Town received fifteen Community grants, two Art grants and one Sporting grant applications with a total request of \$102,474.
- In the review of applications by the Town's Community Fund Assessments Panels (CAFP), ten applications sufficiently met the criteria and are recommended for Council endorsement with a total funding request of \$38,818.

Background

1. The Town acknowledges the significant role it plays in supporting community through the provision of funding opportunities and the impact these opportunities can have on the community.
2. The Town aims to ensure the success and prosperity of the Town's community while ensuring transparency of funding decisions and accountability of those parties receiving community grant funding.
3. At the December 2019 Ordinary Council Meeting item 14.5 Policy 114 Community Funding was adopted by Council. Several amendments have been made to the policy subsequently.
4. To improve efficiencies and transparency in December 2019, Town officers reviewed all funding round practices and procedures delivered by the Town. This review initiated a project to procure a funding platform to manage the Town's funding.
5. In March 2020, the Town successfully procured the online grant funding platform SmartyGrants. The implementation of this platform aims to improve the Town's governance, increase transparency, and improve efficiencies within Town processes in relation to funding.
6. Further to the adoption of Policy 114 Community Funding at the December 2019 Ordinary Council Meeting, Council resolved that The Chief Executive Officer investigate:
 - a. The establishment of a panel for the assessment of applications for community funding to commence in July 2020; and
 - b. Future decision on community funding being reported to Council.
7. At the July 2020 Ordinary Council Meeting, Council endorsed the CEO to establish a panel of no less than three members to assess all eligible applications received. The panel will assess applications against the requirements and assessment criteria and present a report to council for endorsement.
8. In making a recommendation to Council the Community Funding Assessment Panel (CFAP) will provide the following information to ensure Council can make accurate, timely and transparent decisions:
 - a. Details of all applications inclusive of title, project scope, amount of assistance applied for (ex GST), evaluation and score.
 - b. Information provided will be inclusive of successful, unsuccessful, and ineligible applications.
9. To ensure that the CFAP continues to be fit-for-purpose and remain meaningfully engaged membership for the panel positions was advertised internally as an expression of interest (EOI) via the Town's internal communication channels.
10. At the 22 June 2020 Special Council Meeting requested the Chief Executive Officer to present a new grant funding option in addition to the Community and Arts grants for Council to consider in the draft 2020/2021 budget for a sporting club grant program. In the 20/21 budget \$50,000 for a new sporting club grant funding round was placed for consideration and endorsed.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably, and transparently for the benefit of the community.	Funds are managed with full, accurate and timely disclosure of financial information relating to Council. Town grant funds are maximized by seeking the greatest possible benefit to the community within the available monetary resources.

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	To support organisations that provide programs, services and events that will positively influence the health and wellbeing of the community
S03 - An empowered community with a sense of pride, safety and belonging.	Empowered local service providers who are supported by the Town to deliver services and initiatives that provide a sense of pride, safety and belonging within the community.
S04 - A place where all people have an awareness and appreciate of arts, culture, education, and heritage.	To support local organisations and individuals to deliver services and initiatives that encourage and awareness of arts, culture, education, and heritage.

Engagement

Internal engagement	
Community Development	Consultation and management of grant administration.
Stakeholder Relations	Consultation relating to advertising and promotion.
Governance	Advice relating to publicly advertising successful and unsuccessful applicants. Consultation on Policy 114.
Community Assessment Funding Panels (CAFP)	Consultation and Panel evaluation

External engagement	
Stakeholders	All Community
Period of engagement	17 September 2020 and closing 5pm 9 October 2020
Level of engagement	1. Inform

Methods of engagement	Local newspaper advertising Town's website Town's social media platforms – Facebook, LinkedIn, Twitter Town's e-newsletters Flyers and posters Digital advertising Direct email
Advertising	Local newspaper advertising Town's website Town's social media platforms – Facebook, LinkedIn, Twitter Town's e-newsletters Flyers and posters Digital advertising
Submission summary	Fifteen (15) community grant submissions were received Two Art grant submissions were received One Sporting grant submission was received.
Key findings	<p>Eight Community grant submissions met the Town's criteria and seven are recommended for endorsement as community grants with one being recommended as an Art grant. Five submissions did not meet Town's assessment criteria.</p> <p>One Art grant submission met the Town's criteria with recommended for endorsement, and one submission did not meet the Town's assessment criteria. Also, the Community grants panel with support from the Arts panel recommendation based on the nature of the application is for one Community grant application assessed under the Community Grant criteria to be funded as an Arts Grant.</p> <p>One Sporting grant met the Town's criteria and is recommended for endorsement.</p>

Legal compliance

Not applicable.

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	Loss of funds if successful programs/events are cancelled or do not deliver on intended purpose.	Moderate	Unlikely	Low	Low	Acquittal process to be well organised and communicated to all successful applicants
Environmental	Not applicable					

Health and safety	Not applicable					
Infrastructure/ ICT systems/ utilities	Not applicable					
Legislative compliance	Not applicable					
Reputation	Negative public perception towards the Town should applications not be funded.	Minor	Possible	Medium	Low	Transparent approval process. Managed by online funding platform and council endorsed Town funding panels.
Service delivery	Not applicable					

Financial implications

Current budget impact	<p>Sufficient funds exist within the 20/21 annual budget to address the recommendation.</p> <ul style="list-style-type: none"> • Community Grants - \$30,000 • Arts Grants - \$20,000 • Sporting Grants - \$50,000
Future budget impact	Not Applicable.

Analysis

11. The Vic Park Funding – Community Grants, Art Grants and Sporting Grants funding program opened for a period of two weeks commencing 17 September 2020 and closing 5pm 9 October 2020.
12. Funding was advertised on the below platforms;
 - a. Local newspaper advertising
 - b. Town’s website
 - c. Town’s social media platforms – Facebook, LinkedIn, Twitter
 - d. Town’s e-newsletters
 - e. Flyers and posters
 - f. Digital advertising
13. The Vic Park Funding – Community Grants, Art Grants and Sporting Grants program was accessible to Community via the SmartyGrants application platform on the Town’s website.

14. The Town delivered a free grant writing workshop to the community on 27 August 2020 to provide community with tools and advice on navigating the Smartygrants platform and tools for success when preparing and submitting grant applications.

Community Grant Assessment

15. The Community Grant application form was aligned with the Town’s Strategic Community Plan outcomes and consisted of six questions with a maximum score of five points per question. With four panel members scoring across the four criteria, the maximum possible score was 120.

16. The Town’s internal Community Funding Assessment Panel consisted of four Town officers;

- a. Chief Community Planner
- b. Coordinator Community Development
- c. Coordinator Project Support
- d. Coordinator Digital Hub

17. Applications were assessed individually and reviewed within a formal panel meeting by the Town’s Community Funding Assessment Panel members in line with Policy 114 Community Funding and the criteria outlined for the Sponsorship Program.

18. The assessment questions and criteria are outlined in the below tables.

Community Grant Assessment Questions

The application form four parts:

1. Eligibility;
2. Applicant Details (organisation, auspice arrangements etc.);
3. Project details (brief description, risks, locations, dates etc.); and
4. Assessment criteria questions as outlined in the table below:

Community Grant Assessment Questions

Assessment questions	Weighting per question per panel member
Outline of the funding required and how it is intended to be spent.	<ul style="list-style-type: none"> • Weighting five points per panel member • Total points panel combined 20
How does the project align with the Town’s values vision and mission? (Refer to the Town of Victoria Park Strategic Community Plan)	<ul style="list-style-type: none"> • Weighting five points per panel member • Total points panel combined 20
What measures have you taken to ensure this initiative is suitable, accessible, and inclusive of all members of the community?	<ul style="list-style-type: none"> • Weighting five points per panel member • Total points panel combined 20
Outline how the initiative will benefit and is needed by the community.	<ul style="list-style-type: none"> • Weighting five points per panel member • Total points panel combined 20
Demonstrate the applicant's capacity to deliver proposed initiative within specified period.	<ul style="list-style-type: none"> • Weighting five points per panel member • Total points panel combined 20

How does this initiative encourage involvement of the Victoria Park community?

- Weighting five points per panel member
- Total points panel combined 20

19. The Community Grant funding attracted fifteen applications, with a total requested of \$85,845. One Community grants was recommended by the panel to be funded from the arts funding. The arts CAFP was consulted and agreed this application aligned with arts funding and subsequently has been recommended to be funded through the arts grant funding.
20. Of the fifteen submitted applications seven community grants are recommended to Council for endorsement with the requested funding total of \$29,068.
21. Seven applications requesting a total amount of \$46,767 did not meet the required criteria and/or funds were expended and subsequently has not been recommended for endorsement.
22. The Town recommends the following tabled applications be considered for endorsement by Council:

Community Grant Recommended Applications

Applicant	Project	Amount Ex GST	Evaluation	Score
Vic Park Collective	<p>Vic Park Projective Fest 2021</p> <p>The Vic Park Projection Festival is a community-based arts event that aims to activate areas of Victoria Park and the Albany Highway strip. The Festival will have approximately six artists to engage local audiences.</p>	Refer to Arts Grant	<p>This initiative will showcase and add foot traffic to otherwise not so welcoming areas in the Town.</p> <p>The applicant has demonstrated how they will use several local suppliers.</p> <p>The applicant has proven their capacity to deliver, having delivered this event last year.</p> <p><i>The Panel recommendation is for this application to funded as an Arts grant due to the nature of the application.</i></p>	102
Kid's Camp Inc.	<p>Cahoots Family Day</p> <p>The Family Fun Day will be in celebration of International Day of people living with Disability at Burswood Park</p>	\$5,800	<p>Application directly addresses the Strategic Community Plan</p> <p>Compelling evidence of capacity to deliver (has run event already for two years), organisation has over 35 years of experience.</p> <p>They evidence exactly and specifically how the event will be inclusive to people with a disability</p>	101

	on 12 December 2020.		(signage, accessibility etc.), volunteers are trained on specific inclusion/accessibility measures. No costs for families and residents of the Town.	
Lathlain-Carlisle Playgroup Inc	Lathlain Playgroup Activate Nature Play Upgrade Nature play upgrade at Keith Hayes Community Building. This will include a fort with double slide and multiple entry points to suit early walkers and a new sand pit with imaginative play equipment and seating area.	\$10,000	The Group is donating substantial amounts of funding towards this project and is committed to providing upgraded facilities for the users. Membership is growing at the playgroup. The Town has approved the project subject to clearly outlined criteria.	99
Lathlain Primary School P & C	Community Christmas Event Free family friendly twilight Christmas market and Carol's event in Lathlain.	\$4,990	They address strategic community outcomes (S3) and describe clearly how they will meet this by providing a free social event that is open for all the community. They have detailed how they will support local businesses and community. They are including an area for residents from Mercy Place and Harold Hawthorne. The panel recommended to award a reduced amount of \$4,990 from the initial request of \$10,000 + \$1,145 in kind. During community grant assessment process, a successful Place Grant had been assessed for the same event which includes the Twilight Christmas market component of the grant \$6,050 + \$1,145 in kind.	99

			In evaluation of the application due to the successful Place Grant the Community grant has been reduced to \$4,990 not the initial \$10,000 as requested.	
Friends of Jirdarup Bushland	<p>2021 Jirdarup Walk and Talk Program</p> <p>Jidarup Bushland to deliver two public events on nature-based topics relevant to the Bushland.</p> <p>February 2021 – Black Cockatoo</p> <p>May 2021 – Nyoongar Six Season (to coincide with Reconciliation Week)</p>	\$1,903	<p>The public events will promote greater awareness and engagement of Jirdarup Bushland’s flora and fauna.</p> <p>Highly active group that are proactive in promoting the area and maintaining this piece of bushland.</p> <p>Strong links to Nyoongar culture is focused with this program. Particularly the Nyoongar Six Season event which will coincide with Reconciliation Week</p>	94
Burswood Peninsula Neighborhood Watch Group	<p>Burswood Peninsula NHW and Residents Association Community Fiesta</p> <p>Family Fun Day to promote the Burswood Peninsula. They will be promoting NHW, Burswood Residents Association, WA Police, local businesses, Town of Victoria Park and Mirvac</p>	\$3,560	<p>Applicant has demonstrated ability to deliver (they have done six similar events).</p> <p>Project will contribute to community connection and safety in an area that requires attention – identified in surveys as being an area with less community satisfaction.</p> <p>Project involves local community groups</p>	92
Victoria Park Community Garden Assoc Inc	<p>Community Educational Material – Cookbook Funding to cover the cost of preparing and</p>	\$1,815	<p>This project represents excellent value for money.</p> <p>It meets social and environmental outcomes.</p>	89

	printing the Garden Cook Book. The book is a compilation of members' gardening guidance and pest control tips, as well as their favourite recipes using their own garden produce		Great development exercise for the organisation as they will learn how to self-publish a book.	
Victoria Park Men's Shed Incorporated	Shed Patio Extension Victoria Park Men's Shed plan to make a Patio extension to the front of their woodwork shed to allow to be safe in all types of weather. They currently lose 10 to 20% of usable area when it rains, due to their inability to use power tools over wet floors and it generate more activity and meeting space under COVID-19 conditions	\$1,000	Excellent value for money as they will delivering the project themselves to extend/expand their services. The planning approval is currently with the Town for review. They have evidenced their ability to deliver the project and their extensive contributions to the community – supporting a range of other local organisations through the creation of furniture.	86

Art Grants

23. The Art Grant application form was aligned with the Town's Strategic Community Plan outcomes and consisted four questions with a maximum score points per question. With the CFAP scoring across the four criteria, the maximum weighted score for each applicant is 100. The final score was a calculated average from each panel's score.

24. The Town's internal Community Funding Assessment Panel consisted of Town officers:

- a. Community Arts Officer
- b. Place Leader
- c. Digital Hub Coordinator; and
- d. Senior Communications and Engagement Advisor

25. Applications were assessed individually and reviewed within a formal panel meeting by the Town's CFAP members in line with Policy 114 Community Funding and the criteria outlined for the Arts funding Program.

26. The assessment questions and criteria are outlined in the below tables.

Art Grant Assessment Questions

The application form four parts:

1. Eligibility;
2. Applicant Details (organisation, auspice arrangements etc.);
3. Project details (brief description, risks, locations, dates etc.); and
4. Assessment criteria questions as outlined in the table below:

Assessment criteria questions	Weighting per question per panel member
Describe how your project/activity provides a quality arts and cultural experience for the Vic Park Community.	<ul style="list-style-type: none"> • Weighting 40% • Five points per panel member
How will your initiative foster collaboration and active participation of local people (residents, workers, business owners, local creative community and/or community groups etc.)?	<ul style="list-style-type: none"> • Weighting 25% • Five points per panel member
How will your initiative align with any of the Town's Strategic Community Outcomes?	<ul style="list-style-type: none"> • Weighting 25% • Five points per panel member
Tell us about your experience managing projects like this.	<ul style="list-style-type: none"> • Weighting 10% • Five points per panel member

27. The Art Grant funding attracted two applications, with a total requested of \$7,340. Of the submitted applications one is recommended to Council for endorsement with the requested funding total of \$2,500.

28. The Town recommends the following tabled applications be considered for endorsement by Council:

Art Grant Recommended Applications

Applicant	Project	Amount (ex GST)	Evaluation	Score
Nicole Francois	"Our house is made of straw"	\$2,500	An interesting concept that involves children and wider community. Collaboration with local artist and writer to deliver a workshop & exhibition at the Vic Park Centre for the arts. "Our House is made of straw" is an evolving community workshop and collaboration around the concept of shelter. Workshops involve a younger demographic and families, and an exhibition outcome for the wider community.	63.75

Vic Park Collective	Vic Park Projective Fest 2021	\$5,000	<p>This initiative will showcase and add foot traffic to otherwise not so welcoming areas in the Town.</p> <p>The applicant has demonstrated how they will use several local suppliers.</p> <p>The applicant has proven their capacity to deliver, having delivered this event last year.</p> <p>The Panel recommendation is for this application to funded as an Arts grant due to the nature of the application.</p>	<p>102</p> <p><i>**assessed as a community grant and recommended to be funded as an Arts grant*</i></p>
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Sporting Grants

29. The Sporting Grant application form was aligned with the Town's Strategic Community Plan outcomes and consisted of six questions with a maximum score of 30 points per question. With four panel members scoring across the four criteria, with a maximum score available of 120.
30. The Town's internal Community Funding Assessment Panel consisted of four Town officers;
- Manager Infrastructure Operations
 - Leisure Facilities Programs Manager
 - Community Development Officer Clubs Events and Bookings
 - Customer Relations Officer
31. Applications were assessed individually and reviewed within a formal panel meeting by the Town's Community Funding Assessment Panel members in line with Policy 114 Community Funding and the criteria outlined for the Sponsorship Program.
32. The assessment questions and criteria are outlined in the below tables.

Sporting Grant Assessment Criteria

The application form four parts

- Eligibility
- Applicant Details (organisation, auspice arrangements etc.);
- Project details (brief description, risks, locations, dates etc.); and
- Assessment Criteria questions as outline in the table below:

Assessment criteria questions	Weighting per question per panel member
Outline of the funding required and how it is intended to be spent.	<ul style="list-style-type: none"> Weighting five points per panel member Total points panel combined 20
How does the project align with the Town's values vision and mission? (Refer Strategic Community Plan).	<ul style="list-style-type: none"> Weighting five points per panel member Total points panel combined 20

What measures have been taken to ensure this initiative is suitable, accessible, and inclusive of all members of the community.	<ul style="list-style-type: none"> • Weighting five points per panel member • Total points panel combined 20
How does this project assist with the establishment or long-term sustainability of your club?	<ul style="list-style-type: none"> • Weighting five points per panel member • Total points panel combined 20
How does this project assist with the establishment or long-term sustainability of your club?	<ul style="list-style-type: none"> • Weighting five points per panel member • Total points panel combined 20
Demonstrate the applicant's capacity to deliver proposed initiative within specified time.	<ul style="list-style-type: none"> • Weighting five points per panel member • Total points panel combined 20

33. The Sporting Grant funding attracted one application with a total requested of \$9,289. The submitted application is recommended to Council for endorsement with the requested funding total of \$2,250.

34. One application requesting total amount of \$9,289.00. In review of the application the CFAP recommends to reduce the amount of the funding to \$2,250. This is due to nature of the request and outlined budget providing minimal reach and learning opportunity within the club and wider community.

35. The Town recommends the following tabled applications be considered for endorsement by Council:

Sporting Grant Recommended Applications

Applicant	Project	Amount (ex GST)	Evaluation	Score
Victoria Park Junior Football Club	<p>Aboriginal Culture Project 2021</p> <p>Project to embed Aboriginal Culture and Perspectives at Victoria Park Junior Football Club through holding culture and art workshop to design their message and artwork for socks and indigenous strip jumper.</p>	\$2,250	<p>This project strongly aligns to the Town's Social Strategic Outcomes with the Strategic Community Plan.</p> <p>Australian Football plays a significant role for bringing Aboriginal and non-aboriginal community together.</p> <p>Victoria Park Junior Football Club has 10% of their Club that are Aboriginal or Torres Strait Islander.</p> <p>The largest cost was for indigenous socks production If the applicant were delivering Aboriginal cultural training, art workshop and welcome to country ceremonies to gain a wide reach the panel would have been more likely to support the full amount requested of \$9,289.</p>	101

The NAIDOC socks to be presented and worn for the match in NAIDOC week.

NAIDOC Round match footballs to be used in NAIDOC round.

The panel agreed to recommend for endorsement funding for \$2,250. This covers the art work at \$500 and two sets of indigenous jerseys at \$1,750.

36. Subject to Council endorsement, successful community, arts, and sporting grant applicants will be notified of the decision within five business days of Council resolution.
37. If an applicant is not satisfied with the endorsed outcome, a complaint can be formally lodged via the Town's Customer Service Delivery Management Practice and complaints guidelines within 14 days of notification of successful and unsuccessful applications. Information on how to lodge a complaint will be contained within the letter and outlined in the Vic Park Funding section on the Town's website.
38. The Town encourages previous unsuccessful applicants to contact the Town for feedback to support future applications.
39. Successful Community, Arts and Sporting Grant applicants are required to complete the Town's acquittal reporting documentation within three months of completion of the program or event.
40. Due to the low applications for both the sporting and arts grants it is recommended a second round of funding open in early 2021.
41. To ensure community has an understanding of the Town's grant processes and how to develop and document a project to meet the Town's outlined criteria it is recommended the Chief Executive Officer develop and deliver further series of separate community grant writing workshops and specifically targeted to sporting club's artists and community groups.

Relevant documents

[Policy 114 Community Funding](#)

Questions and responses

Cr Brian Oliver

1. How was the Sporting Grant program promoted to local sporting clubs?

The Manager Community advised that direct emails were sent out, it was advertised in the Victoria Park Clubs eNewsletter, in the Southern Gazette, on Town's website and Facebook page, and through flyers and hard copies.

Cr Luana Lisandro

1. What is the likely timeframe for the groups to receive the funds from the Town?

The Manager Community advised that he believes the policy states it is within 60 days. Notification will be given to successful applicant within five days.

2. And if any organisations required those funds prior to that, is there provision to do that?

The Manager Community advised that the Town could work with the group to find something mutually agreeable.

Mayor Karen Vernon

1. On page 49, is there a particular reason, why would what appears under paragraph 26 is not similarly reflected in the narrative in the way in which the Town has chosen to deal with the assessment of other community funding such as the operating subsidies? It is very specific in arts grants but broad in operating subsidies?

The Manager Community acknowledged that it is different, the Town officers will look how to better present of the criteria and weighting.

Cr Luana Lisandro

1. Is the Town developing a social impact tool for community groups?

The Manager Community advised that the Town will look into those endeavors.

Further consideration to be added to the Ordinary Council Meeting agenda

Nil.

12.3 Vic Park Funding Program Operating Subsidy

Location	Town-wide
Reporting officer	Alison Braun
Responsible officer	Natalie Martin Goode
Voting requirement	Absolute majority
Attachments	1. CONFIDENTIAL REDACTED - Confidential Attachment for Council Report - Operational Subsidy 2020 [12.3.1 - 4 pages]

Recommendation

That Council:

1. Endorse the recommended three-year operating subsidy funding applications;
 - a. Connect Victoria Park - \$100,000
 - b. The Haven - \$6,000
2. Request the Chief Executive Officer open a second round of operating subsidy funding in January 2021.
3. Request the Chief Executive Officer present a further report back to Council on the findings of the operating subsidy applications for endorsement at the next Ordinary Council Meeting in line with funding round closure timelines.

Purpose

To provide Council with oversight of the Town's three-year operating subsidy applications and assessments for Council endorsement.

In brief

- Operating subsidies are made available to support the ongoing operating capacity of the Town's service providers to deliver a range of programs, services, events, and partnerships, that align with the Town's strategic outcomes to enhance the quality of life of the community.
- The Vic Park Funding – Operating Subsidy funding program opened for a period of four weeks from 17 September 2020 to 5pm 15 October 2020.
- The Town received five operational subsidy application submissions with a total request of \$344,287.
- In the review of applications by the Town's Community Fund Assessments Panel (CFAP) two applications sufficiently met the outlined criteria and subsequently have been recommended for Council endorsement with a total funding request of \$106,000.

Background

1. The Town recognises that community health and wellbeing is influenced by numerous factors, including social connectedness, a sense of belonging, a place where people have meaningful and accessible opportunities to participate in the arts, culture, education and to celebrate heritage.
2. As the tier of government closest to the community, local government plays a significant role in shaping and supporting the overall health and wellbeing of our community. This is achieved through a collective impact approach of working in collaboration with the local community, service providers and stakeholders.

3. Operating subsidies are to support the ongoing operating capacity of the Towns service providers to deliver a range of programs, services, events, and partnerships, which enhance the quality of life of the community.
4. At the 7 April 2020 Special Council Meeting Council resolved that:

That Council:

1. Lists for consideration in the draft annual budget for 2020/21 an operating subsidy funding round in accordance with Policy 114 Community Funding, with \$250,000 allocated in 2020/21.
2. Requests that the Chief Executive Officer provides a further report to Council presenting the proposed recipients of operating subsidy funding for 2020/2021 by October 2020 to support community the Town listed within the 20/21 annual budget provisions for a \$250,000 3-year operating subsidy. This was subsequently endorsed at the July 2020 Special Council Meeting.

Reason - To ensure that there is a fair, transparent and equitable opportunity for groups in the community to apply for a competitive round in the next financial year and the amount allocated takes in to account that circumstances may be different than what they were in the past, and there may be more groups seeking funding.

5. The Town currently supports three service providers within the Town with contract end dates ending between 2020 and 2022.

- (a) Harold Hawthorn Community Centre
- (b) Victoria Park Centre of the Arts
- (c) Connect Vic Park

6. The Town's current operating subsidies are summarised as follows;

Harold Hawthorn Community Centre	<ul style="list-style-type: none"> • 3-year operating subsidy • \$132,328 + Perth CPI annually • Peppercorn lease - \$222,000 annually • Financial assistance to contribute to the employment costs of the Center to deliver programs to community. 	Contract end 30 June 2022
Victoria Park Centre of the Arts	<ul style="list-style-type: none"> • 2-year operating subsidy • \$111,200 + Perth CPI annually • Peppercorn lease - \$37,500 annually • Financial assistance to contribute to the employment costs of the Center of the Arts Director to deliver programs to community. 	Contract end November 2021
Connect Vic Park	<ul style="list-style-type: none"> • 2-year operating subsidy • Contract extension endorsed July 2020 • Financial assistance to contribute to the employment costs of the Village Hub Coordinator to deliver programs to community. • \$25,000 	Contract end December 2020

7. The Town aims to ensure the success and prosperity of the Town's community while ensuring transparency of funding decisions and accountability of those parties receiving funding.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably, and transparently for the benefit of the community.	Provision of agile appropriately managed funding that provides an opportunity for not-for-profits and charitable organisations to respond to community need.

Social	
Strategic outcome	Intended public value outcome or impact
S02 - An informed and knowledgeable community.	Through provision of funding not-for-profits and charitable organisations will have the capacity to ensure community remain connected and engaged on topics that are of importance to them.
S04 - A place where all people have an awareness and appreciate of arts, culture, education, and heritage.	Provision for funding programs that ensure community could remain engaged, with access to arts culture and education.

Engagement

Internal engagement	
CFAP	Review and evaluation of applications.
Stakeholder Relations	Consultation relating to advertising and promotion.
Governance	Advice relating to publicly advertising successful and unsuccessful applicants. Consultation on Policy 114.

External engagement	
Stakeholders	All community.
Period of engagement	17 September 2020 and closing 5pm 15 October 2020
Level of engagement	1. Inform
Methods of engagement	Local newspaper advertising Town's website Town's social media platforms – Facebook, LinkedIn, Twitter Town's e-newsletters Flyers and posters Digital advertising Direct email

Advertising	Local newspaper advertising Town's website Town's social media platforms – Facebook, LinkedIn, Twitter Town's e-newsletters Flyers and posters Digital advertising
Submission summary	Five Applications were submitted to the Town for evaluation.
Key findings	Two operating subsidy application submissions met the Town's criteria and are recommended for endorsement. Three applications did not meet the Town's evaluation criteria and subsequently have not been recommended for Council endorsement.

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council risk appetite	Risk treatment option and rationale for actions
Financial	Service providers not delivering outlined support to community	Moderate	Unlikely	High	Low	Ensure fair and equitable application process guided by policy 114. Continue to work in partnership with service providers in relation the operating subsidy and social outcomes measurements. Detailed and comprehensive quarterly and annual reporting in line with S1, S2, S3 and S4.
Environmental	Not Applicable					
Health and safety	Not Applicable					
Infrastructure/ ICT systems/ utilities	Not Applicable					

Legislative compliance	Not Applicable					
Reputation	Negative public perception towards the Town should applications not be funded.	Moderate	Unlikely	High	Low	Transparent approval process. Managed by online funding platform and council endorsed Town funding panels. Ensure fair and equitable application process guided by policy 114. Continue to work in partnership with service providers in relation the operating subsidy and social outcomes measurements.
Service delivery	Not Applicable					

Financial implications

Current budget impact	Sufficient funds exist within the 20/21 annual budget to address the recommendation.
Future budget impact	The acceptance of this recommendation requires a 3-year operational subsidy contract with future budget impact to meet the requirements of the contracts for both Connect Victoria Park and The Haven will be \$106,000 + Perth CPI annually for the 21/22 and 22/23 budget years.

Analysis

8. The Vic Park Funding - Operating Subsidy funding program opened for a period of 4 weeks commencing 17 September 2020 and closing 5pm 15 October 2020.
9. Funding was advertised on the below platforms;
 - a. Local newspaper advertising
 - b. Town's website
 - c. Town's social media platforms – Facebook, LinkedIn, Twitter
 - d. Town's e-newsletters
 - e. Flyers and posters
 - f. Digital advertising

10. The Vic Park Funding – Operating Subsidy program was accessible to all community via the Town’s online application platform on the Town’s website.
11. To provide the community with tools and advice on navigating the Town’s online application platform and tools for success when preparing and submitting an operating subsidy application the Town delivered a free workshop to the community on 27 August 2020. This was a successful workshop with nineteen community group and service provider members attending.

Operating Subsidy Assessment

12. The Operating Subsidy application form was aligned with the Town’s Strategic Community Plan outcomes and consisted of three questions with a maximum score of twenty-five points per question. With four panel members scoring across the four areas of criteria and three questions a maximum score of 75 was available per application.
13. The Town’s internal Community Funding Assessment Panel consisted of four Town officers:
 - a. Chief Community Planner
 - b. Manager Community
 - c. Stakeholder Relations
 - d. Place Planner
14. Applications were assessed individually and reviewed within a formal panel meeting by the Town’s Community Funding Assessment Panel members in line with Policy 114 Community Funding and the criteria outlined for the Town’s Operating Subsidy funding program.
15. The assessment questions and criteria are outlined in the below tables.

Community Grant Assessment Questions

16. The application form four parts:
 - a. Eligibility;
 - b. Applicant Details (organisation, auspice arrangements etc.);
 - c. Project details; and
 - d. Assessment Criteria as outlined in the table below:

Assessment Criteria

Assessment Criteria Questions	Weighting per question per panel member
Project Scope and Evidenced of Need	Total score available 25
Value for money	Total score available 25
Governance	Total score available 25

17. The Town’s Operating Subsidy funding attracted 5 applications, with a total requested of \$344,287.
18. Of the five applications three applications requesting a total amount of \$221,287 did not meet the required criteria and subsequently have not been recommended for Council endorsement.
19. The Town recommends the following tabled applications be considered for endorsement by Council;

Recommended applications

Applicant	Project	Amount (ex GST)	Evaluation	Score
Connect Victoria Park Inc.	Village Hub	\$100,000	<p>Operating subsidy to support the Village Hub to deliver lifelong learning programs and collaboration and partnership with Town service providers and businesses.</p> <p>Connect Vic Park estimate that the Town's investment will bring in a minimum of 12,000 visits to Village Hub annually and at least 4,000 service hours.</p> <p>Social Return on Investment is \$7.15 for \$1.00 spent</p> <p>The application was well written and had clear outcomes and measurements associated with the subsidy.</p>	73
The Haven Centre Inc.	Operating Support	<ul style="list-style-type: none"> Total - \$23,000 Warehouse shelving \$3,900.00 Delivery truck tailgate \$13,000 Christmas lunch program \$6,000 <p>Total amount recommended to endorse \$6,000</p>	<p>The Haven is a hub for community members and local retiree volunteers. They service volunteers from TAFE and work for the Dole program and other private companies.</p> <p>Operational subsidy to support the delivery of Christmas lunch program and food packages to the homelessness and community in need.</p> <p>It was recommended to not approve funding for racking and vehicle hydraulic lift as these are capthey are not staff salaries or</p>	52

20. Subject to Council endorsement, successful operating subsidy applicants will be notified of the decision within five business days of Council resolution.

21. The Town encourages previous unsuccessful applicants to contact the Town for feedback to support future applications.

22. Successful operating subsidy applicants are required to complete the Town's acquittal quarterly and annual reporting as outlined in the Town's funding contract.
23. The quarterly and annual acquittal report must demonstrate cost-benefit comparison in return for the operating subsidy.
24. The Town reserves the right to terminate a funding agreement upon unsatisfactory annual outcomes reported in an acquittal and or report.
25. Should the acquittal process be deemed unsatisfactory, the Town reserves the right to request the reimbursement of funding provided in line with Policy 114 Community Funding.
26. If an applicant is not satisfied with the endorsed outcome, a complaint can be formally lodged via the Town's Customer Service Delivery Management Practice and complaints guidelines within 14 days of notification of successful and unsuccessful applications. Information on how to lodge a complaint will be contained within the formal letter addressing the application outcome and outlined in the Vic Park Funding section on the Town's website.
27. Due to the small number of successful applications, and pending council endorsement there is a potential remaining balance of \$144,000 funding available to the community.
28. To support the ongoing operating capacity of the Town's service providers to deliver a range of programs, services, events and partnerships, which enhance the quality of life of the community it is recommended a second round of operating subsidy funding open in January 2021 with a further report presented to council at the next appropriate Ordinary Council Meeting.
29. If a further operating subsidy round is open to the community, it is recommended further education is delivered prior to the funding round to enable community understanding of the Town's operating subsidy process and how to develop and outline a project to meet the Town's criteria. It is strongly recommended to build community capacity by the Town officers developing and delivering a series of specific operating subsidy workshops targeted to the Town's service providers.
30. To ensure the continuous improvement in all funding processes, the Town requested formal feedback on the operating subsidy application from all applicants. Town officers will conduct a comprehensive evaluation of the provided feedback and current process both internally and externally to assist with development of the funding platform, process, engagement, and community education of the Town's funding program to ensure finances are managed appropriately, sustainably, and transparently for the benefit of the community and the ongoing success of community funding.

Relevant documents

[Policy 114 Community Funding](#)

Jack Bidwell left the chambers at 7.56pm and returned at 7.58pm.

Questions and responses

Deputy Mayor Ife

1. Can we get some information on what assistance and support was offered and what was actually taken up by applicants to help them meet the standard that our staff was seeking in writing these applications?

The Manager Community advised that the community groups were invited to a workshop, on the website is an operating subsidy tool kit, and directed them to Town staff for assistance.

Cr Brian Oliver

1. Of the proposed operating subsidies being recommended, what outcomes are being delivered against the Town's Strategic Community Plan?

The Manager Community advised that this will be included in the report. The Haven Centre delivers on S1, S2 and S3 outcomes. Connect Vic Park delivers on S1, S2 and S3 outcomes.

2. Of the \$100,000 being requested from Connect Vic Park, what proportion does this amount reflect for the annual operating cost of the Village Hub?

The Manager Community advised that it reflects approximately 36% of annual operating costs of the Village Hub.

Mayor Karen Vernon

1. What questions were asked of the applicants to demonstrate fulfilment of each of the assessment criteria?

The Manager Community advised there were four main criterias that required evidence based answers. Under the questions asked there were a range of prompts to assist the applicant. The second question was alignment to the Town's Strategic Community Plan, and example outcomes were provided. The third question was value for money with the question of how the groups deliver that. The last question is regarding governance, groups were asked to provide information on their governance structures and examples were given.

2. Why has the Town kept it confidential?

The Manager Community advised that it was a reputation risk and to avoid negative impact for unsuccessful community groups. However the Town may be able to release some information and the Town is seeking further legal advice.

3. How elected members can ask questions about the unsuccessful applications if those details are confidential?

The Manager Community advised that the Town believes it can provide answers relating to those specific questions as appropriate, rather than providing the application details in full. I believe information was given at the July OCM on the separation powers between the Council

and the administration. The Town want to confidence of community and Council as part of the approach so further discussions can be had to continue an open and transparent process.

4. Are you in a position to elaborate why it is said that the confidentiality associated with the personal details of individuals applying for positions on Council Advisory Committees or groups would be comparable to the information being made available to the community and Council for groups applying for significant amount of money for an ongoing basis?

The Manager Community took the question on notice.

5. What is the breakdown of the scores per assessment criteria for each of Connect Vic Park's score, with a total of 73, and The Haven's score, with a total of 52?

The Manager Community took the question on notice.

6. In relation to proposed successful applicant Connect Vic Park, could you elaborate what the \$100,000 operating subsidy is for? Is it for staff costs, consultant costs, cost of materials/goods etc, and how many of them relate to the Village Hub vs those that relate to Connect Vic Park's general functions?

The Manager Community took the question on notice.

7. What is the total operating costs of the Village Hub?

The Manager Community took the question on notice.

8. What industry standard benchmarking costs of operation does Connect Vic Park rely on? Is this information available to the public?

The Manager Community took the question on notice.

9. How can Council demonstrate transparency in financial management when deciding on operating subsidies if the recommendation does not include details of how the assessment scores were determined?

The Manager Community advised that it is two part. One is that the structures put in place to ensure there is sufficient governance and adhering to all local government regulations. The second is what information the Town can provide to satisfy elected member and community requirements for transparency whilst maintaining our responsibility.

10. What timeframe is the Town intending to apply to the review process? And if the review were to be successful, what is the mechanism for that review to come back before Council?

The Manager Community advised that the appeals process is a 14 day period. Depending on what come back will be looked at from the policy perspective, then consider its timing options.

11. What is the likelihood that it can be dealt with before the end of the calendar year?

The Manager Community took the question on notice.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Include information on what outcomes are being delivered against the Town's Strategic Community Plan?
2. Include information on why confidentiality associated with the personal details of individuals applying for positions on Council Advisory Committees or groups would be comparable to the information being made available to the community and Council for groups applying for significant amount of money for an ongoing basis.
3. Include information on the breakdown of the Connect Vic Park and The Haven scores per assessment criteria.
4. Include information on what the \$100,000 operating subsidy for Connect Vic Park is for and information on how many of them relate to the Village Hub and those that relate to Connect Vic Park's general functions?
5. Include information on the total operating costs of the Village Hub.
6. Include information on what industry standard benchmarking costs of operation Connect Vic Park rely on? And whether this information is available to the public.
7. Include information on the likelihood that the appeals process can be dealt with before the end of the calendar year.

13 Chief Operations Officer reports

13.1 Request to dedicate ROW 54 as a road

Location	East Victoria Park
Reporting officer	Jon Morellini
Responsible officer	Ben Killigrew
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. Probate Conclusion Letter [13.1.1 - 1 page]2. Steps for ROW 54 Realignment [13.1.2 - 4 pages]3. Letter to Town of Victoria Park - Fabcot [13.1.3 - 3 pages]

Recommendation

That Council:

1. Receives the conclusion of the probate investigation undertaken by the Town's Solicitors and approves for all probate documents and evidence to be provided the Minister of Lands (WA) to assist with the determination to dedicate ROW 54 as a road.
2. Resolves to request the Minister for Lands (WA) to dedicate portion of lot 0 on plan 2609, East Victoria Park as a road, pursuant to section 56(1)(c) of the Land Administration Act 1997, and regulation 8 of the Land Administration Regulations 1998.
3. Resolves to request the Minister for Lands (WA) to dedicate all of lot 67 on diagram 13701, East Victoria Park as a road, pursuant to section 56(1)(c) of the Land Administration Act 1997, and regulation 8 of the Land Administration Regulations 1998.
4. Indemnifies the Minister for Lands against any claim for compensation that may arise, pursuant to section 56(4) of the Land Administration Act 1997.

Purpose

The Town is seeking a resolution from Council pursuant to s56 (1)(c) of the Land Administration Act 1997 to lodge a formal request to the Minister for Lands (WA) (Minister) for the dedication of portion of lot 0 on plan 2609 and all of lot 67 on diagram 13701 as a road and to indemnify the Minister for Lands (WA) against any claim for compensation that may arise from dedicating portion of lot 0 and all of lot 67 as a road. And for the Town to provide to the Minister all probate information collated through the Town's Solicitors' investigations.

In brief

- At the Special Council Meeting on the 1st September 2020 Special Council Meeting, Council resolved to defer this item to the September 2020 Ordinary Council Meeting to await the completion of the probate investigation as to the present proprietorship of ROW 54. This process has now been completed by the Town's Solicitors with the final conclusion provided as an attachment to this Report.
- At the 15th September 2020 Ordinary Council Meeting, a recommendation to seek dedication of ROW 54 was not supported. As guidance in the preparation of this report, officers have considered the commentary of Elected Members, and have endeavoured to provide a clearer understanding of the ROW realignment process proposed.

- On the 21st September 2020, the Town received a letter from the Woolworths Group subsidiary Fabcot whom the Town has the sale contract with, reaffirming and outlining the Town's obligations as per the contract of sale and urging the Town to use all reasonable endeavors to assist with the re-alignment of ROW 54 under the contract. This letter is attached to this report as a confidential item.
- On the 22nd September 2020 concept forum, discussion was undertaken with Council members. This discussion was to address any questions and thoughts on the letter received from Fabcot and further to discuss the contract of sale and the processes to ultimately determine the outcome for ROW 54.
- The realignment of ROW 54 is an outcome sought to support the redevelopment of a number of landholdings. The Town owns some of those landholdings and has contractually agreed to work within its limitations as a Local Government to coordinate the realignment of a portion of the ROW.
- The steps outlined in this report (below) are summarised in an attachment.
- ROW 54 is not owned by the Town, and the contract of sale did not imply Town ownership. The Town's obligations in the contract in relation to ROW 54 was to realign the ROW. This Report is the first step in the realignment process.
- The Town can now request the Minister to dedicate the ROW, based on its status as a private road, pursuant to s56 (1)(c) of the Land Administration Act 1997 (WA) (LA Act) and regulation 8 of the Land Administration Regulations 1998 (LA Regulations). This requires a Council Resolution and an Indemnity.
- The existing ROW currently provides a connection with a crossover onto Shepperton Road. This crossover is non-compliant and poses safety issues for motorists entering and exiting. The ultimate development intends to create a safer design for the entry/egress by creating a slip lane and new access point further away from the bend and intersection.
- To achieve the new cross-over and slip lane with the realignment of the ROW, the second step will require closing a portion of the ROW based on its status as a dedicated road, as a result of the s56(1)(c) application.
- Once the subject portion of the road is closed it becomes Unallocated Crown Land (UCL). The third step then involves amalgamating the UCL into the adjoining land holdings but concurrently balancing this by the creation of a new public road from the appropriate portion of the land parcels as mentioned below.
- The fourth step then involves creating a public road to accommodate the cross over and new slip lane. This will be achieved by excising a portion of land from the amalgamated lot and ceding it back to the Minister via a Crown Land swap.
- There is no loss of road for the public. The outcome provides a continuation of the road network for the benefit of residents and local businesses as well as a safer cross over that is upgraded to a safer, and compliant design standard. The process is shown in an attachment to this Report.
- The full suite of documents retrieved through the probate enquiry are to be forwarded onto DPLH for the Minister of Lands to consider should the Council resolve to request the Minister to dedicate ROW 54 as outlined in the recommendation.
- The probate investigation concluded with an inability to identify a continuity of beneficiaries for either lot 0 or lot 67, with the consequence that in the case of both lots, it would be necessary to seek the intervention of the Public Trustee if the land was to be dealt with on the basis of a tracing of the proprietary interest through the testamentary route. As such, the disposal of the land in both lots by the Public Trustee would involve intervention by a State Government official, and that outcome would be consistent with the recommendation in this Report for Ministerial dedication.

Background

1. Council at its Ordinary Council Meeting in November 2019 resolved to approve a contract for the sale of land adjacent to ROW 54 being lot 30 on diagram 10509, lot 488 on plan 2609 and lots 131 and 132 on deposited plan 45782 (355-357 Shepperton Road). The contract obligates the Town to satisfy conditions precedent before the sale can proceed.
2. Vehicular access to the area is planned to be relocated to a future ROW that will service the locality at a safer entry/egress location than the existing one from Shepperton Rd, further to the North, and with a full slip lane and left in/left out control.
3. Private ROW's are roads set out on a plan of subdivision of privately owned land which have not been dedicated for public use. They are pertinent only to those lots on the plan which abut onto the private road by providing owners with an implied right of way unless additional rights have been granted by a registered easement. Currently, all lots associated with the eastern portion of the ROW are owned by Fabcot.
4. Historically, ROW 54 was created in 1904 by subdivision, to service the lots created by the subdivision. Its intended use was as a right of carriageway to provide access to the adjoining properties as well as an access way for public use. It has been used for that purpose since its creation. The Town is aware that the public has had uninterrupted use of the ROW for the entire time since 1904, well in excess of the 10 year period of uninterrupted use in s56(1)(c) of the LA Act.
5. Given the laying out of the land as a ROW in the original subdivision in 1904, and the regular use of the ROW by the public, it is not inappropriate to see the original laying out of the ROW as an act of dedication by the original subdivider. The consistent use of the ROW by the public in the meantime can be seen as completing a common law dedication. Avoiding the need to obtain a formal recognition of common law dedication, the proposal for dedication under s56(1)(c) of the LA Act has historical support, and has the same effect.
6. In an attempt to locate any beneficiaries of the estate of the deceased owners of the ROW, the Town has undertaken a comprehensive probate investigation. Details of the probate search results are attached to this Report.
7. The dedication of the land in the ROW as a road is in keeping with the historical purpose and intended use of the ROW, and the historical changes over time. It will allow the planning objectives of the location as a shopping and commercial precinct to materialise, consistently with the interests of orderly and proper planning.
8. The presence of the current road alignment and the absence of a need for the relevant portion of ROW 54 in this locality, means that it is no longer consistent with the planning objectives of the Town. A revised and more appropriate access outcome will be part of the circumstances of the new planning objectives for the site.
9. Dedication of a private road is appropriate as it will clean up the legacy of the subdivision issues from the early 1900s. There are 147 Rights of Way in the Town of Victoria Park, and 99 are still privately owned. The road network is critically important for the Victoria Park community. Dedication of a private road guarantees and future-proofs the need for convenient public access. The Town currently maintains and repairs all private ROW even though it does not own them, it also resolves disputes over their use.
10. A recent example of a private road dedication was that endorsed by Council for lot 171 State Street, Victoria Park. A Development Application was lodged with JDAP aimed at formalising lot 171's legal right to use lot 170 (Private Road) for access purposes. The owners of lot 171 made an application to the Town seeking dedication of the private road land pursuant to s56. Council at its OCM in December 2019 resolved to request the Minister to dedicate lot 170 as a road pursuant to s56(1)(b)(ii) of the LA Act.

11. The process of dedicating a private road as a public road is a local government function that can occur from time to time via a standard request. The dedication process exists to assist with addressing and resolving legacy planning and subdivision issues which have been inherited by local governments.
12. ROW 54 is currently classified as a private road. Although in private ownership, the ROW landowners' rights are limited with the private road status. The land's purpose is for a right of carriageway. The land has commitments aligned with its original creation at subdivision and is an encumbered landholding with an easement burden on its title.

Strategic alignment

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	The purpose of this road dedication request will allow a future repositioning of the ROW access point as part of a planning outcome which will have a positive impact in reducing anti-social and crime-related activity, and improving safety.

Environment	
Strategic outcome	Intended public value outcome or impact
EN02 - A safe, interconnected and well maintained transport network that makes it easy for everyone to get around.	The purpose of this road dedication request will allow a future repositioning of the ROW access point as part of a planning outcome which will bring a non-compliant cross over onto Shepperton Road up to a current safer design standard by creating a slip lane and new access point further away from the traffic light intersection.

Engagement

Internal engagement	
Elected Members	Provided additional process and legal information as requested. Undertook Concept Forum presentation on 22 nd September 2020.
Property Development and Leasing	Input into the report and the process to undertake the ROW realignment
Place Planning	consultation for the sale of 355-357 Shepperton Road
Statutory Planning	consultation for the sale of 355-357 Shepperton Road
Street Operations	Consultation on traffic issues

External engagement	
Stakeholders	Owners and occupiers of adjoining properties affected by the realignment
Period of engagement	11 December 2019- 17 January 2020
Level of engagement	2. Consult
Methods of engagement	Written submissions accepted
Advertising	Letters sent to adjoining landowners and service providers, notification on public notice board and The West newspaper notice
Submission summary	No submissions were received during the public comment period
Key findings	N/A

Legal compliance

13. The Town has procured and received legal advice to inform the recommendation of this Report. Legal advice has concluded that the Town will be following the appropriate and necessary processes to give effect to the dedication of the ROW in line with the recommendation.

14. All legal advice received has been provided as confidential attachments to this report.

[Section 56 of the Land Administration Act 1997](#)

[Section 58 of the Land Administration Act 1997](#)

[Section 87 of the Land Administration Act 1997](#)

[Regulation 8 of the Land Administration Regulations 1998](#)

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	The Town does not continue with the process to give effect to the dedication of the ROW resulting in the inability for the required land assembly to occur, preventing settlement of the contract of sale	Severe	Possible	High	Low	TREAT risk by Council to follow legal advice received and the advice and guidance from relevant Govt agencies including Department of Planning Lands and Heritage.

	being greater than \$2M.					
Environmental	Not applicable					
Health and safety	Town does not progress the realignment of the ROW maintaining the non-compliant status of the ROW and Shepperton intersection.	Moderate	Possible	Medium	Low	TREAT risk by beginning the realignment process by dedication of ROW 54 as a road.
Infrastructure/ ICT systems/ utilities	Not applicable					
Legislative compliance	The Minister for Lands (or as delegated) is ultimately responsible for determining requests for the dedication of land as a road. It is possible that the Minister may decide to refuse or modify the road dedication request notwithstanding Council's resolution.	Insignificant	Rare	Low	Low	TREAT risk by providing the required information as per Regulation 8 of the Land Administration Regulations 1998 (WA) and sufficient justification for the road dedication request.
Legislative compliance	A decision is not reached at November Ordinary Council Meeting to progress with the Town's contractual obligations.	Severe	Possible	High	Low	TREAT risk by Elected Members to provide an alternative course of action is for the Town to still progress with contractual obligations.
Reputation	The Town does not endorse the dedication request which may be seen as a breach of contract obligations. Potential	Moderate	Possible	Medium	Low	TREAT risk by delivering on contractual obligations by progressing on the realignment of ROW 54.

	reputational risk on future land dealings with the Town to be seen as unwilling to follow through on contracts.
Service delivery	Not applicable

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation. The Town is in the process of satisfying its obligations in the contract of sale to Fabcot Pty Ltd as part of the delivery of 355-357 Shepperton Road East Victoria Park, which is in line with Council's resolution to enter into the contract of sale.
Future budget impact	Once Portion of lot 0 on plan 2609 and all of lot 67 on diagram 13701 is dedicated as road, the Town would be formally responsible for the maintenance and repair of the dedicated road. The Town's Street Operations service area has advised that this has been undertaken for historically as part of the Town's maintenance and works programs and therefore this would not impact the current budget.

Analysis

15. Council entered into a contractual agreement for the land it owns abutting one side of the relevant portion of ROW 54 and resolved at its Ordinary Council Meeting of 19 November 2019 to delegate the Chief Executive Officer and the Mayor the authority to execute all necessary documentation under the Town's Common Seal in accordance with s58 and s87 of the Land Administration Act 1997, and regulation 9 of the Land Administration Regulations 1998 to satisfy conditions precedent 2.3(b) within the contract.
16. Condition precedent 2.3(b) requires the Town to close and amalgamate a portion of ROW 54 into adjacent lot 30 on diagram 10509, lot 488 on plan 2609 and lots 131 and 132 on deposited plan 45782 (known as 355-357 Shepperton Road, East Victoria Park).
17. The lots comprised within ROW 54 were in effect land dedicated by the subdivider as an access way for public use at the time of the original subdivision in 1904 and have been used by the public consistently since dedication. Additionally, the Town has been maintaining the ROW and has never rated the land.
18. The Town has never owned ROW 54 and through the process of the ROW 54 realignment does not intend to become the owner. The ultimate outcome is for the ROW to facilitate creation of a publicly accessible road for the use of residents and local businesses, and to maintain the integrity of the public road network.
19. As part of the overall commercial planning considerations for the area the resulting increase in traffic has resulted in the existing access point from Shepperton Road being unsafe and inappropriate. When repositioned onto the proposed new access point from Shepperton Road, incorporating the inclusion of

a slip lane with left in entry and left out exit, the realigned ROW will be safer and allow for a compliant crossover onto Shepperton Road.

20. The existing crossover is non-compliant entering onto a 30,000 car a day Primary Distributor Road with the crossover only 50m away from a busy traffic light intersection. The request to dedicated ROW 54 allows the realignment to be achieved and create the eventual safer and upgraded traffic outcome.
21. Main Roads WA have confirmed the repositioning of the new access point onto Shepperton Road, achieved by the land exchange, will satisfy their Development Control Policy 5.1 requirements and will also achieve rationalisation of driveways to reduce conflict on the road network, and bring the existing non-compliant ROW crossover to a current safer design standard.
22. The Town has followed the correct statutory process of dedication pursuant to s56 of the Land Administration Act.
23. ROW 54 is privately held and classified as a Private Road. With consideration to the current status of the ROW, DPLH have provided the Town with two options to achieve the realignment of ROW 54:
 - a. The Town may acquire as Crown land certain land in the district including any private road, pursuant to s52 of the Land Administration Act 1997 and s5 of the Land Administration Regulations. This option allows any residual land not required for the amalgamation to be created as a reserve for the right of way to facilitate a cross over onto Shepperton Road.
 - b. The Town may dedicate land in the district comprising of a private road of which the public has had uninterrupted use for a period of not less than 10 years, as road pursuant to s56(1)(c) of the Land Administration Act 1997 and reg8 of the Land Administration Regulations. This option allows ROW 54 to be dedicated then a portion closed and amalgamated. A corresponding portion in a more appropriate location can then be ceded back to the Crown as a road to facilitate the cross over onto Shepperton Road.
 - c. Given there is significant historical evidence that supports the public having had uninterrupted use of the private road for a period not less than 10 years, support from the probate investigation and the Town's preference for the future tenure of the private road to guarantee public access, the option to proceed under s56 is proposed.
24. The Town also plans to deliver all probate investigation material and legal conclusions to the Minister of Lands (WA) to assist in the dedication determination.

Relevant documents

Not applicable.

Questions and responses

Cr Wilfred Hendriks

1. On page 4, the new road does not line up with the existing road, is there a reason for that?

The Chief Operations Officer advised the road reserve fits the modern day requirements.

13.2 Acceptance of Grant Funding for Edward Millen Redevelopment Project - Department of Infrastructure, Transport, Regional Development and Communications

Location	East Victoria Park
Reporting officer	Donna Colum
Responsible officer	Jon Morellini
Voting requirement	Simple majority
Attachments	1. Funding Agreement - Edward Millen Redevelopment Project [13.2.1 - 58 pages]

Recommendation

That Council:

1. Accepts the \$4,000,000 (GST exclusive) funding contribution from the Department of Infrastructure, Transport, Regional Development and Communications to progress the redevelopment of the Edward Millen Hospital building site.
2. Delegate to the CEO and Mayor to execute all necessary documentation to formalise the \$4,000,000 (GST exclusive) funding contribution from the Department of Infrastructure, Transport, Regional Development and Communications.

Purpose

For the Council to accept the grant funding of \$4M from the Department of Infrastructure, Transport, Regional Development and Communications. And for the CEO and Mayor to execute the Grant Agreement to facilitate the Town to receive this Grant contribution.

In brief

- The Town was advised on 9 September 2020 that it was successful in its application for funding through the Community Development Grants Program (CDG) and is the recipient of \$4M towards the Edward Millen Redevelopment Project.
- The Town has received the Grant Agreement to consider in order to formalise the distribution of the \$4,000,000 (GST Exclusive) contribution.
- The Grant Agreement is a standard agreement. The Town is now required to fill in the section relating to timing and project details. Officer will complete with requirements if the recommendation to accept the Grant Agreement and contribution is successful.
- The grant is a considerable contribution to the Edward Millen Adaptive Heritage and Landscape Redevelopment project, allowing the Town to hopefully attract the required private sector investment needed for the overall Heritage adaptive re-use redevelopment.
- The Edward Millen Adaptive Heritage and Landscape Redevelopment project is being delivered under the Land Asset Optimisation Strategy. The project aims to realise the full potential of the heritage-listed buildings and the expansive 4.7 hectares Edward Millen Reserve to minimise the on-going cost to maintain the precinct and maximise the benefit to the community of the amazing heritage assets there.

- All the buildings require significant and costly repairs and upgrades to achieve viable adaptive re-use and subsequent activation. The \$4,000,000 figure has been informed through the completion of a conservation works report drawings and quantity surveyor assessment.

Background

1. The Town owns the land as a conditional freehold and is looking to revitalise this key asset with delivery of the Edward Millen adaptive Heritage and Landscape Redevelopment. In order to complement the Town's endeavour to partner with the private sector to undertake and manage a high-value destination heritage redevelopment the Town sought proactively additional government funding.
2. The Town applied for funding through the Department of Infrastructure, Transport, Regional Development and Communications to implement a strategy to realise the potential of the State Heritage listed Edward Millen Hospital historical buildings. The heritage buildings include the Rotunda Hospital, the Mildred Creak Centre, Hillview Clinic, former operating theatre and boiler room.
3. The project will deliver a construction program to upgrade state heritage facilities which will bring about long term social improvements, generating jobs and economic viability of the buildings and act as a catalyst to activate key heritage assets to protect and maintain the assets for future generations.
4. The CDG funding will directly create jobs through the construction and activation of the buildings, the redevelopment will allow ongoing use of the heritage assets.
5. The support of Hon David Templeman MLA (Minister for Local Government, Heritage, Culture & the Arts) and the Hon Ben Wyatt, Treasurer; Minister for Finance; Aboriginal Affairs; Lands was also instrumental in supporting the Town in its desires to activate an adaptive re-use redevelopment of the Edward Millen site.
6. The Town received a written commitment from the Deputy Prime Minister / Minister for Infrastructure, Transport and Regional Development, The Hon Michael McCormack MP, to provide \$4 million for the Edward Millen Redevelopment project.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	The Community has been engaged as required and was critical in having the allowable uses changed by the Department of Lands Planning and Heritage. The new allowable uses have informed the options analysis.
CL03 - Well thought out and managed projects that are delivered successfully.	The Edward Millen Redevelopment is the first major step towards the delivery of the project. This forms part of the Prince 2 Project Management principles.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	The existing Edward Millen situation is a financial liability for the Town. To deliver a financially sustainable outcome, an overall heritage adaptive re-use redevelopment needs to be achieved.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	An Edward Millen redevelopment outcome would be a milestone achievement showing strong civic leadership.

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	The overall vision and objective for the Edward Millen redevelopment will directly deliver a place for commerce, tourism, employment and entrepreneurship.
EC02 - A clean, safe and accessible place to visit.	The redevelopment of Edward Millen will aim to transform an unsafe and inaccessible asset to a safe and accessible destination place.

Environment	
Strategic outcome	Intended public value outcome or impact
EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	The redevelopment of Edward Millen will aim to deliver a well built, well maintained and well managed facility.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	The overall redevelopment of the Edward Millen precinct will also involve the park lands. The overall green space will transform into a well-managed and well maintained space for everyone.

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	Being an historical asset of the Town, revitalizing the asset will empower the community giving a sense of pride, with a sense of safety with activation being provided.
S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	The redevelopment will aim to deliver a portion of arts and culture with education and heritage being incorporated into the overall redevelopment.

Engagement

Internal engagement	
Finance	Review of the report and budget considerations.

Other engagement	
Department of Infrastructure, Transport, Cities and Regional Development	Letter of Approval and Agreement for successful funding

Hon David Templeman MLA (Minister for Local Government, Heritage, Culture & the Arts)	Support for funding application
The Hon Ben Wyatt, Treasurer; Minister for Finance; Aboriginal Affairs; Land	Support for funding application

Legal compliance

7. The Towns Solicitors have reviewed the agreement and will assist with finalisation of the DRAFT agreement for executino by the CEO and Mayor.

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 accepting the funding may result in the Redevelopment of the Edward Millen site not progressing	Moderate	Moderate	Low	Low	Acceptance of the funding and continue to source other grant opportunities
Environmental	Not accepting the funding may result in the Hazadous Materials not being removed from the heritage buildings.	Moderate	Moderate	Low	Low	Accepting the funding will remove the Hazadous Materials.
Health and safety	Continuation of the status quo with the buildings is unsafe for public access.	Moderate	Moderate	Low	Low	Accepting the funding will allow the Town to resolve the Health and Safety issues which current deem the heritage building unsafe to occupy and access.
Infrastructure/ ICT systems/ utilities	N/A					

Legislative compliance	N/A					
Reputation	The Town is not able to secure the funds to implement the Masterplan Edward Millen House redevelopment.	Moderate	Moderate	Unlikely	Low	Working with Elected Members to continue the understanding of the interrelationship of the Town investing in the Edward Millen redevelopment to assist in the overall redevelopment project success.
Service delivery	N/A					

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	The Town has had confirmation that the agreement structure allows works to be undertaken by a third party and for the invoices of those works to be provided as evidence of committed funds. As such the future budget impacted is not anticipated to be significant.

Analysis

8. The agreement provided to the Town to facilitate the acceptance of the Grant has been reviewed by the Town's solicitor and the Town is able to progress with the execution of the documentation.
9. The \$4,000,000 (GST Exclusive) has been informed through a conservation works report and quantity surveyor. This value will go a significant way to de-risking the project to allow private sector investment in the future of the Edward Millen Heritage Buildings.
10. The \$4,000,000 will be spent on hazardous material removal aligned to the hazardous materials register, which includes a variety of materials. Strip out and make structurally sound and deliver structural integrity of the Heritage buildings making them fit out ready, with capping of existing services and demolition of non-heritage intrusive add hoc additions. A variety of refurbishment, reinstatement of timber substructures, roof framing and repairs, repair and replace numerous external materials and items.
11. As at the time of writing this report the Expression of Interest to attract private sector investment was close to release. The Town has had confirmation that the standard agreement will allow the preferred proponent to invoice the Town to the value of the grant, where the Town then seeks payment through the Grant funding.

Relevant documents

Not applicable.

Questions and responses

Mayor Karen Vernon

1. Will that money be placed in the Edward Millen Reserve account?

The Chief Operations Officer advised that the proposal is for the federal government to award \$4 million dollars of funding and the intent is for the department to hold it and the Town to access it as required via invoicing. The Town is receiving the ability to spend it.

13.3 Macmillan Precinct Concept Plan

Location	East Victoria Park
Reporting officer	Jack Bidwell
Responsible officer	Ben Killigrew
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. Macmillan Precinct Concept Plan [13.3.1 - 74 pages]2. Macmillan Precinct Concept Plan - Public Submission Attachment [13.3.2 - 14 pages]3. Macmillan Precinct - Stage 3 Phasing [13.3.3 - 2 pages]4. Macmillan Precinct - Online Engagement Summary [13.3.4 - 73 pages]5. Macmillan Precinct - Next Steps [13.3.5 - 1 page]

Recommendation
<p>That Council:</p> <ol style="list-style-type: none">1. Endorses the Macmillan Precinct Concept Plan.2. Acknowledges the submissions received during the public advertising period.3. Approves the Chief Executive Officer to proceed to 'Stage 3.1 and 3.2' of the Macmillan Precinct Masterplan project.4. Requests the Chief Executive Officer to provide a future report to Council, by June 2021, to consider a preferred option for the Community Hub and Bowls Club at the conclusion of Stage 3.2.5. Authorises the Chief Executive Officer to issue a variation of up to \$140,000 (ex. GST) to contract CTVP/19/61, from the existing project budget, to enable the Town to deliver the above recommendation.

Purpose

For Council to endorse the Macmillan Precinct Concept Plan, acknowledge the public submissions received on the draft plan and approve the Town to proceed to the next stage of the Macmillan Precinct Masterplan project.

In brief

- A draft Macmillan Precinct Concept Plan Report (the Concept Plan), attached, has been prepared for the Macmillan Precinct Masterplan project by the consultant team RobertsDay, together with the Town, the Macmillan Precinct Working Group, key stakeholders and the wider Town of Victoria Park community.
- The Concept Plan has been developed through extensive community and stakeholder involvement and outlines the community's vision, guiding principles and high-level design framework from which the detailed Masterplan can be developed.
- 34 public submissions were received during the public advertising period and are detailed in Attachment 2.
- Council is now requested to endorse the Concept Plan and approve the Town to proceed to Stage 3.1 and 3.2, detailed in Attachment 3, to commence the development of the masterplan report.
- A graphical timeline outlining the next steps of the project has been provided in Attachment 5.

Background

1. The Macmillan Precinct (the Precinct) is located in East Victoria Park and is bounded by Sussex St, Kent St, Gloucester St and Albany Hwy. The Precinct includes all land parcels, buildings and assets within these boundaries and contains key Town facilities such as Leisurelife, the Town library, Vic Park/Carlisle Bowls Club and John Macmillan Park.
2. Since 2001, the Macmillan Precinct has been subject to the investigation and planning of future uses for the site, with various plans and proposals being prepared but none proceeding.
3. In 2018, the Macmillan Precinct was identified by Elected Members in the planning process for the Long-Term Financial Plan.
4. In June 2019, Council endorsed the preferred option of the Project Business Case to begin the preparation of a Masterplan for the Macmillan Precinct.
 - (a) This option was endorsed over the two alternative options, namely:
 - (i) Major refurbishment or redevelopment of existing buildings; and
 - (ii) Do nothing and maintain renewal of existing buildings.
5. In November 2019, Council approved the community consultation for the future of Leisurelife to be included within the Macmillan Precinct Masterplan engagement process.
6. In December 2019, Council endorsed the commencement of community engagement for the Macmillan Precinct Masterplan project based on the proposed engagement and project initiation approach.
7. The project was to be delivered across three stages:
 - (a) Stage 1 – Vision and Community Charter
 - (b) Stage 2 – Concept Plan
 - (c) Stage 3 - Masterplan
8. Following the endorsement by Council to proceed with the Masterplan project, the Town procured the project consultant RobertsDay to deliver the Masterplan.
 - (a) RobertsDay was procured under a Request for Tender, with Stage 1 and Stage 2 delivered as the initial part of the lump sum contract CTVP/19/61.
 - (b) Stage 3 was procured under the same Request for Tender but was to be scoped and costed pending the outcomes of Stage 2 and provided as a variation to contract pending Council approval.
 - (c) There is sufficient project budget, previously approved in the 2020/21 Annual Budget, to fund Stage 3.1 and 3.2.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL01 – Everyone receives appropriate information in the most efficient and effective way for them	A strategic communications plan was prepared to ensure carefully designed, best practice communication techniques were used to update and engage with the community, stakeholders and Elected Members throughout the project.
CL02 - A community that is authentically engaged and informed in a timely manner.	The Town has been consulting with key stakeholders and the wider community since February 2020 to ensure the Concept Plan reflects the shared aspirations for the future of the Precinct.

CL03 - Well thought out and managed projects that are delivered successfully.	The Concept Plan has been delivered through best practice project management principles under the Town's Project Management Framework.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	The funding approach to be pursued will be to balance the revenue sources to achieve community benefits outlined in the Concept Plan. As part of the detailed masterplanning process, specific costings and estimates will be developed to help identify potential funding models to reduce the reliance on ratepayers.

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	The Concept Plan utilises surplus land to accommodate a diverse range of additional activities to help bring life and activity to the Precinct.
EC02 - A clean, safe and accessible place to visit.	The Concept Plan shapes three distinct places within the Macmillan Precinct which, when considered together, contribute to the creation of a cohesive but varied place which has all the ingredients of a vital, sustainable and lively destination for all members of the community.

Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The Concept Plan utilises surplus land to accommodate new and additional community facilities, non-profit and educational spaces and complementary residential and commercial uses that help bring life and vitality to the Precinct while also helping to fund new community infrastructure.
EN02 - A safe, interconnected and well maintained transport network that makes it easy for everyone to get around.	The Precinct will mix together with existing businesses and activities, creating connections in from Albany Hwy with new street front activity while also inviting people into the heart of the Precinct through new pedestrian orientated connections lined with creative spaces, work spaces and public art.
EN03 - A place with sustainable, safe and convenient transport options for everyone.	The Precinct will allow for easy accessibility and connectedness from throughout East Victoria Park and wider Perth. Prioritising walking, cycling and public transport will encourage sustainable and healthy travel to the Precinct while basement parking will provide direct access to facilities and amenities.

EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	All buildings and facilities will be responsive to and capable of change over time to accommodate new activities and functions, new people and changing needs. Smart design and governance will enable this flexibility over the short and long term.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Co-locating community facilities within a more efficient envelope frees up considerable extra space, which the Concept Plan dedicates as a new and expanded network of public open spaces including small piazzas, tree retention pocket parks, pedestrian lanes and an expanded central green.
EN07 - Increased vegetation and tree canopy.	The Concept Plan promotes retaining the iconic Fig trees and other significant vegetation to protect tree canopy and biodiversity.

Social	
Strategic outcome	Intended public value outcome or impact
S02 - An informed and knowledgeable community.	<p>Since February 2020, the Town has been consulting in detail with site stakeholders and the wider community to ensure the Concept Plan reflects their shared aspirations for the future.</p> <p>Community engagement will continue through the next steps of the project as the Concept Plan is expanded and refined into a detailed Masterplan from which further planning will be progressed over the coming years.</p>
S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	<p>The Concept Plan expands and combines all current community services into an innovative community hub. Co-locating these services together offers an opportunity to create a uniquely collaborative and flexible 'town heart' which brings together a diverse mix of sporting, educational, cultural and community groups.</p> <p>Creativity and cultural expression will be enabled and encouraged throughout the Precinct. Ephemeral installations, permanent artworks, visible artists in residence and accessible exhibitions will build cultural capital.</p>

Engagement

Internal engagement	
Elected Members	Presentation at Concept Fora by RobertsDay. Invitation to attend Vision Workshop and online webinars. Regularly informed via Elected Members Portal on project progress and community engagement.

C-Suite	Regularly informed on project progress and community engagement. Endorsed adjusting engagement approach due to COVID-19.
Project Management	Project Executive for this project
Finance & Procurement	Review and advice on the procurement process for this project.
Property & Leasing	Inclusion in project team, involvement in project initiation, review and feedback on all documents prepared, advice and support.
Place Planning	Inclusion in project team, involvement in project initiation, participation in Working Group, participation in stakeholder meetings, review and feedback on all documents prepared, advice and support.
Business Services	Inclusion in project team, involvement in project initiation, participation in Vision Workshop, participation in stakeholder meetings, review and feedback on all documents prepared, advice and support.
Stakeholder Relations	Inclusion in project team, involvement in project initiation, preparation and delivery of communications and engagement materials, participation in all engagement activities, participation in stakeholder meetings, review and feedback on all documents prepared, advice and support.
Community Development	Involvement in project initiation, review and feedback on all documents prepared, advice and support.
Infrastructure Operations	Involvement in project initiation, review and feedback on all documents prepared, advice and support.
Street Improvement	Involvement in project initiation, review and feedback on all documents prepared, advice and support. Input into initial sump and drainage investigation.
Strategic Assets	Inclusion in project team, involvement in project initiation, review and feedback on all documents prepared, advice and support.
Strategic Asset Advisory Group (SAAG)	Informed on project progress and community engagement and input into Concept Plan.
Town Library	Attendee of and involvement in stakeholder roundtable meeting
LeisureLife	Attendee of and involvement in stakeholder roundtable meeting

External engagement	
Stakeholders	<ul style="list-style-type: none"> • Community Members • Local Residents • Key Community and Business Stakeholders <ul style="list-style-type: none"> ○ <i>Victoria Park Centre for the Arts</i>

	<ul style="list-style-type: none"> ○ <i>Aboriginal Engagement Advisory Group</i> ○ <i>Billabong Community Early Childhood Centre</i> ○ <i>Vic Park Collective</i> ○ <i>Sussex Street Community Law Service Inc</i> ○ <i>Vic Park/Carlisle Bowls Club</i> ○ <i>Victoria Park Community Centre</i> ○ <i>Redbacks Basketball Association</i> ○ <i>Connect Vic Park</i> ○ <i>Area 5 Football</i> ○ <i>WA Squash</i> ○ <i>Hawaiian</i>
Period of engagement	<p>Stage 1 - Vision and Community Charter</p> <ul style="list-style-type: none"> ● Vision Development - 17 Feb to 8 March 2020 ● Community Charter Feedback – 4 April to 19 April 2020 ● Working Group Nomination Period – 27 April to 10 May 2020 <p>Stage 2 - Concept Plan</p> <ul style="list-style-type: none"> ● Place Design Forum (Working Group) - 21 May to 4 June 2020 ● Public Webinar #1 – 18 June 2020 ● Working Group Follow-up Session – 18 June 2020 ● Design Scenario Feedback Period – 29 June to 12 July 2020 ● Public Webinar #2 – 20 July 2020 ● Working Group Follow-up Session – 20 July 2020 ● Working Group Follow-up Session – 3 August 2020 ● Draft Concept Plan Public Comment Period – 14 Sep to 11 Oct 2020
Level of engagement	4. Collaborate
Methods of engagement	<p>The Concept Plan has been delivered through an iterative co-design engagement process commencing in February 2020. The detailed methods of engagement can be seen on page 6 & 24 of Attachment 1.</p> <p>In summary, the Town utilised a range of surveys, workshops (physical & online), stakeholder meetings, online mapping tools, pop-up information sessions, online webinars and public submission forms to guide the development of the Concept Plan.</p> <p><i>Note: Due to the COVID-19 Pandemic outbreak in March 2020, the Town re-designed the engagement delivery methods and completed Stage 2 engagement online due to Government restrictions limiting physical engagement. This enabled the Town to continue the project without significant delays.</i></p>
Advertising	<p>The Town used a wide range of online and physical advertising tools to promote and inform, including:</p> <ul style="list-style-type: none"> ● Traditional Communications (Posters, letter drops, brochures, banners, Southern Gazette advertisements) ● Social Media (Facebook, Instagram, Twitter, LinkedIn) ● Informative Animations (YouTube, Instagram, Facebook) ● Digital Marketing (Google, E-newsletters, SMS marketing)

Submission summary	<p>Stage 1 – Vision and Community Charter</p> <ul style="list-style-type: none"> • Vision Development Survey - 270 Submissions • Online Idea Mapping Tool – 182 Contributions • Community Charter Feedback Form – 7 Submissions <p>Stage 2 - Concept Plan</p> <ul style="list-style-type: none"> • Design Scenario Feedback Form – 107 Submissions • Draft Concept Plan Submission Form – 34 Submissions <p>The online engagement responses in full detail for Stage 1 and 2 have been provided as Attachment 4.</p>
Key findings	<p>Since February 2020, the Town has undertaken a detailed consultation exercise with site stakeholders and the wider community to ensure the Concept Plan reflects their shared aspirations for the future of the locality.</p> <p>As a vital hub for Town services, community events and public life, it is essential that any future changes reflect the values and priorities of the Victoria Park Community and are achievable by the Town.</p> <p>The key messages, user requirements, community feedback on existing services, opportunities and constraints captured in Stage 1 were used to develop the draft Community Charter document, which outlined the community’s vision for the Macmillan Precinct. This document was broadly supported, receiving 7 submissions with only minor changes requested. Findings from this engagement have been captured in summary on pages 7-9 and 25-27 of Attachment 1 and all submissions can be seen in full in attachment 4.</p> <p>The draft Community Charter was reviewed by the Working Group during the Place Design Forum. The draft was broadly supported with the only change to Principle 4, where it was adjusted from ‘Like No Other’ to ‘Local Character’ to better reflect the community’s aspirations for the Precinct to retain the feel and character of East Victoria Park. The document was used as the guide for the Working Group and the main contents of the Community Charter were incorporated into the Concept Plan report, including the final Vision and Guiding Principles which can be seen on Section 3 - page 28-33 of Attachment 1.</p> <p>Following the finalisation of the Vision and Guiding Principles, the Concept Plan was developed with the Working Group through an iterative co-design process called a Place Design Forum. Though initially scheduled for a 3-4 day in-person workshop, the outbreak of the COVID-19 pandemic forced the Town to pivot to an online run environment. Through a series of online Zoom workshops across a 2 week period, three design scenarios were created to explore different ways of delivering community infrastructure, improving open space and bringing new life to the Macmillan Precinct.</p> <p>The three scenarios developed through these workshops were released for community feedback and were viewed online over 480 times and received over 100 submissions from community members. From the surveys received, Scenario 3 receiving the highest support for ‘most aligned to community vision’. These</p>

Scenarios provided a robust starting point for future planning. The key findings from the draft scenario feedback can be seen in Section 4 – page 34-45 of Attachment 1.

Based on community feedback and technical review, the Concept Plan draws particular elements from each of the three Scenarios, including the site layout of Scenario 3, the building scale of Scenario 2 and popular public space ideas from all three Scenarios.

Following the development of the draft Concept Plan from the community, stakeholder and technical input, the Town released the Concept Plan report for public comment in September 2020 for a period of 4 weeks. The Town received **34 submissions** of which **29 (85%) supported** the plan outright or with some concerns and **4 (12%) did not support** the plan. **1 (3%) submission did not provide an answer.** The summary of these submissions can be seen in Attachment 2.

The Town has also been in discussions with Oahu Management Pty Ltd (Hawaiian) who are the neighbouring landowner of the Park Centre. Hawaiian have provided a letter of **general support** for the Concept Plan "...given it's ability to revive and enhance a series of key cultural and community assets..." . Hawaiian has also expressed a desire for further discussions to address specific technical items through the detailed masterplanning stage. These include items such as the Sussex St interface, parking management, and specific uses. The Town will continue to engage with Hawaiian directly through the masterplanning stage.

Following the summary of the public submissions, no changes are proposed to be made to the draft Concept Plan based on the feedback received, with majority of the feedback able to be addressed through the masterplanning and business case stages. These items include:

- Height, bulk and zoning;
- Land tenure and use;
- Stacked or clustered Community Hub option;
- Traffic and parking management;
- Detailed planning for Leisure, library and community services;
- Funding options and level of development;
- Future location of the Bowls Club and
- Future location of the Childcare and Sussex Law.

Other engagement

City of South Perth

Engagement with City of South Perth Regional Aquatic Facility project team to discuss on-going progression of the project and how it interacts with the Macmillan Precinct has occurred on an ad-hoc basis.

Legal compliance

Section 3.57 of the Local Government Act 1995

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 adopting the recommendation for a variation to contract resulting in the Town having to retender the project and risk higher contract rates and longer delivery timeframes.	Minor	Unlikely	Low	Low	ACCEPT the risk and ensure procurement advice is consistent with the recommendation.
Environmental	Not applicable					
Health and Safety	Not applicable					
Infrastructure/ ICT systems/ utilities	Not adopting the recommendations will require the Town to undertake major renewal works on existing facilities to keep them functional as no future plan will be established.	Major	Likely	High	Medium	TREAT the risk by endorsing the project to proceed, allowing the Town to progress short-term renewal works aligned to a long-term plan.
Legislative Compliance	Not applicable					
Reputation	Not adopting the recommendations may result in reputational damage to the Town as it can be perceived that the Town is ignoring the community's aspirations for the future of the Precinct.	Moderate	Possible	Medium	Low	TREAT the risk by delivering the Concept Plan alongside the community to capture their shared aspirations and reflect the community's views in the recommendation to Council.
Service delivery	Not adopting the recommendations will delay or even	Moderate	Possible	Medium	Medium	ACCEPT the risk and provide Elected Members with the

cancel the delivery of the project/future project stages.

required information to make an informed decision.

Financial implications

Current budget impact	Sufficient funds were previously endorsed by Council and currently exist within the project budget to address the variation to contract for Stage 3.1 and 3.2 as stated in recommendation 5 of this report.
Future budget impact	The recommendations in this report will not have a direct impact on the future Annual Budget but further funding will be required to undertake Stage 3.3, 3.4, 3.5 and 3.6 if endorsed by Council to proceed at the end of Stage 3.2. These funds will be scoped and requested in a further report to Council at the conclusion of Stage 3.2.

Analysis

Project Delivery

9. Since February 2020, the Town has been consulting in detail with site stakeholders and the wider community to ensure the Macmillan Precinct Masterplan reflects their shared aspirations and vision for the future.
6. The Concept Plan was iteratively developed alongside the community and key stakeholders over the course of 6 months across two stages:
 - (a) Stage 1 – Vision and Community Charter, February 2020 to April 2020, including:
 - (i) Establishing the community’s vision through surveys, meetings, online mapping and a Community Vision Workshop.
 - (b) Stage 2 - Concept Plan, May 2020 to August 2020, including:
 - (i) Exploring design ideas through a two (2) week Place Design Forum discussing facilities, public space, uses, funding and more.
 - (ii) Deciding the concept design direction through establishing three (3) concept scenarios and testing the key elements that the community support or oppose.
 - (iii) Developing the Concept Plan based on key community feedback and technical inputs from the scenarios.
7. The Macmillan Precinct Working Group was established in May 2020 to help guide the development of the Concept Plan in Stage 2.
 - (a) Thirty (30) individuals were selected for the Working Group comprising:
 - (i) Twenty (20) community members; and
 - (ii) Ten (10) key stakeholder representatives.
 - (b) The Working Group was established through a self-nominated Expression-of-Interest process, where final members were independently selected based on their demographic information to ensure an even representation of the Town’s community.
8. The community ideas and feedback captured in Stage 1 established the site Vision and Guiding Principles and can be seen in greater detail in Section 3 - page 28 of Attachment 1.
9. The community ideas and feedback captured in Stage 2 established the Concept Plan and can be seen in greater detail in Section 5 - page 28 of Attachment 1.

10. Further information on the engagement process has been outlined in page 6 & 24 of Attachment 1.

Concept Plan Design

11. The Concept Plan is a high-level guide for the future detailed Masterplan based on wider community feedback, including local residents, businesses, sporting clubs, community groups and facility operators. It establishes the overall design principles and desired outcomes for the design of new community facilities, enhancement of public spaces, the inclusion of new uses and options for funding and delivery.
12. The Concept Plan draws together the best of three (3) co-design Scenarios, responds to community feedback and takes into account preliminary financial and technical assessments to set a clear and exciting direction for the future.
 - (a) The key elements captured through the community engagement can be seen in greater detail on page 13 of Attachment 1.
13. The Concept Plan proposes four (4) key moves, as per Section 5.4 - page 48 of Attachment 1:
 - (a) Retaining, expanding and co-locating all Town services into an innovative Community Hub;
 - (b) Dedicating more area, created through co-locating facilities, to expand the network of public open spaces;
 - (c) Utilising surplus land to accommodate new and additional community facilities, non-profit and educational spaces and complementary mixed-uses to bring life and vitality to the Precinct; and
 - (d) Shaping three unique places within the Precinct, being the Heart, the Highway and the 'Hood, each with a distinctive feel and defined but complementary role.
14. Reflecting strong community feedback, the Concept plan accommodates all existing community facilities and identifies how they can remain within the Precinct either within new or expanded existing facilities. Detailed Masterplanning and further stakeholder engagement will confirm the detailed design, internal arrangements and potential delivery mechanisms of these facilities. These facilities include:
 - (a) An expanded Leisurelife facility including creche, mixed-use courts, squash and gym facilities;
 - (b) An expanded Library and integrated Community Centre;
 - (c) An upgraded expanded Arts Centre;
 - (d) Multiple options for the future of the Bowls Club; and
 - (e) Multiple potential locations for Childcare and Sussex St Law Centre.
15. The Concept Plan has been designed with the flexibility to accommodate two (2) Community Hub options, with a decision to be made following detailed investigation through the Masterplanning stage. These include:
 - (a) A 'stacked' Community Hub integrating all community services in an efficient multi-storey building as shown in the Concept Plan on page 50 of Attachment 1; and
 - (b) An alternative single-storey 'clustered' model with services side by side and a shared entry as shown on page 62 of Attachment 1.
16. Co-locating community facilities within a more efficient footprint allows for a significant surplus in land that has been dedicated to new and existing public space.
 - (a) These include small piazzas, tree retention pocket parks, pedestrian lanes and an expansion and enhancement of John Macmillan Park.
 - (b) Further detail on these spaces can be seen on pages 52-59 and 64-65 of Attachment 1.
17. Through the community engagement, a rooftop bowls facility was widely supported by the broader community however, further investigation is required to confirm if the number of greens can be supported and the operational impacts to the Club. These matters will be explored in consultation with the Club through the detailed Masterplan stage.

- (a) The options the Town will investigate during the Masterplan stage can be seen in greater detail on page 63 of Attachment 1.
18. In addition to new facilities and expanded public spaces, the Concept Plan utilises surplus land to accommodate a diverse range of additional activities.
- (a) These additional land uses were explored through the community engagement process in consultation with the community and can be seen in greater detail on page 68 of Attachment 1.
- (b) These uses will be investigated further through the Masterplanning stage and have not yet been allocated individual areas within the Concept Plan.
19. Property valuation and cost estimates prepared through the scenario planning identified that costs associated with all three scenarios far exceeded the revenue achieved from potential development.
- (a) Based on preliminary scenario modelling the following indicative order of magnitude costs are anticipated
- (i) Community facility investment in the order of \$40m (based on a stacked model);
- (ii) Site infrastructure costs in the order of \$7m; and
- (iii) Landscaping costs in the order of \$8m.
- (b) Through the scenario review process, the development of 30-40% of the site was identified as achieving a suitable balance of development potential. This is far less in scale when compared to previous planning exercises.
- (c) Based on this level of potential development considered by the Concept Plan, revenue generated from the site as a land development proposition could see approximately \$13m returned to the Town to contribute to community infrastructure costs.
- (d) As part of the detailed Masterplanning process, specific costings and estimates will be developed to help identify potential funding models.
- (e) Further detail on the funding approach can be seen on page 69 of Attachment 1.

Masterplan Stage Considerations

20. The Concept Plan is only a preliminary working document and significantly more consultation and detailed investigation will be required to confirm the final Masterplan for the area.
21. Preparation of the Concept Plan has identified a number of technical considerations that will require resolution through the detailed Masterplan, including:
- (a) Land tenure;
- (b) Zoning constraints;
- (c) Sewer and drainage alignments;
- (d) Traffic management and parking; and
- (e) Staging and delivery transitioning.
22. To further inform the masterplan, a set of guiding statements has been prepared. This draft guidance has been developed collaboratively with the community through the engagement process by establishing values and priorities for the Precinct. These can be seen on page 71-73 of Attachment 1.
23. Through community engagement, it was widely agreed that funding should be considered from a range of sources to balance impacts to the site and ratepayers. Central to this view is a desire to see Town ownership of land maintained where possible.
- (a) Community facilities and landscaping costs would likely be part of a standalone business case for the Town to resolve through detailed planning and exploration of potential funding sources. Any other land development opportunities on the site would likely be considered by Council in the future through a future Major Land Transaction Business Case.
- (b) Overall and as agreed through the community engagement, the funding approach will consider the balance of development of Council land with other revenue sources.

Next Steps

24. Following the endorsement of the Concept Plan, the Town will enter the next stage of the project lifecycle Stage 3 – Masterplan. This stage will be guided by the final Concept Plan and will address all of the above considerations as well as:
- (a) Detailed planning for Leisurelife and Town Library;
 - (b) Identification of locations and opportunities to incorporate community benefit into private and public developments (e.g. Space for Not-for-Profit, artist studios etc);
 - (c) Detailed investigation and planning for community services;
 - (d) Identification of options to implement planning controls to maintain the community benefits into private development;
 - (e) Public realm and landscaping detailed masterplanning;
 - (f) Access, traffic and parking management plan;
 - (g) Drainage and stormwater management;
 - (h) Geotechnical and servicing investigation;
 - (i) Built form principles including height, bulk and scale of buildings;
 - (j) Scheme zones and preferred land uses;
 - (k) Land use, built form and streetscape objectives to inform statutory planning decisions;
 - (l) Sustainability design principles for all buildings;
 - (m) Investigation into the potential relocation of the Town's administration and civic functions (through the Future Organisational Needs project); and
 - (n) Development and funding scenario modelling and options analysis.
25. Due to the size, scale and technical nature of the works required to deliver the masterplan it is proposed to be delivered over incremental phases. The methodology includes six (6) core phases and can be seen in detail in Attachment 3.
- (a) The Town is proposing to deliver Stage 3.1 and 3.2 as the first scope of works following the endorsement of the recommendation.
 - (b) Stage 3.2 will conclude with a report to Council to consider and endorse a preferred option for the Community Hub and Bowls Club.
 - (c) This report will be followed by Stages 3.3 to 3.6 where the remaining Precinct Masterplan works will be undertaken.
 - (d) Splitting the scope of works into six core phases allows the Town to undertake detailed scoping and pricing at the conclusion of each phase instead of providing an initial high level provisional sum.
 - (e) The phasing will also allow for approval gateways within Stage 3, that allow Council to make considered determinations on the direction of the project at various points or, if required, pause or review the project.
 - (f) Procurement advice has been provided from the Town's Procurement and Finance service areas on this approach and is consistent with the recommendations of this report.
 - (g) It is recommended that a variation to the contract (CTVP/19/61) be provided to deliver Stage 3.1 and 3.2. The variation amount includes all items listed in Attachment 3 for Stage 3.1 and 3.2 and a contingency amount of approximately 7% for additional services, stakeholder meetings and disbursements if required.
 - (h) As the variation in the above recommendation is greater than 10% of the original budget, Council approval is requested to authorise the CEO to issue the variation.
 - (i) There is sufficient project budget within the existing work order, previously approved in the 2020/21 Annual Budget, to fund Stage 3.1 and 3.2.
 - (j) A second variation and additional budget to proceed with Stage 3.3 to 3.6 will be requested in a future report to Council, should Council endorse the continuation of the project at the completion of Stage 3.2.

26. The Town will continue to engage with the community and key stakeholders as the Masterplanning process gets underway to ensure their views are incorporated into the masterplan considerations. The main engagement and consultation points are identified in Attachment 3.
27. Once finalised, the Masterplan will be presented to Council for endorsement and, pending approval, will then be used as a guiding document for staged implementation over the coming years as funding is identified.
28. An overview of the next stages of the project have been provided in a graphical timeline in Attachment 5.

Relevant documents

Not applicable.

Questions and responses

Cr Wilfred Hendriks

1. Can the paragraph numbering be corrected?

Mayor Karen Vernon advised that it can be addressed.

2. Who funded the current recreation centre and swimming pool?

Mayor Karen Vernon advised that they existed before the Town came into operation and it was most likely the City of Perth.

3. On page 64, does the colour coding match the plan?

The Strategic Projects Manager advised that it will be amended.

4. On page 50, why is it directing to manmade structure and not a grassed area?

The Strategic Projects Manager advised that it is indicative only as more detailed design work is to come.

5. How long do you envisage the community hub option to last for?

The Strategic Projects Manager advised that that information would be provided at a much later stage at the detailed design stage.

6. How old is the current recreation centre?

The Strategic Projects Manager advised that he estimated around 40 years old and took the question on notice.

7. What would the cost be for refurbishing the building?

The Strategic Projects Manager advised that he could not advise at this stage but the cost would be too great.

8. What would be the cost for refurbishing the building as is to increase longevity?

The Strategic Projects Manager advised that it would be estimated to be about \$4 to \$5 million dollars, however refurbishment would also trigger the need to review and implement required disability and access upgrades which are not scoped at this stage.

The Chief Executive Officer advised that recreation centre was built in 1984.

9. What are the Town's plans are for future proofing the recreation facilities?

Mayor Karen Vernon advised that these concept plans are to address and facilitate the Town's future population growth.

The Strategic Projects Manager advised that the number of courts can change at a later stage of this plan. The concept plan has been developed with a projection to 2035. The Town has also discussed with Perth Redbacks their regional growth to consider their needs as well.

10. What exactly do you mean by a building can change over time?

The Strategic Projects Manager advised that whilst the external will stay the same, the internal structure will be an adaptable design so that further use can be considered.

11. With the basketball court being used for functions, how would you go about facilitating that eg commercial kitchen, protecting the floor, storage?

Mayor Karen Vernon advised she predicts it would be addressed during the final detailed design stage, after consultation.

The Strategic Projects Manager advised that it correct, and that the intent is for a multi-use space for the Town, the community and its' groups.

12. With the proposed underground parking, what is the difference of volume in the number of car bays from what exists at the moment?

The Strategic Projects Manager advised that car bay numbers will be developed in the next stage.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Amend paragraph numbering on page 83.

2. Amend colour coding legend.

3. Include information on how old the current recreation centre is.

13.4 QTVP/20/09 - Gas Energy Supply to Aqualife Centre

Location	East Victoria Park
Reporting officer	Jayde Robbins
Responsible officer	John Wong
Voting requirement	Simple majority
Attachments	Nil

Recommendation

That Council accepts the submission and authorises award of contract to Perth Energy Pty Ltd (ABN 39 087 386 445) for the supply of gas to Aqualife Centre under the following contractual arrangements:

- a) Contract Term of two (2) years with the option of three, one-year extensions
- b) Pricing as contained within Perth Energy Pty Ltd submission, estimated at \$225,456 (inc GST) over a two year period.

Purpose

The purpose of the report is to consider and award the contract for gas supply to Aqualife. The acceptance of any tendered offers and the subsequent awarding of such contracts are to be determined by Council.

In brief

- Submissions were invited for the supply of gas to the Aqualife Centre for a two (2) year period through the Western Australian Local Government Association (WALGA) Preferred Supplier Arrangement (eQuotes) reference VPR368382 posted on 17 September 2020 and closed on 5 October 2020.
- A total of three (3) submissions were received from:
 - Alinta Sales Pty Ltd
 - Perth Energy Pty Ltd
 - Synergy
- Suppliers were requested to provide a lump sum cost for the supply and delivery of the requested Gas Energy.
- An evaluation of the tender submissions against the compliance criteria and price has been completed and it is recommended that Council accepts the submission made by Perth Energy Pty Ltd and awards the contract for the supply of gas to Aqualife Centre for estimated cost of \$225,456 (inc GST) over a two year period with a commencement date of 1st January 2021.
- Sufficient budget exists within the operating/maintenance budget for this facility, for the gas supply costs under this contract.

Background

1. The Town's Aqualife Centre uses gas supplies to heat the swimming and leisure pools within the Centre.
2. Due to the high volume of gas used at Aqualife it is classed as a "contestable site", and therefore the Town can go to market for gas supply.
3. The value of the total contract over two years with the option of three further one-year extensions is likely to exceed \$250,000.

- The previous contract with Kleenheat gas has expired, however has been extended on a three-month contract extension expiring 31st December 2020.

Compliance criteria

- The Town went through WALGA e-Quotes preferred supplier's arrangement. All suppliers are pre-qualified against major compliance and qualitative criteria.
- Suppliers were requested to provide a bundle price per gigajoule.
- Price should include all applicable fees and charges.

Evaluation process

- As the tender was submitted through WALGA panel there was no need to do a qualitative assessment as the suppliers are all pre-qualified tenders.
- All submissions were evaluated against the Town's compliance criteria by the Senior Procurement Officer, and all submissions were deemed compliant.
- The submissions were assessed against price only as follows:

Price	<p>Weighting 100%</p> <p>The price criterion was assessed based on a lump sum cost for using the estimated 13,000 Gigajoules of gas per year.</p> <ul style="list-style-type: none"> A bundle price per gigajoule to supply gas based on the use of 13,000 Gigajoules of natural Gas per year. Price should include all applicable fees and charges.
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Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	The expected costs associated with this contract is within the allocated maintenance and operating budget. The Town is seeking best value for money through tendering for contestable gas supply at the Aqualife Centre.

Environment	
Strategic outcome	Intended public value outcome or impact
EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	The Aqualife centre provides recreational services to the Town and the wider community. Reliable gas supply ensures the service is maintained at an acceptable level for the community.

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	The Aqualife centre provides a community site for social interaction of various groups and

	demographics, as well as health benefits to patrons utilising the facility.
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Engagement

Internal engagement	
Asset Planning	Budget control, tender/specification development
Procurement	Provided advice and acted as a probity advisor throughout the process.
Business Services	Aqualife Manager and team on the operational obligations of the tender.

Legal compliance

[Section 3.57 of the Local Government Act 1995](#)

[Part 4 Division 2 of the Local Government \(Functions and General\) 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	Revenue reduction	Moderate	Likely	High	<i>Low</i>	Treat – Award Tender
Environmental	Not applicable				<i>Medium</i>	
Health and safety	Not applicable				<i>Low</i>	
Infrastructure/ ICT systems/ utilities	Not applicable				<i>Medium</i>	
Legislative compliance	Not Applicable				<i>Low</i>	
Reputation	Community complaints, media exposure	Moderate	Likely	High	<i>Low</i>	Treat – Award Tender
Service delivery	Disruption to facility, possible closure	Moderate	Likely	High	<i>Medium</i>	Treat – Award Tender

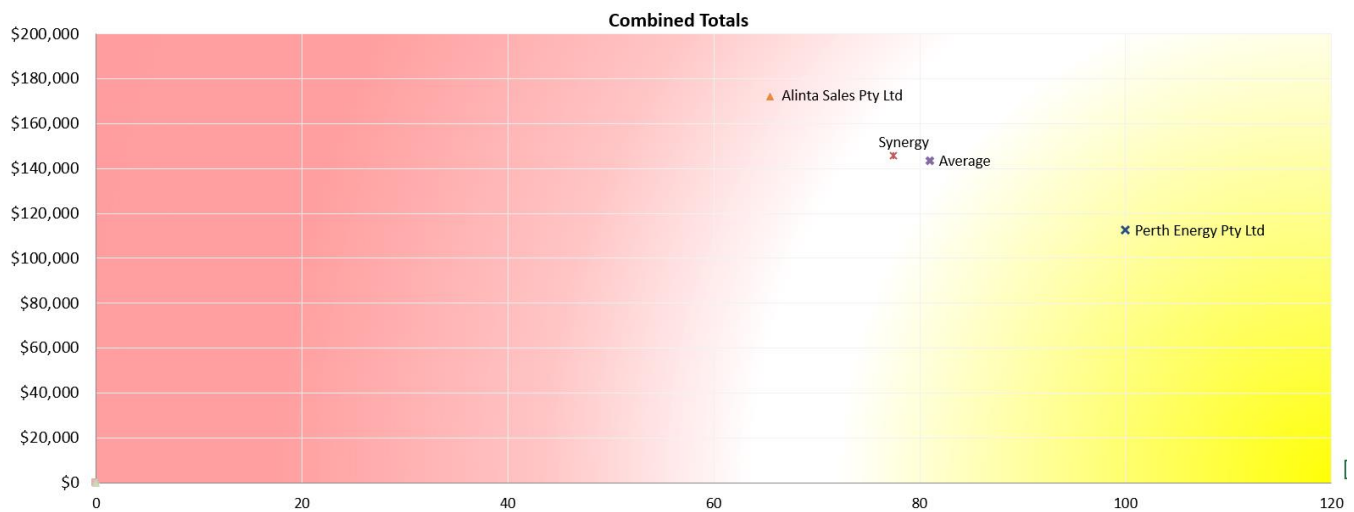
Financial implications

Current budget impact	The provision of QTVP/20/09 Gas Energy Supply for Aqualife Centre is likely to cost \$225,456 over a two-year contract term and will exceed the \$250,000 should
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	<p>an extension be granted, therefore it is deemed necessary to enter into a contract.</p> <p>Sufficient funds exist within the annual budget to address this recommendation.</p>
Future budget impact	<p>Future financial budgeting covering operating and maintenance costs for the Aqualife facility have been included in the long term financial plan.</p>

Analysis

11. The Town received a total of 3 submissions. All 3 submissions were compliant.
12. The assessment of the submissions was undertaken by a panel that included:
 - Building Officer
 - Coordinator Strategic Assets
 - Leisure Facilities Operations Manager
13. The submissions were assessed 100% on price as the suppliers were pre-qualified through the WALGA e-quote panel service.
14. The evaluation of the submissions against the quantitative and qualitative criteria are shown on the graph below.



15. The submissions were ranked overall as below:

Company	Ranking
Alinta Sales Pty Ltd	3
Perth Energy Pty Ltd	1
Synergy	2

Relevant documents

[Council Policy 301 Purchasing](#)

Questions and responses

Cr Wilfred Hendriks

1. Has the Town looked at greener options for this?

The Chief Operations Officer advised that it did consider other options and gas was considered as a lower carbon footprint than the grid.

Cr Luana Lisandro

1. Has the Town investigated thermal heating system?

The Chief Operations Officer advised that there were investigation into a thermal heating system however it was cost-prohibitive.

Further consideration to be added to the Ordinary Council Meeting agenda

Nil.

14 Chief Financial Officer reports

14.1 Schedule of Accounts for September 2020

Location	Town-wide
Reporting officer	Bonnie Hutchins
Responsible officer	Stuart Billingham
Voting requirement	Simple majority
Attachments	1. Payment Summary Listing - September 2020 [14.1.1 - 8 pages]

Recommendation

That Council:

1. Confirms the accounts for 30 September 2020 as included in the attachment, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.
2. Confirms the direct lodgement of payroll payments to the personal bank accounts of employees, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.

Purpose

To present the payments made from the municipal fund and the trust fund for the month ended 30 September 2020.

In brief

- Council is required to confirm payments made from the municipal fund and the trust fund each month, under Section 13 of the Local Government (Financial Management) Regulations 1996.
- The information required for Council to confirm the payments made is included in the attachment.

Background

1. Council has delegated the Chief Executive Officer the authority to make payments from the municipal and trust funds in accordance with the Local Government (Financial Management) Regulations 1996.
0. Under Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, each payment is to be noted on a list compiled for each month showing:
 - a. the payee's name
 - b. the amount of the payment
 - c. the date of the payment
 - d. sufficient information to identify the transaction
1. That payment list should then be presented at the next Ordinary Meeting of the Council, following the preparation of the list, and recorded in the minutes of the meeting at which it is presented.
2. The payment list and the associated report was previously presented to the Finance and Audit Committee. Given this Committee's scope has changed to focus more on the audit function, the payment listings will be forwarded to the Elected Members ahead of time. Any questions received prior to the

finalisation of the report will be included along with the responses within the Schedule of Accounts report for that month.

3. The list of accounts paid in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996 is contained within the attachment and is summarised below.

Fund	Reference	Amounts
Municipal Account		
Automatic Cheques Drawn	608785 – 608793	18,520
Creditors – EFT Payments		6,311,548
Payroll		1,044,009
Bank Fees		6,452
Corporate MasterCard		11,815
		7,392,344

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	The monthly payment summary listing of all payments made by the Town during the reporting month from its municipal fund and trust fund provides transparency into the financial operations of the Town.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The presentation of the payment listing to Council is a requirement of Regulation 13 of Local Government (Finance Management) Regulation 1996.

Legal compliance

[Section 6.10\(d\) of the Local Government Act 1995](#)

[Regulation 13 of the Local Government \(Financial Management\) Regulation 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	Misstatement or significant error in Schedule of accounts.	Moderate	Unlikely	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and external audits.
		Severe	Unlikely	High	Low	

	Fraud or illegal transactions					Treat risk by ensuring stringent internal controls, and segregation of duties to maintain control and conduct internal and external audits.
Environmental	Not applicable					
Health and safety	Not applicable					
Infrastructure/ICT systems/utilities	Not applicable					
Legislative compliance	Not accepting schedule of accounts will lead to non-compliance.	Major	Unlikely	Medium	Low	Treat risk by providing reasoning and detailed explanations to Council to enable informed decision making. Also provide the Payment summary listing prior to preparation of this report for comments.
Reputation	Not applicable					
Service Delivery	Not applicable					

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation
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Future budget impact

Not applicable.

Analysis

4. All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures. It is, therefore, requested that Council confirm the payments, as included in the attachments.

Relevant documents[Procurement Policy](#)

There were no questions asked or presentations made in relation to this item.

14.2 Financial Statements for the month ending September 2020

Location	Town-wide
Reporting officer	Bonnie Hutchins
Responsible officer	Stuart Billingham
Voting requirement	Absolute majority
Attachments	1. Financial Statements for the month ending September 2020 [14.2.1 - 48 pages]

Recommendation

That Council:

1. Accepts the Financial Activity Statement Report – 30 September 2020, as attached.
2. Notes that the Town’s final opening financial position (1 July 2020) is subject to final audit.

Purpose

To present the statement of financial activity reporting on the revenue and expenditure for the period ended 30 September 2020.

In brief

- The financial activity statement report is presented for the month ending 30 September 2020.
- The report complies with the requirements of Regulation 34 (financial activity statement report) of the Local Government (Financial Management) Regulations 1996.
- The financial information as shown in this report does not include a number of end-of-financial year adjustments that are still yet to occur, as well as the final approval by the Auditor. The figures stated should therefore not be taken as the Town’s final financial position for the period ended 30 September 2020.

Background

1. Regulation 34 of the Local Government (Financial Management) Regulations 1996 states that each month, officers are required to prepare monthly financial reports covering prescribed information, and present these to Council for acceptance. Number all paragraphs from here on, not including tables.
2. As part of the monthly financial reports, material variances are reported. Thresholds are set by Council and are as follows:
 - (s) Revenue
Operating revenue and non-operating revenue – material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment has been provided.
 - (b) Expense
Operating expense, capital expense and non-operating expense – material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and in these instances, an explanatory comment has been provided.
3. For the purposes of explaining each material variance, a three-part approach has been applied. The parts are:
 - (a) Period variation

Relates specifically to the value of the variance between the budget and actual figures for the period of the report.

(b) Primary reason(s)

Explains the primary reason(s) for the period variance. Minor contributing factors are not reported.

(c) End-of-year budget impact

Forecasts the likely financial impact on the end-of-year financial position. It is important to note that figures in this part are 'indicative only' at the time of reporting and may subsequently change prior to the end of the financial year.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	To make available timely and relevant information on the financial position and performance of the Town so that Council and public can make informed decisions for the future.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	Ensure the Town meets its legislative responsibility in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.

Engagement

Internal engagement	
Service Area Leaders	All Service Area Leaders have reviewed the monthly management reports and provided commentary on any identified material variance relevant to their service area.

Legal compliance

[Regulation 34 of the Local Government \(Financial Management\) 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	Misstatement or significant error in financial statements	Moderate	Unlikely	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and

	Fraud or illegal transaction	Severe	Unlikely	High	Low	external audits. Treat risk by ensuring stringent internal controls, and segregation of duties to maintain control and conduct internal and external audits.
Environmental	Not applicable					
Health and safety	Not applicable					
Infrastructure/ICT systems/utilities	Not applicable					
Legislative compliance	Council not accepting financial statements will lead to non-compliance	Major	Unlikely	Medium	Low	Treat risk by providing reasoning and detailed explanations to Council to enable informed decision making. Also provide the Payment summary listing prior to preparation of this report for comments.

Financial implications

Current budget impact	Commentary around the current budget impact is outlined in the Statement of Financial Activity, forming part of the attached financial activity statement report.
Future budget impact	Not applicable

Analysis

4. The Financial Activity Statement Report – 30 September 2020 complies with the requirements of Regulation 34 (Financial activity statement report) of the Local Government (Financial Management) Regulations 1996. It is therefore recommended that the Financial Activity Statement Report – 30 September 2020 be accepted.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

14.3 2020-2021 Quarterly Budget Review

Location	Town-wide
Reporting officer	Stuart Billingham
Responsible officer	Michael Cole
Voting requirement	Absolute majority
Attachments	2020/2021 September Quarterly Budget Review 1. 2020-21- Sept 30 Qtrly Budget- Review- Town of Victoria Park V 2 [14.3.1 - 20 pages]

Recommendation

That Council:

1. Adopts the 2020-2021 September Quarterly Budget Review as contained within the attached.
2. Approves the budget amendments contained in the 2020-2021 September Quarterly Budget Review, detailed below (as listed in note 5 without a Council Resolution, as attached).
 - Increase Cap Inc transfer from Ed Millen Reserve \$295,914
 - Decrease Op Exp S&W 13830.1001 Community Development \$42,500, 13830.1002 Super \$4,500
 - Increase Op Exp S&W 12240.1001 Place Planning -\$42,500, 12240.1002 Super (\$4,500)
 - Increase Op Exp 12734.1268 COVID Arts Grants Expenditure (\$50,000)
 - Increase Op Inc Financial Assistance Grants General Component \$57,521
 - Decrease Op Inc Financial Assistance Grants General Component (\$479,908) remove advance pmt 2020/21
 - Decrease Cap Exp Library IT Software W1839.25.88 \$15,490
 - Decrease Cap Ex Human Resources Software W3153.25.88 \$5,550
 - Decrease Cap Ex AP Workflow IT upgrade W3154.25.88 \$24,000
 - Decrease Cap Exp Parking & Ranger relocate IT Hardware W3161.25.88 \$26,700
 - Decrease Cap Exp Council Chambers IT Hardware W3268.25.88 \$12,400
 - Decrease Cap Exp Hill View Tce & Oats St W1865.25.88 \$64,079
 - Decrease Cap Exp Rutland Ave – Oats St to Welshpool Rd W1868.25.88 \$39,655
 - Decrease Cap Exp Solar Way – Mercury to Mercury W4335.25.88 \$139,552
 - Decrease Cap Exp Carnarvon St –Dane to Somerset W4361.25.88 \$95,874
 - Decrease Cap Exp Streatley Rd –Gallipoli to Castle W4363.25.88 \$7,820
 - Decrease Cap Exp Sussex St – Devenish to Berwick W4364.25.88 \$79,951
 - Decrease Cap Exp John MacMillan Park Redevelop W4538.25.88 \$204,062
 - Increase Cap Exp Template St – Washington to Berwick W4538 (\$26,000)
 - Decrease Cap Exp Remove Plant #432 W4400.25.88 purchase postponed \$45,000
 - Decrease Cap Inc Plant #432 remove trade in value changeover postponed W4400.59.64 (\$18,000)
 - Non-Cash item Plant #432 P&L removed (\$2,882)

- Increase Cap Inc Plant #399 not listed in budget add in W3254.59.64 \$12,000
- Non-Cash item Plant #399 P&L not listed in budget add in (\$3,000)
- Increase Cap Inc Plant #445 proceed on sale added to budget \$24,000
- Decrease Op Inc for Road Sweeper 162VPK disposed in previous yr (\$75,000)
- Cap Exp Aqualife Building Renewal savings W3235.25.88 \$10,000
- Decrease Cap Exp Clubroom painting Parnham & Fletcher W4442.25.88 \$30,000
- Increase Cap Exp Kent St replacement of fencing W4554.25.88 (\$30,000)
- Decrease Cap Exp Leisurelife skylights W4445.25.88 \$5,000
- Decrease Cap Exp Leisure life HWS replacement savings W4446.25.88 \$20,000
- Increase Op Exp Changerooms Refurbishment JA Lee Clubrooms W4524.25.88 (\$10,000)
- Decrease Cap Exp Archer St GO Edwards Park Toilet Block painting savings W4523.25.88 \$55,000
- Decrease Cap Exp Aqualife C/fwd savings W3245.25.88 \$27,296
- Increase Op Exp COO Contract management Training 177570.1007.88 (\$2,600)
- Increase Op Exp COO Project Management Training 17780.1007.88 (\$3,000)
- Increase Op Exp COO Rewards & Recognition 17574.1285.88 (\$1,310)
- Increase Op Exp Future Org Needs W4552.25.88 (\$60,000)
- Increase Cap Exp MRRG – Kent St – Albany Hwy to Gloucester nightworks W4406.25.88 (\$38,000)
- Increase Cap Exp MRRG – Oats St – Swansea to Rutland night works W4407.25.88 (\$45,000)
- Cap Exp Custance St – Goddard to Getting W4405.25.88 (\$150,000)
- Cap Exp Norseman St –Carnarvon to end W4409.25.88 (\$26,000)
- Cap Exp Lake View St –Carnarvon to end W4411.25.88 (\$25,000)
- Cap Exp Tuam St – Washington to Albany Hwy (\$24,000)
- Cap Exp Dome Place – VPD to end W4414.25.88 W4414.25.88 (\$50,000)
- Cap Exp Anglesea St –Gerard to Carnarvon W4415.25.88 (\$20,000)
- Cap Exp Watts Place – Turner to end savings W4429.25.88 \$57,500
- Increase Cap Exp Blair Athol St – Carnarvon to Gerard W 4532.25.88 (\$23,100)
- Increase Cap Exp Briggs St – Star to Orrong night works W4430.25.88 (\$50,000)
- Increase Cap Exp Savill Place – Cohn to end W4434.25.88 (\$20,000)
- Decrease Cap Exp Midgley St – Rutland to Gallipoli W4536.25.88 \$55,000
- Increase Cap Exp Maude St – Anglesea to Blair W4537.25.88 (\$15,000)
- Decrease Cap Exp Baron Hay Crt – George to end deferred this yr dept of Ag W4425.25.88 \$165,956
- Decrease Cap Exp Raphael Park Irrigation savings W3220.25.88 \$140,485
- Decrease Cap Exp Higgins Park upgrade savings W1725.25.88 \$142,239
- Increase Cap Exp ROW 119 profile & resurface W1304.25.88 (\$100,000)
- Decrease Cap Exp Pipe Renewal as per AMP deferred W1871.25.88 \$100,000

- Decrease Cap Exp Clydesdale St – Teague to Kitchener (West Side) savings W4473.25.88 \$15,030
- Decrease Cap Exp Clydesdale St – Sudbury to Kitchener (East Side) savings W4475.25.88 \$5,500
- Decrease Cap Exp Hill View Tce – Burlington to Albany Hwy (South side) savings W4476.25.88 \$6,400
- Decrease Cap Exp Camberwell St – Archdeacon to Devenish (South side) savings W4479.25.8 \$3,800
- Decrease Cap Exp Kitchener Ave – Harper to Clydesdale (West side) savings \$5,400
- Increase Cap Exp Harold Rossiter Park Kent to Rathay W4471.25.88 (\$50,000)
- Increase Cap Exp Carpark 15 Fletcher Park W4460.25.88 (\$50,000)
- Increase Cap Exp Alec Bell Park W1060.25.88 (\$10,000)
- Decrease Cap Exp Street Lighting Albany Hwy and Laneways savings W4464.25.88 \$39,000
- Increase Cap Exp W1895.25.88 Street Lighting Improvements Various Loc (\$66,000)
- Increase Cap Exp Lathlain Redevelopment zone 2 Art Project (\$11,000)
- Increase Cap Exp Lathlain Redevelopment zone 2x Art Project (\$39,500)
- Increase Cap Exp IT Budget Rutland Ave –Miller to Oats increased scope W3210.25.88 (\$250,000)
- Increase Cap Exp purchase more tablets W3266.25.88 (\$84,090)
- Decrease Cap Exp Office 365 W3266.25.88 \$90,000
- Increase Cap Exp TRIM CM9 W3269.25.88 increase budget by (\$90,000)
- Increase Cap Exp AV Equipment upgrades W4555.25.88 (\$50,000)

Purpose

The present to Council the Quarterly Budget Review detailing material variances which may impact upon the budget and provide recommendations on how to accommodate these variations.

In brief

- The Quarterly Budget Review is an early assessment by the Town of how it is financially performing to date and is used to identify variations from the budget by the year end. It may include new works and/or services not identified in the adopted budget.
- The Quarterly Budget review, although not a legislative requirement, is however presented to Council as industry best practice to ensure reporting timeliness and organisational agility to respond to changes. Any Budget amendments are to be approved in accordance with section 6.8 of the *Local Government Act 1995*.
- The Quarterly Budget Review does not consider the opening position for the financial year. The main Annual Budget Review to be presented to Council in February 2021, after the Annual Financial Audit is completed, will consider any changes to the opening position.
- Known material variations to the Annual Budget are addressed in this report, including the funding identified to accommodate these variations.

Background

1. A Quarterly Budget Review as of 30 September 2020 has been undertaken by the Financial Services area.

2. The September Quarterly Budget Review has been prepared and is now presented to Council for consideration and approval of the recommended budget amendments.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	. To make available timely and relevant information on the financial position and performance of the Town so that Council and public can make informed decisions for the future.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	. Ensure the Town meets its legislative responsibility in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.

Engagement

Internal engagement	
Stakeholder	SALT's and Managers
Service Area Leaders	All Service Area Leaders and Managers have reviewed the Quarterly Budget Review report and provided commentary on identified budget amendments requested relevant to their service area.

Legal compliance

Local Government Act 1995 section 6.8.

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 adopting the Quarterly Budget Review would affect budget allocations required for this year's projects and funding	Moderate	Unlikely	Medium	Low	TREAT risk by Adopting the Quarterly Budget Review and recommended budget amendments.
Environmental	Not applicable	Nil	Nil	Nil	Nil	Not applicable
Health and safety	Not applicable	Nil	Nil	Nil	Nil	Not applicable

Infrastructure/ ICT systems/ utilities	Not applicable	Nil	Nil	Nil	Nil	Not applicable
Legislative compliance	Budget Amendments in accordance with LG Act 1995	Moderate	Possible	Medium	Low	TREAT risk by ensuring Budget amendments in accordance with LG 1995 Act
Reputation	Being transparent with Community	Moderate	Unlikely	Medium	Low	TREAT risk by open reporting to Council and Public.
Service delivery	Best Practice	Low	Possible	Low	Low	TREAT risk by following Industry best practice.

Financial implications

Current budget impact	Sufficient funds do not exist within the annual budget. As per note 5 in the attached quarterly budget review report a list of requested budget amendments is submitted for consideration of Council for approval.
Future budget impact	Not applicable.

Analysis

3. The Quarterly Budget Review has identified several predicted variances to the Adopted Budget. The variances relate to:
 - (a) Funding for projects carried over from 2019/2020 no longer required
 - (b) Adjustments for known variations this year.
4. The reasons for Budget amendments are summarised in Note 4 and Note 5 of the attachment.
5. The budget amendments are recommended for Council approval.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

15 Committee reports

15.1 Review of Policy 224 Fences Between Town Property and Adjoining Property

Location	Town-wide
Reporting officer	Gregor Wilson
Responsible officer	Ben Killigrew
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. Policy 224 Fences between Town property and adjoining property Final [L5VO] [15.1.1 - 2 pages]2. Policy 224 Fences between Town property and adjoining property - Track Changes [15.1.2 - 3 pages]3. Policy 224 Fences between Town property and adjoining property - Current [15.1.3 - 2 pages]

Recommendation from the Policy Committee

That Council, effective from the commencement of the Fencing Local Law 2020:

1. Repeals existing Policy 224 Fences Between Town Property and Adjoining Property as attachment 3.
2. Adopts amended Policy 224 Fences Between Property owned by the Town and Adjoining Property as Attachment 1.

Purpose

To repeal existing Policy 224 Fences Between Town Property and Adjoining Property and present amended Policy 224 Fences Between Property owned by the Town and Adjoining Property to the Policy Committee for a recommendation for Council adoption.

In brief

- Policy 224 Fences Between Town Property and Adjoining Property was last reviewed in August 2015
- At its Council meeting of April 2020, it was resolved to request a review of Policy 224 Fences Between Town Property and Adjoining Property by November 2020. This is part of the broader timetable for review of policies in the 2020/2021 financial year.
- Policy 224 Fences Between Town Property and Adjoining Property guides the principles that the Town will apply relating to contribution to the costs of fencing adjoining Town controlled land.

Background

1. At its meeting on 21 April 2020 Council adopted a works plan to complete a review of a number of policies. Policy 224 Fences Between Town Property and Adjoining Property was one of the policies identified for review.

2. The Town has an extensive list of parks and sumps that are adjoined by privately owned residential and commercial properties.
3. Under certain criteria, and as a responsible neighbour, the Town may contribute up to 50% of the costs of dividing fences.
4. Drainage sumps have the potential to be filled with water, so maintaining the fence integrity in these locations potentially becomes a safety issue.
5. In the case of parkland, a missing fence may create illegal access to the park by vehicles potentially causing damage, so it may be in the Town's interest to contribute to the cost of fencing.
6. The Town receives multiple requests each year for contributions to adjoining fences on Parks and Sumps.
7. Local governments are not exempt from the requirements of the *Dividing Fences Act 1961* however crown land managed by the local government would be.

Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	Maintaining the integrity of boundary fences, keeps them to a standard, and restricts inappropriate access for safety, and limiting damage to parkland.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Well maintained fence networks help define park boundaries, stop unauthorized vehicle access and maintain the aesthetics of the sites.

Engagement

Internal engagement	
Stakeholder	Comments
Engineering staff	Feedback on maintaining sump fences
Park Staff	Review document relating to Park boundary fencing issues
Planning Department	Approval of changes consistency with planning policies
Governance, and Land and Properties Officer	Review of policy wording

Legal compliance

[Section 2.7 of the Local Government Act 1995](#)

[Dividing Fences Act 1961](#)

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 adopting a fencing policy may lead to inconsistency in financial contributions for boundary fencing	Moderate	Likely	High	Low	Adopt a policy that clarifies council contributions,
Environmental	N/A					
Health and safety	Failure to protect residents from issues caused by missing fences	Moderate	Possible	Moderate	Low	Ensure fencing policy is followed.
Infrastructure/ ICT systems/ utilities	Failure to protect public open space and infrastructure	Moderate	Likely	Moderate	Medium	Ensure fences are replaced
Legislative compliance	N/A					
Reputation	Complaint over Town's handling of fencing requests	Low	Possible	Low	Low	Ensure policy is followed, and available on website
Service delivery	N/A					

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Town needs to maintain current level of budget in parks and drainage sumps to deal with any future requests for contributions to fencing.

Analysis

- The Town assessed the Dividing Fences Act as part of the research into this policy. The policy is consistent with our requirement under the Act.

9. The Town also sought comparison with other local government policies relating to fencing. Four councils were contacted, with the City of Stirling providing feedback. The City of Stirling indicated that they rarely pay a contribution to dividing fences, and follow guidelines from the Dividing Fences Act.
10. The policy has been reviewed for consistency of application against existing practice. Minor amendments have been made to clarify terminology and other requirements in providing for the Town's contributions to Fences Between Town Property and Adjoining Property, as outlined with the attached Policy 224 Fences Between Town Property and Adjoining Property.

Relevant documents

[Policy 224 Fences Between Town Property and Adjoining Property](#)

[Western Australian Legislation - Dividing Fences Act 1961](#)

There were no questions asked or presentations made in relation to this item.

15.2 Review of Policy 254 Remnant Native Vegetation

Location	Town-wide
Reporting officer	Gregor Wilson
Responsible officer	Ben Killigrew
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. Policy 254 Remnant native vegetation - Track changes [15.2.1 - 2 pages]2. Policy 254 Remnant native vegetation - Current [15.2.2 - 2 pages]3. Policy 254 Remnant native vegetation final [U8R7] [15.2.3 - 2 pages]

Recommendation from the Policy Committee:

That Council:

1. Repeals existing Policy 254 Remnant Native Vegetation as Attachment 3.
2. Adopts amended Policy 254 Remnant Native Vegetation as Attachment 2.

Purpose

To repeal the existing Policy 254 Remnant Native Vegetation and present the amended Policy 254 on Remnant Native Vegetation to the Policy Committee for a recommendation for Council adoption.

In brief

- Policy 254 Remnant Native Vegetation was last reviewed in August 2015.
- At its Council meeting of April 2020 it was resolved to request a review of Policy 254 Remnant Native Vegetation by November 2020. This is part of the broader timetable for review of policies in the 2020/2021 financial year.
- Policy 254 on Remnant Native Vegetation guides the principles that the Town will apply to provide for the management of remnant native vegetation on land under the control or management of the Town.

Background

0. At its meeting on 21 April 2020 Council adopted a work plan to complete the review of a number of policies. Policy 254 Remnant Native Vegetation was one of the policies identified for review.
1. Remnant vegetation or bushland can be defined as those patches of native trees, grasses and shrubs still left. The vegetation can be any shape and size and can include all types of native vegetation communities.
2. Remnant vegetation can provide an area with a distinct character and a link to the past.
3. The Town of Victoria Park has largely been cleared for urbanisation and only contains two bushland reserves (Kensington Bushland and Hillview Bushland), with the remaining sites with indigenous flora largely consisting of individual trees or small stands on roadsides, parks (such George St Reserve and Harold Rossiter Reserve) and sumps.
4. The remaining vegetation is an asset to the Town of Victoria Park and need to be actively managed to retain their aesthetic, cultural, and ecological values.
5. The Town has a dedicated Team Leader Natural Areas as well as other staff and contractors who maintain these areas.

Strategic alignment

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	Well maintained track networks and controlled weeds help allow for accessibility and reduced fire hazard.

Environment	
Strategic outcome	Intended public value outcome or impact
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Well preserved aesthetically pleasing bushland allows opportunities for passive recreation fauna habitat and education on the value of remnant vegetation.
EN07 - Increased vegetation and tree canopy.	Preservation of existing trees and revegetation works help preserve and increase vegetation within the Town and add to biodiversity.

Engagement

Internal engagement	
Stakeholder	Comments
Parks staff	Provide information on current practices
Environmental Officer	Reviewed policy and provide feedback

Legal compliance

[Section 2.7 of the Local Government Act 1995](#)

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	Failing to fund required preservation works	Moderate	Likely	High	Low	Continue to appropriately fund parks maintenance budgets for remnant vegetation works
Environmental	Failing to properly maintain remnant vegetation	Moderate	Likely	High	Medium	Preserve remnant vegetation and contain weeds

Health and safety	Not applicable				
Infrastructure/ ICT systems/ utilities	Not applicable				
Legislative compliance	Not applicable				
Reputation	Public backlash due to vegetation degradation	High	Likely	Low	Preserve remnant vegetation
Service delivery	Failure to keep up with maintenance requirements	Moderate	Likely	Medium	Continue current level of maintenance works

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	The maintenance and preservation of the remnant bushland areas will continue to require maintenance funding in subsequent future budgets.

Analysis

- The Town sought comparison with other local government policies relating to remnant native vegetation. Four councils were contacted, with the City of Stirling provided feedback. The City of Stirling manages its bushland guided by the City's Local Biodiversity Plan and Green Plan 2. They do not have a specific individual policy just relating to remnant native vegetation. The Town also obtained a copy of the Town of Kwinana's policy from their website. The policy is similar to the Town of Victoria Park's, with minor differences regarding Phytophthora control (dieback) and milling of removed timber.
- The policy has been reviewed for consistency of application against existing practice. Minor amendments have been made to clarify terminology and other requirements in providing for the preservation of remnant bushland, as outlined with the attached tracked changes version.

Relevant documents

[Policy 254 Remnant Native Vegetation](#)

There were no questions asked or presentations made in relation to this item.

16 Motion of which previous notice has been given

16.1 Mayor Karen Vernon - Support for WAAMH Mental Health Campaign ahead of WA State Election 2021

In accordance with clause 4.3 of the Town of Victoria Park Standing Orders Local Law 2011, Mayor Karen Vernon has submitted the following notice of motion.

Motion

That Council:

1. Supports the WA Association of Mental Health's (WAAMH) Prevent Support Heal campaign prior to the 2021 WA State Election, by advocating for a funding commitment towards an optimal mix of funding for mental health detailed in the State Government's *'Better Choices. Better Lives: Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015-2025'*;
2. Authorises the Mayor to write to the following persons in support of the need for this funding commitment prior to the 2021 election:
 - a. Premier of Western Australia, the Honourable Mark McGowan MLA and the Minister for Health; Mental Health, the Honourable Roger Cook MLA;
 - b. The Honourable Liza Harvey MLA, Leader of the Opposition; and the Shadow Minister for Health; Mental Health, the Honourable Zak Kirkup MLA;
 - c. All candidates who nominate for the WA electoral seats of Victoria Park and Belmont.

Reason

On 29 September 2020, the President of the WA Local Government Association (WALGA) wrote to me seeking our Council's support for a mental health campaign in the following terms:

"Local Governments are at the forefront of their communities' social and emotional wellbeing. From supporting community groups to high level statutory requirements, Local Governments have a significant role to play in the prevention of mental health problems, supporting people to stay well and connected to each other, their families and friends. This has been particularly evident during COVID-19 as Local Governments have adjusted to keep their communities connected while physical distancing.

In August 2020 WALGA's East Metropolitan Zone requested WALGA to encourage Local Governments to support the WA Association of Mental Health's (WAAMH) Prevent Support Heal campaign.

The campaign seeks to advocate to the political parties in the lead up to the 2021 State Election, for a funding commitment towards an optimal mix of funding for mental health. This optimal mix of funding is outlined in the State Government's *'Better Choices. Better Lives: Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015-2025'*. Currently ninety per cent of mental health funding is spent on inpatient hospital services and community treatment, leaving just 1 per cent for prevention and 5 per cent for community support.

The current funding allocation compared to the optimal service mix for the best outcomes in mental health is shown in the table below.

Service	Current allocation	Optimal allocation
Hospital beds	47%	29%
Community treatment	43%	34%
Community beds	4%	9%
Prevention	1%	6%
Community Support	5%	22%

In particular the campaign is seeking increased funding for prevention and community support measures. These are extremely important to support the community during the current COVID-19 pandemic and beyond.

Prevention measures are those which increase awareness, reduce stigma and encourage early intervention. Community supports are non-clinical supports that advance people’s personal recovery, rights and opportunities near a person’s home, rather than in hospitals and include peer support, personal recovery programs, groups, family and carer support, housing and employment programs.

The campaign’s State Election Platform was launched on Tuesday, 15 September with people sharing their experiences in WA’s mental health system, demonstrating the importance of funding for the optimal mix of services in mental health.

WALGA encourages Local Governments to support this campaign and consider writing to the Premier, Hon. Mark McGowan MLA and Minister for Health; Mental Health, Hon. Roger Cook MLA to support funding for the optimal mix of services for mental health and detailing the role your Local Government is undertaking to support community wellbeing.”

Our Strategic Community Plan has a goal to create a healthy community. One of the roles of Council is to be an effective advocate for our community to receive the resources it needs to support its collective health and well-being. It is also important for us to consider, and where appropriate, support the work of peak industry bodies like WAAMH.

State elections provide an important opportunity for Council to be an advocate for adequate funding for important services that will prevent mental illness and support those living with, and caring for, people in our community who are experiencing mental health issues.

It is appropriate to ensure our advocacy is universal, and includes not only the current WA Government, but the Leader of the Opposition, and in due course, candidates seeking election to represent the electors of the Town of Victoria Park.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	By bringing this item to Council, the community will know what advocacy is being undertaken on their behalf.

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	Appropriate funding for mental health services to support our community will ensure better outcomes for those affected by mental health issues.
S02 - An informed and knowledgeable community.	The community understands the role of Council in advocating for state government funding of adequate mental health services as part of the election process.

Officer response to notice of motion

Location	Town-wide
Reporting officer	Alison Braun
Responsible officer	Natalie Martin Goode
Voting requirement	Simple majority
Attachments	{attachment-list-do-not-remove}

Officer comment

1. The Town actively supports the Elected Members Notice of Motion to advocate to the WA Association of Mental Health's (WAAMH) Prevent Support Health campaign prior to the 2021 WA State Election requesting a funding commitment towards optimal mix of funding for mental health as detailed in the State Government's '*Better Choices. Better Lives: Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015-2025*'.

The Town will support the Mayor to write to the following persons in support of the request of a funding commitment prior to the 2021 election:

- . Premier of Western Australia, the Honorable Mark McGowan MLA and the Minister for Health; Mental Health, the Honorable Roger Cook MLA;
- a. The Honorable Liza Harvey MLA, Leader of the Opposition; and the Shadow Minister for Health; Mental Health, the Honorable Zak Kirkup MLA;
- b. all candidates who nominate for the WA electoral seats of Victoria Park and Belmont.

The Town will support the Mayor by providing relevant supporting documentation and avenues to advocate through social and media channels.

2. The Town is committed to advocating for our community to receive the resources it needs to support prevention measures, increase awareness, reduce stigma and encourage early intervention for people in our community who are experiencing mental health issues.

Legal compliance

Not applicable.

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					

Health and safety	Not applicable					
Infrastructure/ ICT systems/ utilities	Not applicable					
Legislative compliance	Not applicable					
Reputation	Potential reputational risk if the Town is not seen actively advocating for social issues	Moderate	Unlikely	High	Low	Town to actively advocate on a local and state level. Provide community with overview of advocacy via the Towns social media platforms.
Service delivery	Not applicable					

Financial implications

Current budget impact	Nil budget impact.
Future budget impact	Not applicable.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

16.2 Mayor Karen Vernon - Temporary alteration of paid parking from December 2020 – January 2021

In accordance with clause 23 of the Town of Victoria Park Meeting Procedures Local Law 2019, Mayor Karen Vernon has submitted the following notice of motion.

Motion

That Council:

1. Approves the implementation of one hour free parking in all on-street metered parking along Albany Highway commencing on 1 December 2020 until Sunday 31 January 2021;
2. Requests the Chief Executive Officer to refer the issue of parking incentives for consideration in the next review of the Parking Management Plan.

Reason

In December 2018 and December 2019, Council resolved to approve Sunday free parking over the summer months, typically through December, January and February.

The Christmas and summer holiday period is an important opportunity for our community to eat out and shop local, and for our local businesses to benefit from increased foot traffic that comes with the festive season, fine weather and longer daylight hours.

Continuing to adopt a parking incentive for eight weeks over the holiday period from December 2020 to January 2021 will provide a valuable opportunity to:

1. Acknowledge our local businesses as valuable contributors to our Town;
2. Recognise the Council's role in supporting local businesses to survive and thrive during the current economic environment;
3. Reward and encourage local residents for choosing to patronise local businesses;
4. Encourage visitors to choose the Town as an attractive place to shop and dine out;
5. Compete with neighbouring local councils such as Perth, Vincent and Subiaco who are offering parking incentives to attract customers to their local retail and hospitality businesses.

One hour free parking available at any time along paid parking zones on Albany Highway throughout the Town is more equitable than free Sunday parking incentives from previous years for businesses and parkers alike.

Strategic alignment

Economic

Strategic outcome

EC1 – A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.

Intended public value outcome or impact

One hour free parking over the summer holiday period will help to attract more customers to the Town's local businesses, and help the Town to maintain a competitive position in

	relation to the paid parking arrangements of neighbouring local councils.
EC2 – A clean, safe and accessible place to visit.	More opportunities for locals and visitors alike to take advantage of relaxed paid parking and access local businesses.

Civic leadership	
Strategic outcome	Intended public value outcome or impact
CL3 – Well thought out and managed projects that are delivered successfully.	Early adoption of a short term parking incentive allows the initiative to be planned and promoted in sufficient time for the festive/summer holidays.
CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Planned increases in free parking will enable the costs to be adequately resourced having regard to lost revenue, reprogramming ticket machines and promotion of the initiative.

Officer response to notice of motion

Location	Town-wide
Reporting officer	Luke Ellis
Responsible officer	Michael Cole
Voting requirement	Simple majority
Attachments	{attachment-list-do-not-remove}

Officer comment

1. To inform potential summer holiday parking incentive Town Staff presented at the first meeting of the Town's Business Advisory Group (BAG) in October to explain the Town's approach to parking management, explore its relationship to business activity and consult on a variety of options for summer parking incentives.

b. A table of options, shown below, listing the financial impact and relevant considerations were provided to the BAG.

	Options	Estimated Financial Outcome	Considerations
1	Dynamic Parking	Nil	<ul style="list-style-type: none"> • In action currently in all paid parking areas • 3 month review cycle • Budgeted • Equitable across areas and days of the week • Encourages bay turnover at peaks times • Encourages more parkers at off-peak times • Opportunity for promotion, however may reduce business and visitor sentiment as less is offered than in the previous two years.
2	Free Sundays	\$43,800 of revenue reduction and costs	<ul style="list-style-type: none"> • Opportunity for promotion and improved business and visitor sentiment • No cost for parkers on Sundays • Inequity of provision for businesses that don't operate Sundays • Inequity of provision across the Town • Reduced incentive for parkers to move on providing turnover for new customers to access bays on Sundays • No incentive to park in more distant free bays keeping prime parking available for customers and high turnover on Sundays • Unbudgeted reduction in income
3	Free Weekends	\$87,600 of revenue reduction and costs	<ul style="list-style-type: none"> • Opportunity for promotion and improved business and visitor sentiment • No cost for parkers on weekends • Inequity of provision for businesses that don't operate weekends • Inequity of provision across the Town • Reduced incentive for parkers to move on providing turnover for new customers to access bays on weekends • No incentive to park in more distant free bays keeping prime parking available for customers and high turnover on weekends

			<ul style="list-style-type: none"> • Unbudgeted reduction in income
4	First Hour Free	\$54,000 of revenue reduction and costs	<ul style="list-style-type: none"> • Opportunity for promotion and improved business and visitor sentiment • Reduced incentive for parkers to move on providing turnover for new customers to access bays • Reduced incentive to park in more distant free bays keeping prime parking available for customers and high turnover on weekends • Unbudgeted reduction in income
5	No Fee's	\$180,000 of revenue reduction and costs	<ul style="list-style-type: none"> • No incentive for parkers to move on limiting access for new customers to access bays • No incentive to park in more distant free bays keeping prime parking free to customers and high turnover • Parkers may not move their vehicle and collect a new free ticket every 2hours reducing equitable access to parking bays • Cost shift of parking from user pay to ratepayer pay • Significant unbudgeted reduction in income • Impact to Town financial position and potential impact on future rates

3. Four responses were received from the BAG, all in support of option 4 - First hour free.

Implementation of one hour free parking.

4. At its meeting held November 2019 Council endorsed a dynamic approach to price and time for parking along Albany hwy.

Approves the implementation of changes to parking price and free time for on-street parking along Albany Highway where hourly measured occupancy is below 50%.

Free 1-hour parking and parking levied at \$1.10p/h (half price) concluding when parking occupancy reaches 50% with associated minor amendments to the 2019-2020 Schedule of Fees and Charges and the advertising of the proposed minor amendments be given in accordance with Section 6.19 of the Local Government Act 1995

5. Accordingly, the price to park for the second hour will continue to vary between \$2.20 during peak periods to \$1.10 during off-peak periods to maintain the Town's Dynamic Parking approach.

6. The implementation of one hour free parking for the two month period will have an anticipated negative financial impact of \$54,000 related to:

- a. The \$4,000 cost of reprogramming and updating information on 80 ticket machines along Albany Highway; and
- b. The estimated \$50,000 reduction in revenue.

Economic Development comment

7. The Town has taken a unified approach to the Festive Season and are in the process of delivering a collaborative campaign called 'Unwrap Vic Park'. The campaign incorporates a range of key messages and prompts visitors to find out how they can visit, and get around the Town. These key messages can be adapted to promote the changes outlined in the notice of motion should it be resolved by Council.

8. This combined approach allows the Christmas activities of the Town to form a single encompassing campaign rather than multiple concurrent campaigns. This improves the engagement and reach to the target audience which would otherwise be diluted if multiple campaigns were initiated that compete for the same for advertising space.
9. The Unwrap Vic Park campaign is a budgeted program and would not require additional budget to incorporate parking incentive messaging.

Legal compliance

Not applicable.

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	Loss of revenue.	Minor	Almost Certain	Medium	Low	Accepted through endorsement of NoM
Environmental	The proposed incentive will encourage more people to drive instead of active and environmentally friendly transport modes - walking, cycling or taking public transport.	Minor	Likely	Medium		Accepted through endorsement of NoM
Health and safety	Not applicable					
Infrastructure/ ICT systems/ utilities	System outage due to reprogramming of ticket machines	Minor	Unlikely	Low	Medium	Accepted through endorsement of NoM
Legislative compliance	Not applicable					
Reputation	Not supporting this NoM could result in businesses being critical of Council in not providing enough support over the Festive Season.	Minor	Likely	Medium	Low	Treat through Endorsement of NoM

Service delivery	Reduced or nil parking availability during peak times due to the reduced incentive for parking turnover	Minor	Almost Certain	Medium	Medium	Accepted through endorsement of NoM
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Financial implications

Current budget impact	<p>The change sought within the motion will reduce parking income by approximately \$50,000 for the 8 weeks. This will likely result in lower than budgeted parking revenue for 2020/21.</p> <p>Sufficient funds exist within the expenditure budget to undertake the machine reprogramming at a cost of \$4,000</p>
Future budget impact	Not applicable.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

17 Public participation time

Vince Maxwell

1. From the quarterly review of the finances, there was an underestimation of the surplus of one and a half million dollars, is that correct?

The Chief Financial Officer advised that it is in the order of that amount but the Town is waiting on auditor's confirmation.

2. Can that money go back into reserves?

The Chief Financial Officer advised that is the likely recommendation that will come to Council around the mid-year review, which would likely be the February OCM.

3. In relation to 13.1, did you Mayor, or the CEO, advise the buyer under section 2.3b that the condition could not be satisfied?

Mayor Karen Vernon advised that she did not.

The Chief Executive Offer advised that he did not.

4. Can I ask why not?

Mayor Karen Vernon advised that the matter has not yet been completed and that no notice from Council has been passed for her to do so.

5. Are staff hours being charged back to the developer?

The Chief Operations Officer advised that the Town is confident they are doing what is required by the contract. The charge for staff is not being charged back to Fabcot.

Yhana Lucas

1. Made a statement about 11.3 thanking elected members for their questions on the item and is looking forward working collaboratively with the Town on this.

Sue Coltrana

1. Made a statement about item 12.1 and her concern on the impact of reduced amenity for parking implications from matches played in this area.

2. Can the Town please explain if it has an assessment framework or defined methodology to determine what acceptable levels of reduced amenity are for residents across the Town of Victoria Park? And if there isn't an assessment framework how has the determination that residents in close proximity should expect a reduced amenity been made?

The Manager Development Services advised that there is no formal assessment framework or methodology. Assessment is based on a merits-based judgement.

3. Can the Town please advise of the lessee's financial contribution towards the construction of the tennis courts? And the status of preservation of the scoreboard, and when is it going to be reused?

The Manager Development Services advised that the financial contribution was not a condition of the approval, it was an advice note. The contribution amounted to \$1 million, excluding GST. It is currently at the Town depot, the WCE are not intending to reuse the old scoreboard.

Vince Maxwell

1. What is the public benefit of Town confiscating private land to give to a private developer?

The Chief Operations Officer advised that the processes undertaken have been indicated by legal advice as the most appropriate process for this private road which has been used as a public ROW for more than 10 years. The ROW will be reallocated so the public still retains the beneficial use of that area with enhanced safety considerations. Another benefit is increased parking in the area.

2. The proposed realignment of the ROW, does that go across Lot 488? And is it owned by the Town?

The Chief Operations Officer advised that it does, and Lot 488 is under the Town's control.

3. From a safety perspective, is there anything that has stopped the Town from realigning over Lot 488?

The Chief Operations Officer advised that Main Roads has advised that it is a non-confirming entry and exit, this is the opportunity to realign it to make it safer. There have been no considerations over the previous years.

4. So there is no need for the Town to take that land on Lot 488?

The Chief Operations Officer advised that the Town is taking the opportunity to improve the safety of the area and modernise it. It also brings revenue to the Town to pay for works such as this.

5. Will the Town provide this level of service to any private developer?

Mayor Karen Vernon advised that every application is assessed case by case on its merit.

6. Do you think it is appropriate that the process around dedicating a public road be used to benefit an individual or an individual company?

Mayor Karen Vernon responded that she is not in the business of answering hypotheticals.

7. Why, if under the sale contract, if the buyer is responsible for paying for the costs of obtaining the closure of the ROW and to have it given to them by the Town, then why is the Town not charging these costs to the developer?

Mayor Karen Vernon advised that the sale of contract has yet to be concluded. These costs will be considered at the finalization of the contract.

18 Questions from members without notice on general matters

Deputy Mayor Ife left the chambers at 9.11pm and returned at 9.13pm.

Manager Governance and Strategy left the chambers at 9.12pm and returned at 9.14pm.

Cr Luana Lisandro

1. When will the trial at Orrong road/Roberts road right hand turn end?

The Chief Operations Officer advised that it will end on the 24 December 2020.

2. Who is the contact for this?

The Chief Operations Officer advised that the contact is Frank Squadrito and can be contacted through the admin email address. More information in on the website.

Mayor Karen Vernon

1. With regards to the basketball court, on the corner of McCartney Crescent and Goddard Street, what arrangements does the Town make to secure the car park afterhours?

The Chief Operations Officer advised from his understanding there is passive security measures like lighting and took the question on notice.

2. Has the Town received complaints on hoon behavior including the doing of burnouts on the surface of the car park which also doubles as a basketball court?

The Chief Operations Officer took the question on notice.

3. Why are the car park lights left on all night, and what is the impact on residents?

The Chief Operations Officer advised that it is for a safety reason, if residents are impacted by the length of time the lights are on for, it can be looked at being reduced.

4. If the lights are being left on for the purposes of safety and/or passive surveillance what areas are being passively surveilled by the leaving of lights on in the car park after business hours at night?

The Chief Operations Officer advised that the lighting assists with initial and quick assessment of safety.

5. In relation to the multiuse courts in Zone 2x, what is the current status of the use of the basketball court facilities, namely the hoops, and when is it likely to be resolved?

The Chief Operations Officer advised that a recent update includes discussions with a specialist providers of basketball backboards. The Town is close to securing these less noise-producing backboards for a trial period.

6. What efforts are being made to try to resolve this matter permanently?

The Chief Operations Officer advised that there have been a lot of work in the background, the issue is nearing a resolution.

7. How many residents complained about originally about the basketball courts use?

The Chief Operations Officer advised that he estimates at around 12 residences.

8. What nearby basketball courts were members of the public were directed to use whilst the Carlisle Zone 2x basketball courts were out of commission?

The Chief Operations Officer advised that the basketball courts closer to Goddard Street were highlighted as an option. As well as the courts at McCallum Taylor Reserve for playing later into the evening and more competitive games.

9. Does the Town have any plans for the old scoreboard?

The Chief Operations Officer advised that there are no current plans so far but discussions will be held to revitalise the old scoreboard.

Cr Luana Lisandro

1. In relation to zone 2x, what arrangements does the Perth Football Club have for the management of the car park there?

The Chief Operations Officer advised that Perth Football Club are responsible for the use and security of that car park.

2. If the backboards trial is successful will that backboard also be replaced at the Goddard and McCartney courts?

The Chief Operations Officer advised that it is one of the factors within the trial. It will inform the Town's future use of backboards.

3. In relation to the design of the multiuse courts, what complaints have been made by tennis players in relation to the basketball hoops when playing?

The Chief Operations Officer advised that there have been more complaints on the poles placement on the court.

4. Would the Town be liability for any injury incurred by the placement of these poles?

The Chief Operations Officer advised that would be determined by the Town's insurance provider.

5. The scoreboard that is at the Depot, was that ever part of the Heritage listing or does it have heritage significance?

The Chief Operations Officer advised that to his understanding the scoreboard does not have any heritage significance.

6. Was it a part of the original opening of the Lathlain Park?

The Chief Operations Officer took the question on notice.

The Chief Financial Officer estimated around the 70's.

The Chief Executive Officer advised that an aerial photo showed that it was not there when the building was first constructed.

Cr Wilfred Hendriks

1. With the road sweepers, is there a time the Town to operating these?

The Chief Operations Officer advised that there are exceptions for rubbish trucks and road sweepers for work before 7am.

19 Confidential matters

The meeting went behind closed doors at 9.23pm and resumed at 9.39pm.

20 Closure

There being no further business, Mayor Karen Vernon closed the meeting at 9.40pm.

I confirm these minutes to be true and accurate record of the proceedings of the Council/Committee.

Signed:

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Dated this:

Day of:

2020