



TOWN OF  
VICTORIA PARK



# Agenda Briefing Forum

## Agenda – 6 April 2021

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**WE'RE OPEN**  
VIC PARK

Please be advised that an **Agenda Briefing Forum** will be held at **6:30 PM** on **Tuesday 6 April 2021** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Mr Anthony Vuleta – Chief Executive Officer**

1 April 2021

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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](mailto:GovernanceVicPark@vicpark.wa.gov.au)

### Disclaimer

Any plans or documents in agendas, minutes and notes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

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**

## **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 keny 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

<b>Mayor</b>	Ms Karen Vernon
<b>Banksia Ward</b>	Cr Claire Anderson Cr Ronhhda Potter Cr Wilfred Hendriks Cr Luana Lisandro
<b>Jarraah Ward</b>	Deputy Mayor Bronwyn Iffe Cr Vicki Potter Cr Brian Oliver Cr Jesvin Karimi
<b>Chief Executive Officer</b>	Mr Anthony Vuleta
<b>A/Chief Operations Officer</b>	Ms Nicole Anns
<b>Chief Financial Officer</b>	Mr Michael Cole
<b>Chief Community Planner</b>	Ms Natalie Martin Goode
<b>Manager Development Services</b>	Mr Robert Cruickshank
<b>Manager Governance and Strategy</b>	Ms Bana Brajanovic
<b>Secretary</b>	Ms Amy Noon
<b>Public liaison</b>	Ms Alison Podmore

### 5.1 Apologies

### 5.2 Approved leave of absence

Nil.

## 6 Declarations of interest

Declarations of interest are to be made in writing prior to the commencement of the meeting.

### Declaration of financial interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees can continue to provide advice to the Council in the decision-

making process if they have disclosed their interest.

### **Declaration of proximity interest**

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

### **Declaration of interest affecting impartiality**

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.



- 7 Public participation time**
- 8 Presentations**
- 9 Deputations**
- 10 Method of dealing with agenda business**

## 11 Chief Executive Officer reports

### 11.1 Quarterly reporting - April 2021

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Joshua Norris
<b>Responsible officer</b>	Anthony Vuleta
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Quarterly Report Corporate Business Plan - Jan - March [<b>11.1.1</b> - 25 pages]</li><li>2. Quarterly Report Corporate Business Plan - Completed Deliverables - Jan - March [<b>11.1.2</b> - 5 pages]</li><li>3. Quarterly Report DAIP - Jan - March 2021 [<b>11.1.3</b> - 5 pages]</li><li>4. Quarterly Report RAP - Jan - March 2021 [<b>11.1.4</b> - 4 pages]</li><li>5. Quarterly Report UFS - Jan - March 2021 [<b>11.1.5</b> - 11 pages]</li><li>6. Quarterly Report EDS - Jan - March 2021 [<b>11.1.6</b> - 7 pages]</li><li>7. Quarterly Report CAP - Jan - March 2021 [<b>11.1.7</b> - 3 pages]</li><li>8. Strategic Projects Summary - January - March 2021 [<b>11.1.8</b> - 4 pages]</li><li>9. 5-year Capital Works Program [<b>11.1.9</b> - 21 pages]</li><li>10. Five-year capital works program (year one) [<b>11.1.10</b> - 3 pages]</li></ol>

#### Recommendation

That Council:

1. Requests the Chief Executive Officer to present to Council a quarterly progress report on the actions, projects and outcomes within the 2020/2021 Annual Strategic Project Plan.
2. Receives the quarterly written progress reports, for March 2021 relating to the:
  - (a) Corporate Business Plan
  - (b) 2020/2021 Annual Strategic Project Plan
  - (c) Five-year capital works program
  - (d) Economic Development Strategy 2018-2023
  - (e) Urban Forest Strategy
  - (f) Reconciliation Action Plan
  - (g) Disability Access and Inclusion Plan

#### Purpose

To present quarterly progress updates to Council on the actions, projects and outcomes listed within the plans and strategies included in the recommendation.

#### In brief

- At the Ordinary Council Meeting on 16 July 2019, Council resolved that quarterly written progress reports be presented to Council on the Corporate Business Plan, 2019/2020 Annual Strategic Project Summary, five-year capital works program and a selection of strategies and plans.

- The progress reports were requested to enable Council to confidently oversee the Town’s performance, allocation of finances and allocation of resources, as well as improve transparency and accountability to the Council and community.
- All of the progress reports requested have been attached to this report to be received by Council.

## Background

1. At the Ordinary Council Meeting on 16 July 2019, Council resolved:
2. That Council requests that the Chief Executive Officer:
3. Develops an Annual Strategic Project Summary for 2019/2020, containing a summary of the projects that are aligned to strategic outcomes in the Strategic Community Plan 2017-2027.
4. Presents the 2019/2020 Annual Strategic Project Summary for adoption at the September Ordinary Council Meeting.
5. Presents to Council, commencing from the October Ordinary Council Meeting, quarterly written progress reports on the actions, projects and outcomes within the Town’s following plans and strategies:
  - a. Corporate Business Plan
  - b. 2019/2020 Annual Strategic Project Summary
  - c. 5 Year Capital Works Program
  - d. Economic Development Strategy 2018 – 2023
  - e. Urban Forest Strategy
  - f. Reconciliation Action Plan
  - g. Disability Access and Inclusion Plan
6. The original Council resolution was for the 2019/2020 Annual Strategic Project Plan. Council needs to resolve to request updates on the 2020/2021 Annual Strategic Project Plan going forward.
7. The quarterly written progress reports were requested to enable Council to assess performance against strategies and plans, identify risks and significant variations in project performance and budgeting, receive information needed to be able to make informed decisions, and be able to take action to address any issues that arise. They were also requested to give Council and the community a higher level of transparency and accountability relating to strategic actions, plans and projects.

## 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	Council are provided with the information that they have requested in the way they determined is best for them.
CL02 - A community that is authentically engaged and informed in a timely manner.	The community are regularly informed of progress on projects, plans and strategies undertaken by the Town.

## Engagement

Internal engagement	
Stakeholder	Comments

Operations	Operations coordinate the progress reports for the 2019/2020 Annual Strategic Project Summary and Five Year Capital Works Program.
Governance and Strategy	Governance and Strategy coordinate the progress reports for the Corporate Business Plan.
Place Planning	Place Planning coordinate the progress reports for the Economic Development Strategy 2018 – 2023 and Urban Forest Strategy.
Community Development	Community Development coordinate the progress reports for the Reconciliation Action Plan and Disability Access and Inclusion Plan.

## 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	Not applicable.				Low	.
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Not applicable.				Low	
Reputation	Negative public perception towards the Town if progress expectations are not being met.	Minor	Possible	Moderate	Low	TREAT risk by providing commentary and reasoning within progress reports where expectations are not being met.  AVOID risk by frequently reporting to Council, allowing Council and community to be informed of

		progress in a timely manner and potentially mitigate further progress delays.
Service delivery	Not applicable.	Medium

## Financial implications

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

## Analysis

- Written progress reports will enable the Council to oversee the Town’s performance and allocation of the Town’s finances and resources. They will also help to inform the community about the Town’s progress in relation to the plans and strategies.
- These reports on the actions, projects and outcomes, for the plans and strategies listed in the Council resolution, have been attached to this report. Further commentary for each report has also been included below.

### Corporate Business Plan

- The status of actions from the CBP are as follows.

Social	31	19	7	5
Environment	63	23	37	3
Economic	20	10	9	1
Civic Leadership	112	61	42	9

- Actions completed within the reporting quarter are as follows.

Completed actions
CL10.1.2 - Implement changes to the Local Government Act

CL3.1.1 - Conduct internal training on Project Management and Delivery
CL5.1.2 - Complete negotiations for the Enterprise Agreement
CL8.4.3 - Review the Workforce Plan
EN2.1.1 - Review Local Area Traffic Management Plans - Various
EN3.1.1 - Develop a joint Bike Plan
EN4.2.5 - Investigate a refund or donation point to support the Container Deposit Scheme
S4.1.2 - Develop an Arts and Cultural Plan

### 2019/2020 Annual Strategic Project Summary

12. The status of projects from the Annual Strategic Project summary are as follows.

Total projects	No. of projects on track	No. of projects for monitoring	No. of projects off track
11	11	0	0

### Five Year Capital Works Program

13. The status of actions from the Five-Year Capital Works Program are as follows.

Total projects	No. of projects on track	No. of projects for monitoring	No. of projects off track
11	11	0	0

### Economic Development Strategy 2018 – 2023

14. The Economic Development Strategy 2018- 2023 (EDS) outlines 50 actions required to achieve the seven pathways for sustainable economic growth over the next five years. The EDS was adopted by council in March 2019.

15. The summary table below represents the number of actions progressed and completed since the adoption of the EDS.

Outcome	Total actions	No. of actions completed	No. of actions in progress	No. of actions not started
Pathway 1: Leadership	4	2	2	0

Pathway 2: Identity	2	0	2	0
Pathway 3: Local to Global Connections	5	0	3	2
Pathway 4: Smart Town- Digital Innovation	7	0	5	2
Pathway 5: Creating an Enabling Business Environment	8	1	6	1
Pathway 6: High Value Precincts	6	5	1	0
Pathway 7: High Value Sectors	18	1	16	1
<b>Total</b>	50	9	35	6

### COVID-19 Action Plan

16. The COVID-19 Action Plan (CAP) Edition One was endorsed by Council at 18 August 2020 Ordinary Council Meeting.
17. The Plan is a dynamic document overseen by the COVID-19 Response Working Group (CRWG). It details the actions and projects that the Town will implement to achieve the objectives of the COVID-19 Response Strategy.
18. The CAP will continue to be updated as the recovery process evolves, and new actions and projects are identified. There are currently 62 actions included in the CAP, addressing the three phases in the COVID-19 Response Strategy.
19. The status of actions from the CAP are as follows.

Phase	Total actions	No. of actions completed	No. of actions in progress	No. of actions not started
Survive	6	6	-	-
Revive	27	14	9	4
Thrive	29	4	19	6
<b>TOTAL</b>	62	24	28	10

## Urban Forest Strategy

20. The Urban Forest Strategy (UFS) Implementation Action Plan (IAP) outlines 41 actions required to achieve the six strategic outcomes defined in the UFS over a 5-year period. The UFS was adopted by council in September 2018 and the IAP in September 2019.
21. The summary table below represents the number of actions progressed and completed since the adoption of the IAP.

	2018/19	2019/20	2020/21
<b>Strategic Outcome 1</b> Plant and protect sufficient trees by 2020 to achieve the 20% tree canopy target as supported by Council.	4	8	4
<b>Strategic Outcome 2</b> Maximize community involvement and collaboration in its implementation.	1	7	0
<b>Strategic Outcome 3</b> Increase tree diversity, whilst favoring local endemic and West Australian species that also support wildlife.	1	1	1
<b>Strategic Outcome 4</b> Maintain high standard of vegetation health.	2	2	1
<b>Strategic Outcome 5</b> Improve soil and water quality.	0	2	1
<b>Strategic Outcome 6</b> Improve urban ecosystems.	0	2	3

22. A summary of the progress for each of the action from the UFS Implementation Action Plan is attached in a separate schedule.

## Reconciliation Action Plan

23. The Town's Reflect Reconciliation Action Plan (RAP) was adopted by Council in November 2018.



24. The document outlines strategies and actions to support opportunities to strengthen the community, build strong relationships and foster greater awareness and understanding of Aboriginal culture and history.

25. The status of actions from the Reconciliation Action Plan are as follows.

Relationships	0	7	0
Respect	0	6	2
Opportunities	0	5	1
Tracking and Progress	0	1	1

26. This quarter, the key progress highlights of the Reconciliation Action Plan included:

- The Town currently have an intern for the next 12 months through the Public Sector Commission Indigenous Trainee Program.
- C-Suite has endorsed the workforce plan strategy targets, which includes Aboriginal employment targets of 3%.
- Meeting held with City of Fremantle in March 2021 to discuss Australia Day/Change the Date initiatives.
- Cultural Awareness training has been booked for Elected Members for mid-April.
- Naming for Lathlain 2x has been approved by Landgate. Planning has commenced for launching the naming of this park.

#### Disability Access and Inclusion Plan

27. The Town’s Disability Access and Inclusion Plan was adopted by Council in September 2017 and is a legislative requirement for all local governments.

28. The status of actions from the Disability Access and Inclusion Plan are as follows.

Services and Events	2	4	0
Building and Facilities	0	4	0
Information	1	5	0
Quality Customer Service	3	2	0

Complaints	1	1	0
Public Consultation	1	2	0
Employment	1	4	0

29. This quarter, the key progress highlights of the Disability Access and Inclusion Plan included:
- C-Suite has endorsed the workforce plan strategy targets, which includes disability employment target of 5%.
  - A list of local disability service providers has been compiled to send job vacancies from the Town to encourage people with disability to apply.
  - The Town in partnership with the Victoria Park Centre for the Arts delivered a High Tea to celebrate International Women’s Day to acknowledge achievements of women with the theme this year being “choose to challenge”. This event had great speakers and entertainers from all walks of life and multicultural backgrounds.
30. As per the Council resolution, progress reports will be presented to Council on a quarterly basis, in October, February, April and July.

## Relevant documents

[Corporate Business Plan](#)

[Economic Development Strategy 2018 – 2023](#)

[Urban Forest Strategy](#)

[Reconciliation Action Plan](#)

[Disability Access and Inclusion Plan](#)

## 11.2 2021 Ordinary Local Government Elections

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Bana Brajanovic
<b>Responsible officer</b>	Anthony Vuleta
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	1. Incoming - Notice of Local Government Ordinary Election and Cost Estimate - 16.10.2021 [11.2.1 - 2 pages]

### Recommendation

That Council:

1. Appoints the Electoral Commissioner to conduct the 2021 ordinary election together with any other elections or polls which may be required, in accordance with section 4.20(4) of the Local Government Act 1995.
2. Decides that the method of conducting the election will be as a postal election, in accordance with section 4.61(2) of the *Local Government Act 1995*.

### Purpose

The purpose of this report is to seek resolution from Council to declare the Electoral Commissioner to be responsible for the conduct of the 16 October 2021 local government ordinary elections, together with any other elections or polls which may be required, and to decide to conduct the election as a postal election.

### In brief

- An election is scheduled to be held on 16 October 2021.
- Pursuant to the *Local Government Act 1995* (the Act), Council must resolve the method of conducting the election and who will conduct the election.
- Given the Electoral Commissioner has previously been responsible for conducting ordinary elections at the Town, it is recommended that Council declare the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections, together with any other elections or polls which may be required.
- The Electoral Commissioner's agreement to conduct the 2021 election is on the proviso that the Town agrees that Western Australian Electoral Commission (WAEC) conduct the election as a postal election.
- Given the WAEC is the only body capable of conducting a postal election, their appointment of the Electoral Commissioner is required to ensure a postal election can be held.

### Background

1. Pursuant to the Act, elections are held every two years for half of the Councillors.

2. Elections, as prescribed in the Act, can be held in one of two ways:

A postal election where every elector mails their ballot and has the opportunity to return it in a large window envelope through the post or in person. Postal elections must be conducted by the WAEC under the Act.

An 'in-person voting' election where polling booths would be operated across the Town. The WAEC has indicated it would not run a voting in person election for the Town.

3. Since the inception of the Town in July 1994, the election has been conducted by postal vote.

4. In the past, the Electoral Commissioner has been responsible for the conduct of ordinary elections at the Town of Victoria Park.
5. Section 4.20(4) of the Act provides that a local government may, having first obtained the written agreement of the Electoral Commissioner, declare the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time. If such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The Town is required to conduct an election by law. Ensuring it is conducted by post and the WAEC will enable the effective delivery of the election.

## Engagement

Not applicable.

## Legal compliance

[Section 4.20\(4\) of the Local Government Act 1995](#)

[Section 4.61\(2\) 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 appointing the electoral commission will result in an unknown financial cost in the Town conducting the election itself.	Moderate	Possible	Medium	Low	Treat risk by appointing the electoral commission to conduct the election.
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	If the electoral commission is not	Moderate	Possible	Medium	Low	Treat risk by appointing the

	appointed the Town will have to conduct the election itself. Given the lack of experience in conducting an election this could result in a non-compliant election.					electoral commission to conduct the election.
Reputation	If the electoral commission is not appointed to conduct the election, the election could be perceived to lack integrity	Moderate	Possible	Medium	Low	Treat risk by appointing the electoral commission to conduct the election.
Service delivery	Not applicable.				Medium	

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	The WAEC has indicated that the estimated cost of the 2021 election will be \$109,000. In addition, a further cost of \$4,680 will be applied to have priority post for the delivery of packages. This amount will be included in the 2021-2022 Annual Budget. In addition, a further \$5,000 will be allocated for advertising and internal costs associated with the conduct of the elections. This provides a total cost of \$118,680 for the ordinary election.

## Analysis

6. The last voting in-person election held in the metropolitan area for a local government election was the Town of East Fremantle in 2013, which once it transitioned across to postal voting saw a significant increase in turnout, from 22% to 38.1%.
7. It is likely that the best method to garner the strongest voter turnout is through postal voting.
8. Given the WAEC is the only body capable of conducting a postal election, their appointment is required to ensure a postal election can be held.
9. The Town has not considered how an in-person election could be conducted.
10. The WAEC has written to the Town advising of the Electoral Commissioner's agreement to be responsible for the conduct of the 2021 ordinary elections for the Town of Victoria Park in accordance with section 4.20(4) of the Act, together with any other elections or polls that may also be required. Given the Electoral Commissioner has previously been responsible for conducting ordinary elections at the Town, it is recommended that Council declare the Electoral Commissioner to be responsible for the

conduct of the 2021 ordinary elections, together with any other elections or polls which may be required.

11. The Electoral Commissioner's agreement to conduct the 2021 election is on the proviso that the Town agrees that WAEC conduct the election as a postal election. The Act provides that a decision to have a postal election has no effect unless the Electoral Commissioner is declared to be responsible for the conduct of an election. Given that a number of elections at the Town in the past have been conducted by postal ballot, it is recommended the same method be followed for the 2021 election.
12. The WAEC has estimated the cost of the 2021 election to be \$109,000. In addition, a further cost of \$4,680 will be applied to have priority post for the delivery of packages. This estimate does not include the costs of any additional postage rate increase by Australia Post; any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns; the cost of having one Town of Victoria Park staff member working in the polling place on election day; and any unanticipated costs arising from public health requirements for the COVID-19 pandemic.
13. The WAEC has based its estimate of costs on a number of assumptions, including a response rate of approximately 34% of 23,400 electors; the count to be conducted at the offices of the Town of Victoria Park; regular Australia Post delivery service to apply for the lodgment of the election packages; the appointment of a local Returning Officer; and that four vacancies are to be filled.
14. To appoint the Electoral Commissioner to conduct the 2021 ordinary election by postal ballot, the resolution worded as recommended in this report must be passed by absolute majority.

## **Relevant documents**

Not applicable.

## 11.3 Sponsorship Funding

<b>Location</b>	Burswood
<b>Reporting officer</b>	Judy Toll
<b>Responsible officer</b>	Roz Ellis
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Policy 116 Sponsorship

### Recommendation

That Council endorse the sponsorship funding application for \$20,000 for VenuesLive Management Services.

### Purpose

To provide Council with the outcomes of the sponsorship funding round assessment and to consider \$20,000 to VenuesLive .

### In brief

- The Town's Sponsorship funding program enhances opportunities for collaboration and partnerships between the Town, private enterprise and community to complement the Town's strategic objectives and increase economic vibrancy by raising the profile of the Town.
- At the October 2020 Ordinary Council Meeting item 12.7, Round One Sponsorship Funding, four applications were endorsed by Council for \$46,384.
- Due to \$53,616 of funds remaining for the Sponsorship program, a second round was opened 25 January, closing 19 February 2021.
- The Town received two applications for Sponsorship funding with a total request of \$35,000.
- The Town's Community Funding Assessment Panel has assessed both submissions.
- One application is being recommended for Council approval with a total request of \$20,000.

### Background

1. In December 2019, the Town undertook a review of all funding rounds practices and procedures to improve efficiencies and transparency of the Vic Park Funding Program. This review initiated a project to procure a funding platform to manage the Town's funding rounds.
2. In relation to round one sponsorship funding Council resolved in October 2020:
3. "That Council endorse the recommended four sponsorship funding applications:
  - . Unisport Australia \$20,000
  - a. Movies by Burswood \$17,500
  - b. Rotary Club of Victoria Park \$4,784 (In Kind)
  - c. Happiness Co \$4,100"
4. At the December 2020 Ordinary Council Meeting item 15.1, Policy 116 Sponsorship was adopted by Council.
5. Further to the adoption of Policy 116 Sponsorship at the December 2020 Ordinary Council Meeting, Council endorsed the CEO to establish a panel of no less than three members to assess all eligible Sponsorship application submissions. The panel would be asked to assess all applications against the requirements and assessment criteria and present a report to Council for endorsement.

6. In making a recommendation to Council the Sponsorship Assessment Panel (SAP) will provide the following information to ensure Council can make accurate, timely and transparent decisions:
  - d. Details of all applications inclusive of title, project scope, amount of assistance applied for (ex GST), evaluation and score.
  - e. Information provided will be inclusive of successful, unsuccessful and ineligible applications.
7. To ensure that the SAP continues to be fit-for-purpose and remain meaningfully engaged, membership for the panel positions were recruited via direct approach to ensure the appropriate skills, knowledge and experience could be applied to the assessment process.

## Strategic alignment

<b>Civic Leadership</b>	
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 maximised by seeking the greatest possible benefit to the community within the available monetary resources.
CL09 - Appropriate devolution of decision-making and service provision to an empowered community.	Accountability to the local community for decisions, actions and services. Commitment to good governance and transparency of Town funds.

<b>Social</b>	
Strategic Outcome	Intended public value outcome or impact
S01 – An informed and knowledgeable community	To provide community with access to resources, knowledge and technology in a transparent and timely manner.

## Engagement

<b>Internal engagement</b>	
Sponsorship Funding Assessment Panel	Panel evaluation.
Community Development	Consultation and management of grant and sponsorship administration.
Stakeholder Relations	Consultation relating to advertising and promotion.

<b>External engagement</b>	
Stakeholders	All community
Period of engagement	Sponsorship Round 2 – opened 25 January 2020, closed 19 February 2021.
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-newsletter Flyers and posters Digital advertising Direct email to previous applicants / organisations expressing an interest in the opportunity
Advertising	Local newspaper advertising Town's website Town's social media platforms – Facebook, LinkedIn, Twitter Town's e-newsletter Flyers and posters Digital advertising
Submission summary	Two Sponsorship submissions were received.
Key findings	One submission met the Town's criteria and is recommended for endorsement.

## 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 selected program(s) is cancelled and funds spent are not redirected or used for its intended purpose.	Insignificant	Rare	Low	Low	Ensure the evaluation of sponsorship requests are robust and allow elected members sufficient information in their decision-making process.
Environmental	Not applicable				Medium	
Health and safety	Not applicable				Low	
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	

Legislative compliance	Not applicable	Low	
Reputation	The community perceive there is little or no return on investment.	Low	The assessment panel criteria match the outcomes sought in Policy 116 Sponsorship.
Service delivery	Not applicable	Medium	

## Financial implications

<b>Current budget impact</b>	<ul style="list-style-type: none"> <li>The budget allocation for Sponsorship in 2020/2021 is \$100,000</li> <li>In round one \$45,949.09 was approved</li> <li>The remaining funds are \$54,050.91</li> </ul>
<b>Future budget impact</b>	Not applicable

## Analysis

8. The Vic Park Funding including Sponsorship was widely promoted across various platforms and used a range of communication methods to reach their target audiences.
9. The Sponsorship program was accessible to community via the Smartygrants platform for applications on the Town's website.
10. The Town delivered a free online grant writing workshop to the community on 11 February 2021. The workshop provided the community with information on the following:
  - f. An introduction to grants, including what they are, information on where to find them and an explanation of eligibility and assessment criteria;
  - g. The process of best-practice project planning to prepare for grant success;
  - h. Information on how to address grant criteria;
  - i. An explanation of the grant writing approach including an overview of what are assessors looking for and how to give what they need.
11. The application form consisted of four questions with a maximum weighting score of five points per question. With four panel members scoring across the four criteria, the maximum score available is 80.
12. The Town's internal Sponsorship Funding Assessment Panel consisted of four Town officers:
  - j. Manager Community
  - k. Place Leader, Urban Design
  - l. Manager, Stakeholder Relations
  - m. Coordinator, Events, Arts and Funding
13. Applications were assessed individually and then reviewed within a formal panel meeting by the Town's Sponsorship Funding Assessment Panel members as per Policy 116 Sponsorship Funding, and the criteria outlined for the Sponsorship Program.
14. The assessment questions and criteria are outlined in the tables below.

## Assessment Questions

Assessment Criteria Questions	Weighting per question per panel member
<p><b>Question 1 - Council's Strategic Objectives</b> Does the application complement Council's Strategic objectives?</p>	<p><b>25% weighting</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 20 points available</li> </ul>
<p><b>Question 2 - Profile of the Town/Town Marketing</b> Does the application increase economic vibrancy and raise the profile of the Town? Also does it achieve the Town's Marketing and communications objectives?</p>	<p><b>25% weighting</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 20 points available</li> </ul>
<p><b>Question 3 – Key Stakeholders</b> Does the application present opportunities to build relationships with key stakeholders?</p>	<p><b>25% weighting</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 20 points available</li> </ul>
<p><b>Question 4 - Reciprocal benefit</b> Does the Town/Community receive reciprocal benefit from the Sponsorship beyond modest acknowledgement?</p>	<p><b>25% weighting</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 20 points available</li> </ul>
	<p><b>Total weighting for four questions = 100%</b> Total score available = 80 points</p>

## Assessment Criteria

Assessment Criteria
<ul style="list-style-type: none"> <li>• The application has been fully completed and received by the Town in accordance with the sponsorship requirements.</li> </ul>
<ul style="list-style-type: none"> <li>• The application is clear and includes realistic objectives and timeframe.</li> </ul>
<ul style="list-style-type: none"> <li>• The applicant's mission, objectives and products do not conflict with the values and objectives of the Town.</li> </ul>
<ul style="list-style-type: none"> <li>• The applicant is not requesting explicit endorsement of the applicant itself, or product.</li> </ul>
<ul style="list-style-type: none"> <li>• Any conflict of interest has been declared and assessed as reasonable.</li> </ul>

- The sponsorship meets all funding eligibility requirements (i.e. acquittal of previous grants)
- The applicant can obtain appropriate approvals, permits, insurances and licenses.
- The Town reserves the right to discuss an application with a third party, if necessary, to assist in assessing the application.
- Provision of \$10 Million liability insurance

15. The Sponsorship Program attracted two applications, with total requested of \$35,000.
16. One submission is recommended to Council for endorsement with the requested funding total of \$20,000.
17. One application, requesting a total sponsorship of \$15,000 did not meet the required criteria and subsequently has not been recommended for endorsement.

Sponsorship - successful application

18. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested What will the Sponsorship be used for	Panel score total (out of 80)	Requested funding
VenuesLive Management Services	<p><b>Christmas Festival at Stadium Park 2021 on 4 December to 19 December 2021.</b></p> <p><b>Christmas Stadium Park Markets (Free event)</b> The Stadium Park Markets will run on Sunday afternoons from 4.00 pm to 8.30 pm. There will be an array of Food Trucks, a Pop-up Bar and Market Stalls.</p> <p><b>Christmas Twilight Tours</b> An exclusive behind the scenes tour of the state-of-the-art Stadium by 'Twilight'. There will be approximately 25-30 tours over the festival which equates to approximately 650-750 people attending. There will be a limit of 25 people per tour. Guests will finish their tour by taking a seat in the seating bowl and view an Optus Stadium Christmas Lightshow.</p> <p>Christmas Twilight Tours will run on both Saturday and Sunday from 5.00pm across four weeks. Bookings are required and a fee is payable.</p> <p><b>Town of Victoria Park Christmas Flicks (Proposed Sponsored event by the Town)</b></p>	57	\$20,000

Christmas Movies will screen over the course of three weekends at the Amphitheatre. They will be playing Christmas Classics. Show times are 4pm and 6pm.

### **Sponsorship**

Sponsorship will provide the naming rights of the Christmas Flicks, all marketing and event day content may read 'Town of Victoria Park Christmas Flicks'.

### **Opening video content**

A duration of time for video content or a static message to be screened 15 minutes prior to the first movie during the interval between movies and after the last movie. The content can be changed for each i.e. a welcome message prior and a thank you for visiting message at the very end.

### **Event Signage**

Locations for banner signage on the balustrade around the decking area and tear drop banners or similar at the entrance and around the perimeter.

### **Dedicated Marketing and Communications for the 2021 Christmas Festival**

- Stadium database launch electronic Direct Mail (eDM) - +200,000 subscribers
- Stadium Social launch posts - +82,000 followers and dedicated event page
- Stadium Website Dedicated Page – Over 1.52 million page views per annum
- Paid Digital and Radio Advertising – estimated reach of 1 million.

#### Assessment Panel comments:

- In past years the markets have received high levels of interest and have drawn substantial crowds from inside and outside of the Town.
- Free tickets and stadium tours would be good giveaways for the community.
- In terms of the Town's Strategic Community Plan objectives and measures, the Town would like to see an increase in community group involvement over time.
- Radio exposure with 350,000 listeners is a good promotional opportunity and the video content to run between events.
- As the naming rights sponsor there is significant benefit in terms of logo recognition through a variety of forms.
- **The panel recommends project funding of \$20,000.**

Sponsorship – unsuccessful application

19. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested What will Sponsorship be used for	Panel Score total out of 80	Requested funding
<p><b>Stopping Family Violence</b></p>	<p>Gold Sponsorship of Family and Domestic Violence Conference 2021 on 13-15 September 2021.</p> <p>The theme of the Conference is Bring Children and Young People Into View – Strengthening Policy and Practice Responses for Children and Young People experiencing family, domestic and sexual violence.</p> <p><b>Conference Support - \$7,000</b></p> <ul style="list-style-type: none"> <li>• Opportunity to include item in event satchel – Development of ‘What to do in Victoria Park’ informational piece/brochure.</li> <li>• Brand promotion on all event marketing material.</li> <li>• Acknowledgement in opening and closing speeches on each day</li> <li>• Brand promotion in marketing electronic Direct Mail (eDM)</li> <li>• Brand promotion in eDM sent to participants.</li> <li>• Brand promotion on event social media profiles.</li> <li>• Brand promotion on event website.</li> <li>• Brand promotion on the audio visual display at conference – 90 second video – virtual option.</li> <li>• Four tickets to conference at \$600 per ticket</li> <li>• Inclusion of brand mail out</li> <li>• Promotion in media releases</li> <li>• Promotion in radio interview</li> </ul> <p><b>Exhibition Space - \$2,500</b></p> <p>They are inviting the Town of Victoria Park to host a table within the Exhibition space where the Town can promote the work it is doing around families, children and youth development.</p> <p><b>Support children and young person organisation's to attend - \$5,000</b></p> <p>This funding is to support children and young people organisations’ to attend the Conference. This will subsidise conference costs for attendees.</p>	<p>42</p>	<p>\$15,000</p>

Assessment Panel comments

- The Sponsorship application aligns more with a Community Grant than a Sponsorship.
- The Conference is too targeted for this Sponsorship funding and the reciprocal benefits to the Town are limited regarding resident and business support.

- Whilst the panel agreed 600 conferees is a good number across the state and inter-state it does not sufficiently increase economic vibrancy or return on investment.
- The Town's Youth Plan (YP) is still in engagement phase, so opportunities to leverage from the conference are limited as timelines for the YP do not align.
- The video opportunity, which was offered if COVID restrictions meant the conference is changed to be delivered online, would cost the same or more to produce than the sponsorship.
- **The panel does not recommend project funding.**

20. The Town recommends the following application for endorsement by Council:

#### Sponsorship Recommendation

Applicant:	Project	Amount
VenuesLive	Christmas Flicks	\$20,000

#### Unsuccessful applicant

Applicant:	Project	Amount
Stopping family violence	2021 Conference – Gold Sponsor	\$15,000

21. Subject to Council endorsement, the successful sponsorship applicant will be notified of the decision within five business days of Council resolution.
22. 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.
23. The Town encourages unsuccessful applicants to contact the Town for feedback to support future applications.
24. Successful Sponsorship applicants are required to complete the Town's acquittal reporting documentation within three months of completion of the program or event sponsored.

## Relevant documents

[Sponsorship Policy 116](#)

## 12 Chief Community Planner reports

### 12.1 Draft Amended Local Planning Policy 37 'Community Consultation on Planning Proposals'

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Leigh Parker
<b>Responsible officer</b>	Robert Cruickshank
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Draft Amended LPP 37 'Community Consultation on Planning Proposals' [<b>12.1.1</b> - 15 pages]</li><li>2. Existing LPP 37 'Community Consultation on Planning Proposals' [<b>12.1.2</b> - 12 pages]</li></ol>

#### Recommendation

That Council:

1. Consents to the advertising of draft amended Local Planning Policy 37 'Community Consultation on Planning Proposals' (as contained within Attachment 1) for public comment for a minimum period of 21 days in accordance with deemed clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Requests the Chief Executive Officer to provide a further report to Council summarising and responding to any submissions received during the public advertising period along with a recommendation on whether to adopt draft amended Local Planning Policy 37 'Community Consultation on Planning Proposals' with or without modifications.

#### Purpose

To consent to public advertising of draft amended Local Planning Policy 37 'Community Consultation on Planning Proposals' (LPP 37), which has been revised to reflect recent amendments to Town Planning Scheme No. 1 and State Government legislation.

#### In brief

- Existing LPP 37 has been revised and broadened in scope to ensure it is consistent with recently gazetted changes to the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) as well as recent amendments to the Town's local planning scheme.
- The revised provisions provide clarity and certainty to the community and the Town's officers as to the duration and methods of consultation that will be undertaken in relation to new, amended or repealed instruments of the Town's local planning framework, as well as applications for development approval.
- It is recommended that draft amended LPP 37 be advertised for public comment.



## Background

1. Existing LPP 37 was last amended in December 2018, following its review by the Urban Planning service area, as detailed in the Ordinary Council Meeting Minutes of 11 September 2018 and 11 December 2018.
2. Amendments to the Regulations were gazetted in December 2020 with the stated goals of streamlining development approval processes, reducing unnecessary 'red tape' and helping to support the State's economic recovery.
3. The majority of changes to the Regulations commenced operation as of 15 February 2021 and has resulted in a number of local planning policies being reviewed and amended as a result of the changes. LPP 37 is the fourth local planning policy to be reviewed as a result of the amended Regulations.
4. A number of additional changes to the State and local planning framework have occurred since the last review of LPP 37, including recent amendments to the Town's local planning scheme and the gazettal of Volume 2 of the Residential Design Codes WA, which applies to mixed use development and multiple dwellings on land with a density coding of R40 and above.
5. In view of the above changes to both the State and local planning frameworks, the review and amendment of existing LPP 37 has been completed.

## Strategic alignment

<b>Civic Leadership</b>	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	The development of a LPP that ensures community consultation and public advertising of planning proposals is undertaken in accordance with Stage legislative requirements, and provides clarity and certainty to the community, the development industry, property owners and Town officers.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The review and development of LPPs that ensure the processing, assessment and determination of development applications is undertaken in a consistent and objective manner.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The review of the Town's LPPs to ensure they remain relevant, effective and consistent with current legislative requirements and the State Planning Framework.

<b>Environment</b>	
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 development of LPPs that facilitate appropriate planning proposals for development and land use within the Town, while providing the opportunity for community input into the decision-making process in relation to significant proposals or where variations are being sought to relevant development standards

	or policy requirements which may have external amenity impacts.
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<b>Social</b>	
Strategic outcome	Intended public value outcome or impact

S02 - An informed and knowledgeable community.	The development of LPPs that provide clarity to the community about the circumstance and manner in which they will be informed and consulted in relation to planning proposals within the Town.
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## Engagement

Internal engagement	
Stakeholder	Comments
Place Planning	The draft amended policy has been distributed to Place Planning officers for internal review and comment. No feedback has been provided. It is noted that the reporting officer (who undertakes duties across both the Place Planning and Urban Planning service areas) did not expect any significant internal feedback given the heavily administrative nature of the policy, with the proposed changes having minimal (if any) impacts from a place perspective.
Urban Planning	Urban Planning officers have reviewed the draft policy and provided feedback, which has informed the provisions of the draft revised policy.
Community Engagement	The draft amended policy was distributed to Community Engagement for internal review and comment with no feedback being received. Significant feedback was not anticipated in relation to the proposed changes given heavily administrative nature of the policy and as it deals primarily with statutory advertising requirements governed by State legislation.

Notwithstanding the above, the opportunity to consider and incorporate any further internal officer feedback can be undertaken during the community consultation period.

## Legal compliance

### [Planning and Development \(Local Planning Schemes\) Regulation 2015](#)

6. The adoption of a new or amended Local Planning Policy is to be undertaken in accordance with deemed clauses 4 and 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, including:
  - a) Publication of a notice in accordance with deemed clause 87;
  - b) Community consultation for a period of not less than 21 days after the day on which the notice is first published; and
  - c) Consideration of public submissions and a Council resolution to proceed with the new or amended policy with or without modifications, or not to proceed.

7. As per deemed clause 4(5) and 6(b), the adoption of a new or revised local planning policy, or the revocation of an existing local planning policy, takes effect upon publication of a notice in accordance with deemed clause 87.

## Risk management considerations

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	Nil	Nil	Nil	Nil	Low	N/A
Environmental	Nil	Nil	Nil	Nil	Low	N/A
Health and safety	Nil	Nil	Nil	Nil	Low	N/A
Infrastructure/ ICT systems/ utilities	Nil	Nil	Nil	Nil	Low	N/A
Legislative compliance and Reputation	Continued application of an existing policy that does not provide adequate guidance in relation to the current planning framework, contains superseded provisions and/or is inconsistent with State legislative requirements.	Low	Likely	Medium	Low	Consent to public advertising of draft amended LPP 37, which mitigates this risk.
Service delivery	Nil	Nil	Nil	Nil	Low	N/A

## Financial implications

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

## Analysis

8. A review of existing LPP 37 'Community Consultation on Planning Proposals' (contained in Attachment 2) has been completed by Council officers. This review has considered:
- the effectiveness of the current policy including any issues of interpretation, application, gaps or deficiencies;
  - similar policies of other local governments;
  - alignment with relevant State legislation, policy and/or guidelines;
  - greater clarity in the objectives of the policy; and

- e) improving the presentation and ease of use (for both the public and Council officers) of the policy.

### Issues identified during review of LPP 37

9. The major issues identified during the review relate to:

- a) the recent changes to the Regulations, which have introduced amended timeframes, standard procedures and requirements for the advertising of planning proposals, which must be undertaken by the Town and are not captured by existing LPP 37;
- b) the need to revise and expand the definitions contained within the policy to reflect the amended Regulations, and in particular to ascertain the circumstances where application for development approval will undergo public advertising as 'standard' applications (for 14 days) or 'complex' applications (for 28 days);
- c) the lack of certainty/clarity provided by the existing policy provisions relating to:
  - i. the manner and duration of preliminary consultation to be undertaken in relation to proposed amendments to the Town's local planning scheme, before the Council resolves to formally initiate the scheme amendment process;
  - ii. The circumstances, manner and duration of consultation to be undertaken in relation to amended applications for development approval, following the completion of advertising of the original proposal;
  - iii. The limited range of local planning framework instruments listed within the policy that may be adopted, amended or repealed, and are subject to the requirement for community consultation; and
  - iv. The limited scope of community consultation tools listed as applying to some planning proposals but not others;
    - o the need to update the policy to reflect new and/or amended decision-making bodies other than the Town that may be responsible for determining applications for development approval;
    - o the need to update the policy to reflect changes to the State and local planning frameworks since the last review of the policy, including:
      - i. Amendments 80 and 84 to Town Planning Scheme No. 1 (TPS1) which have broadened the range of land uses that may be considered for approval by the Town and may require specific or altered community consultation requirements; and
      - ii. the gazettal of the Residential Design Codes WA – Volume 2 (Apartments) in December 2019, which apply to mixed use developments and multiple dwellings in areas with a density coding of R40 or higher;
        - o a range of minor variations to the Residential Design Codes – Volume 1 (applying generally to Single Houses and Grouped Dwellings), which are routinely supported by Council officers and approved under delegated authority from the Council, but for which community consultation is still currently required and objections are very rarely raised from adjoining/surrounding properties; and
        - o a limited range of circumstances for non-residential developments/specific land uses that require a sign on site to be provided during the community consultation period, but which are considered by Council officers to be overly onerous/unnecessary given their minor impacts and/or as other consultation methods (for example, letters to surrounding or

adjoining properties) are considered to adequately advertise these proposals and invite public submissions.

### Proposed amendments to LPP 37

10. In view of the above, existing LPP 37 has been amended to:

- a) align itself with the amended advertising requirements of the Regulations, which have a greater focus on digital rather than traditional printed community consultation methods;
- b) include new and revised definitions, in particular:
  - i. the new definition of 'complex application' in accordance with the Regulations, which applies to Unlisted Uses, and those nominated by the Town in a policy or local planning scheme as 'complex applications', to which the most significant consultation requirements apply in terms of duration (minimum 28 days) and methods (must include a sign on site, as well as other methods); and
  - ii. the nomination of 'significant applications' as defined by the policy as 'complex applications' (subject to the advertising requirements of the amended Regulations), and the revision of the definition of 'significant application' to include additional criteria for those application types considered by Council officers to warrant 'complex application' community consultation requirements, rather than standard 14 day advertising. These additional criteria include:
    - residential or mixed use development that contains 1 or more new multiple dwellings (which are subject to performance-based (rather than 'deemed-to-comply') assessment under Volume 2 of the Residential Design Codes WA);
    - new buildings of more than 3 storeys in height; and
    - applications requiring determination by the Inner South Joint Development Assessment Panel (DAP) (excluding extension of time or cancellation applications) or State Development Assessment Unit of the Department of Planning, Lands and Heritage;
- c) include new/amended policy provision clarifying when and how modified applications for development approval will be readvertised (if necessary);
- d) nominate the geographic extent and duration of consultation to be undertaken for preliminary consultation for proposed local planning scheme amendments prior to Council determining whether or not to formally initiate the amendment process;
- e) the expansion of Table 1 covering consultation requirements relating to various instruments of the Town's local planning framework, to cover all planning instruments that may be adopted, amended or repealed/revoked and the full range of consultation methods/tools that may be required;
- f) the consolidation of Tables 2A to 2D applying to applications for development approval into a single Table 2 that identified the applicability of the full range of consultation methods/tools that may apply to each application type/circumstance;
- g) the modification of the application types/attributes listed within Table 2 that are subject to community consultation, including:
  - i. the land uses of Home Store and Home Business introduced by Amendment 84 to TPS1;
  - ii. applications for mixed use development and multiple dwellings that are seeking a variation from relevant 'Acceptable Outcomes' of Volume 2 of the Residential Design Codes WA that have potential to externally impact upon neighbouring properties or the streetscape;
  - iii. variations to the lot area, plot ratio area and location requirements of Volume 1 of the Residential Design Codes WA in relation to ancillary dwellings; and
  - iv. the removal of non-compliant signs for 'AA' uses in residential areas, as such signage is considered to be a minor matter that can be assessed and considered by Council officers on their merit;

- h) the modification or exemption from community consultation requirements for the following categories of applications for development approval:
- i. the exemption from the requirement for a sign on site to be provided for an 'AA' (discretionary) use within the Industrial (1) or Industrial (2) zones, or for a Home Store or Home Business use (letters to adjoining properties are still required for these use), where community consultation is required;
  - ii. the exemption from consultation for development applications seeking the following minor variations to the Residential Design Codes – Volume 1 or the Town's LPP 25 'Streetscape' or LPP 26 'Boundary Walls', which are commonly proposed and routinely supported by Council officers and approved under delegated authority from the Council:
    - variations to the average 3.0m boundary wall height requirement, where the maximum height of the boundary wall is 3.5m or less above natural ground level; and
    - minor overlooking into an adjoining residential property behind its street setback line, where the overlooking occurs over:
      - a driveway, car parking bay or car parking structure; or
      - an open garden or landscaped area forward of the main dwelling which is visible from the street and does not function as the primary outdoor living area for the dwelling; and
      - variations to the maximum dwelling setback from a right-of-way of 1.0m or less, which is often encountered on lots with an angled boundary to a right-of-way.
11. The abovementioned amendments are considered to increase the level of certainty and clarity regarding the duration and methods of consultation to be undertaken for planning proposals of all kinds, and bring LPP 37 into alignment with the recently gazetted amendments to the Regulations. They will also serve to reduce the time and resources used by Council officers as well as applicants during the development application process in those limited circumstances noted above, where particular consultation requirements or the requirement to undertake community consultation are not considered necessary.
12. In view of the above, it is recommended that Council consent to public advertising of draft amended LPP 37 (as contained in Attachment 1). A further report will be presented to Council in the future following the conclusion of the public advertising period, reporting on any submissions received, and seeking a final decision from Council as to whether or not to adopt the amended policy (in its current form or in a further modified form).

## Relevant documents

Not applicable.

## 12.2 Vic Park Funding Program - Arts, Sports and Urban Forest Grants

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Judy Toll
<b>Responsible officer</b>	Natalie Martin Goode
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Policy 114 Community Funding

### Recommendation

That Council endorse the following arts, sporting and urban forest grant applications:

1. Arts grants
  - a. Speech – Arts for Arts Sake - \$353.61
  - b. Friends of Jirdarup Bushland – Images of Jirdarup - \$5,000
  - c. Steven Finch - VicPark Portable - \$500
  - d. Victoria Park Community Centre – Know thy neighbour 3 - \$4,970.45
2. Sporting grants
  - a. Perth Cricket Club – Purchase of cricket balls - \$2,000
  - b. Perth Basketball Association – Indigenous Basketball Program - \$8,072
  - c. Dynamic Flames Badminton Club Incorporated – Badminton Program - \$8,042.50
  - d. Curtin Football Club Incorporated – purchase of soccer goals - \$2,000
3. Urban forest grants
  - a. Millen Primary School - Trees for Shade and Nature - \$3,886
  - b. Kent Street Senior High School - Urban Forestry Initiative 2021 - \$9,107
  - c. Harold Hawthorne Senior Citizens' Centre and Homes Inc - Secret Life of Trees Project - \$2,900
  - d. Millennium Kids Incorporated - Green Lab Kids Hub - \$9,107

### Purpose

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

### In brief

- The Town's Community Funding program increases opportunities for local collaboration and partnership between the Town, local organisations and community to enhance achievement of the Town's strategic objectives.
- Due to funds remaining for both Sporting and Arts Grants it was recommended that a second round be opened in early 2021.
- Round two of the Arts Grants and Sporting Grants program commenced 25 January, closing 19 February 2021.
- The Urban Forest Grants funding program round opened 26 October 2020, closing 26 February 2021.
- The Town received six Arts, eight Sporting, five Urban Forest grant applications with a total request of \$94,848.26

- A review of applications by the Town’s Community Fund Assessments Panels (CAFP) concluded the following number of grants sufficiently met the criteria and are recommended for Council endorsement with a *total funding request* of \$55,938.56
  - Four Arts Grants - totaling \$10,824.06
  - Four Sports Grants- totaling \$20,114.50
  - Four Urban Forest Grants totaling \$25,000.00

## 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 within the community.
2. The Town aims to enhance the success and prosperity of the local 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 (with subsequent amendments).
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 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 were recruited via direct approach to ensure the appropriate skills, knowledge and experience could be applied to the assessment process.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and	Funds are managed with full, accurate and timely disclosure of financial information relating to Council. Town grant funds



transparently for the benefit of the community.	are maximised by seeking the greatest possible benefit to the community within the available monetary resources.
CL09 - Appropriate devolution of decision-making and service provision to an empowered community.	The program enables community groups and other organisations to provide services to the local community.

<b>Environment</b>	
Strategic outcome	Intended public value outcome or impact
EN07 - Increased vegetation and tree canopy.	The Urban Forest Grants encourage community groups and other organisations to contribute to the Town's tree canopy objectives.

<b>Social</b>	
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

<b>Internal engagement</b>	
Community Development	Consultation and management of grant administration.
Stakeholder Relations	Consultation relating to advertising and promotion.
Community Assessment Funding Panels (CAFP)	Consultation and Panel evaluation

<b>External engagement</b>	
Stakeholders	All Community
Period of engagement	Opened 25 January 2021 and closed 5pm, 19 February 2021 - Arts and Sports Grants Opened 26 October 2020 and closed 5pm, 26 February 2021 – Urban Forest Grants

Level of engagement	1. Inform
Methods of engagement	Local newspaper advertising Town website Town's social media platforms – Facebook, LinkedIn, Twitter and the Town's e-newsletters Flyers and posters Digital Marketing Direct email Grants workshop
Advertising	Local newspaper advertising Town website Town's social media platforms – Facebook, LinkedIn, Twitter and Town's e-newsletters Flyers and posters Digital Marketing Direct email
Submission summary	Six Art Grant submissions were received Eight Sporting Grant submissions were received Five Urban Forest Grant submissions were received
Key findings	<p>Arts Grants</p> <ul style="list-style-type: none"> <li>• Six Arts Grant submissions met the Town's criteria.</li> <li>• Four submissions are recommended for endorsement as Arts grants.</li> <li>• Two Submissions did not meet the Town's assessment criteria.</li> </ul> <p>Sports Grants</p> <ul style="list-style-type: none"> <li>• Four Sport Grant submissions met the Town's criteria.</li> <li>• Four submissions are recommended for endorsement as Sports grants.</li> <li>• Two submissions did not meet the Town's assessment criteria.</li> </ul> <p>Urban Forest Grants</p> <ul style="list-style-type: none"> <li>• Five Urban Forest Grant submissions met the Town's criteria.</li> <li>• Four are recommended for endorsement as Urban Forest grants.</li> </ul>

## 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
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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 participants
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

<b>Current budget impact</b>	<p>The budget allocations for 2020/2021 was:</p> <ul style="list-style-type: none"> <li>• Arts grants - \$20,000</li> <li>• Sporting grants - \$50,000</li> <li>• Urban Forest grants - \$25,000</li> </ul> <p>In round one of grant funding the following amounts were approved (The Urban Forest has not completed its first and only round):</p> <ul style="list-style-type: none"> <li>• Arts grants \$7,500</li> <li>• Sporting grants \$2,250</li> </ul> <p>The remaining funds are:</p> <ul style="list-style-type: none"> <li>• Arts grants - \$12,500</li> </ul>
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	<ul style="list-style-type: none"> <li>• Sporting grants - \$47,750</li> <li>• Urban Forest grants - \$25,000</li> </ul>
<b>Future budget impact</b>	Not applicable - funds will be expended this financial year.

## Analysis

10. The Vic Park Funding – Arts Grants, Sporting Grants and Urban Forest Grants - were widely promoted across various platforms, using a range of communication methods to reach target audiences.
11. The Vic Park Funding - Arts Grants, Sporting Grants and Urban Forest Grants - were accessible to the Community via the SmartyGrants application platform on the Town’s website.
12. The Town delivered a free online grant writing workshop to the community on 11 February 2021. The workshop provided the community with information on the following:
  - a. An introduction to grants, including what they are, information on where to find them and an explanation of eligibility and assessment criteria;
  - b. The process of best-practice project planning to prepare for grant success;
  - c. Information on how to address grant criteria;
  - d. An explanation of the grant writing approach including an overview of what are assessors looking for and how to give them what they need.

### Arts Grants

13. The Arts Grant application form was aligned with the Town’s Strategic Community Plan outcomes and consisted of four questions with a maximum score of 20 points per question. With the CFAP scoring across the four criteria the maximum weighted score for each applicant is 80.
14. The Town’s internal Community Funding Assessment Panel consisted of Town officers:
  - a. Community Arts Officer
  - b. Place Leader
  - c. Coordinator Digital Hub
  - d. Manager Stakeholder Relations
15. Applications were assessed individually and then 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.
16. The assessment questions and criteria are outlined in the tables below.

### Arts Grant Assessment Questions

17. The application forms four parts:
  - a. Eligibility;
  - b. Applicant details (organisation, auspice arrangements etc.)
  - c. Project details (brief description, risks, locations, dates etc); and
  - d. Assessment criteria questions as outlined in the table below:

Assessment criteria questions	Weighting per question per panel member
<b>Question 1</b> Describe how your project/activity provides a quality arts and culture experience for the Vic Park Community?	<b>(Weighting 40%)</b> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 20 points available</li> </ul>
<b>Question 2</b> How will your initiative foster collaboration and active participation of local people (residents, workers, business owners, local creative community and/or community groups etc)?	<b>(Weighting 25%)</b> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 20 points available</li> </ul>
<b>Question 3</b> How will your initiative align with any of the Town's Strategic Community Outcomes?	<b>(Weighting 25%)</b> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 20 points available</li> </ul>
<b>Question 4</b> Tell us about your experience managing projects like this?	<b>(Weighting 10%)</b> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 20 points available</li> </ul>
	<b>Total weighting for four questions = 100%</b> Total score available = 80 points

18. The Arts Grant funding attracted six applications, requesting a combined total of \$20,324.06. Four of the six submitted applications are recommended to Council for endorsement with the requested funding total of \$10,824.06 of the \$12,500 available.

Arts Grant Successful Applications:

19. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested (What will the Arts Grant be used for?)	Panel score total (out of 80)	Requested funding
KZ Speech	<b>Art for Arts Sake</b>  The funding is for an annual art exhibition providing an opportunity for children and young adults with disabilities including, Autism, Down Syndrome, developmental delays and Cerebral Palsy, to engage and participate in community events.	55	\$353.61

The children will be supported from their team of Speech and Occupational Therapists.

The process of creating art for the exhibition brings groups together collaboratively and provides the opportunity for participants to explore creative ideas and learn new skills in a supported environment.

The outcome is a professionally curated exhibition of artwork by young people with additional needs, showcasing their creative talent within their community.

**Assessment Panel Comments:**

- Need to ensure the timing of the exhibition can work with Council approval and timeframes.
- The panel noted that this project offers good opportunities for people with disabilities, primarily autism, to make and exhibit creative work in the Town, and learn new skills. It also offers the broader community the chance to see art made by people with disabilities, offering the potential to break down barriers in the community.
- **The panel recommends project funding of \$353.61.**

20. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested (What will the Arts Grant will be used for?)	Panel score (out of 80)	Requested Funding
Friends of Jirdarup Bushland	<p><b>Images of Jirdarup 2021 – Photography competition and exhibition</b></p> <p>Funding is requested for the ‘Images of Jirdarup 2021’ project which will be organised along similar lines as the inaugural photography project in 2020.</p> <p>The overall aim is to use nature photography to nourish artistic expression and encourage local community engagement with the Jirdarup Bushland.</p> <p>The Friends will offer tours to interested schools and special interest groups.</p> <p>Photographers of all ages, backgrounds and abilities will be invited to submit their Jirdarup</p>	61	\$5,000

Bushland photographs and these will be reviewed by an expert judging panel.

The chosen finalist's photographs will be exhibited at the Kent Street Gallery in November and prizes will be presented at an Awards Night Event.

**Assessment Panel Comments:**

- Engaging bushland arts is a positive direction for the Town.
- Showcases areas that might otherwise be hidden.
- The panel were highly supportive of this application to remount a very successful annual project. The panel acknowledged the significant scale and diversity of community engagement in the photographic competition in 2020 (entries from hundreds of community members of all ages), as well as a public exhibition enabling large audiences to see local flora, wildlife and landscape through the eyes of local people. The project plan articulated in the application gave the panel confidence these achievements could be replicated and extended in 2021, so recommends it be supported.
- **The panel recommends project funding of \$5,000**

21. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested (What will the Arts Grant be used for?)	Panel score (out of 80)	Requested funding
Steven Finch	<p><b>VicPark Portable – Keep Vic Park close to your Heart (working title)</b></p> <p>The VicPark Portable – Keep Vic Park close to your Heart (working title) is a monthly publication of local stories, interviews, creative writing, art and reviews of local businesses and eateries produced by Danica Zuks and Gok-Lim (Steven) Finch.</p> <p>The Vic Park Portable will host community sessions for interested contributors and community members, where they will take on community feedback and input on the best way to showcase the interesting lives, businesses and culture of Victoria Park.</p> <p>Three monthly issues will be produced in print and digital form. The digital newsletter will be a pay what you want subscription service delivered via email, and the print publication will be freely distributed to local businesses.</p> <p>There will be a bimonthly catchup event at the Victoria Park Community Centre.</p>	57	\$500





**Assessment Panel Comments:**

- The cultural benefit is worthy.
- A good project outlined with wide potential reach.
- The panel noted that this project proposed to explore multiple artforms, connect businesses and artists, and provide multiple engagement points for contributors and audiences. The project will have a local focus. The applicants have suitable experience and demonstrate appropriate planning.
- **The panel recommends project funding of \$500**

22. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested (What will the Arts Grant will be used for)	Panel score (out of 80)	Requested Funding
Victoria Park Community Centre	<p><b>Know Thy Neighbour No 3</b></p> <p>Victoria Park Community Centre (VPCC) will work with IAS to develop an Artist in Residency program that will culminate in an exhibition to be held at the Vic Park Centre for the Arts (VPCA).</p> <p>Participating artists will mentor artists living in our community and help to develop their skills.</p> <p>Participation in the program provides opportunities to:</p> <ul style="list-style-type: none"> <li>• Create high-quality art outcomes that are meaningful to a community</li> <li>• Individual and group participation in new activities</li> <li>• Skills development</li> <li>• Working with professional, contemporary local artists</li> <li>• Contributing to identity and well-being through an asset-based community development approach to extend themselves, be innovative and showcase their community</li> <li>• Greater reach and new audiences</li> <li>• Growing networks within the community and beyond</li> </ul>	68	\$4,970.45

**Assessment Panel Comments:**

- Great project outlined and articulated.
- The panel considered that the artist in residence project will provide opportunities for local artists to develop skills and make work reflecting the identity of places in the Town and contemporary issues for its people. The project will have public outcomes, and the organisations involved are experienced in delivering high-quality programs.

- While the VPCC have received an operating subsidy from the Town, this project is in addition to what was outlined as part of their operating subsidy application, hence has been considered independently. Involvement of the VPCA demonstrates a good cross organisation collaboration.
- **The panel recommends project funding of \$4,970.45.**

#### Arts Grant Unsuccessful Applications:

23. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested (what will the Arts Grant be used for)	Panel score (out of 80)	Requested funding
The Underground Collaborative	<p><b>Archer Street Mural</b></p> <p>The Underground Collaborative are partnering with Chris Kitchen to establish a café. Coffee and other beverages will be served to complement their vegan food offering at their existing delicatessen.</p> <p>They are looking to refresh the space by commissioning an artist to paint a mural on the side of the building at Archer Street in Carlisle.</p>	39	\$4,500.00

#### Assessment Panel Comments:

- Further information needed on what sort of community collaboration they have engaged in to determine what the community would like to see painted in that space.
- There are concerns that the applicants need further input in the project plan to inform how an artist should be engaged and how a concept should be sought.
- More contribution needed from the business.
- It is asking to be fully funded by the Town.
- More engagement with surrounding businesses required.
- **The panel does not recommend project funding.**

24. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicants:	Funding requested (What will the Arts Grant be used for?)	Panel score total (out of 80)	Requested funding
Josh Wells	<p><b>Weeks</b></p> <p>The funding is for a collection of macro photographs of flora within a four-block radius of the artist's home in Basinghall Street, East Victoria Park.</p> <p>The images were taken during the two weeks of initial lockdown in Western</p>	47	\$5,000.00

Australia, using an over fifty-year-old lens taped to a digital camera.

The series of images contemplate place and our cultural obsession with productivity.

The works are to be printed on alupalux and exhibited at Kent Street Gallery.

**Assessment Panel comments:**

- The panel acknowledged that this project developed the artist's practice and expressed the place identity of the Town.
- In a competitive round with limited funding, it was felt that the project offered less community participation outcomes than other projects.
- **The panel does not recommend project funding.**

25. The Town recommends the following tabled applications for endorsement by Council

Arts Grant Funding Recommendations

<b>Applicants:</b>	<b>Project</b>	<b>Amount</b>
KZ Speech	Arts for arts sake	\$353.61
Friends of Jirdarup	Images of Jirdarup 2021	\$5,000.00
Steven Finch	VicPark Portable	\$500.00
Victoria Park Community Centre	Know Thy Neighbour 3	\$4,970.45
	<b>Total</b>	<b>\$10,824.06</b>

Arts Grant Not Recommended

<b>Applicants:</b>	<b>Project</b>	<b>Amount</b>
The Underground Collaborative	Archer Street Mural	\$4,500.00
Josh Wells	Weeks	\$5,000.00
	<b>Total</b>	<b>\$9,000.00</b>

## Sports grants

26. The Sporting Grant application formed was aligned with the Town’s Strategic Community Plan outcomes and consisted of four questions with a maximum score of 20 points per question. With four panel members scoring across the four criteria, with a maximum score of 80.
27. The Town’s internal Community Funding Assessment Panel consisted of four Town officers;
  - a. Manager Infrastructure Operations
  - b. Leisure Facilities Programs Manager
  - c. Community Development Officer – Clubs, Events and Bookings
  - d. Building Assets Officer
28. 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 Vic Park Community Funding Program.
29. The assessment questions and criteria are outlined in the below tables.

### Sporting Grant Assessment Criteria

30. The application forms four parts:
  - a. Eligibility
  - b. Applicant Details (organisation, auspice arrangements etc.);
  - c. Project details (brief description, risks, locations, dates etc); and
  - d. Assessment Criteria questions as outlined in the table below:

Assessment criteria questions	Weighting per question per panel member
<b>Question 1</b> Does the project align with the Town’s Strategic Community Plan 2017-32 objectives and priorities?	<b>30% weighting</b> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total points panel combined 20</li> </ul>
<b>Question 2</b> Have measures been taken to ensure this initiative is suitable, accessible and inclusive of all members of the community?	<b>25% weighting</b> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total points panel combined 20</li> </ul>
<b>Question 3</b> Is the project needed by the community? Have they demonstrated how i.e. research, survey, time to upgrade. Does it benefit people in the community?	<b>25% weighting</b> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total points panel combined 20</li> </ul>
<b>Question 4</b>	<b>20% weighting</b> <ul style="list-style-type: none"> <li>• Five points per panel member</li> </ul>

Demonstrate the applicant's capacity to deliver proposed initiative within specified period	<ul style="list-style-type: none"> <li>Total points panel combined 20</li> </ul>
	<p><b>Total weighting for four questions = 100%</b> Total score available = 80 points</p>

31. The Sporting Grant funding attracted eight applications, with a total requested of \$37,816.20.
32. It is recommended Council endorse four of the eight submissions for a requested funding total of \$20,114.50 from the \$47,750 available.

**Sporting Grant Successful Applications:**

33. Funding recommended. Project details and panel scoring are outlined in the table below:

<b>Applicant</b>	<b>Funding requested. What will the sport grant be used for?</b>	<b>Panel score (out of 80)</b>	<b>Requested funding</b>
Perth Cricket Club Incorporated	<p><b>2021 – 2022 Ball Fees</b></p> <p>The funding will be used to cover the cost of the cricket balls for the clubs 2021/22 cricket season. This will help the club to minimise any changes to their existing fee structure.</p> <p>The cost of providing cricket balls is in excess of \$13,000 for one season.</p> <p>Perth Cricket Club currently have five senior teams (four male and one female team) and four junior teams (13s, 14s, 15s and 17s) as well as a Masters team.</p> <p>The expenditure of the club's match and training balls will be increased next season as they will be adding a junior female team.</p>	47	\$2,000.00

**Assessment Panel Comments**

- The application meets all eligibility criteria
- All quotes and financials were provided.
- The panel recommends project funding of \$2,000.**

34. Funding recommended. Project details and panel scoring are outlined in the table below:

<b>Applicant</b>	<b>Funding requested. What will the sport grant be used for?</b>	<b>Panel score (out of 80)</b>	<b>Requested funding</b>
Perth Basketball Association	<p><b>Indigenous Basketball Program</b></p> <p>This program provides the opportunity for indigenous people to access basketball training sessions through a holiday program run by Perth Basketball Association.</p> <p>Requested funding is towards the following:</p> <ul style="list-style-type: none"> <li>• Basketballs</li> <li>• Uniforms/Singlets</li> <li>• Artwork (Indigenous)</li> <li>• Coach Education</li> <li>• In Kind Court Hire at Leisurelife</li> </ul>	47	\$10,000

**Assessment Panel Comments:**

- The application meets all eligibility criteria.
- The criteria states that the grant will fund up to a maximum of 25% towards equipment and it is capped at \$2,000. The shortfall between the requested amount and the approved amount reflects this.
- **The panel recommends project funding of \$8,072.00.**

35. Funding recommended. Project details and panel scoring are outlined in the table below:

<b>Applicant</b>	<b>Funding requested. What will the sport grant be used for?</b>	<b>Panel score (out of 80)</b>	<b>Requested funding</b>
Dynamic Flame Badminton Club Incorporated	<p><b>Badminton Program in Victoria Park</b></p> <p>The requested funding is to deliver the following over a 26 week period:</p> <ul style="list-style-type: none"> <li>• Come and try Badminton days</li> <li>• Open social Badminton days</li> <li>• Facilitate Badminton workshop to encourage female participation and leadership</li> <li>• Recruit, train and support volunteers</li> <li>• Appoint youth to the management team and encourage them to be involved in making decisions for the benefit of all participants.</li> <li>• Purchase shuttlecocks and badminton racquets</li> </ul>	53	\$10,028.00

**Assessment Panel Comments:**

- Quotes were not provided for the costs below, therefore those costs were deducted from the overall grant funding requested:
  - Administration of project salaries and wages \$900.00.
  - Coordinator salaries and wages \$480.00.
- **The panel recommends project funding the amount of \$8,042.50**

36. Funding recommended. Project details and panel scoring are outlined in the table below:

<b>Applicant</b>	<b>Funding requested. What will the sport grant be used for?</b>	<b>Panel score (out of 80)</b>	<b>Requested funding</b>
Curtin Football Club Incorporated	<p><b>Equipment - Soccer Goals</b></p> <p>To purchase new soccer goals for the club. The equipment which is used by the juniors has been in used for several years and needs a complete refresh to ensure the junior programs can continue to be run safely.</p> <p>The equipment will assist the coaches to continue their personal development towards coaching qualifications and allow the juniors to continue their growth as players.</p> <p>Newer equipment will help encourage juniors to participate in soccer by providing a higher quality experience.</p>	54	\$2000

**Assessment Panel Comments:**

- Application meets all eligibility criteria.
- All quotes and financials were provided.
- **The panel recommends project funding of \$2,000.**

Sports Grant Unsuccessful Applications:

37. Funding not recommended. Project details and panel scoring are outlined in the table below:

<b>Applicant</b>	<b>Funding requested. What will the sport grant be used for?</b>	<b>Panel score (out of 80)</b>	<b>Requested funding</b>
Carlisle Cricket Club Incorporated	<p><b>Cricket Balls</b></p> <p>The Carlisle Cricket Club is seeking funding for the purchase of single use, cricket game balls at a cost of \$50.60 per ball. Four balls are utilised every weekend.</p>	31	\$2,428.00

In a normal season the club would use approximately 80 balls at a cost of \$4048.00.

**Assessment Panel Comments**

- The application cannot be recommended for funding as it did not meet the Town’s grant criteria as the applicant was unable to supply audited financials or their annual report.
- **The panel does not recommend project funding.**

38. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested. What will the sport grant be used for?	Panel score (out of 80)	Requested funding
Curtin Trinity Pirates Hockey Club Incorporated	<p><b>The Curtin University Hockey Club Junior Development Program (CUHC)</b></p> <p>The requested funding is for the CUHC program which focuses on supporting the growth and development of junior involvement in the sport of hockey. The Program has three elements:</p> <ul style="list-style-type: none"> <li>• Participation</li> <li>• Safety and Inclusion</li> <li>• Skills Development</li> </ul> <p>The club will be focusing on enabling children from different backgrounds to have access to the program.</p> <p>Skilled coaches will be provided and there will be affordable, sustainable equipment options for junior players.</p> <p>Beginner coaches will be supported via internal mentoring program and junior coaches encouraged to complete coaching clinics.</p> <p>The club will provide complimentary hockey sticks packs to all participants in the program. The stick pack consists of:</p> <ul style="list-style-type: none"> <li>• Hockey stick</li> <li>• Hockey ball</li> <li>• Shin pads</li> <li>• CUHC playing shirt</li> </ul> <p>The club were unable to obtain quotes from their supplier making the application ineligible.</p>	54	\$1,500.00



**Assessment Panel Comments:**

- The application cannot be recommended for funding as it did not meet the Town’s criteria as the applicant could not provide a written quote.
- **The panel does not recommend project funding.**

39. Funding not recommended. Project details and panel scoring are outlined in the table below:

<b>Applicant</b>	<b>Funding requested. What will the sport grant be used for?</b>	<b>Panel score (out of 80)</b>	<b>Requested funding</b>
Perth Royals Football Club Incorporated	<p><b>Healthy Body - Healthy Mind</b></p> <p>This funding is to improve the club’s catering facilities. This will promote healthy eating choices and team building with trying to cater for younger people.</p> <p>It will build a supportive and community environment to all members, both players and social members.</p> <p>The club is requesting to purchase the following:</p> <ul style="list-style-type: none"><li>• Microwave</li><li>• Fridge</li><li>• Toaster</li></ul>	35	\$1,709.00

**Assessment Panel Comments:**

- The application cannot be recommended for funding as it did not meet the Town’s criteria. This is due to the applicant not providing a written quote.
- **The panel does not recommend project funding.**

40. Funding not recommended. Project details and panel scoring are outlined in the table below:

<b>Applicant</b>	<b>Funding requested. What will the sport grant be used for?</b>	<b>Panel score (out of 80)</b>	<b>Requested funding</b>
Vic Park Squash Club	<p><b>Healthy Court Conditions for Squash</b></p> <p>To modify the squash courts area so that hot air can escape, and that cool air can be introduced to the squash courts, for the benefit of all users. Current playing conditions in high temperatures are uncomfortable and can be unsafe on days of extreme heat. Many players choose not to</p>	43	\$10,000.00

participate on such days. This further impacts on the capacity and capability of the club.

**Assessment Panel Comments:**

- No approval or support from the facility owner regarding the project has been sourced / provided.
- Requested \$10,000 where the grant only allows for a maximum contribution of \$2,000 towards equipment.
- **The panel does not recommend project funding.**

41. The Town recommends the following tabled applications for endorsement by Council:

Sports Grant Funding Recommendations

<b>Applicants:</b>	<b>Project</b>	<b>Amount</b>
Perth Cricket Club	Purchase of cricket balls	\$2,000.00
Perth Basketball Association	Indigenous Basketball Program	\$8,072.00
Dynamic Flames Badminton Club Incorporated	Badminton Program	\$8,042.50
Curtin Football Club Incorporated	Purchase of soccer goals	\$2,000.00
	<b>Total</b>	<b>\$20,114.50</b>

## Sports Grant Funding Not Recommended

<b>Applicants:</b>	<b>Project</b>	<b>Amount</b>
Carlisle Cricket Club	Cricket Balls	\$2,428.00
Vic Park Squash	Healthy Court Conditions for Squash	\$10,000.00
Perth Royals Football Club Incorporated	Healthy Body – Healthy Mind	\$1,709.00
Curtin Trinty Pirates Hockey Club Incorporated	Curtin University Hockey Club Junior Development Program	\$1,500.00
	<b>Total</b>	<b>\$15,637.00</b>

## Urban Forest Grants

42. The Urban Forest Grant application form was aligned with the Town’s Urban Forest Strategy and its Urban Forest Strategy Implementation Action Plan and consisted of six questions with a maximum score of 5 points per question. The first criteria (Urban Forest targets) were weighted 25% and the other 5 were weighted at 15%. The final score was a calculated average from each panel’s weighted score.
43. The Town’s internal Urban Forest Grant Assessment Panel consisted of:
- Manager Place Planning
  - Manager Community
  - Manager Infrastructure Operations
44. Applications were assessed individually and then reviewed within a formal panel meeting by the Town’s Urban Forest Grant Assessment Panel members in line with Policy 114 Community Funding and the criteria outlined for the Urban Forest Grant Program.
45. The assessment questions and criteria are outlined in the tables below.

## Urban Forest Assessment

46. The application forms four parts:
- Eligibility;
  - Applicant details (organisation, auspice arrangements etc.)
  - Project details (brief description, risks, locations, dates etc); and
  - Assessment criteria questions as outlined in the table below:

Assessment criteria questions	Weighting per question per panel member
<p><b>Question 1 – Urban Forest Targets</b> Which actions from the Urban Forest Strategy Implementation Action Plan does the project progress and how?</p>	<p><b>(Weighting 25%)</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 15 points available</li> </ul>
<p><b>Question 2 – Place Impact</b> How does the project positively influence the experience of the place?</p>	<p><b>(Weighting 15%)</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 15 points available</li> </ul>
<p><b>Question 3 – Environmental Services</b> Provide details on how the project will positively contribute to environmental services (eg. improvements in water management, soil health, biodiversity and ecology).</p>	<p><b>(Weighting 15%)</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 15 points available</li> </ul>
<p><b>Question 4 - Project Costs</b> How does the project represent "good value for money"? (eg. project costs incurred in both implementation and ongoing maintenance).</p>	<p><b>(Weighting 15%)</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 15 points available</li> </ul>
<p><b>Question 5 – Community Support</b> Explain how the project is supported by community and encourages community member involvement to achieve social outcomes whilst communicating the benefits of the Urban Forest.</p>	<p><b>(Weighting 15%)</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 15 points available</li> </ul>
<p><b>Question 6 – Health Outcomes</b> How does the project contribute to positive health outcomes? (eg. Mental health, physical activity, air and water quality are positively affected by the Urban Forest).</p>	<p><b>(Weighting 15%)</b></p> <ul style="list-style-type: none"> <li>• Five points per panel member</li> <li>• Total of 15 points available</li> </ul>
	<p><b>Total weighting for six questions = 100%</b> Total score available = 90 points</p>

47. The Urban Forest Grant funding attracted five applications, requesting a combined total of \$36,708.
48. Four of the five submitted applications are recommended to Council for endorsement from the \$25,000 funding available.

Urban Forest Grant Successful Applications:

49. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested (What the Urban Forest Grant will be used for)	Panel Score (out of 90)	Requested Funding
Millen Primary School	<p><b>Millen Primary School Trees for Shade and Nature</b></p> <p>This project will plant trees along one side of the oval, next to the nature playground, next to the new administration building and along the western side of the main school building. The trees will provide shade for students and for other users of the school grounds and will provide habitat for local fauna.</p> <p>A student engagement program will be developed that will involve each classroom becoming a tree guardian. The classroom tree guardians will hand water their trees and will help prevent damage to the young trees.</p> <p>Educational materials will be prepared for each classroom that will provide the Noongar names, knowledge and uses of each WA tree species, information about the fauna that live in or feed on each tree species, as well as the social and environmental benefits of trees in urban spaces.</p>	68	\$3,886

**Assessment Panel Comments:**

- A good, well thought out and comprehensive grant application.
- Appreciation that the project encourages ownership by the students and embraces learning about aboriginal culture.
- Aims to integrate support and engagement from the wider public, but mainly still school focused / benefits.
- Good range and size of native tress selected.
- No ongoing costs or maintenance needed by the Town.
- **The panel recommends project funding of \$3,886.**

50. Funding recommended. Project details and panel scoring are outlined in the table below:

<b>Applicant</b>	<b>Funding requested (What the Urban Forest Grant will be used for)</b>	<b>Panel Score (out of 90)</b>	<b>Requested Funding</b>
Harold Hawthorne Senior Citizens Centre and Homes Inc	<p><b>Secret Life of Trees Project</b></p> <p>The project will create waterwise, beautiful, peaceful and contemplative spaces for the community to enjoy, whilst providing an increase in the tree canopy around the Harold Hawthorne Community Centre by an estimated 710m<sup>3</sup>.</p> <p>The project will be named "The Secret Life of Trees" and will educate the community on the importance of trees, bees and a sustainable future.</p>	64	\$8,222

**Assessment Panel Comments:**

- A plan displaying project area and planting locations could have been included with application to better support project deliverables.
- Opportunity to increase volunteerism and community involvement in project delivery would enhance project objectives and outcomes.
- Proposes outward facing space that could be used by the community.
- There are concerns on funding for all budget elements as while the applicant identified other potential financial / in-kind supporters, the application only lists the Town. In addition, the Town also provides a substantial financial and in-kind contribution to Harold Hawthorne each year via an operating subsidy and peppercorn lease.
- Recommendation that part funding be awarded for reticulation, trees and shrubs only.
- **The panel recommends project funding of \$2,900.**

51. Funding recommended. Project details and panel scoring are outlined in the table below:

<b>Applicant</b>	<b>Funding requested (What the Urban Forest Grant will be used for)</b>	<b>Panel Score (out of 90)</b>	<b>Requested Funding</b>
Kent Street Senior High School P&C	<p><b>Kent Street SHS Urban Forestry Initiative 2021</b></p> <p>This project proposes to plant 10 mature weeping peppermint trees, 900 local native plants and regenerate two weed ridden, aqua phobic, steep banks within the school. The project is to involve students, teachers and the</p>	69	\$10,000

wider parent body in the development, education and overall implementation process.

**Assessment Panel Comments:**

- Well compiled submission, with good alignment to the strategic outcomes of the UFS.
- Appreciation of the use of mature trees and native tube stock with no ongoing cost or maintenance to the Town.
- Great inclusion of CALM teachers and students to expand the educational benefits of the project.
- Recommendation to support project funding with a lower budget due to receipt of funding last financial year, capacity to still deliver a quality outcome, and to enable support of other worthy projects within the budget available.
- **The panel recommends part project funding of \$9,107.**

52. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested (What the Urban Forest Grant will be used for)	Panel Score (out of 90)	Requested Funding
Millennium Kids Inc.	<p><b>Green Lab Kids Hub</b></p> <p>Green Lab, is a youth led citizen science and action program, developed by kids for kids.</p> <p>This project proposes a free two day Conference with excursions to Jirdarup Bushland, Rutland Food Tree Project and Forster Reserve which will empower 40 residents aged 10-17 with the tools, inspiration and community networks to start their own green lab project right here in Vic Park.</p> <p>Taking an experiential approach this series of Green Lab workshops provide hands on modules to gift participants context and tools to appreciate and engage with the Town's public spaces. Endemic flora and fauna that populate these spaces is cataloged through their citizen science modules which allows for participants to appreciate the character and assets of a given place.</p>	57	\$10,000

**Assessment Panel Comments:**

- Worthwhile project and well written grant application.
- Appreciation of the broader behavioral change aspects for community benefit whilst utilising the Town’s bushland for important education and experiments.
- No ongoing costs or maintenance to the Town.
- Given the funding recommendations in item 46 and 47 the panel recommends supporting this project but reducing its funding to \$9,107 to support proposals from both Kent Street SHS P&C and Millenium Kids and remain within the allocated budget.
- **The panel recommends part project funding of \$9,107.**

## Urban Forest Grant Unsuccessful Applications:

53. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested (What will the Urban Forest Grant will be used for)	Panel Score (out of 90)	Requested Funding
Perth Individual College	<p><b>Project Green Space</b></p> <p>This project proposes:</p> <ul style="list-style-type: none"> <li>• Planting out edible plants with the children collaborating from Early Years and the High School to create and grow a kitchen garden and a bushfoods garden.</li> <li>• Planting out species native to Australia to create more shade and 'green space' in the children's outdoor space.</li> <li>• Creating an outdoor play area for the Early Years children which is adjacent to the garden and under shade to facilitate more play during the summer months in Perth.</li> </ul>	48	\$4600.00

**Assessment Panel Comments:**

- Application has a good concept however lacks content and a detailed explanation of project.
- Recommendation that a plan displaying project area and planting locations should have been included with application to better support project deliverables.
- There are concerns on the budget element to cover wages and administration charges. Panel does not agree with paying staff relief fee wages. Suggests volunteerism to increase community involvement.
- Recommendation that Town Officers provide constructive feedback to the applicant to better meet Urban Forest Criteria as well as the appropriate use of Town funding.
- **The panel does not recommend project funding.**

54. The Town recommends the following tabled applications for endorsement by Council



## Urban Forest Grant Funding Recommendations

<b>Applicants:</b>	<b>Project</b>	<b>Amount</b>
Millen Primary School	Trees for Shade and Nature	\$3,886
Kent Street Senior High School	Urban Forestry Initiative 2021	\$9,107
Harold Hawthorne Senior Citizens' Centre and Homes Incorporated	Secret Life of Trees Project	\$2,900
Millennium Kids Incorporated	Green Lab Kids Hub	\$9,107
	<b>Total</b>	<b>\$25,000</b>

## Urban Forest Grant Funding Not Recommended

<b>Applicants:</b>	<b>Project</b>	<b>Amount</b>
Perth Individual College	Project Green Space	\$4,600
	<b>Total</b>	<b>\$4,600</b>

55. Subject to Council endorsement, successful arts, sporting and urban forest grant applications will be notified of the decision within five business days of Council resolution.
56. If 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.
57. The Town encourages previous unsuccessful applicants to contact the Town for feedback to support future applications.
58. Successful Arts, Sporting and Urban Forest Grant's applicants are required to complete the Town's acquittal reporting documentation within three months of completion of the program or event.

## Relevant documents

[Policy 114 Community Funding](#)

## 12.3 Community Benefits Strategy 2020 Report

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Katie Schubert
<b>Responsible officer</b>	Paul Gravett
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. West Coast Eagles - Lease Obligations Report and Player Hours Final Report 2020 [<b>12.3.1</b> - 7 pages]</li> <li>2. CBS - Program Two Healthy Relationships Report Final 2020 [<b>12.3.2</b> - 8 pages]</li> <li>3. CBS - Program Three Supporting Local Community Organisations Report Final 2020 [<b>12.3.3</b> - 5 pages]</li> <li>4. CBS - Program Four Recreational Groups and Sports Club Development Report Final 2020 [<b>12.3.4</b> - 10 pages]</li> <li>5. WCE TOVP 2020 Summary [<b>12.3.5</b> - 8 pages]</li> <li>6. CBS - Program One Youth Engagement Report Final 2020 [<b>12.3.6</b> - 8 pages]</li> <li>7. Wirrpanda Marketing Coverage [<b>12.3.7</b> - 12 pages]</li> </ol>

<b>Recommendation</b>	
That Council:	
<ol style="list-style-type: none"> <li>1. Notes the annual reports for year one of the Community Benefits Strategy.</li> <li>2. Notes the identified areas for improvement for year two of the Community Benefits Strategy.</li> </ol>	

### Purpose

To present reports from the first year of the Community Benefits Strategy (CBS) with West Coast Eagles, Wirrpanda Foundation and Perth Demons Football Club, and to highlight the year one achievements, completed deliverables, challenges and opportunities for improvement associated with the CBS.

### In brief

- In 2019, West Coast Eagles relocated to Lathlain and agreed to form a partnership with the Town of Victoria Park. One of the agreed outcomes of the partnership was to produce the Community Benefits Strategy (CBS), a document that underpins the commitment of each partner and the overall program objectives.
- The Town of Victoria Park, West Coast Eagles, Wirrpanda Foundation, and the Perth Football Club partnered in the design process of the CBS to collectively bring their own strengths to the partnership.
- The design process resulted in the creation of four programs, each with a main delivery partner to ensure its success.
  - Program 1: Youth Engagement, delivered by Wirrpanda Foundation.
  - Program 2: Healthy Relationship Awareness, delivered by West Coast Eagles.
  - Program 3: Supporting Local Community Organisations, delivered by West Coast Eagles
  - Program 4: Recreational Groups and Sports Club Development, delivered by West Coast Eagles.

- West Coast Eagles and Wirrpanda Foundation have prepared reports for each of their relevant programs over the first 12 months of the CBS.

## Background

1. In 2019, West Coast Eagles relocated to Lathlain and agreed to form a partnership with the Town of Victoria Park. The partnership included redevelopment of the physical site and a commitment to drive social, economic, and civic leadership benefits within the community.
2. One of the agreed outcomes of the partnership was to produce the Community Benefits Strategy (CBS), a document that underpins the commitment of each partner and the overall program objectives.
3. The Town of Victoria Park, West Coast Eagles, Wirrpanda Foundation, and the Perth Football Club partnered in the design process of the CBS to collectively bring their own strengths to the partnership.
4. The design process resulted in the creation of four programs, each program has a main delivery partner to ensure its success.
  - a) Program 1: Youth Engagement, delivered by Wirrpanda Foundation to focus on engaging young people in constructive local activities and support parents with older children and adolescence.
  - b) Program 2: Healthy Relationship Awareness, delivered by West Coast Eagles and focusses on domestic violence awareness and prevention.
  - c) Program 3: Supporting Local Community Organisations, delivered by West Coast Eagles the program function is to support four not-for-profit groups or community groups over the first five years of the CBS.
  - d) Program 4: Recreational Groups and Sports Club Development, delivered by West Coast Eagles who aid with strategic planning, governance, structures, constitutions, long term planning and other club related management issues.
5. The CBS has provided the employment of two full time equivalent positions to implement the programs over the first five years. All programs will be supported by 100 hours of West Coast Eagles player involvement per year.
6. The reporting period for year one is between December 2019 – December 2020.

## Strategic alignment

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	<p>Facilitate an active lifestyle for members of Victoria Park community through the provision of quality recreation facilities.</p> <p>Promote the participation in community sport by providing additional support and advice to local sporting clubs.</p> <p>Utilise the positive influence of sport to embed messages reinforcing respect and equality across the Town of Victoria Park's sport and recreation clubs.</p>
S03 - An empowered community with a sense of pride, safety and belonging.	<p>Engage young people in constructive local activities and support parents with older children and adolescents.</p> <p>Create an inclusive and safe environment, along with opportunities to increase cultural awareness and break down cultural barriers to inclusion.</p>

	Support four not-for-profit or community group organisations over the first five years of the CBS.
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## Engagement

Internal engagement	
Stakeholder	Comments
Community	Town officers have met regularly to discuss progression of the CBS reporting and best approaches to working with West Coast Eagles and Wirrpanda Foundation. Town officers managed Expressions of Interest process throughout the organisation for access to West Coast Eagles 100 player hours for Town events and programs.
Project Management	Collaboration and advice in relation to development of the strategy and deliverables.
Property Development and Leasing	Advice relating to leasing agreement requirements.

External engagement	
Stakeholders	West Coast Eagles and Wirrpanda Foundation
Period of engagement	December 2019 - ongoing
Level of engagement	3. Involve
Methods of engagement	Meetings, Teams Meeting, Teams Chat, Email and Phone Calls
Advertising	Nil
Submission summary	Five requested reports submitted.
Key findings	COVID-19 had a far-reaching impact on all organisations. There are areas for improvement for 2021 planning, delivery and reporting of the CBS.

## 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	The Town is not provided with value for money deliverables / offsets related to the strategy objectives.	Moderate	Possible	Medium	Low	Treat – proactive and regular engagement of CBS partners in development, delivery and reporting on the Strategy.
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 the partners not deliver on outlined deliverables.	Moderate	Possible	Medium	Low	Accept reports with outlined improvements for 2021 reporting period.
	If Council do not accept the reports, it will trigger a dispute to be dealt with in the lease provisions.	Major	Possible	High	Low	Accept reports with outlined improvements for 2021 reporting period.
Service delivery	Additional required officer time for administrative support in the delivery and reporting of the CBS to then impact service delivery in other areas.	Minor	Likely	Medium	Medium	Accept potential service delivery impact.

## Financial implications

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

## Analysis

7. The first-year delivery and reporting of the Community Benefits Strategy encompasses December 2019 through to December 2020.
8. On 11 March 2020, the World Health Organisation (WHO) declared COVID-19 a pandemic. By 6 April 2020 the Western Australian borders were closed, with statewide restrictions in place to prevent the spread of the virus. These restrictions impacted on the ability of many organisations to deliver their core business. West Coast Eagles and Wirrpanda Foundation were no exception.
9. The COVID-19 restrictions meant that for an extended period during the year, deliverables of the Community Benefit Strategy were not able to be addressed. The AFL introduced hubs seeing WCE players and staff relocate for weeks at a time.
10. State protocols limited access to offices, working environments and the ability to deliver programs in a traditional face to face manner.
11. AFL protocols limited access to players for appearances and program activities for the CBS. West Coast Eagles were forced to stand down a number of staff, which impacted their ability to meet the deliverables of the CBS for a period.
12. All organisations acted in good faith and worked towards achieving the outcomes and deliverables set out the in the CBS during a difficult year that included the impacts of a global pandemic.
13. Four reports were completed and submitted by West Coast Eagles to document the delivery of the outcomes in the CBS. West Coast Eagles also supplied a Summary document to complement their reports.
  - a) Lease Obligation and Player Hours.
  - b) Program 2: Healthy Relationship Awareness.
  - c) Program 3: Supporting Local Community Organisations.
  - d) Program 4: Recreational Groups and Sports Club Development.
14. One report was completed and submitted by Wirrpanda Foundation to document the delivery of the outcomes in the CBS. Wirrpanda Foundation also supplied a Marketing Coverage document to complement their report.
  - a) Program 1: Youth Engagement.
15. The reports were presented to Council at the February 2021 Concept Forum by West Coast Eagles and Wirrpanda Foundation. While not required to provide a formal report aligned to the CBS, the Perth Football Club also provided a verbal overview of their operations, key successes and areas for future improvements at this session.
16. Identifying this was a new strategy for the Town, West Coast Eagles and Wirrpanda Foundation, all partners have identified process and reporting improvements for the 2021 reporting period. These include but are not limited to:

- a) Regular scheduled meeting/milestone check points with project officers and internal Town working group for continuous updates and progress reporting.
- b) All partners to discuss and agree on clear outcome measurements for year two including any refined activities and indicators.
- c) Partners to discuss and agree on specifics of player hours, timeframes for reporting and defined responsible officers.

## **Relevant documents**

[Community Benefits Strategy](#)

## 12.4 Hockey Working Group - Recommended Appointments

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Ellie Van Rhyn/Asile Wong
<b>Responsible officer</b>	David Doy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. HWG 2021 EOI Assessment matrix - combined scores [12.4.1 - 1 page]

### Recommendation

That Council:

1. Appoints up to three Elected Members to the Hockey Working Group.
2. Appoints the following person(s) to the up to two available community member positions:
  - a) Kristi Annear
3. Appoints the following persons to the three available Victoria Park Xavier Hockey Club positions:
  - a) James Savundra,
  - b) Eddie Bartnik
  - c) Stuart Lamont
4. Appoints the following persons to the one available Hockey WA positions:
  - a) Graeme Hall
5. Notes that the following officers have been appointed to the group:
  - a) Chief Community Planner
  - b) Manager Place Planning
  - c) Manager Community
6. Requests that the Chief Executive Officer, with agreement from the group, presents a further report back to Council by the July 2021 Ordinary Council Meeting with its proposed terms of reference.

### Purpose

To finalise the membership of the Hockey Working Group and note the draft Terms of Reference that will be collaboratively developed at the first meeting of the working group.

### In brief

- At the Ordinary Council Meeting held on 16 February 2021, Council resolved to establish a Hockey Working Group, endorsed the composition of the group and endorsed the selection criteria for an expression of interest process to select the community members of the group.
- On 19 February 2021, an Expression of Interest process commenced to appoint members of the community to Hockey Working Group. This process closed on 11 March 2021 and three applications were received.
- A panel of officers independently scored the applicants against each of the qualitative selection criteria based solely on the responses to the Expression of Interest. One community member who best



demonstrated the criteria was selected by the panel. The other two applicants scored very similarly and could not be split.

- A draft Terms of Reference will be presented to the Hockey Working Group and workshopped at their first meeting. This will then go to Council for endorsement.

## Background

1. For several years, the Town has been liaising with the Victoria Park Xavier Hockey Club (the Club) to understand the Clubs needs in terms of turf and grass facilities.
2. Locations within the Town have been investigated as potential sites for a synthetic hockey turf, however, to date, no site has been found to be appropriate.
3. Most recently, the Town undertook a Masterplan for Higgins Park and Playfield Reserve, with a portion of the scope being to determine its appropriateness as a location for a synthetic hockey turf. While not deemed appropriate for this location, the resolution of this Masterplan determined a process for future engagement with the Club.
4. A part of resolution 602/2020 from the 16 December 2020 Special Council Meeting resolves to establish a working group to advise Council on the future sporting requirements of the Hockey Club.
5. Resolution 15/2021 from the 16 February 2021 Ordinary Council Meeting requests that Council:
  - a) Establishes the Hockey Working Group for the purpose of advising Council on the future sporting requirements of the Victoria Park Xavier Hockey Club, including but not limited to:
    - i. Locations within the Town that accommodate grass and/or synthetic hockey fields consistent with the Town's Public Open Space Strategy;
    - ii. Club house requirements including storage;
    - iii. Partnership opportunities with private and public institutions; and
    - iv. Funding opportunities.
  - b) Endorses membership of the group to include the following:
    - i. Victoria Park Xavier Hockey Club – up to 3 members;
    - ii. Hockey WA – 1 member;
    - iii. Community Representatives – up to 2 members;
    - iv. Elected Members – up to 3 members; and
    - v. Town Officers – up to 3 members.
  - c) Advertises the establishment of the Hockey Working Group, its 2 community member vacancies and seeks applications from candidates that meet the following criteria:
    - i. Resident or ratepayer of the Town of Victoria Park; and
    - ii. Commitment to the time and effort required in joining the group; and
    - iii. Experience in working in a collaborative manner; and
    - iv. A strong interest in community sport; and
    - v. No direct association with the Victoria Park Xavier Hockey Club; and either:
    - vi. Relevant experience and/or knowledge in hockey club requirements; or
    - vii. Experience working in a community group or on projects of community benefit.
  - d) Requests that the Chief Executive Officer presents a further report back to Council by April 2021 with a recommendation on community member appointments in line with point c above.

## 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.	Appointing community members to the Hockey Working Group will ensure the community is authentically engaged in the process.

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	The establishment of a Hockey Working Group, with membership as noted within the recommendation, will ensure the community members and the representatives from the community sporting Club feel empowered.

## Engagement

Internal engagement	
Manager Place Planning	Participated in the assessment of applicants.
Place Leader – Urban Design	Participated in the assessment of applicants.
Community Development Officer	Participated in the assessment of applicants.
Governance	Provided advice on the Expression of Interest and membership process.

External engagement	
Stakeholders	Local community
Period of engagement	Three weeks: 19 February – 11 March 2021
Level of engagement	Involve
Methods of engagement	Online web form housed on the Hockey Working Group web page for all interested Town of Victoria Park residents to complete. The webpage also contained information on the criteria to apply.
Advertising	Digital <ul style="list-style-type: none"> <li>• Social Media – Facebook, LinkedIn</li> <li>• TV Sliders – Administration Building, Aqualife and Leisurelife</li> </ul> Print <ul style="list-style-type: none"> <li>• Posters - Aqualife and Leisurelife</li> <li>• Fliers - Aqualife and Leisurelife</li> </ul>
Submission summary	Three applications received
Key findings	One selected applicant was very strong in their demonstration of the selection criteria.

## Other engagement

Victoria Park Xavier Hockey Club	The Club have provided names of club representatives.
Hockey WA	Hockey WA have provided the name of their representative.

## 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.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Not applicable.				Low	
Reputation	Appointed members do not understand the role of the Hockey Working Group, or their responsibilities as a member.	Minor	Unlikely	Low	Low	ACCEPT the risk and focus on informing members of their role in the working group, and finalising Terms of Reference at first meeting.
Service delivery	The recommendations are not endorsed and delays occur in the establishment of the working group.	Minor	Possible	Medium	Medium	ACCEPT

## Financial implications

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

## Analysis

6. Community representative membership was advertised from 19 February to 11 March 2021. During this time, three applications were received.
7. An assessment panel of three Town Officers was established to assess the applications against the endorsed selection criteria for community members.
8. One of the three applicants received a higher score in the assessment process than the other two applicants who scored similarly.
9. In resolution 15/2021, Council resolved for the assignment of community membership for this working group to be for 'up to 2' members. With one applicant receiving a very high score, and the two remaining applicants both receiving an equal but lower score, the assessment panel's recommendation is to proceed with appointing the one higher scoring community member, being Kristi Annear, to the Hockey Working Group. Please refer to Attachment 1 for the assessment panel scores.
10. The Victoria Park Xavier Hockey Club have provided three names to act as the club's representatives.
11. Hockey WA have also provided the name of their representative.
12. Town officers are confident that the recommended community member, together with the representatives from the Victoria Park Xavier Hockey Club and Hockey WA are well placed to participate in and contribute to the Hockey Working Group.

## Relevant documents

[Policy 101 Governance of Council Advisory and Working Groups](#)

## 13 Chief Operations Officer reports

### 13.1 Macmillan Precinct Concept Plan

<b>Location</b>	East Victoria Park
<b>Reporting officer</b>	Jack Bidwell
<b>Responsible officer</b>	Nicole Anson
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Macmillan Precinct Concept Plan [<b>13.1.1</b> - 74 pages]</li><li>2. Macmillan Precinct Concept Plan - Public Submission Attachment [<b>13.1.2</b> - 14 pages]</li><li>3. Macmillan Precinct - Stage 3 Phasing [<b>13.1.3</b> - 2 pages]</li><li>4. Macmillan Precinct - Online Engagement Summary [<b>13.1.4</b> - 73 pages]</li><li>5. Macmillan Precinct - Next Steps [<b>13.1.5</b> - 1 page]</li></ol>

#### Recommendation

That Council:

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 – Masterplan' of the Macmillan Precinct Redevelopment project.
4. Establishes the Macmillan Precinct Masterplan Working Group for the purpose of guiding the progression of 'Stage 3 – Masterplan' with the objective of delivering the Masterplan Report to Council by December 2022.
5. Endorses membership of the group to include the following:
  - a. Minimum two, maximum three elected members
  - b. Minimum three, maximum four community members
6. Advertises the establishment of the Macmillan Precinct Masterplan Working Group, its community member vacancies and seeks applications from candidates that meet the following criteria:
  - a. Resident or ratepayer of the Town of Victoria Park; and
  - b. Commitment to the time and effort required in joining the group; and
  - c. A strong interest in community and/or recreation facilities; and
  - d. Experience in working in a collaborative manner; and
  - e. Experience working in a community group or on projects of community benefit; and
  - f. State any affiliation with community services, clubs or groups within the precinct.
7. Requests that the Chief Executive Officer presents a further report back to Council by June 2021 with a recommendation on community member appointments in line with point 6 above.
8. Requests the Chief Executive Officer to provide a future report to Council to consider a preferred option for the Community Hub and Bowls Club at the conclusion of Stage 3.2.
9. Authorises the Chief Executive Officer to issue a provisional budget (Purchase Order) of up to \$175,000 (ex. GST) to Hatch RobertsDay under the existing contract CTVP/19/61 to enable the Town to deliver Stage 3.1 and 3.2.

## 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 Redevelopment project.

## In brief

- A draft Macmillan Precinct Concept Plan Report (the Concept Plan), attached, has been prepared for the Macmillan Precinct Redevelopment project by the consultant team Hatch RobertsDay, together with the Town, the Macmillan Precinct Working Group, key stakeholders and the broader Town of Victoria Park community.
- The Concept Plan has been developed through extensive community and stakeholder involvement. The Concept Plan outlines the community's vision, guiding principles, and high-level design framework, enabling the development of the detailed Masterplan.
- 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 – Masterplan' to commence the masterplan report's development.
- A Working Group is recommended to be established to guide the development of the masterplan report throughout Stage 3.

## 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, various leased assets and John Macmillan Park.
2. Since 2001, the 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 Precinct was identified as a priority project by Elected Members to inform the Long-Term Financial Plan's planning process.
4. In June 2019, Council endorsed the Project Business Case's preferred option to begin the preparation of a Masterplan for the Macmillan Precinct.
  - a) This option was endorsed over the two alternative options, namely:
    - Major refurbishment or redevelopment of existing buildings; and
    - Do nothing and maintain the 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 Redevelopment project based on the proposed engagement and project initiation approach.
7. The project is proposed to be delivered across seven stages, which are:
  - Stage 1 – Vision and Community Charter (*completed*)
  - b. Stage 2 – Concept Plan (*completed and pending final endorsement*)
  - c. Stage 3 – Masterplan (*next stage*)
  - d. Stage 4 – Planning Framework (*future stage*)
  - e. Stage 5 – Delivery Options (*future stage*)
  - f. Stage 6 – Delivery Planning (*future stage*)

- g. Stage 7 – Delivery (*future stage*)
8. Following the Council's endorsement to proceed with the project, the Town procured a consultant team led by Hatch RobertsDay to deliver Stage 1, Stage 2 and Stage 3. Hatch RobertsDay was procured under a Request for Tender, with Stage 1 and Stage 2 delivered under a lump sum agreement as the initial part of the 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 provisional budget based on the schedule of rates provided in the Tender.
    - c. The original contract was awarded under the delegation of the CEO.
    - d. The provisional sum required to deliver Stage 3.1 and 3.2 has been included as part of the recommendations for this report.
    - e. There is sufficient project budget, previously approved in the 2020/21 Annual Budget, to fund the recommendation.
  9. At the November 2020 OCM, the Concept Report was presented for Council endorsement. An alternate motion was endorsed on the night that Council:
    - a. Notes the Macmillan Precinct Concept Plan;
    - b. Requests the CEO to hold a Concept Forum for Elected Members in February 2021 to allow a further opportunity for Elected Members to consider the results of the public consultation on the Concept Plan; and
    - c. Requests the CEO to bring back a report to Council by April 2021 outlining the options for the next steps to progress the Concept Plan and options for further public consultation based on the feedback from the Concept Forum.
  10. Following this alternate motion, a Concept Forum was held in February 2021 to discuss the project engagement process, public consultation results and the next steps of the project as requested in above point 10(b).

## 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.

<b>Economic</b>	
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 that has all the ingredients of a vital, sustainable and lively destination for all members of the community.

<b>Environment</b>	
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 from Albany Hwy with new street front activity while also inviting people into the Precinct's heart through new pedestrian orientated connections lined with creative spaces, workspaces 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 broader 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. The Concept Plan dedicates 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 appreciation 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	Presentations at Concept Fora by Hatch RobertsDay and Project Team. 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"> <li>• Community Members</li> <li>• Local Residents</li> <li>• Key Community and Business Stakeholders <ul style="list-style-type: none"> <li>○ <i>Victoria Park Centre for the Arts</i></li> <li>○ <i>Aboriginal Engagement Advisory Group</i></li> <li>○ <i>Billabong Community Early Childhood Centre</i></li> <li>○ <i>Vic Park Collective</i></li> <li>○ <i>Sussex Street Community Law Service Inc</i></li> <li>○ <i>Vic Park/Carlisle Bowls Club</i></li> <li>○ <i>Victoria Park Community Centre</i></li> <li>○ <i>Redbacks Basketball Association</i></li> <li>○ <i>Connect Vic Park</i></li> <li>○ <i>Area 5 Football</i></li> <li>○ <i>WA Squash</i></li> <li>○ <i>Hawaiian</i></li> </ul> </li> </ul>
Period of engagement	<p>Stage 1 - Vision and Community Charter</p> <ul style="list-style-type: none"> <li>• Vision Development - 17 February to 8 March 2020</li> </ul>

	<ul style="list-style-type: none"> <li>• Community Charter Feedback – 4 April to 19 April 2020</li> <li>• Working Group Nomination Period – 27 April to 10 May 2020</li> </ul> <p>Stage 2 - Concept Plan</p> <ul style="list-style-type: none"> <li>• Place Design Forum (Working Group) - 21 May to 4 June 2020</li> <li>• Public Webinar #1 – 18 June 2020</li> <li>• Working Group Follow-up Session – 18 June 2020</li> <li>• Design Scenario Feedback Period – 29 June to 12 July 2020</li> <li>• Public Webinar #2 – 20 July 2020</li> <li>• Working Group Follow-up Session – 20 July 2020</li> <li>• Working Group Follow-up Session – 3 August 2020</li> <li>• Draft Concept Plan Public Comment Period – 14 September to 11 October 2020</li> </ul>
Level of engagement	4. Collaborate
Methods of engagement	<p>The Concept Plan was delivered through an iterative co-design engagement process commencing in February 2020. The detailed methods of engagement can be seen on page 6 &amp; 24 of Attachment 1.</p> <p>In summary, the Town utilised a range of surveys, workshops (physical &amp; online), stakeholder meetings, online mapping tools, pop-up information sessions, online webinars and public submission forms to inform and shape the Concept Plan.</p> <p><i>Note: Due to the COVID-19 Pandemic outbreak in March 2020, the Town completed parts of Stage 2 engagement online due to Government restrictions limiting physical engagement. This enabled the Town to continue the project whilst ensuring the community was actively and authentically engaged.</i></p>
Advertising	<p>The Town used a wide range of digital and physical advertising tools to promote and inform, including:</p> <ul style="list-style-type: none"> <li>• Traditional communications (Posters, letter drops, brochures, banners, Southern Gazette advertisements)</li> <li>• Social media (Facebook, Instagram, Twitter, LinkedIn)</li> <li>• Informative animations (YouTube, Instagram, Facebook)</li> <li>• Digital marketing (Google, E-newsletters, SMS marketing)</li> </ul>
Submission summary	<p>Stage 1 – Vision and Community Charter</p> <ul style="list-style-type: none"> <li>• Vision Development Survey - <b>270 Submissions</b></li> <li>• Online Idea Mapping Tool – <b>182 Contributions</b></li> <li>• Community Charter Feedback Form – <b>7 Submissions</b></li> </ul> <p>Stage 2 - Concept Plan</p> <ul style="list-style-type: none"> <li>• Design Scenario Feedback Form – <b>107 Submissions</b></li> <li>• Draft Concept Plan Submission Form – <b>34 Submissions</b></li> </ul> <p>The online engagement responses in full detail for Stage 1 and 2 have been provided as Attachment 4.</p>

## Key findings

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 Precinct.

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.

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 feedback 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.

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.

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 public space and bringing new life to the Macmillan Precinct.

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 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 Stage 3. 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 the majority of the feedback able to be addressed through Stage 3 – Masterplan, Stage 4 – Planning Framework and Stage 5 - Delivery Options 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.
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### 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	Not adopting the recommendation for a variation to	Minor	Unlikely	Low	Low	ACCEPT the risk and ensure procurement advice

	contract resulting in the Town having to retender the project and risk higher contract rates and longer delivery timeframes.					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 cancel the delivery of the project/future project stages.	Moderate	Possible	Medium	Medium	ACCEPT the risk and provide Elected Members with the required information to make an informed decision.

## Financial implications

### Current budget impact

Sufficient funds were previously approved by Council in the 2020/21 Annual Budget and currently exist within the project budget to issue the Purchase Order for Stage 3.1 and 3.2 as stated in recommendation 9 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 as part of the 2021/22 Annual Budget process.

## Analysis

### Project Delivery

11. Since February 2020, the Town has been consulting in detail with site stakeholders and the wider community to ensure the Macmillan Precinct reflects their shared aspirations and vision for the future.
12. The Concept Plan was iteratively developed alongside the community and key stakeholders over the course of 6 months across two stages:
  - 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.
  - Stage 2 - Concept Plan, May 2020 to August 2020, including:
    - ii. Exploring design ideas through a two (2) week Place Design Forum discussing facilities, public space, uses, funding and more.
    - iii. Deciding the concept design direction through establishing three (3) concept scenarios and testing the key elements that the community support or oppose.
    - iv. Developing the Concept Plan based on key community feedback and technical inputs from the scenarios.
13. The Macmillan Precinct Working Group was established in May 2020 to help guide the development of the Concept Plan in Stage 2. 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.
14. 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.
15. 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.
16. Further information on the engagement process has been outlined in page 6 & 24 of Attachment 1.

### Concept Plan Design

17. 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.
18. The Concept Plan draws together the best of three (3) co-designed scenarios, responds to community feedback and considers preliminary financial and technical assessments to set a clear and exciting direction for the future. The key elements captured through the community engagement can be seen in greater detail on page 13 of Attachment 1.
19. The Concept Plan proposes four (4) key moves, as per Section 5.4 - page 48 of Attachment 1: 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 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.
20. 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: 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.
21. 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 Stage 3 - Masterplan. These include: 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.
22. 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. These include small piazzas, tree retention pocket parks, pedestrian lanes and an expansion and enhancement of John Macmillan Park.
- b. 'Public Space' refers to all parks, plazas, streets, and trees that exist within the Precinct today or which may be added in the future. Further information on public space within the Concept Plan can be found on page 64 and 72 of attachment 1.
  - c. In the concept, public space is proposed to increase from approximately 18,500 sqm (28%) of existing site coverage to 34,500 sqm (52%) in the Concept Plan, an increase of approximately 16,000 sqm or 86%.
  - d. Further detail on these spaces can be seen on pages 52-59 and 64-65 of Attachment 1.
23. 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 within Stage 3 - Masterplan. The options the Town will investigate during Stage 3 can be seen in greater detail on page 63 of Attachment 1.
24. In addition to new facilities and expanded public spaces, the Concept Plan utilises surplus land to accommodate a diverse range of additional activities. 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 Stage 3 - Masterplan and have not yet been allocated dedicated space within the Concept Plan.
25. Property valuation and cost estimates prepared through the scenario planning identified that costs associated with all three scenarios exceeded the potential revenue achieved from development. 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 expressed by the community as achieving a suitable balance of development potential. This is far less in scale when compared to previous planning exercises on this site.



- 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 the community infrastructure costs.
- d. As part of Stage 3 - Masterplan, specific costings and estimates will be developed to help identify potential funding models. This will be supplemented by feasibility modelling to identify the long-term financial return to the Town through the development of additional rate payers and businesses within the Precinct.
- e. Further detail on the funding approach can be seen on page 69 of Attachment 1.

### Stage 3 - Masterplan Considerations

- 26. 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.
- 27. Preparation of the Concept Plan has identified a number of technical considerations that will require resolution through Stage 3, including:
  - a. Land tenure;
  - b. Zoning constraints;
  - c. Sewer and drainage alignments;
  - d. Traffic management and parking; and
  - e. Staging and delivery transitioning.
- 28. 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.
- 29. 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. 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

- 30. Should Council endorse the Concept Plan, the Town will enter the next stage of the project lifecycle Stage 3 – Masterplan.
- 31. Due to the size, scale and technical nature of the works required to deliver Stage 3, 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.
- 32. In summary, the six (6) phases of Stage 3 comprise works of:
  - a. Stage 3.1 - Design Brief – Establish the inputs for the options analysis and design development stages, including:
    - i. Identify key stakeholders;
    - ii. Establish the Macmillan Precinct Masterplan Working Group (MPMWG);
    - iii. Undertake technical site analysis to inform design options
    - iv. Establish a future direction for the Vic Park/Carlisle Bowls Club;
    - v. Establish design brief inputs for the Community Hub; and
    - vi. Deliver a design brief endorsed by the MPMWG to guide Stage 3.2.
  - b. Stage 3.2 - Bowls & Hub Option Selection – Resolve the direction for outstanding options not established in the Concept Plan, including:
    - i. Stakeholder workshops to establish options and explore high-level design considerations;
    - ii. Prepare preliminary schematic plans for Hub & Bowls options;
    - iii. Prepare preliminary costings for Hub & Bowls options;

- iv. Assess options through a multi-criteria assessment (MCA);
  - v. Key stakeholder and wider community consultation;
  - vi. Establish a preferred Hub & Bowls option endorsed by the MPMWG;
  - vii. 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. Stage 3.3 - Design Development (Hub & Public Space) - Develop the design of the endorsed options through preliminary concept design, costings and feasibility analysis, including;
    - i. Design development of the preferred Hub option;
    - ii. Design development of the preferred Bowls option;
    - iii. Design development of the landscaping and public space elements;
    - iv. Key stakeholder and community consultation; and
    - v. Final design endorsed by the MPMWG.
  - d. Stage 3.4 - Design Development (Wider Precinct) - Concurrent with Stage 3.3, supplement design development of the Hub and Bowls by establishing design guidelines, planning principles and implementation recommendations for remaining spaces, including:
    - i. Establish guidelines and locations for other uses;
    - ii. Establish bulk/height/yield development guidelines;
    - iii. Establish transport, access and parking guidelines;
    - iv. Establish services and siteworks cost estimates;
    - v. Establish delivery staging plan;
    - vi. Undertake preliminary development feasibility to identify options for a future Business Case; and
    - vii. Final design guidelines endorsed by the MPMWG.
  - e. Stage 3.5 - Masterplan Report – Prepare the 3D visualisations and the detailed masterplan document for advertising and guidance of the future business case, including;
    - i. Prepare 3D model, visuals and flythrough video;
    - ii. Assembly of the Masterplan Report;
    - iii. Masterplan Report endorsed by the MPMWG; and
    - iv. Seek consent to advertise from Council.
  - f. Stage 3.6 - Public Advertising and Council Approval – Promote and communicate with the community to seek feedback through a range of engagement tools on the final masterplan report, including;
    - i. Prepare public advertising communications plan;
    - ii. Undertake public advertising period;
    - iii. Review the feedback and amend report if required;
    - iv. Final endorsement of the Masterplan Report by the MPMWG; and
    - v. Seek Council endorsement of the Masterplan Report and approval to commence Stage 4 – Planning Framework and Stage 5 – Delivery Options.
33. The Town is proposing to deliver Stage 3.1 and 3.2 as the first scope of works following the endorsement of the recommendation.
34. Splitting the scope of works into six core phases allows the Town to undertake detailed scoping at the conclusion of each phase instead of providing an initial high level provisional approach.
35. 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.
36. 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.

## Procurement Requirements

37. 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. Hatch RobertsDay was procured under a Request for Tender, with Stage 1 and Stage 2 delivered as the initial stages of contract CTVP/19/61. 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 secondary part to the original contract pending Council approval.
- b. It is recommended that a provisional budget be provided to deliver Stage 3.1 and 3.2. The provisional amount includes all items listed in Attachment 3 for Stage 3.1 and 3.2 and a provisional sum for additional services, stakeholder meetings and disbursements to be utilised if required.
  - c. If the provisional sum is not required to complete Stage 3.1 and 3.2 it will be carried over to fund Stage 3.3. If the project is not approved past Stage 3.2 it will be returned to the municipal budget.
  - d. There is a sufficient project budget within the existing work order, previously approved in the 2020/21 Annual Budget, to fund the recommendations.
  - e. A further provisional budget will be required to deliver Stage 3.3, 3.4, 3.5 and 3.6 following the completion of Stage 3.2 and subject to Council approval in the 2021/22 Annual Budget.
  - f. It is anticipated that the total amount for Stage 3, inclusive of the above recommendations, is expected to be in the range of \$300,000 to \$400,000, and therefore, Council approval is being sought.

## Relevant documents

Not applicable.

## 13.2 TVP/21/01 GO Edwards Stage 4&5 Landscape Upgrades

<b>Location</b>	Burswood
<b>Reporting officer</b>	Paul Williams
<b>Responsible officer</b>	Gregor Wilson
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL REDACTED - TVP 21-01 - Evaluation Report [13.2.1 - 11 pages]

### Recommendation

That Council awards the contract associated with TVP/21/01 GO Edwards Stage 4 and 5 Landscape Upgrades, to Phase 3 Landscape Construction Pty Ltd (ABN: 55 126 011 621), for construction, with the terms and conditions as outlined in the contract, for the lump sum price of \$980,112.34 ex GST.

### Purpose

For Council to accept the submission by Phase 3 Landscape Construction Pty Ltd for the upgrades of GO Edwards Park Stages 4 and 5. As the value of the contract exceeds \$250,000, the acceptance of the offer and subsequent award of any such contract is to be determined by Council.

### In brief

- TVP/21/01 GO Edwards Stage 4 and 5 Landscape Upgrades was published through the newspaper on 23 January 2021, Tenderlink and the Town's website. The tenders to be received on or before 2 pm (WST) 19 February 2021.
- Suppliers were requested to provide a lump sum cost for the Landscape Upgrades supply and delivery as per the scope of works, design drawings, and specifications.
- The approved municipal funding allocation for this item is \$1,450,000.
- An evaluation of the tender submissions against the prescribed criteria has been completed. It is recommended that Council accepts the submission made by Phase 3 Landscape Construction Pty Ltd. and enters into a contract for GO Edwards Stage 4&5 Landscape Upgrades.

### Background

1. GO Edwards Park is one of the Town's prestigious passive parks bounded by Great Eastern Highway, Burswood Road, RoW 59 and Craig Street.
2. In 2015, AECOM undertook the detailed development design and staging plan for the area based on the Concept Plan and Water Quality Improvement Plan. The development was broken into five areas (stages) proposed for construction over a five-year period.
3. The construction works of stages 1,2, and 3 has been completed.
4. This contract for Stage 4 and 5 upgrades includes the following works:
  - Installation of upgraded concrete path network Great Eastern Highway to Burswood Road, Craig Street, and Hawthorn Place, increasing disability access and inclusion.

- Exercise Stations throughout the park
  - Enclosed 'Off-lead' dog exercise area with agility equipment
  - Shade structure with seating
  - Water fountain
  - Rest stop seating areas overlooking parklands.
  - Significant softscape works, including a new wetlands area increasing vegetation and habitat, reducing water consumption.
  - Enhanced visibility through the reserve to encourage patronage and to discourage anti-social behaviour.
  - Environmentally sensitive lighting to provide a safe environment within the park.
  - Upgrades to the existing irrigation system
6. The value of the contract exceeds \$250,000. The acceptance of the offer and subsequent award of any such contract is to be determined by Council.

## Compliance criteria

6. The Town's Senior Procurement Officer assessed all submissions against compliance criteria detailed in Section 4.2.1 of the tender document.
7. All submissions were deemed compliant.

## Evaluation process

8. Tender submissions were assessed on the following qualitative criteria:

<p><b>Relevant Experience</b></p> <ul style="list-style-type: none"> <li>i) Relevant industry experience (including public sector), including details of similar work undertaken</li> <li>ii) The Tenderer's involvement in these projects, including details of outcomes produced</li> <li>iii) Past record of performance and achievement</li> <li>iv) References from past and present clients</li> <li>v) Occupational safety and health track record</li> <li>vi) Relevant industry experience of company personnel</li> </ul>	<p>Weighting 20%</p>
<p><b>Capability</b></p> <ul style="list-style-type: none"> <li>i) Qualifications, skills and experience of key personnel.</li> <li>ii) Plant, equipment and staff resources available</li> <li>iii) Percentage of operational capacity represented by this work</li> <li>iv) Quality systems</li> </ul>	<p>Weighting 20%</p>
<p><b>Demonstrated Understanding</b></p> <p>Tenderers should detail the process they intend to use to achieve the Requirements of the Specification. Areas that you may wish to cover include:</p> <ul style="list-style-type: none"> <li>i) Level of understanding of Tender documents</li> <li>ii) Level of understanding of work required</li> <li>iii) Ability to meet delivery dates in regard to overall work commitments</li> <li>iv) Warranties offered; and</li> </ul>	<p>Weighting 20%</p>

v) Supply details and provide an outline of your proposed methodology in an attachment labelled "Demonstrated Understanding"	
<b>Price</b> Tenderer's price (Lump Sum) to supply the goods or services in accordance with the Request	Weighting 40%

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	Ensure that experienced professionals carry out the design, construction and project management.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Ensure transparency and good value for money by going through a public tender process.

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.	Completion of this project will improve public amenity for all park users

## Engagement

Internal engagement	
Stakeholder	Comments
Procurement	Provided advice and acted as a probity advisor throughout the process.
Parks Staff	Provide feedback on design and specification.
Technical Services	Provide feedback on design and specification.

## 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	Failure to comply with financial requirements under the Act in relation to procurement	Moderate	Likely	High	Low	TREAT risk by going through a public tender process.
Environmental	Failure to comply with environmental requirements of the works	Moderate	Possible	Medium	Low	TREAT risk by reviewing Contractor's construction methodology, risk and controls prior to work starting.
Health and safety	Potential injuries from works	Moderate	Possible	Medium	Low	TREAT risk by OH&S, Job Safety Analysis and Hazard reports to be reviewed prior to work starting.
Infrastructure/ICT systems/utilities	Not applicable					
Legislative compliance	Not applicable					
Reputation	Residential complaints during the works	Moderate	Possible	Moderate	Low	TREAT risk by notifying residents via the website, social media and letter drop prior to the works.
Service delivery	Failure in completion of the Town's Capital Works program	Moderate	Significant	High	Medium	TREAT risk by appointing preferred Contractor for the works.

## Financial implications

**Current budget impact**

<b>Future budget impact</b>	<p>Council Delegation 1.1.16 – Limits on Delegations to CEO requires all tenders exceeding \$250,000 to be by Council determination. The value of the total contract is expected to exceed \$250,000, therefore it is required that this item be brought before Council for determination.</p> <p>Sufficient funds exist within the annual budget to address this recommendation.</p> <p>Future financial budgeting covering maintenance costs of GO Edwards Park have been included in the long-term financial plan.</p>
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## Relevant documents

[Council Purchasing Policy 301](#)

## Analysis

9. The assessment of the submissions was formally undertaken by a panel that included:
  - a. Project Officer
  - b. Manager Infrastructure Operations
  - c. Environmental Officer
10. The Town received seven submissions. All were deemed compliant.
11. The evaluation of the submissions against the quantitative and qualitative criteria resulted in the rankings as shown below, with 1 as the highest scored. (Top 3 rankings only)

Company	Ranking
Phase 3 Landscape Construction Pty Ltd	<b>1</b>
Environmental Industries Pty Ltd	2
Civcon Civil and Project management Pty Ltd	3

12. Therefore, it is recommended that a contract be awarded to Phase 3 Landscape Construction Pty Ltd.



### 13.3 LPRP Zone 1 Lead Consultant Procurement

<b>Location</b>	Lathlain
<b>Reporting officer</b>	Andrew Dawe
<b>Responsible officer</b>	Nicole Anson
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	1. CONFIDENTIAL REDACTED - TV P-21-03 Architect for Zone 1 - Evaluation Report Signed [13.3.1 - 14 pages]

**Recommendation**

That Council awards the contract associated with tender TVP/21/03 Lead Architect Consultant for the redevelopment of Lathlain Precinct Zone 1 to Hames Sharley (WA) Pty Ltd (ABN 42 009 073 563), for the creation of the concept plans, design development and detailed documentation for the Lathlain Precinct Zone 1, with the terms and conditions as outlined in the contract, for the lump sum price of \$553,230 (ex. GST).

#### Purpose

Approval is being sought to award the contract for the lead architect consultant for Lathlain Precinct Zone 1 to deliver concept designs, design development and detailed documentation in accordance with the Tender brief.

Under council Delegation 1.1.16 – Limits on Delegations to CEO requires all tenders exceeding \$250,000 to be by Council determination.

#### In brief

- TVP/21/03 Lead Architect Consultant for the Redevelopment of Lathlain Precinct Zone 1 was advertised on 10 February 2021 in accordance with local government regulations.
- The tender submission deadline closed at 2pm on 02 March 2021.
- Proponents were requested to provide a lump sum price for the concept design, design development and detailed documentation for the Lathlain Precinct Zone 1 (Zone 1) Community and Football Facility.
- A budget was not specified. However, proponents were made aware of the approximate forecast construction cost of \$11 million, including GST. The pre-tender estimate was \$1,100,000 in line with an industry standard 'rule of thumb' of consultant cost being 10% of construction costs. However, this was originally going to include contract administration and defects liability. This was subsequently removed from the scope of this Tender.
- The Town received eight submissions; all were deemed compliant.
- A thorough evaluation of the tender submissions against the prescribed criteria has been completed and it is recommended that Council accepts the submission made by Hames Sharley (WA) Pty Ltd and enters into a contract to deliver the full scope of works outlined within the Tender documentation to ensure the project is delivered in full to meet the community's vision for the space.

#### Background

- 1) Perth Football Club has been the primary occupant and lessee on this site since its initial development in 1958. The development has now reached the end of its useful and economic life.

- 2) In March 2020, Council endorsed the Zone 1 project mandate due to the existing facilities' dilapidated nature and to assist in the advocacy to secure additional funds required to complete the development.
- 3) The mandated Zone 1 project scope according to the 2020 business case is intended to deliver a redeveloped Perth Football Club grandstand, football operations infrastructure, and parking and suitable space for safe and legible movement within and between other zones within the Lathlain Park Precinct. Additionally, community uses will be delivered as a part of the works ensuring there is a fitting interface to the community.
- 4) In June 2020, Council endorsed the initiation of an Advisory Group with an agreed term of references to oversee and provide development guidance over the mandated scope of works.
- 5) In November 2020, Council resolved to list Zone 1 for consideration in the Long-Term Financial Plan, nominating an indicative amount of \$5 million. This is approximately one-third of the estimated project cost of the redevelopment of Zone 1 as nominated by the 2020 Business Case.
- 6) Funding contributions have been secured from the Federal Government (\$4m), State Government (\$4m), and West Coast Eagles ground lease contribution (\$1m).
- 7) Funding agreements between the Town and the Federal and State governments are currently being drafted to ensure initial contributions are received by the beginning of the 21/22 financial year.
- 8) In December 2020, the Advisory Group were informed of the preferred procurement method to engage a lead design architect consultant for the full design package. This can be summarised as the engagement of a lead consultant being an architect responsible for any sub-consultants deemed necessary to complete the entire design package. This full design package includes the concept design, design development through detailed documentation.
- 9) Contract administration and defects liability has been purposefully left out of these works' scope due to the uncertainty surrounding the contractor procurement method and ensuring that a third party who will act as the superintendent will keep both the designer and contractor accountable.
- 10) The tender brief was vetted amongst internal staff, including staff with an architectural background, with the Perth Football Club, Western Australian Football Commission, and industry experts to peer review the brief ensuring coverage of all critical components.
- 11) The Towns Procurement officer assessed all submissions for compliance against the compliance criteria set out in section 5.2 of the tender documents; all submissions were deemed compliant.

### Evaluation process

- 12) Evaluations of the submissions were undertaken by a three staff member evaluation panel based on the qualitative and quantitative criteria advertised in the tender documents.
- 13) The evaluation was completed in accordance with the following qualitative criteria:

<p><b>Previous Project Performance of Delivering Similar Services</b></p> <p>Provide project examples relating to the requirements detailed in the scope of services including:</p> <p>l) Detailed Project Examples (1 Page per example, 3 page limit)</p> <p>The following information should be provided for three (3) key project examples:</p> <ul style="list-style-type: none"> <li>• Brief project description including start date, completion date and value.</li> <li>• Specific relevance to this project.</li> <li>• Role of the organisation and of the nominated personnel.</li> <li>• Key challenges and how they were managed; and</li> </ul>	<p>Weighting</p> <p>20%</p>
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<ul style="list-style-type: none"> <li>• Provide at least one referee able to comment on the demonstrated performance on each project</li> </ul> <p>i. Global Project Summary (1 page limit)</p> <p>Provide a brief summary of any additional project examples relevant to the scope of service.</p>	
<p><b>Key Personnel Skills and Availability</b></p> <p>i) Project Team Structure (2 page limit)</p> <ul style="list-style-type: none"> <li>• Provide a project specific management structure that includes key personnel and sub-consultancies proposed for performing the required services in the form of chart.</li> <li>• iii) Provide description of the role and responsibilities for each of the nominated personnel highlighted in the chart in performing the services</li> <li>• iv) Nomination of a Director or Senior Management Staff member to be the team leader responsible for the Project.</li> </ul> <p>ii) Staff Resources (1 page limit)</p> <ul style="list-style-type: none"> <li>• Provide a resource schedule demonstrating current commitments and availability for each of the nominated personnel. Include contingency resources to step in for nominated staff during leave or absence due to sickness.</li> </ul> <p>iii) Profiles of Nominated Personnel (1 page per person limit)</p> <ul style="list-style-type: none"> <li>• Experience in projects performing similar services; and</li> <li>• Qualification and Memberships of any professional associations.</li> </ul>	<p>Weighting 20%</p>
<p><b>Methodology/ Demonstrated Understanding</b></p> <p>i) Provide a detailed methodology of how the tenderer intends to deliver the contract.</p> <p>ii) Key Project Issues (limit of 3 pages)</p> <ul style="list-style-type: none"> <li>• Description of the issue</li> <li>• Methodology for proactive resolution of each issue and</li> <li>• Evidence of where similar issues have been resolved.</li> </ul> <p>iii) Programme</p> <p>Provide a program showing the key activities and milestone dates, highlighting interim and final reporting.</p>	<p>Weighting 20%</p>
<p><b>Fee Proposal/ Price</b></p> <p>Provide a lump sum fee proposal based on anticipated hours required to complete the services, supported by a schedule of hourly rates and estimated times for nominated personnel.</p> <p>The remuneration model covers the following elements:</p> <ul style="list-style-type: none"> <li>• Fixed lump sum for specific work packages (Concept, Design Development and Detailed Documentation)</li> <li>• Hourly rates by role for services not included in the fixed rates.</li> <li>• Methodology to deliver maximum value over the term of the contract including any alternative remuneration models to deliver value for money outcomes and discounts to apply.</li> </ul>	<p>Weighting 40%</p>

- 14) A strong field of eight proponents submitted tenders for the lead consultant for Zone 1. The attached evaluation report summarizes the process and outcome. Hames Sharley Pty Ltd was a clear and unanimous preferred proponent upon completion of the evaluation.
- 15) A key component of the successful architect's scope will be to engage with the community to help define and illustrate the community elements of the future facility ensuring a fit for purpose facility meeting the needs of the community.
- 16) Upon successful award of the contract in April, the preferred proponents program indicates concept plans will be ready to present to the Advisory Group in June 2021 and for Council endorsement by July 2021.

## Strategic alignment

<b>Civic Leadership</b>	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	Council's long term commitment to delivering these projects is demonstrated.
CL03 - Well thought out and managed projects that are delivered successfully.	The project will be delivered through the use of the Town's Project Management Framework to ensure accountable and transparent project delivery for the community.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	External funding will contribute to the development and the required Town funding is captured in the LTFP, distributed over successive financial years. The projects focus is on multiuse community spaces that are sustainably viable.

<b>Economic</b>	
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 development will replace an obsolete, dilapidated, high maintenance, no longer fit for purpose structure and provide accommodation that will support community groups and broader activation of the locality.
EC02 - A clean, safe and accessible place to visit.	The existing aged, dilapidated and obsolete structure is not DAIP compliant. A new structure will address universal access.

<b>Environment</b>	
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 project will deliver a sustainable built form outcome ensuring a sustainable business model for the PFC, the Town, for the benefit of the community.

<b>Social</b>	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community	The development further solidifies the commitment to sporting activity at multiple levels within the Town.
S03 - An empowered community with A sense of pride, safety and belonging	Once constructed, the facility will provide a safer and more inviting space as conceptualized by the community, creating a sense of community pride within the space.

S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	Once constructed, the facility will provide a more inclusive space for the community providing awareness around arts, culture, education and heritage.
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## Engagement

- 17) The LPRP was community informed with broad community engagement at the consult, involve and inform levels. Part of the community engagement outcome was the WAPC approved Lathlain Park Management Plan July 2017 (LPMP). The document will guide the Zone 1 concept plan.
- 18) A strategic communications and engagement plan is currently being drafted. Within this plan, a carefully planned approach for community engagement will be specified, with one of the key outputs being the development of a community centric concept plan.
- 19) Project concept preparation will include both internal and external engagement. The table below anticipates the engagement required.

<b>Internal engagement</b>	
Elected Members	As a part of the Advisory Group to provide development guidance
Stakeholder Relations Team	Advice on advocacy, communications and engagement.
Procurement	Guided the process and acted as a probity advisor throughout the process.
Financial Services	Provided advice throughout the process and for direction and management of development funding.
Place Planning	Active involvement in the procurement process
Assets Team	As the responsible manager of the existing buildings and the future completed development.
Planning Team	For application of the LPMP, compliance with planning guidelines and the LPS.
Property Team	For the leasing and licensing of spaces within the development, and the ongoing management of those leases

<b>External engagement</b>	
Stakeholders	Stakeholder mapping is currently being completed. However, initial key stakeholders include – PFC, WAFC, immediately adjacent residents, future community group facility users, current and prospective lessee's.
Period of engagement	To be nominated by the Strategic Comms and Engagement plan however, nominally from the Concept design phase through to completion of the new facility's construction.
Level of engagement	To be determined by the completed Strategic Comms and Engagement plan.

Methods of engagement	To be determined by the completed Strategic Comms and Engagement plan.
Advertising	To be determined by the completed Strategic Comms and Engagement plan.

## 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	<i>Insufficient budget to deliver the scope of works required as per the tender submissions</i>	<i>Minor</i>	<i>Unlikely</i>	<i>Low</i>	<i>Low</i>	<i>TREAT by ensuring acceptance of budget forecast for financial year 21/22.</i>
Environmental	N/A				N/A	
Health and safety	N/A				N/A	
Infrastructure/ ICT systems/ utilities	Lack of provision of Parks and Reserves infrastructure to a community expected service level	Moderate	Unlikely	Low	Medium	Treat risk by ensuring project scope is delivered in full to meet community needs.
Legislative compliance	N/A				N/A	
Reputation	Negative public perception towards the Town may result of the project is not delivered in a timely manner and or in alignment with the community expectations	Moderate	Likely	Moderate	Low	Project scope is delivered in full to meet the community's needs.
Service delivery	Provision of future community sport and recreational facilities	Low	Unlikely		Low	Treat risk by ensuring project scope is delivered in full to meet community needs

## Financial implications

<b>Current budget impact</b>	<p>Sufficient funds exist within the annual budget to address this recommendation.</p> <p>The current Operational Budget funding is \$344,000. It is estimated that approximately \$200,000 will be spent this financial year servicing this contract with the balance to be carried over to 2021/22.</p>
<b>Future budget impact</b>	<p>The remainder of the contract is proposed to be funded in the 2021/22 financial year and will be listed for consideration draft annual budget for 2021/22.</p> <p>External funding summarized below.</p> <p>External Funding commitment from the State Government in the amount of \$4m administered by the Department of Local Government, Sport and Cultural Industries and claimed/acquitted against specific milestones. Milestone one will include the signing of the agreement, whereby \$1m will be invoiced. This is due to be finalized by June 30 2021.</p> <p>External Funding commitment from the Federal Government in the amount of \$4m administered by the Department of Infrastructure and claimed/acquitted in arrears. This is due to be finalized by June 30 2021.</p> <p>WCE Ground Lease contribution of \$1m payable against agreed milestones nominated within the ground lease.</p>

## Analysis

- 20) Zone 1 is a council mandated project with external funding committed (\$9m) and a council commitment of \$5 million bring a current financial commitment to \$14 million.
- 21) A preferred procurement method to engage a lead design architect consultant was proposed to the Advisory Group, ensuring project efficiency.
- 22) Tender Brief documents were vetted amongst key internal and external stakeholders ensuring fit for purpose.
- 23) The publicly advertised Tender closed on 2 March 2021. The assessment of the tender submissions was formally undertaken by a panel that included:
  - a) Strategic Projects Managers
  - b) Manager Place Planning
- 24) The Town received eight submissions. The evaluation report for the submissions against the quantitative and qualitative criteria resulted in the rankings show below with 1 as the highest score (included herein are the top 3 rankings only) which nominates Hames Sharley Pty Ltd as the preferred proponent.

<b>Company</b>	<b>Ranking</b>
Hames Sharley (WA) Pty Ltd	<b>1</b>
Christou Design Group Pty Ltd	<b>2</b>
The Trustee for The BDG Trust t/a Bollig Design Group	<b>3</b>

25) The recommendation is to formally endorse the tender award to Hames Sharley Pty Ltd to proceed to the contract award in accordance with the tender documentation and final delivery clarifications.



## 14 Chief Financial Officer reports

### 14.1 Schedule of Accounts for February 2021

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Grace Ursich
<b>Responsible officer</b>	Stuart Billingham
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Payment Summary Listing - February 2021 [ <b>14.1.1</b> - 8 pages]

#### Recommendation

That Council:

1. Confirms the accounts for 28 February 2021, 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 28 February 2021.

#### 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.
2. 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
3. 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.
4. 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.
5. 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
<b>Municipal Account</b>		
Automatic Cheques Drawn	608827 – 608832	\$2,182.08
Creditors – EFT Payments		\$3,246,578.32
Payroll		\$559,994.38
Bank Fees		\$6,549.48
Corporate MasterCard		\$6,518.23
Cancelled Cheques	608817	(172.28)
Total		<b>\$3,821,650.21</b>

## Strategic alignment

<b>Civic Leadership</b>	
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 <i>Local Government (Financial Management) Regulation 1996</i> .

## 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.
	Fraud or illegal transactions	Severe	Unlikely	High	Low	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

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

## **Analysis**

6. 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](#)

## 14.2 Financial Statement for month ending February 2021

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Grace Ursich
<b>Responsible officer</b>	Stuart Billingham
<b>Voting requirement</b>	Simple Majority
<b>Attachments</b>	1. Financial Statements for the month ending 28 February 2021 [ <b>14.2.1</b> - 45 pages]

### Recommendation

That Council:

1. Accepts the Financial Activity Statement Report – 28 February 2021 as attached.
2. Notes that the Town's final opening financial position (1 July 2020) is subject to final audit.
3. Notes that Elected Member allowances and meeting attendance fees have been paid and will continue to be paid for FY2020/21 at FY2019/20 figures of:

Councillor annual meeting allowance	\$23,000.00
Mayoral annual meeting allowance	\$30,841.00
ICT allowance	\$3,500.00
Mayoral allowance	\$62,727.00
Deputy Mayoral allowance	\$15,682.00

### Purpose

To present the statement of financial activity reporting on the revenue and expenditure for the period ended 28 February 2021.

### In brief

- The financial activity statement report is presented for the month ending 28 February 2021.
- 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 28 February 2021.

### 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:

(a) 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 <i>Local Government (Financial Management) Regulations 1996</i> .

## 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 external audits.
	Fraud or illegal transaction	Severe	Unlikely	High	Low	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

<b>Current budget impact</b>	Commentary around the current budget impact is outlined in the Statement of Financial Activity, forming part of the attached financial activity statement report.
<b>Future budget impact</b>	Commentary around the future budget impact is outlined in the Statement of Financial Activity, forming part of the attached financial activity statement report.

## Analysis

4. The Financial Activity Statement Report – 30 June 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 – [date] be accepted.
5. At the Special Council Meeting held on 29 July 2020, Council approved Elected Members fees and allowances, noting that there would be no increase in meeting attendance fees for the Mayor and Councillors. In listing this item for the budget minutes three-line item errors were made.
  - (a) The Mayoral meeting fee was inadvertently listed as \$31,149 when it should have read \$30,841
  - (b) The Mayoral allowance was inadvertently listed as \$63,354 when it should have read \$62,727.
  - (c) The Deputy Mayor allowance was also inadvertently listed as \$ 15,838.50 when it should have read \$ 15,682.
6. It is proposed to correct this error in this report, (figures listed in actual budget are correct) noting that the Town has been paying Councillors at the correct rates for 2020/21 as set out below:

"4. Elected Members' fees and allowances

(a) Pursuant to Section 5.98 of the Local Government Act 1995 and Regulation 34 of the Local Government (Administration) Regulations 1996, the following annual fees for payment of Elected Members in lieu of individual meeting attendance fees:

(i) Mayor **\$30,841**....

(c) Pursuant to Section 5.98(5) of the Local Government Act 1995 and Regulation 33 of the Local Government (Administration) Regulations 1996, the annual local government allowance of **\$62,727** to be paid to the Mayor in addition to the annual meeting allowance.

(d) Pursuant to Section 5.98A of the Local Government Act 1995 and Regulation 33A of the Local Government (Administration) Regulations 1996, the annual local government allowance of **\$15,682** to be paid to the Deputy Mayor in addition to the annual meeting Allowance."

## Relevant documents

Not applicable.



## 15 Committee reports

### 15.1 Review of Policy 304 - Disposal of Surplus Assets

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Bonnie Hutchins
<b>Responsible officer</b>	Michael Cole
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. DRAFT Policy 304 - Disposal of Surplus Assets [<b>15.1.1</b> - 4 pages]</li><li>2. Summary of Changes - Policy Review 304 [<b>15.1.2</b> - 1 page]</li><li>3. Policy 304 Disposal of disused equipment machinery and other materials - Comments [<b>15.1.3</b> - 3 pages]</li></ol>

#### Recommendation from the Policy Committee:

That Council:

1. Repeals Policy 304 - Disposal of disused equipment, machinery and other material, as attached.
2. Adopts Policy 304 - Disposal of Surplus Assets, as attached, subject to:
  - a) the definition of "tender" being amended to read:  
"Tender means an externally conducted process to seek interest for the purchase of items by any individual or organisation".
  - b) clause 9 being amended to read:  
"Any tenders, expressions of interest or private treaty for the sale of surplus assets, and any associated documentation are to be recorded and kept".

#### Purpose

For Council to adopt the recommended amendments and name change for Policy 304 – Disposal of Surplus Assets.

#### In brief

- Policy 304 was last reviewed August 2019.
- At its Policy Committee meeting in March 2020, Council resolved to review Policy 304 - Disposal of disused equipment, machinery and other material.
- The recommended Policy 304 - Disposal of Surplus Assets guides the principles for the disposal of assets deemed surplus to the Town's needs.
- This report recommends amendments to the name of the policy, refinement of the policy objective, scope and definitions, and removal of operational directions.

#### Background

1. At its meeting on 21 April 2020, Council adopted a work plan to complete the review of several policies. Policy 304 - Disposal of disused equipment, machinery and other materials was one of the policies identified for review.
2. Policy 304 is required to be used when the Town identifies surplus assets which cannot otherwise be readily sold or traded in and have little or no residual value.

- Policy 304 assists with equitable and environmentally conscious disposal of these assets in a way to benefit community and environment.

## 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.	Any assets which are exempt as per the Local Government (Functions & General) Regulations 1996 are disposed of appropriately. Appropriate due diligence is done to ensure these assets have no, or nominal residual value to the Town and their disposition is transparent. The order of which these assets are disposed is to benefit the community and provide sustainability in their use.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Policy provides clarity on accountability and objective decision making in the way in which surplus assets are disposed.

Environment	
Strategic outcome	Intended public value outcome or impact
EN04 - A clean place where everyone knows the value of waste, water and energy.	Facilitates disposal of assets in an environmentally conscious way by avoiding unnecessary dumping at landfill and continued use by other parties and members of the community (and others) in a sustainable way.

## Engagement

Internal engagement	
Stakeholder	Comments
Operations staff – Assets	Reviewed policy, offered feedback.
Governance	Review of policy and how it currently operates.

## Legal compliance

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

[Regulation 30 of the Local Government \(Functions and General\) Regulations 1996](#)

## Risk management consideration

<b>Risk impact category</b>	<b>Risk event description</b>	<b>Consequence rating</b>	<b>Likelihood rating</b>	<b>Overall risk level score</b>	<b>Council's risk appetite</b>	<b>Risk treatment option and rationale for actions</b>
Financial	Assets with remaining financial value are inappropriately included in this policy.	Medium	Possible	Medium	Medium	Treat risk by ensuring robust asset management systems are in place and recording keeping is of a high standard to ensure due diligence can be conducted easily by Finance and Assets to guide the decision making for disposal and their inclusion for policy use.
Environmental	Assets being inappropriately dumped at landfill.	Low	Possible	Low	Medium	Treat risk by providing clarity in the policy for which assets are included or not, and clarity on the appropriate decision making required to ensure limited refuse dumping.
Health and safety	Town assets are provided to community groups (or others) and cause injury.	High	Low		Medium	Treat risk by ensuring any assets which are not safe and do not comply with health and safety standards are not able to meet the conditions for order of disposal by any other means than disposal at refuse sites.
Infrastructure/ ICT systems/ utilities	Not applicable.					

Legislative compliance	Not applicable.					
Reputation	The Town is not seen to be equitable in their disposal of assets by donation.	Low	Possible	Low	Medium	Treat risk by ensuring robust record keeping is done as per policy to ensure parties which receive donated items are noted and there can be equitable distribution over time. Ensure applications are viewed without bias and follow the same approval requirements.
Service delivery	Not applicable.					

## Financial implications

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

## Analysis

4. Changes to the policy are set out in the below table.
5. Additional clarity of changes can also be found within the attachments to this report.

Clause	Proposed	Reason
Policy objective	Reworded in more detail	Allow for more clarity around the use of the policy and stronger decision-making ability.
Policy scope	Reworded in more detail	Allow for more clarity around the use of the policy and stronger decision-making ability.
Definitions	Reworded in more detail	Allow for more clarity around the use of the policy and stronger decision-making ability.
Clause 2	Removed	The Town does not install office equipment (owned by the Town) into premises of elected members. Tablets are provided which are returned at the end of their term. This clause has no relevance to the

		policy and any equipment utilised by elected members (but owned by the Town) would be included in this policy if it meets the objective and scope.
Clause 3	Removed	It is noted that this policy does not apply to land or building/property assets, so this clause is incorrect.
Clause 4b (i to vi)	Removed	Relate to operational procedure which should be included in an accompanying management practice, not within the policy itself.
Clause 4 c (i)	Removed	Relate to operational procedure which should be included in an accompanying management practice, not within the policy itself.
Clause 4 d (i)	Removed	Relate to operational procedure which should be included in an accompanying management practice, not within the policy itself.
Clause 5 b	Removed	It is felt that sale to Elected Members and staff should be conducted as part of sale to other individuals as per Clause 5 c to ensure equity and no advantage given to staff or Elected Members.

6. Research was conducted which found that the name of this policy was outdated and should align with other local governments.
7. Disposal of any property or land should be conducted as per Regulation 30 (1 and 2) of the Local Government (Functions and Regulations) 1996.
8. Disposal of items/assets not within this policy (those with a trade in or sale value or property and land) are dealt with as per the appropriate delegations, Local Government Act and Council approval.

## Relevant documents

[Policy 222 Asset Management](#)

## Further consideration

9. At the February 2021 Policy Committee meeting, the committee discussed whether:
  - a) clause 1 should be strengthened to apply to surplus assets owned by the Town that do not have residual monetary or useful value to the Town.
  - b) the Town should have a target for e-waste.
10. The committee were advised that:
  - a) the policy is proposed to apply to surplus assets that may not have residual monetary or useful value to the Town as the monetary value may be less than the amount of effort required to dispose of the asset.
  - b) staff were unaware if there was currently a target for e-waste and the question was taken on notice, and below information provided in response:
    - (i) The Town does not have a formal disposal target for its e-waste. Further, the Town does not believe there is a requirement for an e-waste target given the current practices.

Currently, the Town retains all damaged or obsolete electronic equipment where there is potential for reuse for the Town's operational needs. Alternatively, if not suitable to the Town's operational needs, such E-waste is responsibly disposed of through approved recycling organisations such as:

The battery and mobile phone disposal services provided by the Town, or [Total Green](#) in Welshpool.

As the current practice effectively diverts e-waste from landfill and as the Town's volume of w-waste is low, officers do not believe there is a need to specify specific targets at this stage.

## 15.2 Review of Policy 114 - Community Funding

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Paul Gravett
<b>Responsible officer</b>	Natalie Martin Goode
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. 1. Policy-114- Community-funding - 15 Dec 2020 [<b>15.2.1</b> - 10 pages]</li><li>2. 2. Policy 114 Community Funding - with Tracked Changes [<b>15.2.2</b> - 11 pages]</li><li>3. 3. Policy 114 Community funding - with Tracked Changes Accepted [<b>15.2.3</b> - 11 pages]</li></ol>

### Recommendation from the Policy Committee:

That Council:

1. Repeals Policy 114 Community Funding, as Attachment 1.
2. Adopts Policy 114 Community Funding, as at Attachment 3, subject to:
  - a) clause 9 being amended to read:

9. In order to achieve this, in keeping with the requirements of the *Local Government Act 1995*, *Local Government (Model Code of Conduct) Regulations 2021* and *Local Government (Administration) Regulations 1996*, employees and elected members with any involvement in community funding programs shall declare:

    - a. any financial, indirect financial, proximity or gift interests that they have with any applicant for a community funding program; and
    - b. any impartiality interests they have with any applicant for a community funding program.
  - b) clause 35(e) being amended to read:

e. operating subsidy request is based upon industry benchmarked standard costs of operation or comparable information.
  - c) a definition for year being included that reads:

year: the financial year from 1 July to 30 June.
  - d) clause 50 being amended to read:

50. Successful applications will be required to provide six-monthly 'output reports' and an annual 'outcome report' to the Town, to be used by the Town as the Town deems fit.
  - e) clause 41 being amended to read:

41. Operating subsidies will be capped at \$100,000 (ex GST and Consumer Price Index Perth all groups) cash contribution per organisation per year, and no more than 50% of total operating costs, inclusive of cash, in-kind support relating to subsidised rental value of the lease forfeited under a peppercorn lease.

## Purpose

To review and approve changes to the operating subsidy component of Policy 114 Community Funding.

## In brief

- The Town provides a range of community funding programs which are governed by Policy 114 Community Funding.
- Operating subsidies are made available to support the operating capacity of local 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.
- At its Ordinary Council Meeting on 17 November 2020, Council requested the Policy 114 Community Funding be reviewed.
- Content derived from internal and external engagement processes has been integrated into the revised Policy 114 Community Funding for Council consideration.

## Background

1. At the Ordinary Council Meeting 17 November 2020, Council resolved:
  1. Approves a further extension of the operating subsidy for Connect Victoria Park in the sum of \$50,000 from 1 January 2021 to 30 June 2021;
  2. Approves an operating subsidy for Connect Victoria Park in the sum of \$75,000 to commence on 1 July 2021 for 3 years;
  3. Declines to award an operating subsidy of \$6,000 to The Haven;
  4. Approves a community grant of \$1,000 to The Haven for the provision of a Christmas lunch for 2020;
  5. Approves a community grant of \$5,000 to The Haven for the provision of regular meals for people in need.
  6. Requests the Chief Executive Officer to invite the Victoria Park Community Centre and the Victoria Park Centre for the Arts to submit new applications for an operating subsidy to commence on 1 July 2021 for 3 years in accordance with the following timetable:
    - a. applications to be called for in January 2021;
    - b. applications to be assessed by the Town's community funding assessment panel in February 2021;
  7. Requests the Chief Executive Officer to present a further report back to Council in March 2021 with the recommendations on any applications received from the Victoria Park Community Centre and the Victoria Park Centre for the Arts;
  8. Requests the Chief Executive Officer to commence a review Policy 114 – Community Funding in December 2020, beginning with a concept forum for elected members in December 2020;
  9. Requests the Chief Executive Officer to bring a report on the review of Policy 114 to the Policy Committee by no later than February 2021.
2. In December 2020, officers presented questions for consideration at a concept forum. It was determined that another workshop session be held in January 2021 to further consider the topic.
3. To assist the January 2021 workshop process, elected members were provided two weeks to provide written responses to the questions presented. These questions and associated workshop responses are outlined in the Analysis below.
4. Responses were subsequently distributed to elected members prior to the January 2021 workshop.



5. The Town currently provides operating subsidies to the following groups:

Organisation	Amount	Timeframe
Harold Hawthorne Community Centre	<ul style="list-style-type: none"> <li>3-year operating subsidy</li> <li>\$132,328 + Perth CPI annually</li> <li>Peppercorn lease - \$222,000 annually</li> <li>Financial assistance to contribute to the employment costs of the Centre to deliver programs to community.</li> </ul>	Contract end 30 June 2022
Vic Park Centre for the Arts	<ul style="list-style-type: none"> <li>2-year operating subsidy</li> <li>\$111,200 + Perth CPI annually</li> <li>Peppercorn lease - \$30,000 annually</li> <li>Financial assistance to contribute to the employment costs of the Centre of the Arts Director to deliver programs to community.</li> </ul>	Contract end 30 June 2021
Connect Vic Park	<ul style="list-style-type: none"> <li>3-year operating subsidy</li> <li>Contract extension endorsed Nov 2020</li> <li>Financial assistance to contribute to the employment costs of the Village Hub Coordinator to deliver programs to community.</li> <li>\$50,000 to 30 June 2021</li> <li>\$75,000 1 July 2021 to 30 June 2024</li> </ul>	Contract end 30 June 2024

## 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 provide a transparent and accountable framework for the provision of financial assistance to eligible parties.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Improved governance and decision making resulting from integration of continuous improvement feedback

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	Community funding can be a relevant tool to support third party providers to enhance overall community health and wellbeing.
S02 - An informed and knowledgeable community.	Through provision of funding not for profits and charitable organisations will have greater capacity to assist community to remain connected and engaged on topics that are of importance to them.
S03 - An empowered community with a sense of pride, safety and belonging.	Through provision of funding not for profits and charitable organisations will have greater capacity to

	increase interdependence and agency of individuals and the wider community.
S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	Through provision of funding not for profits and charitable organisations will have greater capacity to provide community with access to arts, culture and education opportunities.

## Engagement

Internal engagement	
Stakeholder	Comments
C-Suite	Provided input into the direction of operating subsidies related to the overarching purpose, intent and associated financial implications.
Community Development	Responsible for administering the policy, as such provided significant input into the policy review.
Property Development and Leasing	Feedback regarding current leasing and licensing arrangements and implications for tenants also receiving an operating subsidy. Leasing and licensing options are being explored that may seek to channel operating subsidy funding to offset costs incurred by tenants associated with outgoings and preventative maintenance. Further discussion / collaboration is still required in this area.
Governance	Feedback on legal advice, lobbying of elected members and managing conflicts of interest.
Elected Members	Feedback included both strategic and operational considerations:  (Strategic) Policy: <ul style="list-style-type: none"> <li>• Synchronising the timing of operating subsidy applications with annual budget deliberation cycles to enhance financial planning outcomes;</li> <li>• Consider implications of the Town's leasing and licensing functions and decision making against operating subsidy decisions including the agreement / lease terms;</li> <li>• Amount of financial support per group / operating subsidies overall.</li> </ul> (Operational) General Approach: <ul style="list-style-type: none"> <li>• Report Attachments <ul style="list-style-type: none"> <li>o Providing details of both successful and unsuccessful applications in the main Ordinary Council Meeting report;</li> <li>o Provide sufficient detail within the report / attachment related to applications to enable Council the capacity to make an informed determination based on Officers evaluation and assessment.</li> </ul> </li> <li>• Benchmarking with other local governments and Lotterywest regarding: <ul style="list-style-type: none"> <li>o Types of operating subsidies provided – Cash / Peppercorn Leases / Rental / Maintenance / Outgoings Subsidies;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>o Level of contribution per group / per round / operating subsidies overall;</li> <li>o Application process, including notification of groups throughout the process.</li> </ul> <p>(Operational) Management Practice:</p> <ul style="list-style-type: none"> <li>• Training and development for applicants <ul style="list-style-type: none"> <li>o Enhance capacity for addressing application criteria by contracting an independent grant writing professional to assist.</li> </ul> </li> <li>• Smarty Grants – types of questions; amount of questions / prompts / use of examples <ul style="list-style-type: none"> <li>o Review criteria that applicants are required to address based on feedback and level of expertise currently within the system, while positioning for future development in this area;</li> <li>o Further training face to face and online for the Smarty Grants platform.</li> </ul> </li> </ul> <p>Elected Member feedback generated during the Concept Forum workshops is provided in the Analysis section below.</p>
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<b>External engagement</b>	
Stakeholders	Operating Subsidy Applicants (2020/21);
Period of engagement	November 2020 – January 2021
Level of engagement	Consult
Methods of engagement	Written and verbal feedback was provided directly to Town officers for consideration regarding the Operating Subsidy application process and associated Policy.
Advertising	Nil – stakeholders were directly engaged via phone and or email.
Submission summary	<ul style="list-style-type: none"> <li>• Training and development for applicants <ul style="list-style-type: none"> <li>o Enhance capacity for addressing application criteria by contracting an independent grant writing professional to assist.</li> </ul> </li> <li>• Smarty Grants – types of questions; amount of questions / prompts / use of examples <ul style="list-style-type: none"> <li>o Review criteria that applicants are required to address based on feedback and level of expertise currently within the system, while positioning for future development in this area;</li> <li>o Further training face to face and online for the Smarty Grants platform.</li> </ul> </li> <li>• Clarifying internal point of contact <ul style="list-style-type: none"> <li>o Operating Subsidies overarching - Manager Community;</li> <li>o Smarty Grants portal and related items - Community Development Officer – Grants, Donations Administration.</li> </ul> </li> <li>• Round opening and decision timing / process</li> </ul>

	<ul style="list-style-type: none"> <li>o Further work to occur to align Peppercorn Leasing / Maintenance and Operating Costs approaches;</li> <li>o Timelines to be clearly identified within the Management Practice</li> <li>• Feedback to and from applicants <ul style="list-style-type: none"> <li>o Processes to be refined regarding notification of applicants;</li> </ul> </li> <li>• Training and development for assessment panel members <ul style="list-style-type: none"> <li>o Guideline and training for assessors to be developed and implemented.</li> </ul> </li> </ul>
Key findings	<p>An action plan has been developed to address key findings / relevant feedback.</p> <p>The Policy, Management Procedure, skills, and supporting resources to be updated accordingly.</p>

## Other engagement

Stakeholder	Comments
Other local governments	<p>Several Local Government Authorities (LGAs) in Western Australia were approached for information regarding operating subsidies, and consequentially leasing and licensing. This information has been difficult to source as the role of leasing, licensing and funding sits across a number of areas in each individual local government, and the time of year (holiday season). Further data continues to be sourced.</p> <p>Preliminary research indicates support to groups from local governments is mainly in the form for peppercorn rental subsidies, rather than cash based operating subsidies.</p> <p>The approach to leasing and licensing can be adhoc, managed across several areas within a local government, which has made it difficult to gather a comprehensive line of sight related to this topic.</p> <p>Operating subsidies, when provided, are more often focused on arts and cultural groups/performing arts facilities. Local governments can and do manage senior citizen facilities which could also be considered akin to an operating subsidy for this section of the community ie direct service provision by the local government, rather than payment to a third party to provide this service.</p>

### Local Government Benchmarking Operating Subsidies Overview

	Armadale	Canning	Joondalup	Rockingham
Operating subsidies for community groups	<p>No</p> <p>However, provide financial support to several Arts groups through their programming (ie.</p>	<p>Yes (2)</p> <p>Brass Band - \$40k – rolled over each year</p> <p>Arts Group - \$30k rolled over each year</p>	<p>No</p> <p>Previously supported the Joondalup Art Gallery but decided not to renew the commercial lease for</p>	<p>No</p> <p>However, the City run the Autumn Centre (over 60's centre) and Rockingham Art Centre.</p>

	contracting via fee for service)		premises. Concluded April 2020.	
Operating subsidies for Not for Profit (welfare focused) groups	No	No	No	No
Peppercorn Leases	Yes (3) Group that runs the golf course; Not for Profit DFES	Yes – however varies Unstructured – requires further consideration Senior Citizens based clubs x 2 – including maintenance and utilities	Some historical peppercorn leases but majority are on standard lease	Yes (approximately 50)
Fee waivers	Junior sports clubs	Rating waivers for community groups and sporting clubs  Some groups get free facility use i.e. New City Theatre who use the Town Hall.	Facility Hire Subsidies and some fee waivers  Senior centres, art groups and other community groups hire facilities and receive fee waiver up to 10 hours; and seek facility hire subsidy for remaining cost.	All requests encouraged to apply through Community Grants Program
Maintenance costs	Not consistent – moving towards more consistent approach as part of renewal of agreements. Looking to shift to tenant pays all outgoings.	Different agreements in place for different groups depending on who owns the facility.	Structural costs are City's responsibility.  Maintenance and outgoings are lease holders responsibility.	City pays some maintenance.  All utilities, building insurance and rates are paid by lessee.  Grants available up to \$10,000 per year for maintenance costs for incorporated NFP's leasing / license of City owned property.
Tenancy agreements – licenses and leases	Yes (70 total) – management agreements, MOUs and rental classifications (i.e. \$50 per annum for community groups)	Yes – Policy in place and rental scale used.	Yes – 85 agreements (around 36 are community / other / govt departments)	Yes – 80 agreements (around 60 are community) Several grants opportunities including City property, leased property, maintenance

				and rate subsidy, infrastructure capital, and community infrastructure grants.
Policies	Yes – Property Lease Rentals	Yes – Rating Waivers for Community Groups and Community Grants Program Policy	Facility Hire Subsidy Policy Property Management Framework	Yes – Community Grants Program

## Legal compliance

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

6. Independent legal advice was sought regarding the level of detail to be provided by officers for elected member review as part of considering applications for approval, aligned with Policy 114. While not material to changes proposed for the Policy 114, content has been provided below for context and transparency related to the overall process, and its role in the informing future directions.

- *It is appropriate for officers to provide details of applications within Council reports to enhance the decision making / deliberation process of Councillors, as long as it is not seen as duplicating the process of assessment, and or disregarding the assessment and evaluation undertaken by the Town's assessment panel.*
- *It is appropriate to provide details of unsuccessful applications in Council reports, as long as no personal or commercial in confidence information of an associated individual is also included.*

## 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 maximum ceiling to annual contributions could result in cost escalations that impact on the Long Term Financial Plan.	Moderate	Likely	High	Low	TREAT by adopting a maximum ceiling to annual funding amounts to be considered for the Operating Subsidy program.
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/	Not applicable.				Medium	

utilities						
Legislative compliance	Conflicts of Interest are not handled appropriately	Major	Possible	Medium	Low	TREAT by including clear directions regarding the management of Conflict of Interest in the Policy.
Legislative compliance	Not clarifying the permissibility of applicant capacity to lobby Elected Members may result in adverse decisions or conflicts of interest.	Major	Possible	Medium		TREAT by including clear directions regarding lobbying of Elected Members and Town staff in the Policy.
Reputation	Not clarifying a maximum ceiling of contributions may result in difficulties managing expectations within the social sector, beyond what the Town is able to provide.	Moderate	Possible	Medium	Low	TREAT by communicating prior to each funding round priority focus areas for the Operating Subsidy program.
	Not providing community / stakeholders a chance to review the revised Policy before adoption may result in reputation risk.	Moderate	Possible	Medium	Low	ACCEPT as organisations impacted have been engaged previously regarding the need to create operating subsidy Exit Plans.
Service delivery	Not clarifying the Town's priority focus areas for operating subsidies through evidential sources may lead to service delivery gaps.	Moderate			Medium	TREAT by undertaking a Service Needs Analysis Study to inform future priority focus areas.

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
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## Future budget impact

Based on the recommendations within this report and associated policy updates, future budget impacts for operating subsidies is proposed to be up to 1% of rates income. In 2020/21, this equates to \$435,880. This amount is to cover all existing and any future operating subsidy arrangements in any one year.

Funding is provided to successful applicants for a three-year period.

## Analysis

7. In considering refinements to Policy 114 Community Funding with regards to operating subsidies, Officers benchmarked from other local government authorities, reviewed information from applicants and engaged elected members via workshops.
8. As Council are considering applications for the current Operating Subsidy round at the March 2021 Ordinary Council Meeting, the adoption of a revised Policy 114 Community Funding is not intended to come into effect until after these applications have been considered.
9. Below is a summary of elected member feedback provided within the January 2021 Concept Forum workshop:

Question	Elected Member Response
<p>A) <i>Should the Town offer cash based operating subsidies to all groups operating within the Town, or should it be restricted to certain categories of groups, and or restricted to focus on in-kind support such as peppercorn leases / licenses?</i></p> <p>B) <i>If Council support providing operating subsidies as cash contributions, what groups should the policy apply to?</i></p>	<p>Yes, cash based operating subsidies should be limited to those groups / enterprises that align to priority areas identified by the Town, rather than offered to all groups, open ended. Consideration should focus on those services that local government may normally deliver but chooses not to eg arts centre, senior citizens centre; community centre; youth centre / leadership / activities. Focus should be on areas that are unmet within the community, and not delivered by other groups / enterprises / government.</p> <p>Support should avoid cost shifting from other stakeholders.</p> <p>There was also feedback regarding the potential to separate peppercorn leases and operating subsidies. Further exploration is required.</p>
<p>C) <i>Should there be a maximum cash contribution per group, per year, inclusive of in-kind support (currently capped at 50% of total contribution);</i></p>	<p>Yes, overwhelming support for a maximum of \$100,000 (ex GST) per annum.</p> <p>There was also minor support for a proposed reduction to \$20,000 per group, per year (ext GST)</p> <p>Example: applicant seeks \$80,000 cash operating subsidy, while also receiving a \$35,000 peppercorn lease benefit. Total expenditure is \$160,000.</p> <ul style="list-style-type: none"> <li>• \$160,000 + \$35,000 peppercorn = \$195,000</li> <li>• \$195,000 x 50% of total contribution = \$97,500 is maximum allowable cash operating subsidy.</li> </ul>



	<ul style="list-style-type: none"> <li>Applicant is seeking \$80,000 which is beneath both \$100,000 and 50% of total contribution cap.</li> </ul>
D) <i>Should there be a maximum Town provided cash contribution per year overall?</i>	There was majority support for an amount of up to 1% of annual rates income towards the program. In 2020/21, this equates to \$435,880.
E) <i>Should there be a maximum period groups to receive cash based operating subsidy?</i>	A majority felt that there should not be a maximum period however each group would need to re-apply every three years. This was based on the challenges groups within priority sectors face in attracting ongoing funding, and the importance of their service offering in the Town.
F) <i>Should operating subsidies be considered alongside peppercorn leases and licenses?</i>	There were split views as to whether peppercorn leases should be considered alongside / within the same policy as operating subsidies.
G) <i>Should operating subsidies be considered within the same policy as leases and licenses?</i>	Further exploration required.
H) <i>Should Elected Members be allowed to be lobbied by groups prior to formal deliberation by Council regarding operating subsidies?</i>	Unanimous support that groups should not be permitted to lobby Elected Members prior to formal deliberation, once an application has been submitted.
I) <i>Should provision be made for a Social Needs Analysis study to identify priority themes to inform targeting of future occupancies / tenancies (and social planning more broadly)?</i>	<p>There was a split response to this question. Commentary focused on the benefits able to be provided from such a resource, ensuring however that the Town does not duplicate existing resources, is able to link into WACOSS resources / research and outcomes can be measured.</p> <p>Conversely, there was a view the Strategic Community Plan review would provide relevant information to inform future operating subsidy focus areas. This was enhanced by the notion that Council know existing providers.</p>

### **Managing financial sustainability**

- The Town is well placed to provide cash based operational subsidies to support functional areas that it would normally deliver but chooses not to i.e. arts and cultural centre; senior citizen support; youth development.
- If these services were not provided by third party entities, there may be an expectation that the Town should provide these services (and or fund) on behalf of the community.
- The Town needs to be mindful however of the implications of directly funding social welfare agencies to undertake their core work, as this may create ongoing expectations and difficulties should it look to exit from a service once embedded.
- By introducing a cap to a maximum amount per year, per group, as well as the total pool of program funding available, the Town can be confident of the financial sustainability of the program, managing stakeholder / community expectations, and managing the impacts within the Long-Term Financial Plan.

### **Guiding focus areas**

14. Development of a Community Needs Analysis Study can be used to increase knowledge and awareness of potential focus areas for operating subsidies and or properties becoming available for occupancy / tenancy. That is, an operating subsidy / EOI for properties may target specific demographics and or social conditions such as youth mental health / unemployment, based on study findings.
15. By refining its operating subsidy focus areas for each round based on evidential research / knowledge, the Town will be able to directly target and attract those services identified as a priority. This would also reduce work being undertaken in the sector on initiatives that do not meet the Town's priorities.

### Managing conflicts of interest

16. By introducing clarification regarding the lobbying of Elected Members and Town staff, conflicts of interest are reduced, while governance structures and approaches are enhanced.

### Overall practice improvements

17. Management Practice Operation Subsidies - 114.4 is currently being updated to reflect changes proposed by stakeholders, and within Policy 114 Community Funding.
18. An action plan has been created to capture areas for improvement and implementation to enhance future outcomes and program success.
19. The below table outlines the proposed changes to Policy 114 Community Funding, based on investigation and findings.

Clause	Proposed	Reason
<i>Lobbying of Elected Members: 12 and 13</i>	<i>Applicants may not lobby, or seek to influence the decision-making of Elected Members, in relation to their submitted funding applications.</i>  <i>If, during the period between submitting a funding application and a determination by Council, an applicant seeks to lobby any Elected Member of the Town of Victoria Park, or attempts to provide additional information, either directly or indirectly, on any matter relating to the funding application to an Elected Member, the person/organisation may be disqualified and the grant or donation excluded from being considered for approval.</i>	To provide clarity regarding lobbying of Elected Members and Town staff by applicants
<i>Eligibility 35.d</i>	<i>Operating subsidy request must align with the Town's identified priority focus area(s);</i>	To emphasise the need to align with Town priorities as identified each round.
<i>Ineligibility 36.b</i>	<i>...or does not primarily deliver services within the Town</i>	To enable inclusion of organisations based outside of the Town boundary, who may deliver services of significance and or priority within the Town.
<i>Approval Process: 39</i>	<i>Allocation of up to 1% of the Town's rateable income will be considered to support the Operating Subsidy program annually.</i>	To clarify maximum amount of annual funds to be provided to the program, to enhance financial sustainability.
<i>Approval Process: 41</i>	<i>Operating Subsidies will be capped at \$100,000 (ex GST) cash contribution per organisation per year, and no more than 50% of total operating costs, inclusive of cash, in-kind support relating to subsidised rental value of the lease</i>	To clarify maximum amount capped at \$100,000 ex GST per group per year. To enhance

	<i>forfeited under a peppercorn lease.</i>	the spread of program funding across the community.
<i>Approval Process: 47</i>	<i>Previously successful applicants are eligible to re-apply for an Operating Subsidy.</i>	To clarify that groups are able to re-apply for an operating subsidy once their existing agreement has lapsed.
<i>Approval Process: 48</i>	<i>Operating Subsidy applications will be considered alongside Lease / License Agreements, where relevant.</i>	To acknowledge that work is still progressing in the lease and licensing area and cross overs with operating subsidies.
<i>Grammar across the document</i>	<i>Changed spelling from 'Publically' to 'Publicly' throughout</i>	Spelling correction

## Relevant documents

Nil.

## Further consideration

20. At the February 2021 Policy Committee meeting the committee discussed:

- (a) whether a conflict of interest should be declared if an applicant provided assistance with their election campaign and whether there is a minimum amount that applies to declarations relating to financial contributions
- (b) if subsidies capped at \$100,000 should receive CPI increases and this would affect the Town's budget
- (c) if previous applicants should be able to reapply for subsequent rounds
- (d) whether the cap for funding of 1% of rates means that the amount of available funding may decrease from year to year
- (e) whether applicants would be advised how much funding is available for a round before they apply
- (f) that the reference to the Local Government (Rules of Conduct) Regulations 2007 needs to be updated to the current legislation
- (g) whether identified priority focus areas should be defined
- (h) what industry benchmarked standard costs of operation are, whether they exist for all industries and whether it is fair to require community organisations to source that information
- (i) how setting a cap of \$100,000 excluding GST would affect existing subsidies that have already been granted or will be granted at the May Ordinary Council Meeting
- (j) whether Harold Hawthorne's operating subsidy is tied to their lease
- (k) whether the annual allocation will be exhausted from the commencement of the policy due to subsidies already being granted
- (l) whether references to year should be financial year
- (m) whether reporting frequency could be change to lessen the burden on community organisations
- (n) when community organisations can reapply for an operating subsidy when their current one is coming to an end
- (o) whether the dates for funding rounds should be included in the policy.

21. The committee were advised that:

- (a) either an impartiality or financial interest may need to be declared if an applicant provided assistance on an elected members' election campaign
- (b) there is no minimum amount that applies to financial declarations
- (c) the amount of available funding may decrease each year as the total amount should be capped at 1% of rates
- (d) applicants would be advised of how much funding is available for a round before they apply
- (e) priority focus areas will be identified through a community needs analysis that is endorsed by Council prior to a round opening
- (f) industry benchmarked standard costs of operation demonstrate value for money, exist for most industries and are free to obtain in some cases
- (g) the \$100,000 cap would only apply to operating subsidies granted if the proposed policy is adopted by Council
- (h) Harold Hawthorne's operating subsidy is not tied to their lease and they will need to reapply in the future
- (i) the existing operating subsidies already granted mean that available funding would be less than 1% of rates in future rounds unless Council decided to amend policy or make a decision contrary to the policy
- (j) reporting could be changed to half-yearly and annual and still meet the Town's needs
- (k) application rounds will open at the end of the calendar year for community organisations to apply prior to the start of the next financial year
- (l) dates for funding rounds will be included in the management practice.

## 15.3 Review of Policy 205 - Vehicle Crossovers

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Frank Squadrito
<b>Responsible officer</b>	Nicole Anson
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Current Policy 205 Vehicle crossovers [ <b>15.3.1</b> - 2 pages] 2. Tracked Policy 205 Vehicle crossovers revised [ <b>15.3.2</b> - 3 pages]

### Recommendation from the Policy Committee:

That Council:

1. Repeals Policy 205 – Vehicle crossovers, as attached.
2. Adopts the amended Policy 205 – Vehicle crossovers, as attached

## Purpose

To provide a report on the review of Policy 205 – Vehicle crossovers in compliance with Council resolution (384/2020) dated 21 April 2020.

## In brief

- At its meeting on 21 April 2020, Council adopted a work plan to review several policies. Policy 205 was identified as one of the policies for review.
- Technical Services has reviewed Policy 205 to ensure that it meets the organisation's current operational needs and recommends minor clarification to the basis for determination of contributions for crossovers so that these are adequately endorsed in line with local government regulations.
- The review provides additional advice to applicants regarding the preference of an existing path continuing through the proposed crossover to prioritise pedestrians where new crossovers abut the footpath network.
- The review also strengthens and discourages applicants applying for a second crossover unless adequate justification is provided.

## Background

1. Council resolution 384/2020 of 21 April 2020 adopted a work plan to review several policies. Policy 205 was identified to be completed by March 2021. Technical Services has now completed its review.
2. The last review/amendment to Policy 205 was completed in 2019 and presented to Council on 20 August 2019, which essentially amended the policy to align with the current policy template.
3. The objective of Policy 205 is to provide guidance for the construction of vehicle crossovers in the Town
4. Prior to the commencement of constructing a crossover in the Town, property owners must refer to the crossover installation package located on the Town's website, which details the technical specifications.

## Strategic alignment

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.	To provide appropriate guidelines for the construction and maintenance of vehicle crossovers to properties, including any contributions applicable for construction works.
EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	Ensure property access is fit for purpose and standards are adhered to by property owners or their contractors.

## Engagement

Internal engagement	
Stakeholder	Comments
Technical Services	Feedback sought by relevant technical staff administering crossover permits. No material changes needed to the policy. Case by case determination of second crossover requests is supported subject to sensible justifications and where the frontage crossover is not able to accommodate the occupier's requirements.
Urban Planning	There is general support for the provision to limit second crossovers to lots. Current planning controls generally are unable to control the number of crossovers per lot as the construction of driveways and compliant-carports and garages (for residential properties) are exempt from requiring development approval.
Place Planning	There is general support for the provision to limit second crossovers to lots. Future provisions in the Town's planning policies or guidelines may accommodate clauses to refine the approval criteria to align with the Town's requirements.

## Legal compliance

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

[Local Government Act 1995 Schedule 9.1 \(7\)](#)

[Local Government \(Uniform Local Provisions\) 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	Rebate not provided to	Insignificant	Possible	Low	Low	TREAT risk by

	customer due to non-conformance.					Having Compliance Officer providing clear specifications and continuing random inspections of crossover construction activities.
Environmental	Construction of crossovers can result in removal of trees on the verge.	Major	Possible	High	Medium	Treat risk by continuing to require a stand alone application for crossovers with existing verge trees identified in the proposal.
Health and safety	Crossovers uneven surface such as sunken pavers could be a tripping hazard causing serious injuries.	Major	Possible	High	Low	Treat risk by requiring concrete footpaths to remain and cutting through crossovers as the Town's preference
Infrastructure/ ICT systems/ utilities	Errors in the provision of crossover related advice to lot owners or contractors.	Minor	Possible	Medium	Medium	Treat risk by having the specification and other relevant information on the Town's website relating to crossovers reviewed annually to make sure it is updated and accurate.
Legislative compliance	Delay in the approval process due to staff availability and delegation limits.	Insignificant	Possible	Low	Low	Treat risk by reviewing the sub delegation register to ensure the appropriate number of staff are authorised to assess.
Reputation	Not applicable.				Low	

Service delivery	Not applicable.	Medium
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## Financial implications

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

## Analysis

5. Policy 205 looks at guidance for the construction and maintenance of vehicle crossovers. Under the Local Government (Uniform Local Provisions) Regulations 1996 (clause 15), the Town is required to meet 50% of the construction cost (as estimated by the local government) of a property's first standard crossing (vehicle crossover). The local government decides (by resolution) what will constitute a standard crossing. As the policy does not currently define this, it is recommended to clarify the policy on what constitutes a standard crossing (vehicle crossover) to meet any legislative requirement. Officer recommendation is that a standard crossover is 3m wide by 4m long of 100mm thick and at least standard 20 MPa strength concrete material.
6. Beyond the contribution (subsidy) payable by the Town for eligible crossover construction works (which has a current threshold of \$400), the Town also provides contributions for upgrades as described in the policy, and these remain in place.
7. Concerns have been raised by staff regarding applicants wanting a second crossover to their property due to several reasons, such as caravan storage on private property or hardstand for vehicle parking. A second crossover is not encouraged by Technical Services as it reduces verge space for planting of trees, on-street parking and creates another conflict point for access onto the public road network. Approvals associated with development applications managed by the Urban Planning service area generally provide a trigger for endorsing crossovers for new or modified residential/commercial buildings. The current policy has been strengthened to discourage a second crossover from being built to the same lot unless there is a compelling case to allow multiple access points such as a subdivided corner lot or approved carport structure where no common property exists.

Clause	Proposed	Reason
Added clause 7	Secondary crossover requests to a single lot shall only be considered and approved in exceptional circumstances where the applicant can demonstrate the need for additional vehicular access to a proposed car port/garage or proper circulation as supported by a traffic impact statement, prepared by a suitably qualified transport engineer. These requests may not be approved for reasons including but not limited to loss of verge trees, additional	Compliance requirements, UFS opportunities and avoiding future redundant crossovers.



	contribution to stormwater runoff, planting space, diminished on street parking and safety.	
Added clause 8	In alignment with the requirements of the Town's Disability and Access Inclusion plan, a continuous path of travel through the crossover is preferred to provide clear and legible pedestrian priority.	Disability access improvement. Minimise injury due to uneven surface such as damaged brick paved crossovers.
Amended clause 11	The contribution by the Town is to be determined annually by the Chief Executive Officer through an internal memorandum. This contribution is determined with reference to 50% of the estimated cost of a standard crossing (vehicle crossover) under local government regulations. A standard crossover is defined as an insitu concrete material crossover, 3m wide x 4m long, constructed to the Town's crossover specifications. This amount will subsidise the cost of a property's initial crossover, and the first new crossover to each individually titled lot or strata development.	Better define the description of a standard crossover.
Added weblink of Crossover specification to Related documents	Crossover specification <a href="https://www.victoriapark.wa.gov.au/Your-property/House-and-garden/Crossovers-and-driveways?BestBetMatch=crossover d13b95b2-5146-4b00-9e3e-a80c73739a64 4f05f368-ecaa-4a93-b749-7ad6c4867c1f en-AU">https://www.victoriapark.wa.gov.au/Your-property/House-and-garden/Crossovers-and-driveways?BestBetMatch=crossover d13b95b2-5146-4b00-9e3e-a80c73739a64 4f05f368-ecaa-4a93-b749-7ad6c4867c1f en-AU</a>	To help guide applicants.

## Relevant documents

[Crossover Policy 205](#)

[Crossover Specification](#)

## 15.4 Minor review of Council policies and policy workplan for 2021/22

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Amy Noon
<b>Responsible officer</b>	Bana Brajanovic
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Policy 053 Meetings of electors [<b>15.4.1</b> - 3 pages]</li> <li>2. Policy 054 Access to reserve funds through notices of motion [<b>15.4.2</b> - 2 pages]</li> <li>3. Policy 101 Governance of Council Advisory and Working Groups [<b>15.4.3</b> - 8 pages]</li> <li>4. Policy 112 Visual art [<b>15.4.4</b> - 2 pages]</li> <li>5. Policy 260 Single Use Plastic and Polystyrene [<b>15.4.5</b> - 4 pages]</li> <li>6. Policy 301 Purchasing [<b>15.4.6</b> - 5 pages]</li> <li>7. Policy 302 Investment [<b>15.4.7</b> - 2 pages]</li> <li>8. Policy 303 Debt Collection [<b>15.4.8</b> - 5 pages]</li> <li>9. Policy 305 Loan borrowing limitations [<b>15.4.9</b> - 2 pages]</li> <li>10. Policy 306 Business dealings with elected members and employees [<b>15.4.10</b> - 2 pages]</li> <li>11. Policy 312 Transaction card [<b>15.4.11</b> - 3 pages]</li> <li>12. Policy 331 Information Systems Security [<b>15.4.12</b> - 4 pages]</li> <li>13. Policy 001 Policy management and development [<b>15.4.13</b> - 3 pages]</li> <li>14. Policy 002 Review of decisions [<b>15.4.14</b> - 2 pages]</li> <li>15. Policy 003 Legal advice [<b>15.4.15</b> - 4 pages]</li> <li>16. Policy 004 Risk management [<b>15.4.16</b> - 3 pages]</li> <li>17. Policy 014 Appointment to outside bodies [<b>15.4.17</b> - 1 page]</li> <li>18. Policy 021 Elected members fees, expenses and allowances [<b>15.4.18</b> - 4 pages]</li> <li>19. Policy 022 Elected Member Professional Development [<b>15.4.19</b> - 6 pages]</li> <li>20. Policy 023 Provision of Information and Services - Elected Members [<b>15.4.20</b> - 5 pages]</li> <li>21. Policy 024 Event attendance [<b>15.4.21</b> - 4 pages]</li> <li>22. Policy 025 Independent committee members [<b>15.4.22</b> - 3 pages]</li> <li>23. Policy 051 Agenda Briefing Forum, Concept Forum and workshops [<b>15.4.23</b> - 5 pages]</li> <li>24. Policy 052 Recording and live streaming [<b>15.4.24</b> - 3 pages]</li> </ol>

### Recommendation from the Policy Committee:

That Council:

1. Endorses minor amendments to the following policies, in line with Policy 001 – Policy Management and Development, as attached:
  - a. Policy 001 – Policy management and development
  - b. Policy 002 – Review of decisions
  - c. Policy 003 – Legal advice
  - d. Policy 004 – Risk management
  - e. Policy 014 – Appointment to outside bodies
  - f. Policy 021 – Elected member fees, expenses and allowances
  - g. Policy 022 – Elected member professional development

- h. Policy 023 – Provision of information and services – Elected members
- i. Policy 024 – Event attendance
- j. Policy 025 – Independent committee members
- k. Policy 051 – Agenda Briefing Forum, concept forum and workshops
- l. Policy 052 – Recording and live streaming
- m. Policy 053 – Meetings of electors
- n. Policy 054 – Access to reserve funds through notices of motion
- o. Policy 101 – Governance of Council advisory and working groups
- p. Policy 112 – Visual art
- q. Policy 260 – Single use plastic and polystyrene
- r. Policy 301 – Purchasing
- s. Policy 302 – Investment
- t. Policy 303 – Debt collection
- u. Policy 305 – Loan borrowing limitations
- v. Policy 306 – Business dealings with elected members and employees
- w. Policy 312 – Transaction card
- x. Policy 331 – Information systems security

2. Requests that the Chief Executive Officer conducts a review of the following policies and reports and presents them to the Policy Committee as outlined below:

- a. Policy 406 – Temporary food businesses and itinerant food vendors by June 2021
- b. Policy 014 – Appointment to external bodies by June 2021
- c. Policy 051 – Agenda Briefing Forum, concept forum and workshops by June 2021
- d. Policy 257 – Waste removal - residential properties by July 2021
- e. Policy 258 – Waste removal – commercial properties by July 2021
- f. Policy 259 – Recycling collection – residential and commercial properties by July 2021
- g. Policy 225 – Hire and use of Town banner and flag sites by August 2021
- h. Policy 404 – Fireworks management by August 2021
- i. Policy 403 – Management of noise emissions from events at Belmont Racecourse – other than horse racing by August 2021
- j. Policy 006 – Gratuity payments to employees by November 2021
- k. Policy 306 – Business dealings with elected members and employees by November 2021
- l. Policy 022 – Elected member professional development by November 2021
- m. Policy 251 – Rainforest timbers – use in Town construction by February 2022
- n. Policy 252 – Nuclear free zone by February 2022
- o. Policy 401 – Smoking restriction – Town property by February 2022
- p. Policy 226 – Recreation reserves – hire by March 2022
- q. Policy 405 – Events on parks and reserves – notification to local residents by March 2022
- r. Policy 001 – Policy management and development by March 2022

3. Schedules its future Policy Committee meetings to be held on:

- a. 28 June 2021
- b. 26 July 2021
- c. 23 August 2021
- d. 22 November 2021
- e. 28 February 2022
- f. 28 March 2022

## Purpose

To conduct a minor review of the policies of Council, set a policy review workplan for 2021/2022 and schedule meeting dates for 2021/2022.

## In brief

- Policy 001 – Policy management requires the Town to complete a minor review of all policies of Council each year.
- Council also undertakes a workplan of major policy reviews each year.
- There are 24 policies with minor changes being presented to Council for consideration. Changes mainly relate to updating responsible officers, updating references to policies and documents, and improving language and clause structuring.
- Eighteen policies have been proposed for major reviews to be completed in 2021/2022.
- Meeting dates have been proposed to allow for the proposed policy review deadlines to be met.

## Background

1. At its meeting in May 2019, Council resolved to adopt Policy 001 – Policy management and development. This policy requires the Town to complete a minor review of all policies of Council each year. It also requires that an evaluation take place for each policy, at least once every four years.
2. A minor review of the policies of Council has taken place each year, as required by the policy.
3. Major reviews of 44 policies have been undertaken since 2019.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The annual review of policies ensures that policies set by Council support clear, consistent and effective direction for both the community and the Town.

## Engagement

Internal engagement	
Stakeholder	Comments
C-Suite	C-Suite reviewed the list of proposed policy reviews and had no issues.
Managers	Managers reviewed the list of proposed policy reviews and suggested minor changes to scheduling. They also completed minor reviews of policies that they are responsible for.

## 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	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Not applicable.				Low	
Reputation	Not applicable.				Low	
Service delivery	Not applicable.				Medium	

## Financial implications

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

## Analysis

4. All policy managers were asked to complete a minor review of their policies. The review resulted in minor changes to 24 policies. A summary of these changes has been provided below and full amended policies with tracked changes have been attached to this report.

Policy	Proposed change	Reason
Policy 001 – Policy management and development	<ol style="list-style-type: none"> <li>Change references from Public Participation Policy to Policy 103 – Communications and engagement.</li> <li>Change responsible officer to Coordinator Governance and Strategy.</li> </ol>	<ol style="list-style-type: none"> <li>Policy name has been updated.</li> <li>New coordinator role created in Governance and Strategy.</li> </ol>

Policy 002 – Review of decisions	Change responsible officer to Coordinator Governance and Strategy.	New coordinator role created in Governance and Strategy.
Policy 003 – Legal advice	<ol style="list-style-type: none"> <li>1. Change terminology from programs and sections to functional areas and lines of business.</li> <li>2. Change responsible officer to Coordinator Governance and Strategy.</li> </ol>	<ol style="list-style-type: none"> <li>1. Update the terminology that is used by the Town.</li> <li>2. New coordinator role created in Governance and Strategy.</li> </ol>
Policy 004 – Risk management	Add a responsible officer.	Responsible officer not identified in current policy.
Policy 014 – Appointment to outside bodies	Change responsible officer to Coordinator Governance and Strategy.	New coordinator role created in Governance and Strategy.
Policy 021 – Elected members fees, expenses and allowances	<ol style="list-style-type: none"> <li>1. Add that the Mayor’s and Deputy Mayor’s allowances are as adopted by Council in the annual budget.</li> <li>2. Clarify that payments are made in the Town’s first payment run of the month.</li> <li>3. Add a responsible officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. To clarify that the amount for the Mayor’s and Deputy Mayor’s allowances must also be adopted by Council in the annual budget.</li> <li>2. To make the policy more current as this clause referred to transitional arrangements following the original adoption of the policy.</li> <li>3. Responsible officer not identified in current policy.</li> </ol>
Policy 022 – Elected member professional development	Change responsible officer to Coordinator Governance and Strategy.	New coordinator role created in Governance and Strategy.
Policy 023 – Provision of information and services – elected members	<ol style="list-style-type: none"> <li>1. Add that provision of services and/or administrative requests can be resolved by submitting an electronic form on the Councillor Portal if a form is available.</li> <li>2. Change responsible officer to the Chief Executive Officer.</li> <li>3. Change responsible officer to Coordinator Governance and Strategy.</li> </ol>	<ol style="list-style-type: none"> <li>1. To allow for improvements to be made to processes as opportunities become available. An example of this could be completing an IT request form or professional development request form online.</li> <li>2. Council can only direct the Chief Executive Officer and the correct responsible officer should be identified.</li> <li>3. The new position of Coordinator Governance and</li> </ol>

		Strategy is responsible for managing governance-related policies.
Policy 024 – Event attendance	Change responsible officer to Coordinator Governance and Strategy.	New coordinator role created in Governance and Strategy.
Policy 025 – Independent committee members	<ol style="list-style-type: none"> <li>1. Simplify some language without changing the intent or content of the policy.</li> <li>2. Add a responsible officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. Make the policy easier to read.</li> <li>2. Responsible officer not identified in current policy.</li> </ol>
Policy 051 – Agenda Briefing Forum, concept forum and workshops	<ol style="list-style-type: none"> <li>1. Simplify, re-order, separate and re-number some clauses without changing the intent or content of the policy.</li> <li>2. Change reference to local law from <i>Standing Orders Local Law 2011</i> to <i>Meeting Procedures Local Law 2019</i>.</li> <li>3. Change any reference to audio recordings to recordings.</li> <li>4. Change reference from Public Participation Policy to Policy 103 – Communications and engagement.</li> <li>5. Add Policy 101 – Governance of Council advisory and working groups to related documents.</li> <li>6. Change responsible officer to Coordinator Governance and Strategy.</li> </ol>	<ol style="list-style-type: none"> <li>1. Make the policy easier to read, comprehend and reference.</li> <li>2. Local law has changed.</li> <li>3. Recordings covers both audio and video recordings.</li> <li>4. Policy name has been updated.</li> <li>5. Policy covers other informal meetings of Council that are not covered by the policy.</li> <li>6. New coordinator role created in Governance and Strategy.</li> </ol>
Policy 052 – Recording and live streaming	Change responsible officer to Coordinator Governance and Strategy.	New coordinator role created in Governance and Strategy.
Policy 053 – Meetings of electors	Change responsible officer to Coordinator Governance and Strategy.	New coordinator role created in Governance and Strategy.
Policy 054 – Access to reserve funds	<ol style="list-style-type: none"> <li>1. Change name to Access to reserve funds through notices of motion.</li> <li>2. Change responsible officer to Coordinator Governance and Strategy.</li> </ol>	<ol style="list-style-type: none"> <li>1. Clearly identify what the policy covers from the name.</li> <li>2. New coordinator role created in Governance and Strategy.</li> </ol>

Policy 101 – Governance of Council advisory and working groups	<ol style="list-style-type: none"> <li>1. Update reference to Policy 021 – Fees, expenses and allowances – elected members.</li> <li>2. Change responsible officer and policy manager.</li> </ol>	<ol style="list-style-type: none"> <li>1. Policy name has changed.</li> <li>2. Bring policy into line with other governance-related policies.</li> </ol>
Policy 112 – Visual art	Add clause that visual art purchased by the Town must be in accordance with Policy 301 – Procurement unless otherwise resolved by Council.	To provide clarity around procurement practices.
Policy 260 – Single use plastic and polystyrene	Add reference to Plastic-free Vic Park Guide.	To reference related information.
Policy 301 - Purchasing	<ol style="list-style-type: none"> <li>1. Remove Manager Corporate Services as responsible officer.</li> <li>2. Add Finance Manager as responsible officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. Position no longer exists.</li> <li>2. New position added since policy was last reviewed.</li> </ol>
Policy 302 - Investment	<ol style="list-style-type: none"> <li>1. Remove Manager Corporate Services as responsible officer.</li> <li>2. Add Finance Manager as responsible officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. Position no longer exists.</li> <li>2. New position added since policy was last reviewed.</li> </ol>
Policy 303 – Debt collection	<ol style="list-style-type: none"> <li>1. Remove Manager Corporate Services as responsible officer.</li> <li>2. Add Finance Manager as responsible officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. Position no longer exists.</li> <li>2. New position added since policy was last reviewed.</li> </ol>
Policy 305 – Loan borrowing limitations	<ol style="list-style-type: none"> <li>1. Remove Manager Corporate Services as responsible officer.</li> <li>2. Add Finance Manager as responsible officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. Position no longer exists.</li> <li>2. New position added since policy was last reviewed.</li> </ol>
Policy 306 – Business dealings with elected members and employees	<ol style="list-style-type: none"> <li>1. Remove Manager Corporate Services as responsible officer.</li> <li>2. Add Finance Manager as responsible officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. Position no longer exists.</li> <li>2. New position added since policy was last reviewed.</li> </ol>
Policy 312 – Transaction card	<ol style="list-style-type: none"> <li>1. Remove Manager Corporate Services as responsible officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. Position no longer exists.</li> <li>2. New position added since policy was last reviewed.</li> </ol>



	2. Add Finance Manager as responsible officer.	
Policy 331 – Information systems security	<ol style="list-style-type: none"> <li>1. Remove Manager Corporate Services as policy manager.</li> <li>2. Add Manager Technology and Digital Strategy as policy manager.</li> </ol>	<ol style="list-style-type: none"> <li>1. Position no longer exists.</li> <li>2. New position added since policy was last reviewed.</li> </ol>

5. Eighteen policies are proposed for major reviews in 2021/2022. Reasons that these policies have been proposed are provided below.

<b>Policy</b>	<b>Presented to Policy Committee</b>	<b>Reason</b>
Policy 406 – Temporary food businesses and itinerant food vendors	June 2021	Council resolved that the policy needed to be reviewed 18 months after its adoption.
Policy 014 – Appointment to external bodies	June 2021	This policy was adopted in 1997 and a major review has not been completed.
Policy 051 – Agenda Briefing Forum, concept forum and workshops	June 2021	This policy was adopted by Council in 2019. As it has now been in operation for two years, it is proposed to review the policy to ensure it is still fit-for-purpose.
Policy 257 – Waste removal - residential properties	July 2021	This policy was adopted by Council in 1997 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 258 – Waste removal – commercial properties	July 2021	This policy was adopted by Council in 1997 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 259 – Recycling collection – residential and commercial properties	July 2021	This policy was adopted by Council in 2008 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 225 – Hire and use of Town banner and flag sites	August 2021	The policy manager nominated the policy for review to allow for Council to consider its position.

Policy 404 – Fireworks management	August 2021	<p>This policy was adopted by Council in 2004 and appears to have only been reviewed through the yearly review of all Council policies.</p> <p>Elected members and the community have also recently shown interest in the Town's policy covering the management of fireworks.</p>
Policy 403 – Management of noise emissions from events at Belmont Racecourse – other than horse racing	August 2021	This policy was adopted by Council in 2002 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 006 – Gratuity payments to employees	November 2021	This policy was adopted by Council in 1999 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 306 – Business dealings with elected members and employees	November 2021	This policy was adopted by Council in 2000 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 022 – Elected member professional development	November 2021	Section 5.128 (5)(a) of the Local Government Act 1995 requires that the professional development policy be reviewed after each ordinary election.
Policy 251 – Rainforest timbers – use in Town construction	February 2022	This policy was adopted by Council in 1994 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 252 – Nuclear free zone	February 2022	This policy was adopted by Council in 2008 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 401 – Smoking restriction – Town property	February 2022	This policy was adopted by Council in 1994 and appears to

		have only been reviewed through the yearly review of all Council policies.
Policy 226 – Recreation reserves – hire	March 2022	This policy was adopted by Council in 1994 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 405 – Events on parks and reserves – notification to local residents	March 2022	This policy was adopted by Council in 1995 and appears to have only been reviewed through the yearly review of all Council policies.
Policy 001 – Policy management and development	March 2022	If Council requests the Chief Executive Officer to undertake the proposed workplan, all policies of Council will have been either adopted or substantially reviewed within the last three years. Council may want to consider the process for policy reviews at this stage and a major review of this policy at this time may assist.

6. Council have already requested that two policies be evaluated and presented to Council by June 2021. The following policy evaluations will be presented to the May 2021 Policy Committee meeting:
  - a. Policy 223 – Fleet management light vehicles
  - b. Policy 113 – Homelessness – The Town’s role.
7. Policies are not proposed for review in September due to the caretaker period. Reviews have not been scheduled in October to allow for any new elected members to be inducted sufficiently before having to attend a formal committee meeting. December and January have also been kept free of reviews as December is notoriously a busy time for elected members and no meetings are held in January.
8. Meeting dates have been proposed to allow for the proposed policy review deadlines to be met.

## Relevant documents

[Policy 001 – Policy management and development](#)

## Further consideration

9. At the Policy Committee meeting held on 22 March 2021, two questions were taken on notice. The answers to these are provided below.
  1. *The acquisition of a piece of visual arts is often an investment? Are the Town’s artworks valued each year? What is the total value of visual art works that the Town owns?*

Visual art often appreciates in value over time, so are considered a financial investment in asset terms. Acquisition of works by local artists also represents an investment in the cultural identity and creative economy of the Town.

The collection was valued for insurance purposes in 2009 and in 2016. A valuation is undertaken every 5-10 years to allow time for appreciation in value and acknowledging the costs associated with this process. The 2016 value of the collection was \$146,360. According to comments from the professional valuer, these values were based on information available at the time of valuation, from the artist, private galleries and public auction houses. Where no sales references were sourced, values were drawn from comparative artist working in the same medium/style.

2. *Policy 301 outlines "Procurement thresholds" with a table at point 10: how does the Town acquire visual art pieces when they are often one off pieces and cannot be replicated when the policy 301 states three quotes (for pieces over \$5,000) need to be obtained?*

There are provisions in the Policy 301 - Purchasing that allows the Chief Executive Officer, at their discretion, to waive the requirements to obtain quotes or endorse a monopoly supplier, where it can be demonstrated that there is only one source of supply.

## 15.5 Code of Conduct and Complaints Policy for Council Members, Committee Members and Candidates

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Bana Brajanovic
<b>Responsible officer</b>	Anthony Vuleta
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Code of Conduct for Council Members Committee Members and Candidates [<b>15.5.1</b> - 9 pages]</li><li>2. Complaints Policy for Council Members, Committee Members and Candidates [<b>15.5.2</b> - 7 pages]</li></ol>

### Recommendation from the Policy Committee:

That Council:

1. Adopts the Code of Conduct for Council Members, Committee Members and Candidates, as shown in Attachment 1.
2. Adopts the Complaints Policy for Council Members, Committee Members and Candidates, as shown in Attachment 2, subject to:
  - a) clause 1 Policy Objective be amended as follows:
    - 1.1 prescribe the processes for the management of complaints involving council members, committee members and candidates in matters relating to breaches of the behaviour requirements in Division 3 of the Code of Conduct
    - 1.2 ensure that the complaints management process is timely and follows the principles of natural justice and procedural fairness.

b) point 2.1 of the Policy Scope be amended to be read as follows:

2.1 This Policy applies to complaints about breaches of the Code of Conduct by Council members, committee members and candidates occurring on or after 3 February 2021.

c) a new definition be added to clause 3 - Policy definitions as follows:

Code of Conduct means the model code of conduct for council members, committee members and candidates.

d) point 4.1 and 4.2 be amended as follows:

The CEO is to appoint either:

- a. A person with relevant knowledge who is not an employee, current or former, elected member of the Town, to review and consider one or more Complaints of behaviour breach and to report on the outcome of any investigation to the CEO for provision to the Council; or
- b. A Complaints Panel of three persons who are not employee, current or former, elected members of the Town, to perform the function of the Investigator under this Policy, at least one of whom must be a person with relevant legal knowledge.

e) clause 4.2 be amended as follows:

Add the words 'a Complaints Panel' instead of 'any such panel'

f) the definition of Complaints Panel be amended as follows:

means a panel of persons appointed under clause 4.1 to consider and determine Complaints.

## Purpose

Council to adopt the Code of Conduct and Complaints Policy for council members, committee members and candidates.

## In brief

- Section 5.104 of *the Local Government Act 1995* (Act) requires that local governments adopt a Code of Conduct for council members, committee members and candidates that incorporates the Model Code of Conduct by 3 May 2021.
- The Town's Code of Conduct (Code) for council members, committee members and candidates is shown in Attachment 1.
- The purpose of the Code is to guide the decisions, actions and behaviours of council and committee members and of candidates running for election as a council member.
- Where the behaviour of a council member, committee member or candidate does not comply with the Code, the behaviour must be addressed through the proposed Complaints Policy as shown in Attachment 2.
- Complaints can only be made in accordance with the proposed policy and Division 3 of the Code.

## Background

1. A review of the *Local Government Act 1995* led by the Department of Local Government, Sport and Cultural Industries (Department), including consultation with the community and sector stakeholders, led to the implementation of priority reforms under the *Local Government Amendment Act 2019* (Amendment Act).
2. The Amendment Act was developed in response to stakeholder feedback that there was a need for governance reforms, including a Code of Conduct for council members, committee members and candidates that reflects community expectations of behaviour.
3. As a result, key reforms under the Amendment Act include the introduction of the Model Code of Conduct Regulations 2021 (MCC Regulations) and Model Code of Conduct (Model Code) that must be adopted by local governments and applied to council members, committee members and candidates.
4. All local governments are required by s.5.104(1) of the Act to prepare and adopt their Code of Conduct to be observed by council members, committee members and candidates by May 2021.
5. The MCC Regulations have been developed to give effect to the Amendment Act and provide for:
  - a. overarching principles to guide behaviour
  - b. behaviours and complaints, which are managed by local governments and
  - c. rules of conduct, contraventions considered by the independent Local Government Standards Panel (Standards Panel) where appropriate.
6. The proposed Code of Conduct (Code) for council and committee members and candidates is shown in Attachment 1. The Code is based on the MCC Regulations and Model Code and does not have any additional sections or changes.

7. The purpose of the Code is to guide the decisions, actions and behaviours of members, both in council and on council committees, and of candidates running for election as a council member.
8. An individual who has nominated as a candidate for election as a council member is required to demonstrate professional and ethical behaviour during their election campaign. If elected, the individual must continue to comply with the Code in council and on council committees.
9. While local governments may not amend Division 2 (Principles) or Division 4 (Rules of Conduct) of the Model Code, additional behaviour requirements can be included in Division 3 (Behaviours) if deemed appropriate by the local government.
10. What is different in the proposed Code to the Town's previous Code is Division 3 regarding the mechanism for dealing with alleged breaches of the Code of Conduct. Provisions under Division 3 are new and deal with alleged complaints on council and committee members' behaviour and candidates who become council members.
11. Complaints regarding alleged breaches of the Code in Division 3 are to be managed by the Council as the Town's decision-making body.
12. To be able to deal with complaints made in accordance with Division 3 of the Code, the Town has developed a Complaints Policy for council members, committee members or candidates, as shown in Attachment 2.
13. The Code of Conduct and Complaints Policy were presented to elected members at the February Concept Forum. To assist the February Concept Forum process, elected members were provided two weeks to propose additional behaviours to Division 3 of the Model Code. After consideration by elected members no additional behaviours have been added to the Code as it is considered that the Model Code clearly reflects community expectations of behaviour.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Resolving the recommended actions ensures that the Town of Victoria Park is compliant with governance obligations.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The Complaints Policy prescribes the processes for the management of complaints involving council members, committee members and candidates in matters relating to breaches of the behaviour requirements in Division 3 of the Code of Conduct.

## Engagement

Internal engagement	
Elected Members	<p>Elected members provided feedback on additional behaviours under division 3 of the Code of Conduct through the February Concept Forum.</p> <p>Elected members provided feedback on the Complaints Policy through the February Concept Forum.</p>

## Other engagement

Department of Local Government, Sport and Cultural Industries	Department of Local Government, Sport and Cultural Industries was engaged to provide information on the Local Government (Model Code of Conduct) Regulations 2020 requirements in relation to the complaints process.
McLeods Barristers & Solicitors	The Town engaged McLeods Legal to provide advice in relation to the proposed Complaints Policy.

## Legal compliance

[Local Government \(Model Code of Conduct\) Regulations 2021](#)

## 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	<p>Council not adopting the Code of Conduct will result in noncompliance with the Town's statutory obligations.</p> <p>Council not adopting the Complaints policy will result in the Council having to investigate and consider all complaints relating to Division 3 of the Code.</p>	Moderate	Likely	High	Low	Treat risks by supporting the recommendation.
Reputation	Negative public perception towards the Town if				Low	Treat risk by supporting the recommendation.



	it does not meet the legislative compliance.	
Service delivery	Not applicable	Medium

## Financial implications

<b>Current budget impact</b>	<p>Sufficient funds do not exist within the annual budget. However, at this time it is unknown whether the Town will receive any complaints in the remainder of this financial year or the cost for panel members.</p> <p>Should funds be required, a minor budget variation will be sought.</p>
<b>Future budget impact</b>	<p>Passing of the recommendation will result in funds being required in future budget to cover the Investigator or Complaints Panel and mediator costs of dealing with complaints.</p>

## Analysis

14. Code of Conduct
15. Divisions 1, 2, 3 and 4 of the Code of Conduct are consistent with provisions previously contained in the old Rules of Conduct Regulations and Town's Code of Conduct, though going into more detail in regard to Division 3, the requirements relating to behaviour. Division 4 - the Rules of Conduct, and provisions for their breach, correspond closely with what applied previously in the Rules of Conduct Regulations.
16. What is different in the proposed Code are sections 11, 12, 13, 14 and 15 of Division 3 regarding the mechanism for dealing with alleged breaches of the Code. These provisions are new and deal with alleged complaints on the behaviour of council and committee members, and candidates who become council members.
17. The Code of Conduct consists of four divisions:
  - (a) Division 1 — Preliminary provisions contains citations and terms used.
  - (b) Division 2 General principles - sets out the fundamental rules that council members, committee members and candidates are expected to adhere to, promote and support. Adhering to these rules will assist individuals to comply with the behaviours outlined in Division 3 and 4. The principles outline the overarching approach that members and candidates should demonstrate in their role as public representatives, or potential public representatives. The principles are grouped into three key areas: Personal Integrity; Relationships with others and Accountability.
  - (c) Division 3 Behaviour - sets the standards of behaviour which reflect the general principles outlined in Division 2. It is the individual responsibility of members and candidates to demonstrate,

promote and support professional and ethical behaviour as provided in the Code. Section 5.103(3)(a) of the Act introduce the discretion for the Code of Conduct to deal with alleged breaches of requirements relating to behaviour. This is a significant amendment as the Act has not previously mandated a complaints process relating to behavioural content of a Code of Conduct. Complaints regarding alleged breaches of the Code in Division 3 are to be managed by the Council as the decision-making body of the Town. Division 3 also provides a process for responding to alleged breaches. The emphasis is on education and development, rather than punitive sanctions, with the aim of establishing or restoring positive working relationships and avoiding further breaches. The attached Complaints Policy outlines the proposed process for dealing with complaints made under Division 3 of the Code.

- (d) Division 4 Rules of Conduct - sets out rules of conduct for council and committee members and candidates that relate to the principles in Division 2 and the behaviours in Division 3. This Division also introduces a new rule of conduct to address situations where a member does not undertake the actions required by the Council following a breach of the Code. A contravention of this rule of conduct is considered a minor breach, as defined in the Act. The process for complaints under Division 4 is outlined in the Act and all complaints made under Division 4 are considered by the Standards Panel.

18. The proposed Complaints Policy for council members, committee members and candidates consists of 17 clauses:

- (a) Appointment of Investigator or Independent Complaints Panel to review and consider complaints
- I. While the Department was developing the MCC Regulations, one of the major concerns raised by the sector stakeholders was the requirement for Local Governments to determine behavioural breach allegations specified in Division 3 of the MCC Regulations. The administrative process for dealing with breach allegations is unspecified in the Regs. Therefore, it is up to each local government to decide on the procedure and on who is going to review and consider complaints.
  - II. Options on who could review and consider complaints provided by the Department in the Model Code of Conduct Guidelines are as follows:
    - The President/Mayor or Deputy consider all complaints
    - Delegation of complaints to the CEO to prepare a report for the Council
    - Appointment of an independent/external consultant to review complaints and provide a report to the Council
    - Establish a committee to review complaints and report to the Council. The committee may include independent members.
  - III. All options suggested by the Department have been considered. The advantages and disadvantages of the Department's suggested options are provided in the table below.

19. Table below shows advantages and disadvantages for each option -

Option	Advantages	Disadvantages
Mayor or Deputy Mayor	<ul style="list-style-type: none"> <li>• Less costly</li> </ul>	<p>If the Mayor or Deputy Mayor were to review and consider complaints the following disadvantages have been noted:</p> <ul style="list-style-type: none"> <li>• Mechanism for dealing with alleged breaches' provisions may have the potential to engage a great deal of time of Mayor and Deputy Mayor</li> <li>• Council becoming factionalised, whether actual or perceived it may hinder application of natural justice (e.g. the bias rule) when dealing with complaints or lead to a rash of complaint upon complaint</li> <li>• Impartiality and procedural fairness</li> <li>• Mayor and/or Deputy Mayor may have limited experience in managing a task of this nature and may therefore be inadequately prepared</li> <li>• Potential conflicts of interests</li> <li>• Could be directly involved in the subject matter of the complaint</li> </ul>
Chief Executive Officer	<ul style="list-style-type: none"> <li>• Less costly</li> </ul>	<p>If the CEO and Town employees were to review and consider complaints the following disadvantages have been noted:</p> <ul style="list-style-type: none"> <li>• Council and administration becoming factionalised</li> <li>• Impartiality and procedural fairness</li> <li>• The Town did not operate a complaints process under the previous Code</li> <li>• Town employees may have limited experience in managing a task of this nature and may therefore be inadequately prepared</li> <li>• Employees responsible for considering complaints would need to be trained – additional cost</li> <li>• Conflicts of interests</li> <li>• Taking up disproportionate amounts of staff resources – additional cost</li> </ul>
Appointment of an independent/external consultant/investigator/independent panel	<ul style="list-style-type: none"> <li>• Impartial and procedurally fair outcomes can be achieved</li> <li>• Appropriate aptitude, knowledge, and skills to review and consider complaints</li> <li>• Appropriate qualifications, experience and availability</li> <li>• Independent from Council</li> </ul>	<ul style="list-style-type: none"> <li>• Potentially costly (depending on the number of submitted complaints)</li> </ul>

	<ul style="list-style-type: none"> <li>• Efficient complaints process</li> </ul>	
Committee (consisting of council members only or council members and external members)	<ul style="list-style-type: none"> <li>• Less costly</li> </ul>	<p>If a Committee of Council was to review and consider complaints the following disadvantages have been noted:</p> <ul style="list-style-type: none"> <li>• Having council members on the committee may result in Council becoming factionalised, whether actual or perceived it may hinder application of natural justice (e.g. the bias rule) when dealing with complaints</li> <li>• Having council members on the committee may cause impartiality issues and procedural fairness</li> <li>• Council members did not operate a complaints process under the previous Code</li> <li>• Council members may have limited experience in managing a task of this nature and may therefore be inadequately prepared</li> <li>• Conflicts of interests</li> <li>• Council members who are committee members could be directly involved in the subject matter of the complaint</li> </ul>

- IV. As shown in the table above, some suggested options do not provide a fair process for dealing with complaints. Therefore, the draft Complaint Policy proposes that complaints should be reviewed and considered by an Investigator or Independent Complaints Panel so that impartial and procedurally fair outcomes can be achieved. Person(s) who will be considering complaints will be the most important factor in ensuring that the complaints process is appropriate and effective. Therefore, it is important that whoever plays that key role is impartial, trained, has the appropriate aptitude, knowledge, and skills to consider complaints. The involvement of an Investigator or Independent Complaints Panel will come at a cost to the Town.
- V. In accordance with Clause 4 of the policy, the Investigator or Independent Complaints Panel would review and consider complaints and provide their findings to Council. The Council would then make the ultimate finding as to whether or not a breach has occurred and impose the action plan sanction.

(b) Process for making a complaint

Sets out a process for making a complaint. Any person may make a complaint alleging a breach of Division 3 the Model Code of Conduct by submitting a Complaint About Alleged Breach Form to the Behaviour Complaints Officer within 1 month of the occurrence of the alleged breach. All complaints must be submitted in accordance with clause 5 of the policy.

- (c) Mediation  
Mediation will be offered to both parties as the first option for dealing with a complaint and before progressing with the consideration or determination of the complaint.
- (d) Investigator making a determination  
Investigator considers a complaint and determines if the alleged behaviour breach has occurred. The determination must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur. Once the Investigator makes a determination on the alleged breach, the Investigator must provide a report to the Behaviour Complaints Officer.
- (e) Action plans  
Clause 8 of the policy provides that if the Investigator makes a finding that a breach of the Code of Conduct did occur, the Investigator may determine that no further action is required; or that an action plan must be prepared and implemented. The Code requires that in preparing the action plan, consultation must be undertaken with the member to whom the plan relates. This is designed to provide the member with the opportunity to be involved in matters such as the timing of meetings or training. Having made a determination on the alleged behaviour breach, the Investigator must inform the Behaviour Complaints Officer by providing a determination and reasons for it in a Determination and Reasons Report.
- (f) Report provided to Council  
The Behaviour Complaints Officer must provide a confidential report to Council including – copy of the complaint; Report of the Investigator; recommendation on the question whether or not a behaviour breach has occurred; recommendation as to whether any and if so what further action is required; if further action is required, a recommendation must be provided to the Council on an action plan.
- (g) Council finding  
Clause 10 requires the Council to consider whether the alleged matter which is the subject of a complaint, did occur and make a final finding on whether the matter constituted a breach of the Code of Conduct. A finding that the alleged behaviour breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (h) Behaviour Complaints Officer acting on Council finding  
When the Council makes a finding in relation to a Complaint, the Behaviour Complaints Officer must give the complainant and the person to whom the Complaint relates written notice of the finding.
- (i) Confidentiality of Complaints  
Complaints should not be disclosed unless and until the Council has made a formal finding of breach in respect of the Complaint.

(j) Dismissal of Complaint

Complaints can be dismissed if - the behaviour occurred at a Council or committee meeting and the behaviour was dealt with at that meeting or the complaint is withdrawn.

(k) Withdrawal of Complaint

A complainant may withdraw their Complaint any time before it is considered by the Council.

(l) Compliance with plan requirement

The Behaviour Complaints Officer is to monitor the actions in timeframes set out in an action plan. Where a member does not undertake the actions required by the Council following a breach of the Code a contravention of this rule of conduct is considered a minor breach, as defined in the Act.

(m) Complaints that are inappropriate under this Policy

Complaints such as the following are inappropriate to be dealt with under this Policy:

- I. Complaints made with the intent of addressing personal grievances or disagreements
- II. Complaints made to express dissatisfaction with a council or committee member's lawfully made decisions or performance of their role
- III. Minor breaches under section 5.105(1) of the LG Act
- IV. Serious breaches under section 5.114 of the LG Act and
- V. Allegations of corruption.

(n) Cost in the complaints process

The Investigator or the members of a Panel, or a mediator, appointed pursuant to the Policy may charge the Town a fee to cover the costs of dealing with the Complaint whether or not a breach is ultimately found.

## Relevant document

Not applicable

## Further consideration

Changes have been made to the Complaints Policy following on from the Policy Committee.

## 15.6 Review of Policy 207 Paths - locations within road reserves

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Denis Lau
<b>Responsible officer</b>	John Wong
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Policy-207- Paths-locations-within-road-reserves [15.6.1 - 2 pages]

### Recommendation from the Policy Committee:

That Council receives the review of Policy 207 (paths – location within road reserves), as at attached.

### Purpose

To review the content of Policy 207 – paths – location within road reserves.

### In brief

- At its meeting of 21 April 2020, Council adopted a work plan to review several policies. Policy 207 was identified as one of the policies identified for review.
- The Town has reviewed Policy 207 and no changes are required. It is therefore presented for adoption in its last revised form.

### Background

- 1) The last review/amendment to Policy 207 was made in the Council item of 20 August 2019 which amended the policy to bring it in line with the current policy template.
- 2) Council resolution 384/2020 of 21 April 2020 adopted a work plan to review several policies and Policy 207 was identified to be completed by April 2021. The Town has now completed its review and no changes are required.

### Strategic alignment

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.	To provide clear guidance on the physical locations of footpaths within the road reserve, subject to various constraints.

### Engagement

Internal engagement	
Stakeholder	Comments
Technical Services	Review of the policy.
Operations	Review and support of the policy.

Place Planning	Review and support of the policy. Will lead new policy statement encompassing the style and type of footpath materials in a future review.
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## Legal compliance

[Section 2.7\(2\)\(b\) 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 having clear policy on footpath location may result in extra cost for alignment correction	Minor	Unlikely	Low	Low	Maintain policy
Environmental	Not applicable					
Health and safety	Footpaths may be located in an unsafe position.	Moderate	Unlikely	Moderate	Low	Maintain policy and take constraints into consideration
Infrastructure/ ICT systems/ utilities	Not applicable					
Legislative compliance	Not applicable					
Reputation	Not applicable					
Service delivery	Not applicable					

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	There are no future budget impacts.



## **Analysis**

3. Policy 207 refers only to the actual location of footpaths within the road reserve with regards to their physical location relative to property boundaries. Outside of the constraints imposed by verge levels, significant trees, above ground public utility services or invasion of privacy for adjoining property owners, footpaths will be located adjacent (within 500mm) to property boundaries.
4. The literal interpretation of the scope of this policy is clearly defined, and no changes are recommended to be made.
5. The scope of Policy 207 is limited to defining physical location with regards to property boundaries. This precludes it from addressing other issues on the style and types of footpath materials to be used in relation to particular areas located within the Town. The content and extent of the defined areas and the style/type of material to be used for future is currently being considered through the Place Planning area. It is considered that these style guidelines should form part of future policy determination to be developed through Place Planning, with Technical Services and Operations input.

## **Relevant documents**

Not applicable

## 15.7 Review of Policy 208 – Street verges – reinstatement of lawns following works

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Gregor Wilson
<b>Responsible officer</b>	Nicole Anson
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Policy 208 Street verges Reinstatement of lawns following works [ <b>15.7.1</b> - 2 pages]

### Recommendation from the Policy Committee

The Policy Committee recommends that Council receives the review of Policy 208 (Street verges – reinstatement of lawns following works), as attached, subject to point 4 being amended to the following:

4. In the case where synthetic turf is affected by routine maintenance of services, assets or construction works, the Town will reinstate or repair the affected area with an appropriate alternative treatment allowable under the Verge Local Law.

### Purpose

To review the content of Policy 208 – Street verges – reinstatement of lawns after works.

### In brief

- At its meeting of 21 April 2020, Council adopted a work plan to review several policies. Policy 208 was identified as one of the policies to be reviewed.
- The Town has reviewed Policy 208 and does not require any changes to the policy document. It is therefore presented for adoption in the existing form.
- The existing policy addresses reinstatement of synthetic turf. As synthetic turf is not a permissible verge treatment and as such reinstatement is not a requirement.

### Background

1. The last review/amendment to Policy 208 was made in the council item of 20 August 2019 which amended the policy to bring it in line with the current policy template.
2. Council resolution 384/2020 of 21 April 2020 adopted a work plan to review several policies and Policy 208 was identified to be completed by April 2021. The Town has now completed a policy review.

### Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	Ensuring that the streetscape reinstatement after works is well-managed.

Economic	
Strategic outcome	Intended public value outcome or impact

EC02 - A clean, safe and accessible place to visit.	By ensuring verges are reinstated to an acceptable standard, it reduces the risk of trips or falls.
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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.	Reinstatement of greenspace encourages residents to maintain the verges to a good standard improving the environment and aesthetics of the street.

## Engagement

Internal engagement	
Stakeholder	Comments
Parks staff	Review of the policy
Engineering staff	Review of the policy

## 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	Not having a clear policy may result in inconsistency with reinstatements.	Minor	Unlikely	Low	Low	TREAT risk by maintaining policy
Environmental	Not applicable				Medium	
Health and safety	Injuries to members of the public due to badly reinstated verge	Moderate	Unlikely	Moderate	Low	TREAT risk by ensuring verges are reinstated as per policy
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	
Legislative compliance	Not applicable				Low	

Reputation	Dissatisfaction with verge reinstatement	Minor	Unlikely	Low	Low	TREAT risk by ensuring residents are aware of reinstatement Policy
Service delivery	Not applicable				Medium	

## Financial implications

<b>Current budget impact</b>	The review of this policy does not result in a budgetary impact.
<b>Future budget impact</b>	There are no future budget impacts anticipated.

## Analysis

3. Policy 208 refers to the standard that verges will be reinstated to following works.
4. It refers to the reinstatement of lawns, but also includes the Town reinstating "permissible verge treatments" which may include mulch and hardscapes.
5. The scope of this policy is clearly defined, and there have been no changing circumstances requiring consideration. As such no changes are recommended to be made to the existing policy.

## Relevant documents

Not applicable.

## Further Consideration

6. At the Committee meeting on 22 March 2021 -

The Policy Committee recommends that Council receives the review of Policy 208 (Street verges – reinstatement of lawns following works), as attached, subject to point 4 being amended to the following:

P4. In the case where synthetic turf is affected by routine maintenance of services, assets or construction works, the Town will reinstate or repair the affected area with an appropriate alternative treatment allowable under the Verge Local Law.

The attached policy 208 has been updated to include the requested amendments.

## 15.8 Proposed Waste Disposal Local Law 2021

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Jon Horne
<b>Responsible officer</b>	Nicole Anson
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	1. Revised Waste Disposal Local Law 2021 [4EZ7] [15.8.1 - 16 pages]

### Recommendation from the Policy Committee:

That Council:

1. Determines that as a result of the review of the *Town of Victoria Park Health Local Law 2003*, as amended, that clauses 38 through to 48 (inclusive) of that local law be repealed and replaced, in accordance with section 3.16 of the *Local Government Act 1995*.
2. Gives notice that it intends to make the *Town of Victoria Park Waste Disposal Local Law 2021*, as at attachment 1, which will repeal clauses 38 through to 48 (inclusive) of the *Town of Victoria Park Health Local Law 2003*, as amended in accordance with section 3.12 of the *Local Government Act 1995*.
3. Seeks the consent of the Chief Executive Officer of the Department of Water and Environmental Regulation to the proposed *Town of Victoria Park Waste Disposal Local Law 2021*.

#### *Purpose and effect of the local law.*

The purpose of this local law is to provide for the protection of the natural and urban environment and the mitigation of environmental hazards through ensuring the appropriate disposal of local government waste.

The effect of this local law is to:

- (a) Provide for regulation, control and management of waste services; and
- (b) Establish the requirements with which any owner or occupier of premises using the Town of Victoria Park waste services must comply.

## Purpose

To commence the process for making the Waste Disposal Local Law 2021.

## In brief

- The Town is currently reviewing the *Town of Victoria Park Health Local Law 2003*, this review is being conducted in stages, the first two of which are Animals (which is subject to a separate report) and waste.
- As part of the State government's approach to waste management; and recognising that its strategy involves not only recycling but also the separation of organics at source collection and extraction of containers through the Container Deposit Scheme (CDS – also known as Containers for Change); a model local law on waste has been developed to provide legislative backing for better control of such waste collection activities. The West Australian Local Government Association (WALGA) and the Joint Standing Committee on Delegated Legislation of the WA Parliament (JSC) have adopted an agreed model local law for waste to cover current and anticipated future extra waste management related

activities. These activities are not covered in any comprehensive manner under the existing health local law.

- The necessity to consider and introduce a local law specifically covering waste has also been identified as an action item in the Waste Plan approved by Council in its September 2020 round of meetings (and which was subsequently endorsed by the Department of Water and Environmental Regulation (DWER) in November 2020).
- While the model WALGA local law on waste provides extensive and perhaps far-reaching legislative power on specific waste matters, it is recommended to be adopted as any concerns on potential infringements for minor infractions using the local law can be tempered by the Town using a commonsense approach (combined with an emphasis on waste management education).

## Background

1. Following the resolution of Council at its meeting on 15 September 2020 the Town has been conducting the review of the *Health Local Law 2003*. This local law is extensive and covers varied topics and has not completed a full review since 2003.
2. In the period since the *Health Local Law 2003* was adopted, the following significant state legislative changes have occurred:

- a. *Waste Avoidance and Resource Recovery Act 2007*

This Act addresses several state measures to control and manage waste, including 'local government waste'. It is under this Act that future local laws managing waste must be made.

- b. *Food Act 2008*

This Act transferred the laws managing food establishments, from local laws to a single law for the whole state. By order of the Governor, our local law was amended accordingly and the Town's *Eating Houses Local Law 2003* was repealed.

- c. *Cat Act 2011*

This Act provided for greater regulation of Cats, including mandatory registration and sterilisation and enabled local governments to make local laws to regulate cats even further.

- d. *Public Health Act 2016*

This Act, updated after 105 years, was the state's primary public health law. As part of its roll-out, the Department of Health has been reviewing regulations, guidelines and local laws that were made under the previous act. The Act came in force in 2016 and implemented in a five staged process due to be fully implemented by 2021. Implementation is currently at Stage 4.

3. In reviewing the current law, the review is being conducted based on four topics:
  - a. Animals
  - b. Waste
  - c. The natural and urban environment; and
  - d. Public health
4. This report is the result of the review of laws in respect of waste.
5. As part of the impetus to develop a model local law on waste, WALGA and the JSC have considered two significant waste collection activities outside of separate recycling: the introduction of the CDS, and the future direction for the collection of separate organics material from households.

6. The Town has also considered the introduction of the CDS and its requirements in terms of participation, planning; and administration regarding the current recyclable waste (yellow top bin) collection. It was recognised in the September 2019 Council item that a possible problem existed with the recyclable collection due to the potential for scavenging of CDS items from recycling bins (leading to littering or socially undesirable activities). At the time, it was noted that the local law on health provided some statutory backing to make scavenging illegal under Division 2 of that local law (with penalties under Part 10). However, this had not been legally tested, and it remained open to Council to introduce a separate local law to address this issue specifically.
7. At the same time as the introduction of the CDS, the issue of the separation of organic material at the point of waste collection has become more important due to the issues affecting the ability of the Mindarie Regional Council to process general waste at the Resource Recovery Facility.
8. With the likelihood of the introduction of an organics separation process at the point of waste collection increasing, the Town also recognised that the current local law on health did not cover (nor had been expected to cover) the issues that may arise with regard to such a system. As the Council has now endorsed the introduction of a separate organics system in the near future through the December 2020 round of Council meetings, it is important also to consider what local law clauses should cover this aspect of waste collection activity.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	For Council to be seen to be responsibly addressing the legal uncertainty for verge waste collection.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	To allow for management of enforcement actions and penalties for inappropriate verge waste treatment.

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	To provide a mechanism to discourage littering and any consequent reduction of amenity in the public arena.

Environment	
Strategic outcome	Intended public value outcome or impact
EN04 - A clean place where everyone knows the value of waste, water and energy.	To provide a mechanism to reduce the level of contaminants placed in waste collections.

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	To provide a mechanism to discourage littering of verge bins.

## Engagement

Internal engagement	
Stakeholder	Comments
Technical Services	Advice and background details on the necessity for a waste local law.
Environmental Health	EHOs are generally supportive of the greater separation of this local law away from the other health related local laws.

Other engagement	
Stakeholder	Comments
WALGA	Provision of standard local law format and advice

## Legal compliance

Section 3.12 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 an enforceable local law may result in higher contamination levels and increased waste charges.	Minor	Possible	Moderate	Low	Treat risk by adopting an appropriate local law to better control contamination rates.
Environmental	Higher contamination rates are counterproductive for waste management treatment	Minor	Possible	Moderate	Medium	Treat risk by adopting an appropriate local law to better control contamination rates.
Health and safety	Potential for health risks in having an unenforceable local law	Minor	Possible	Moderate	Low	Treat risk by adopting local law which contains infringements making it easier to



						enforce the local law.
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Not applicable.				Low	
Reputation	The local law may be seen as excessively onerous and provide legislative power to penalise even minor infractions.	Moderate	Likely	High	Low	Treat risk by emphasis on education activity for waste management and use of local law infringements for only more serious breaches.
Service delivery	Not applicable.				Medium	

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	The introduction of the local law may have some potential for additional compliance costs and offsetting infringement income, however, at this stage it is not considered to be material enough to consider for future budget impact.

## Analysis

9. The Town gave notice of the review of the *Health Local Law 2003* on 1 October 2020 and a submission period was open until 23 November 2020. No submissions were received in respect of local laws pertaining to waste.
10. Policy settings relating to waste in WA have evolved heavily since 2003 with the introduction of the *Waste Avoidance and Resource Recovery Act 2007*. This Act clarified the powers of local governments to make local laws for managing waste. The Town has not taken the opportunity to make local laws in respect of waste since this bill passed. These local laws require the consent of the Chief Executive Officer of the Department of Water and Environmental Regulation.
11. WALGA and the JSC have adopted an agreed model local law for waste. Varying from this law has to be justified appropriately by the Town. No major modification is proposed to the local law.
12. The WALGA model local law on waste considers not only the aspect of scavenging for CDS items, but also encompasses other potential infringements for inappropriate use of the bins for type of refuse disposed within the bins.

13. The proposed local law (based on the WALGA model) gives a much wider coverage of activities and what may constitute unacceptable practice for which infringements may be levied. For example recycling being deposited into general bins is prohibited under the WALGA draft local law, clause 11(2), with a modified penalty under schedule B, item 6; general waste (or organic waste, where relevant) being deposited into recycling bins is prohibited under the WALGA draft local law, clause 12(a), with a modified penalty under schedule 2, item 7; and similarly for anything other than specified organic waste being deposited into an organic waste receptacle under clause 13(a), with a modified penalty under schedule 2, item 9.
14. While the local law provides more comprehensive coverage of acceptable waste practices, the extent of the local law may be seen to be excessive in the context of waste management. There may be some concern that even minor infractions can be targeted.
15. However, the local law needs to be viewed in the overall context of waste management practices being fostered by the Town. With the introduction of an organics separation system, the Town would intend to promote the system through the education of residents to abide by the type of waste that may be placed in each type of bin. The Town would not intend to deliberately seek to infringe residents due to occasional lapses in waste placement; but it needs to recognise at the same time that it is still necessary to have an infringement system in place to discourage those residents that may deliberately flout regulations on a regular basis. Similarly, the potential for enforceable penalties relevant to persistent scavenging activities (e.g. scavenging of CDS items from recycling bins) needs to be in place.
16. It is therefore recommended that the Town adopt the model WALGA local law going forward with the CDS and future organics separation system (at the waste collection point). This is consistent with the orderly administration of local laws. By not pursuing infringement action for only minor infractions, it would still meet the requirement for good government from its execution of general and executive powers under the Local Government Act 1995. Local law adoption is also in line with the requirement of the implementation plan section of the Council approved (and DWER endorsed) Waste Plan for the Town.
17. Further, local laws made under the *Local Government Act 1995* such as this one can utilise the penalties under the *Local Government Act 1995*. This means any replacement laws could have a maximum penalty of \$5000 in the place of \$1000. It would also be possible to issue infringements in the place of having to prosecute every offence.

#### Part 1 - Preliminary

18. This section sets out administrative matters enabling the local law and repeals the current local laws in respect of local government waste (but not liquid waste and the like).

#### Part 2 – Local Government Waste

19. These clauses establish that:
    - a. The Town will supply to residential purposes wheelie bins (called receptacles in the local law) for disposing of waste;
    - b. People will deposit the waste in the wheelie bins and not deposit 'non-collectable waste' or too much waste (by weight) in the wheelie bin;
    - c. People will only deposit recyclables in a recycling bin;
    - d. People will only deposit organic materials in an organics bin;
    - e. The Town can direct a person to place a wheelie bin out for collection and/or remove it after rubbish collection;
    - f. Owners and occupiers must keep their bins stored on their property, place them in the appropriate location, make sure they have appropriate bins and if the bins are stolen or damaged to notify the Town;
    - g. The Town can grant exemptions to the duties of owners and occupiers where it is appropriate to do so;
    - h. A person cannot damage or remove a bin;
-

- i. The laws in respect of verge collections;

### Part 3 – General duties

20. These clauses provide that a person must:

- a. Ensure they have sufficient bins for all of their waste
- b. That they keep their bins in good condition
- c. They take reasonable steps to keep them clean, odour free and not breeding insects
- d. Where directed by the Town that they clean the bins.
- e. Not remove things from other peoples' bins;
- f. Deposit their household waste or remove waste from public bins.

### Part 4 – Miscellaneous

21. This clause requires a person to ensure when they dispose of refrigerators or iceboxes that they remove the locks so children or animals cannot climb in and be locked inside.

### Part 5 – Enforcement

22. These clauses provide for the enforcement of the local law and review of the decisions of the Town under it.

### Schedule A – Meaning of 'non collectable waste'

23. This schedule provides the definition of what waste the Town will not collect.

### Schedule B - Prescribed offences

24. This schedule provides for infringements for breaches of the local law ranging from \$50 to \$400.

## Relevant documents

Not applicable.

**16 Public participation time**

**17 Questions from members without notice on general matters**

**18 Confidential matters**

Nil.

**19 Closure**