



TOWN OF  
**VICTORIA PARK**

# Agenda Briefing Forum

## Agenda – 6 August 2019

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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 August 2019** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Mr Ben Killigrew – Acting Chief Executive Officer**

1 August 2019

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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

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

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

## **2 Opening**

### **Acknowledgement of the traditional owners**

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

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

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

*Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.*

## **3 Announcements from the Presiding Member**

### **3.1 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.

### **3.2 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.

### **3.3 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.

### **3.4 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.

### **3.5 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'.

## 4 Attendance

<b>Mayor</b>	Mr Trevor Vaughan
<b>Banksia Ward</b>	Cr Claire Anderson Cr Julian Jacobs Cr Ronhhda Potter
<b>Jarraah Ward</b>	Cr Jennifer Ammons Noble Cr Bronwyn Ife Cr Brian Oliver Cr Vicki Potter
<b>A/Chief Executive Officer</b>	Mr Ben Killigrew
<b>A/Chief Operations Officer</b> <b>Chief Financial Officer</b> <b>Chief Community Planner</b>	Mr Gregor Wilson Mr Michael Cole Ms Natalie Martin Goode
<b>Manager Development Services</b> <b>Manager Governance and Strategy</b>	Mr Robert Cruickshank Ms Danielle Uniza
<b>Secretary</b>	Ms Amy Noon

### 4.1 Apologies

<b>Chief Executive Officer</b>	Mr Anthony Vuleta
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### 4.2 Approved leave of absence

<b>Banksia Ward</b>	Cr Karen Vernon
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## **5 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.

## **6 Public participation time**

## **7 Presentations**

## **8 Deputations**

## **9 Method of dealing with agenda business**



## 10 Chief Executive Officer reports

### 10.1 Review of the Town Policy Manual

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Liam O'Neill
<b>Responsible officer</b>	Danielle Uniza
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Reviewed Policy Manual [<b>10.1.1</b> - 171 pages]</li><li>2. FIN 2 - Bank Accounts Signatories and Payments [<b>10.1.2</b> - 1 page]</li><li>3. EM 9 - Mayoral Vehicle [<b>10.1.3</b> - 2 pages]</li><li>4. ADM 2 - Taking of Long Service Leave [<b>10.1.4</b> - 1 page]</li></ol>

#### Recommendation

That Council:

1. Endorses the proposed amendments to the policy manual, as included in attachment 10.1.1.
2. Rescinds Policies FIN2 – Bank Accounts, EM9 – Mayoral Vehicle and ADM2 – Long Service Leave as at attachment 10.1.2, 10.1.3 and 10.1.4.

#### Purpose

To present amendments resulting from a review of the policy manual conducted in line with Policy 001 – Policy Management and Development to Council for consideration.

#### In brief

- At its meeting held on 21 May 2019, Council resolved to adopt Policy 001 – Policy Management and Development and to request that the Chief Executive Officer conducts a review of the full policy manual by August 2019.
- A review of the Town policy manual has been conducted in line with Policy 001 – Policy Management and Development which '*entails a broad review of the content of each policy to allow for minor amendments, including changes to formatting, spelling and grammar, rewording of sections to increase clarity, standardisation of terms used, and the updating of references to relevant legislation and other documents. Any amendments arising from a policy review should not alter the purpose or objective of the policy*'.  
'.
- In line with the definition of a minor review, a few amendments are proposed to be made to policies in the manual, along with the rescindment of three policies.
- It is to be noted that minor changes have been proposed to policies that are currently the subject of review. Upon completion of the review of these policies, individual reports will be presented to Council for its consideration.

#### Background

1. At its meeting held on 21 May 2019, Council resolved to adopt Policy 001 – Policy Management and Development and to request that the Chief Executive Officer conducts a review of the full policy manual.

2. As per Council's resolution, the Town has undertaken a full review of the policy manual in line with Policy 001 - Policy Management and Development proposing minor changes to several policies.

## 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's administration.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	In line with section 2.7 of the Act, Council is responsible for setting policies for the Town. As such, ensuring that the policy manual review is presented for adoption allows Council to fulfil this role.

## Engagement

Internal engagement	
Stakeholder	Comments
Governance	Conducted review, endorses repeal of EM8 and EM9
Elected Members	Received proposed amendments and were invited to provide feedback. At 31 July 2019 no feedback was received.
Human Resources	Endorses repeal of ADM2
Finance	Endorses repeal of FIN2
Managers	At the time of writing report, the full policy manual has been circulated to the Senior Management Team (SMT) for comment. All comments will be included as part of the final policy manual presented at the OCM.

## Legal compliance

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

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall analysis	risk	Mitigation and actions
<b>Compliance</b> Policies are not adhered to.	Moderate	Possible	Moderate		Officers are appropriately educated on their responsibilities in relation to Council policy.

## Financial implications

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

## Analysis

3. As the review of the policy manual only requires minor changes to be made for the purpose of 'including changes to formatting, spelling and grammar, rewording of sections to increase clarity, standardisation of terms used, and the updating of references to relevant legislation and other documents', the proposed changes do not impact the intent and purpose of each policy.
4. The main changes to policies have been to:
  - (a) improve alignment with the current template by ensuring that all policies have a scope and/or objective;
  - (b) minor changes as required by Policy 001 – Policy Management and Development;
  - (c) updating references from specific officers to the Chief Executive Officer to allow for flexibility in the implementation of each policy; and,
  - (d) assignment of different policy reference numbers for ease of navigation.
5. Common amendments include:
  - (e) Changing certain references from Council to Town. A reference to Council is taken to mean in a policy, a reference to Council making a decision through a Council report. Where delegation was previously granted under a policy this ensures that decisions can continue be made by the CEO and Officers.
  - (f) References to Councillors are changed to Elected Members. This is to ensure the inclusion of the Mayor within the relevant policies.
  - (g) A reference to any staff member to the Chief Executive Officer to allow for flexibility in the implementation of policies.
  - (h) Revising language to be gender neutral to promote inclusivity.
6. The proposed minor amendments to each policy are set out in the below table:

New Policy No.	Old Policy No.	Name	Change	Comment
001	-	Policy Management and Development	No change	No changes proposed due to its recent adoption.
023	-	Provision of Information and	No change	No changes proposed due to

		Services - Elected Members		its recent adoption.
211	-	Parklets and Alfresclets	No change	No changes proposed due to its recent adoption.
223	ADM1	Private use of Council Vehicles	No change - currently under review.	This policy is currently under review. In the interim a policy objective and scope have been inserted to align with the template and the procedure has been combined with the Policy. A further report will be presented to Council to present the results of the review.
-	ADM2	Taking of Long Service Leave	Repeal	This policy is recommended for repeal. The reason for repeal is presented under 'Repeal of ADM2 - Long Service Leave' in the report.
	ADM3	Conference, Training and Council Representation Attendance Intrastate or Interstate	Remove	This has been revoked by resolution of Council made at the 8 November 2016 OCM.
006	ADM4	Gratuity Payments to Employees	Minor amendments	The addition of a policy objective and scope to align with the current policy template.
003	ADM5	Legal advice - engage solicitor for opinions	Minor amendments	Minor amendments relating to terminology used and the deletion of the attached appendices due to their prescriptive nature.
052	ADM6	Audio and video recording and live streaming of Council meetings, Agenda Briefing Forums, Committees and Electors Meetings	Minor amendments	Additional minor amendments proposed.
004	ADM7	Risk management	Minor amendments	The addition of a policy objective and scope to align with the current policy template, and changes to terminology used.
310	ADM8	Leasing policy	Minor amendments	The addition of a policy objective and scope to align with the current policy template, and changes to terminology used.
201	BLDG1	Canvas awnings	Minor amendments	The addition of a policy objective and scope to align

				with the current policy template, and addition of relevant definitions. The procedure was combined into the policy statement to further conform with the policy template.
251	BLDG2	Rainforest timbers - use in Town construction	Minor amendments	The addition of a policy objective and scope to align with the current policy template, and addition of relevant definitions.
013	EM1	Electoral signs	Minor amendments	The addition of policy objective and scope to align with the current policy template.
012	EM2	Street listing of owners and occupiers	Further amendments proposed	The addition of policy object and scope to align with the current policy template. In order to provide clarity a separate policy point was prepared in relation to the Mayor's right to a copy of the total town roll.
101	EM3	Working groups and project teams - appointment of	Minor amendments	The addition of a policy objective and scope to align with the current policy template, and changes to terminology used.
014	EM4	Appointments to outside bodies	Minor amendments	The addition of a policy objective and scope to align with the current policy template.
022	EM5	Conference expenses - elected members	Minor amendments	The addition of a policy objective and scope to align with the current policy template, and addition of relevant definitions. Changes have also been made to 'related documents'.
021	EM6	Fees, expenses and allowances - elected members and independent committee members	Minor amendments	The addition of a policy objective and scope to align with the current policy template.
011	EM7	Caretaker policy - Town of Victoria Park elections	Minor amendments	The addition of a policy objective and scope to align with the current policy template.
054	EM8	Access to reserve funds	Minor amendments	The addition of a policy objective and scope to align

				with the current policy template.
	EM9	Mayoral vehicle	Repeal	This policy is recommended for repeal. The reason for repeal is presented under 'Repeal of EM9 - Mayoral Vehicle' in the report.
202	ENG1	Directional signs	Minor amendments	The procedure section was moved under 'policy statement' to align with the current policy template.
203	ENG2	Stormwater runoff containment	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template.
204	ENG3	Paving of verges in commercial areas	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template.
209	ENG4	Plant containers on commercial paved areas	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template.
205	ENG5	Vehicle crossovers	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template.
257	ENG6	Waste removal - residential properties	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents' has also been updated.
258	ENG7	Waste removal - commercial properties	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents' has also been updated.
206	ENG8	Temporary vehicle stands at building sites	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed

				to 'policy statement', to align with current policy template. References to legislation under 'reference documents' has also been updated.
207	ENG9	Paths - locations within road reserves	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents' has also been updated.
208	ENG10	Street verges - Reinstatement of lawns following works	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents', and relevant definitions, have also been updated.
224	ENG11	Fences between Town property and adjoining property	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents' has also been updated.
212	ENG12	Graffiti removal management	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents' has also been updated.
259	ENG13	Recycling collection - Residential and commercial properties	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents' has also been updated.
222	ENG14	Asset management - Infrastructure	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align

				with current policy template. References to legislation under 'reference documents' has also been updated.
210	ENG15	Free trade area policy	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents' has also been updated.
302	FIN1	Investments	No change	The addition of policy objective and scope to align with the current policy template. This policy is currently under review. A further report will be presented to Council in September 2019 to present the results of the review.
-	FIN2	Bank accounts, signatories and payments		This policy is recommended for repeal. The reason for repeal is presented under 'Repeal of FIN2 - Bank accounts, signatories and payments' in the report.
303	FIN3	Debt collection	No change	No changes proposed due to its recent adoption.
301	FIN4	Procurement Policy	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents', definitions and responsible officers have also been updated.
311	FIN5	Budget expenditure authorisation	Minor amendments	The addition of a policy objective and scope to align with the current policy template.
304	FIN6	Disposal of disused equipment, machinery and other materials	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. References to legislation under 'reference documents',



				definitions and responsible officers have also been updated.
116	FIN7	Donations - Financial assistance	Minor amendments	The addition of policy objective and scope to align with current policy template.
307	FIN8	Sponsorship by private companies on Town property including events	Further amendments proposed	The addition of policy objective and scope to align with current policy template. The appendices are proposed for removal.
306	FIN9	Business dealings with elected members and employees	Minor amendments	The addition of policy objective and scope to align with current policy template.
106	FIN10	Taxi vouchers for community members of working groups and project teams	Minor amendments	The addition of policy objective and scope to align with current policy template. Related documents have also been updated.
305	FIN11	Loan borrowings limitation	Minor amendments	The addition of policy objective and scope to align with current policy template. Related documents have also been updated.
312	FIN12	Transaction card	No change	No changes proposed due to its recent adoption.
002	GEN1	Appeals against Town policy	Minor amendments	The addition of policy objective and scope to align with current policy template. Related documents have also been updated.
225	GEN2	Banner masts and flag poles -	Minor amendments	The addition of policy objective, scope and definition to align with current policy template.
102	GEN3	Community consultation	Further amendments proposed	The addition of policy objective, scope and definition to align with current policy template. The 'Statutory Community Consultations' section is converted into a policy schedule.
111	GEN4	Commemorative recognition	Minor amendments	The addition of policy objective, scope and definition to align with current policy template.
252	GEN5	Nuclear Free Zone	Minor amendments	The addition of policy objective and scope to align with current policy template.

103	GEN6	Public participation	Minor amendments	The addition of policy objective and scope to align with current policy template. Reference documents, and other references within the policy statement, have also been updated.
221	GEN7	Strategic management of land and property	Minor amendments	The addition of policy objective and scope to align with current policy template. Reference documents, and other references within the policy statement, have also been updated.
104	GEN8	Customer service delivery	Minor amendments	The addition of policy objective and scope to align with current policy template. Reference documents, and other references within the policy statement, have also been updated.
253	GEN9	Water conservation	Minor amendments	The addition of policy objective and scope to align with current policy template. Reference documents, and other references within the policy statement, have also been updated.
051	GOV5	Agenda Briefing Forum, Concept Forum and Workshops	Minor amendments	References within the policy statement have been updated.
	HLTH1	Alfresco Dining	Remove	This has been revoked by resolution of Council made at the 8 November 2016 OCM.
401	HLTH2	Smoking restriction - Town property	Minor amendments	The addition of policy objective and scope to align with current policy template. Reference documents, and other references within the policy statement, have also been updated.
402	HLTH3	Extended trading permit applications - licenced premises	Minor amendments	The addition of policy objective and scope to align with current policy template. Reference documents have also been updated.
403	HLTH4	Management of noise emissions from events at belmont racecourse - other than horse	Minor amendments	The addition of policy objective, scope and definitions to align with

		racings		current policy template.
404	HLTH5	Fireworks management	Minor amendments	The addition of policy objective and scope to align with current policy template, and the updating of references within policy statement.
351	PKG1	Parking permits	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. Reference documents have also been updated.
254	PKS1	Remnant native vegetation	Minor amendments	The addition of policy objective and scope to align with current policy template.
255	PKS2	Street trees	Minor amendments	The addition of policy objective and scope to align with current policy template, and the updating of references within policy statement.
256	PKS3	Mowing of street verges	Minor amendments	The addition of policy objective and scope to align with current policy template. The list of periodic mowing areas has been replaced with a reference to the Town's website, where such information can be more readily and accessibly displayed.
451	PLNG10	Transitional use policy	Minor amendments	The addition of policy objective and scope to align with current policy template.
226	RECN1	Recreation reserves - hire	Minor amendments	The addition of policy objective and scope, and 'procedure' being changed to 'policy statement', to align with current policy template. Reference documents have also been updated.
405	RECN2	Events on parks and reserves - Notification to local residents	Minor amendments	The addition of policy objective and scope to align with current policy template.
112	RECN3	Visual arts	Minor amendments	The addition of policy objective and scope to align with current policy template.
113	RECN4	Homelessness - The Town's role	Minor	The addition of policy

			amendments	objective and scope to align with current policy template.
308	RECN5	Sponsorship	Minor amendments	The addition of 'policy scope' and 'definition' to align with current policy template.
114	RECN6	Community grants	Minor amendments	The addition of 'policy scope' and 'definition' to align with current policy template.
115	RECN7	Public art	Minor amendments	The addition of 'policy scope' and 'definition' to align with current policy template.

### **Repeal of FIN2 - Bank Accounts**

7. Delegation 1.1.18 Payments from the Municipal, Reserve and Trust Funds was adopted by Council on 21 May 2019 and authorises for payments to be made from the Town's bank accounts. It additionally provides for the conditions for making those payments. This delegation was adopted as a model delegation that meets sector best practice. The current Policy FIN2 is inconsistent with this delegation. Given FIN2 has not been reviewed in several years, and to avoid duplication, it is proposed for repeal.

### **Repeal of ADM2 – Long Service Leave**

8. ADM2 – Long Service Leave is proposed to be repealed as a Council policy and dealt with as a HR Management Practice. A HR Procedure on this matter currently exists in HR Procedure 045. This is due to a concern relating to the role of the CEO and role of Council. The conditions of employment for Council Officers are determined by the CEO, not the Council. For the good government of the Town it is proposed this policy be repealed.

### **Repeal of EM9 – Mayoral Vehicle**

9. Council, at its meeting on 13 October 2015, resolved on a notice of motion to dispose of a Mayoral Vehicle. This occurred two months following the last review of this policy. As an oversight this policy was never repealed. As a Mayoral Vehicle is no longer used it is recommended that this policy be repealed.

### **Policies currently under review**

10. The following policies are currently under review;
- (i) ADM1/223 - Private use of Council vehicles. This policy is being reviewed as it relates to the entitlements and behaviour of employees other than the CEO. This review has been completed and will be reported to Council once the negotiation of a new enterprise agreement has been concluded.
  - (j) ADM5/003 - Legal advice – Engage Solicitors for opinions. This policy will be reviewed and reported back to Council in order to address the significant overlap of the current policy's 'policy statement' and 'procedure'. A report on this review will be presented prior to June 2020.
  - (k) ADM8/310 - Leasing, FIN7/116 - Donations – Financial Assistance, RECN5/308 - Sponsorship and

RECN6/114 - Community Grants. These policies are currently undergoing a policy development process in order to be combined as a result of the workshops and community engagement that was undertaken earlier this year. A report to Council to present the combined policy is expected by December 2019.

- (l) EM3/101 - Working groups and project teams – Appointment of and 106/FIN10 Taxi vouchers for community members of working groups and project teams. These policies are currently under review with a report expected to Council by June 2020.
  - (m) EM8/054 - Access to reserve funds. This policy is currently under review with a report expected to Council by June 2020.
  - (n) GEN3/102 - Community Consultation and GEN6/103 - Public Participation. These policies are currently under review with a report to Council expected in November 2019.
  - (o) GEN4/111 - Commemorative Recognition. This policy is currently undergoing a review as a result of the resolution of Council. A report to Council is expected by November 2019.
  - (p) FIN1/302 - Investment. This policy is currently undergoing a review with a number of workshops having already been held with elected members. It is expected that the results of the policy review will be provided to Council at its September 2019.
  - (q) RECN4/113 - Homelessness. This policy is currently undergoing a review with a report to Council expected by March 2020.
3. In total there are 15 policies that are currently under review and will be reported on to Council by June 2020.

### **Next steps**

- 11. At the time of writing this report, the full policy manual has been circulated internally to managers for their feedback; as such, some additional changes may arise to the manual based upon feedback received.
- 12. Once amendments to the policy manual have been adopted by Council, all policies will be transferred to the new template. Further to this, it is intended that each policy be uploaded to the Town's website individually, as well as the full policy manual, for ease of access.

## 10.2 Poll of Electors - Background Statement and Arguments

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Liam O'Neill
<b>Responsible officer</b>	Danielle Uniza
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Background Information and Arguments - Proposed [ <b>10.2.1</b> - 1 page]

### Recommendation

That Council approves the background information and arguments for the poll of electors' question, 'Do you support changing the name of the "Town of Victoria Park" to the "City of Victoria Park"?', to be provided to the Western Australian Electoral Commission for inclusion on the ballot paper, as included in attachment 10.3.1.

### Purpose

To present the draft background information and yes/no arguments in relation to the poll of electors' question on whether the Town should change its name to 'City' in response to a Council resolution made at the Ordinary Council meeting held on 18 June 2019.

### In brief

- At its meeting held on 18 June 2019, Council resolved that the draft arguments and background information be presented at the August Ordinary Council meeting.
- In writing the draft arguments and background information to be included as part of the ballot, the Town has consulted both internally and with the Western Australian Electoral Commission (WAEC).
- The WAEC has requested that the background information and draft arguments be provided to them no later than Friday 23 August 2019.

### Background

1. At its meeting held on 18 June 2019, Council made the following resolution:

*That Council:*

1. *Receives the report on the possible costs and benefits associated with a change from Town to City.*
  2. *Requests the Chief Executive Officer to present to Council at the August Ordinary Council Meeting the draft information sheet to accompany the Elector Poll question.*
2. The Town has prepared an area of the website to provide additional information relating to the poll, which will be located on the [website](#).

## 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	The information provided to electors via either the ballot paper, website or other media forms will be assisted by this background statement and these arguments.

## Engagement

Internal engagement	
Stakeholder	Comments
Governance	Drafted background statement and arguments and liaised with the WAEC.
Stakeholder Relations	Provided assistance in the preparation of the website and other communications material.

Other engagement	
Stakeholder	Comments
Western Australian Electoral Commission	Included in paragraph 9 of the report.

## Legal compliance

Not applicable.

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Reputational</b> Public may not feel sufficiently informed about the decision they need to make.	Moderate	Unlikely	Moderate	Provision of additional information on the website.

## Financial implications

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

3. The background information, as included in attachment 10.2.1 as been kept as simple and factual as possible. It provides electors with the origin of the poll, its purpose and where to find more information. As required by the WAEC, the Town has included a statement that the poll is non-binding so that electors are made aware that the poll is only intended to inform Council's decision; the outcome of the poll may not be the final result. The WAEC has indicated its support for the proposed background information.
4. As advised by the WAEC, the arguments for and against the proposal are to be equal in both number of arguments for each side, and the actual length of those arguments. Arguments must also be factual and unbiased.
5. The initial draft of the arguments was based upon the table of advantages and disadvantages included in the [report to Council on 18 June 2019](#). These arguments were presented as follows:

Case for YES	Case for NO
<ul style="list-style-type: none"> <li>• Coming of age: Being a City could reflect a coming of age in our history, growth and development journey, and may be seen as more reflective of where we are today.</li> <li>• Close community feeling: Being a close knit community doesn't need to change just because we're a City.</li> <li>• Population: Our current population exceeds the definition of a Town (more than 30,000 residents) and is expected to reach 75,000 by 2050.</li> <li>• Geography: We are a crucial part of the inner city Perth metropolitan area and not a smaller regional community.</li> <li>• Infrastructure: Our infrastructure does not reflect that of a 'Town' with major attractions and facilities such as Optus Stadium, the Crown Casino and Curtin University.</li> <li>• Funding: Local governments that change their name to City have seen a general increase in government grant funding contributions over time</li> </ul>	<ul style="list-style-type: none"> <li>• Unique name: Only eight "Towns" remain in Western Australia. This is considered a unique characteristic of our community.</li> <li>• Close community feeling: Being known as a Town could reflect our close-knit community feeling and image.</li> <li>• Geography: The Town has a small land area geographically in comparison to other cities being only 18km<sup>2</sup> as compared to Canning at 65km<sup>2</sup>.</li> <li>• Well recognised brand: We are well known as the Town of Victoria Park, locally, nationally and globally.</li> <li>• Cost: The change of name will require money to be spent to revise signage and branding. This amount is estimated as \$102,500 which is 0.001% of the Town's Annual Budget.</li> <li>• Funding: The Town has seen no real barrier to receiving government grant contributions on an annual basis to date</li> </ul>

Table 1 – draft advantages and disadvantages presented to Council on 18 June 2019

6. The Town, then, crafted the yes/no arguments using the information in Table 1 above, whilst also ensuring that the arguments presented are as objective as possible. As a result, some of the initial points presented in Table 1 have been removed from the draft yes/no arguments, as follows:
  - (a) the statements relating to 'funding' were both removed as there were too many factors that could influence the amount of grant funding received, and it is hard to guarantee that a change of designation can make an impact to funding
  - (b) the statements regarding a 'close community feeling' were removed as they were both subjective in nature



(c) the statement relating to 'geography' under 'case for NO' was removed because this statement does not present a real case for why a designation change should not be pursued.

Other arguments were also reworded to ensure they were clear and unbiased, whilst still meeting the requirements of the WAEC.

7. The following draft arguments were provided to the WAEC for their feedback on 16 July 2019.

Case for YES	Case for NO
<ul style="list-style-type: none"> <li>• Coming of age: Being a City could reflect a coming of age in the Town's history, growth and development journey.</li> <li>• Population: The current population exceeds the definition of a 'Town' (more than 30,000 residents) and is expected to reach 75,000 by 2050.</li> <li>• Geography: The Town is a part of the inner-city Perth metropolitan area.</li> <li>• Infrastructure: The Town has major attractions and facilities such as Optus Stadium, the Crown Casino and Curtin University.</li> </ul>	<ul style="list-style-type: none"> <li>• Point of difference: There are currently 8 'Towns' compared to 27 cities and 104 shires in Western Australia.</li> <li>• Recognition: The district is known as the Town of Victoria Park, locally and nationally and the district has been known as a 'Town' for 25 years.</li> <li>• Cost: The change of name will require money to be spent to change signage and branding.</li> <li>• Community sentiment: Some members of the community perceive that being a Town means a more connected community.</li> </ul>

Table 2 – first draft of yes/no arguments presented to the WAEC for feedback

The Town has since received feedback from the WAEC as follows: *"Senior Commission staff have reviewed the proposed poll information sheet and are suggesting a number of possible amendments to the document, aimed at ensuring readers have a clearer picture of the for and against cases.*

*For both cases, a point was included that did not really present a cogent argument for or against the question (eg. The current number of towns, cities and shires in WA does not really present an argument against the posed question). Hence it is suggested that these be deleted.*

*In terms of the population argument under Yes case, the issue is more that the district meets the requirement for city status, as opposed to exceeding that for town status."*

8. As such, it is proposed the revised yes/no arguments be approved:

Case for YES	Case for NO
<ul style="list-style-type: none"> <li>• Coming of age: Being a City could reflect a coming of age in the Town's history, growth and development.</li> <li>• Population: The district's estimated population is 36,601 which exceeds the minimum requirement for city status (more than 30,000 inhabitants) and is expected to reach 75,000 by 2050.</li> <li>• Infrastructure: The Town has major urban centre attractions and facilities such as Optus Stadium, the Crown Casino and Curtin University.</li> </ul>	<ul style="list-style-type: none"> <li>• Recognition: The district is known as the Town of Victoria Park, locally and nationally and the district has been known as a 'Town' for 25 years.</li> <li>• Cost: The change of name will require money to be spent to change signage and branding.</li> <li>• Community sentiment: Some members of the community perceive that being a Town means a more connected community.</li> </ul>

Table 3 – revised draft of yes/no arguments after feedback from WAEC

9. The Town supports the comments of the Electoral Commission and recommends that Council approves the arguments presented in Table 3.

10. Following Council's approval, the background information, question and arguments will be provided to the WAEC for the ballot paper, and such information will be placed on the Town's website [Insert section – i.e. 'under '2019 LG Election'. ]

## 10.3 Submission to the Select Committee into Local Government

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Liam O'Neill
<b>Responsible officer</b>	Danielle Uniza
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

### Recommendation

That Council:

1. Endorses the submission to the Select Committee into Local Government, as at attachment 10.3.1.
2. Endorses the Town's response to the WALGA submission to the Select Committee into Local Government, as at attachment 10.3.2.

## Purpose

To present Council with the Town's submissions to the Select Committee into Local Government for its consideration.

## In brief

- The Legislative Council of Western Australia on 26 June 2019 established a Select Committee into Local Government (the Committee) to make inquiries into the sector based on its terms of reference.
- The Chair of the Select Committee, the Hon. Simon O'Brien MLC, wrote to the Town on 8 July 2019, inviting the Town to make a submission to the Committee's inquiry by 23 August 2019.
- The Western Australian Local Government Association (WALGA) has advised that it will be drafting a submission to the Committee from which feedback is currently being sought. Their draft submission was received on 29 July 2019.
- Whilst the Town's submissions to the Committee will not be available for the Agenda Briefing Forum, the final submission will be ready for Council adoption at the Ordinary Council Meeting (OCM). It is to be noted that the draft submission will be circulated to elected members for their further review and input prior to the OCM.

## Background

1. The Legislative Council of Western Australia established a select committee on 26 June 2019 to hold an inquiry into local government. The terms of reference for the inquiry were:
2. *"The Select Committee is to inquire into how well the system of Local Government is functioning in Western Australia, with particular reference to -*
  - (a) *whether the Local Government Act 1995 and related legislation is generally suitable in scope, construction and application;*
  - (b) *the scope of activities of Local Governments;*
  - (c) *the role of the Department of State administering the Local Government Act 1995 and related legislation;*
  - (d) *the role of Elected Members and Chief Executive Officers/employees and whether these are clearly defined, delineated, understood and accepted;*
  - (e) *the funding and financial management of Local Governments; and*

(f) any other related matters the Select Committee identifies as worthy of examination and Report.”

3. WALGA has prepared a submission for the Committee which was distributed on 29 July; feedback on this submission is due by 13 August 2019. It is to be noted that WALGA is currently seeking an extension on the deadline from 23 August to 13 September. This will be considered by the Committee at its meeting scheduled for 5 August.
4. As the September OCM is scheduled for the 17<sup>th</sup>, the submission to the Committee would need to be considered by Council at the August OCM to meet the current and/or extended deadline.

## 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.	Making a submission to the Committee will demonstrate commitment to visionary leadership within the local government sector by setting out how local governments can deliver for their communities.

## Engagement

Internal engagement	
Stakeholder	Comments
Elected Members	The draft submission will be provided to elected members via the Councillor Portal. Once their input is received, such information will be incorporated into the final submission that will be included in the OCM report.
Senior Staff	A workshop was held with key staff in functional areas to prepare content for the Town's submission.

Other engagement	
Stakeholder	Comments
WALGA	The WALGA submission is currently in draft form; the submission will be included in the report for the OCM.

## Legal compliance

Not applicable.

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Reputational</b> Negative perception towards the Town may result if the Town does not present a	Moderate	Unlikely	Moderate	The Town provides a submission to the Committee.

submission to the Select Committee.

## 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. An internal workshop was held with the Town's Strategic Advisory Unit (SAU) in collaboration with other staff from different levels of the organisation. The intent of this workshop was to respond to the six areas of inquiry identified by the Committee. From this workshop, a draft submission was created.
6. On 29 July, the Town received WALGA's draft submission. At the time of writing the report, the Town has been comparing its own submission against the WALGA submission to remove any redundancies, and to ensure that its final submission is presented in a coherent manner.
7. After conducting this comparative review, the Town intends to present the second draft of its submission to the elected members for their input and review prior to the OCM.
8. Due to timing restrictions, the Town's submission to the Committee and its response to the WALGA submission is not available for the Agenda Briefing Forum. The final submission, however, will be included in the OCM agenda. As such, some elements of this report may change.

## Relevant documents

Not applicable.

## 11 Chief Community Planner reports

### 11.1 Naming Parks and Reserves

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Ruth Schofield
<b>Responsible officer</b>	Kaitlyn Griggs
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Preliminary list of prominent women and parks [11.1.1 - 1 page]

#### Recommendation

That Council:

1. Accepts the preliminary list of prominent women who have been identified as having made a significant contribution to the Town for the purposes of renaming parks and/or reserves in their honour.
2. Accepts the preliminary list of parks and/or reserves suitable for renaming.
3. Accepts that the Aboriginal Engagement Advisory Group will undertake a well-planned and considered engagement process with the broader indigenous community and elders to provide a list of prominent indigenous people to have parks and/or reserves renamed or named in their honour.

#### Purpose

To provide a list of prominent women who have made a significant contribution to the Town for the purpose of renaming parks and/or reserves in their honour. The report is made in response to a Council Resolution made at the May 2019 Ordinary Council Meeting.

#### In brief

- Research has been undertaken and a preliminary list of women who have made a significant contribution has been developed.
- The Parks Service Area have compiled a preliminary list of suitable parks and/or reserves which could be renamed. Research has been undertaken and the nine identified parks and/or reserves listed have no historical significance.
- Consideration to identifying and naming of parks and/or reserves after significant indigenous people will be undertaken the Aboriginal Engagement Advisory Group, with a future report to Council in 2020.

#### Background

1. On 21 May 2019 a notice of motion was raised and Council resolved *"That Council requests that the Chief Executive Officer investigates the naming of parks and/or reserves after women who have made a significant contribution to the Town, and indigenous people, and presents a report back to Council at its August 2019 Ordinary Council Meeting."*

2. The Town's GEN4 Commemorative Recognition Policy was reviewed and endorsed by Council 17 November 2017.
3. The Commemorative Recognition Policy states "*Council is committed to honouring individuals, organisations or events that have made a significant contribution to the Town or the development of Western Australian*".
4. The current Commemorative Recognition guidelines states that the nominated person, "*with the exception of unusual circumstances approved by Council, shall be deceased*". Recently the Town of Bassendean and City of Stirling nominated people for commemorative recognition who were not deceased. The characters of the recipients were later brought into disrepute, causing reputational damage to the councils and communities involved.
5. A review of the Commemorative Recognition policy is underway and will incorporate Memorial Trees, with separate management practices for each program.
6. The Aboriginal Engagement Advisory Group will undertake a well-planned and considered engagement process with the broader indigenous community and elders before identifying significant indigenous people for consideration in the naming of parks and/or reserves. This will take place throughout 2019 and 2020.
7. In 2015 the Town renamed Hampshire Reserve to the Alec Bell Park in recognition of Mr Bell's contribution to the community. The launch event attracted approximately 300 people and cost \$7,000. The budget covered a bronze plaque and plinth, catering, hiring of event equipment, invitations and promotion.
8. Landgate have a Policies and Standards for Geographical Naming in Western Australia documentation that outlines how the Geographical Naming Committee approves names and what principles guide the committee's decisions.
9. As per the provisions in the *Land Administration Act 1997*, the Minister for Lands (the Minister) has the authority for officially naming and un-naming all local parks and recreational reserves in Western Australia. Through delegated authority, Landgate acts on the Minister's behalf to undertake the administrative responsibilities, including the development of policies and procedures, required for the formal approval of local parks and recreational reserve names.

## Strategic alignment

Social	
Strategic outcome	Intended public value outcome or impact
S3 – An empowered community with a sense of pride, safety and belonging	Recognition of the contribution women have made to the community, creating a sense of pride and belonging.
S4 – A place where all people have an awareness and appreciation of arts, culture, education and heritage	Raising awareness and appreciation of the contribution that women have made to the community.

## Engagement

Internal engagement	
Stakeholder	Comments
Parks Service Area	Have provided input into the report and compiled the list of parks/ reserves for renaming.
External engagement	
Stakeholder	Comments
Landgate	<p>Landgate advised: Should the Town wish to rename a park or reserve the following steps are required to be undertaken:</p> <p><b>Step 1</b> Adhere to the Policies and Standards for Geographical Naming in Western Australia</p> <p><b>Step 2</b> Consult with relevant Aboriginal communities</p> <p><b>Step 3</b> Consult with emergency service response and other stakeholders</p> <p><b>Step 4</b> Consult with the public</p> <p><b>Step 5</b> Council to receive report and make recommendation for renaming</p> <p><b>Step 6</b> Lodgment of submission to Landgate inclusive of evidence of community support</p> <p><b>Step 7</b> Landgate considers the submission</p> <p><b>Step 8</b> Notification of approval</p>
General community – nil	When the Town undertakes community consultation and engagement, adequate time, resourcing and budget allocation would be required.

## Legal compliance

[Section 26 and 26 A of the Land Administration Act 1997](#)

[Policies and Standards for Geographical Naming in Western Australia](#)

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<p><b>Reputational</b></p> <p>Failure to observe GEN4 Commemorative Recognition Policy and management practice may create unrealistic and unsustainable community</p>	Moderate	Likely	High	All Commemorative Recognition applications adhere to GEN4 Commemorative Recognition policy and management practices to ensure equity for all future application consideration.

expectation for future Commemorative Recognition applications.				
<b>Reputational</b> Lodging a Landgate submission prior to community consultation may result in the submission being rejected and may cause community upset at not being consulted.	Moderate	Likely	High	Adhere to the relevant legislation and Policies and Standards for Geographical Naming in Western Australia. Undertake community consultation should council wish to rename a park.
<b>Financial &amp; Reputational</b> Any launches to celebrate the renaming of parks and/or reserves need to be equitable in delivery. Adequate budget needs to be allocated to all relevant service areas, based on the number of parks or reserves to be renamed.	Minor	Likely	Moderate	Failure to ensure equitable launch celebrations may result in negative community perception that some people are favored more than others.

## Financial implications

<b>Current budget impact</b>	<p>2019/20 budgets</p> <ul style="list-style-type: none"> <li>Funds exist within the annual budget to support the ongoing research into prominent women who have made a significant contribution to the Town.</li> <li>Parks Service Area would require budget allocation for standard Town signage for any renamed parks and/or reserves. Each sign costs approx. \$500.</li> <li>\$3,000 was spent when renaming Alec Bell Park on a plinth and memorial bronze plaque. Adequate budgets to be allocated if works similar in nature are required in future.</li> <li>Launch - adequate budget to be allocated for the launch/unveiling celebration of the renaming of parks and/or reserves.</li> </ul>
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## **Analysis**

10. The current Commemorative Recognition guidelines states that the nominated person, "*with the exception of unusual circumstances approved by Council, shall be deceased*".

11. [Policies and Standards for Geographical Naming in WA Version 01:2017](#) state that "*the Minister at his or her discretion may approve a commemorative name of a living person for a road or locality, where they have attained exceptional achievements at a state, national or international level, requiring special recognition*" (p. 13).

12. The Aboriginal Engagement Advisory Group will undertake a well-planned and considered engagement process with the broader indigenous community and elders before identifying significant indigenous people for consideration in the naming of parks and/or reserves. This will take place throughout 2019 and 2020.

13. All local parks and recreational reserves should be named and formally approved by Landgate. It is in the public interest and important for the ease of identification and dispatch of emergency service responds that local parks and recreational reserves are officially named in accordance to the policies and procedures outlined in [Policies and Standards for Geographical Naming in WA Version 01:2017](#).

14. Local governments and other authorities are to ensure that all naming submissions conform to the policies outlined in [Policies and Standards for Geographical Naming in WA Version 01:2017](#). Selection of a local park or recreational reserve name must take into consideration the impact the name will have on the wider community. All commemorative naming proposals must include evidence of support by the wider community and reach beyond a single local government, person or special interest group.

15. Should the Town propose a rename of a park and/or reserve, adequate budget must be allocated for new signage and for a launch event, if required.

## **Relevant documents**

[GEN4 Commemorative Recognition Policy, p. 122](#)

## 11.2 Adoption of Draft Council Policy 406 - Temporary Food Businesses and Itinerant Food Vendors

<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. Attachment 1 - Draft Policy 406 'Temporary Food Businesses and Itinerant Food Vendors' [<b>11.2.1</b> - 4 pages]</li> <li>2. Attachment 2 - Modified Draft Council Policy HLTH6 Mobile Food Vendors (Vic park Vendor's) Policy [<b>11.2.2</b> - 19 pages]</li> <li>3. Attachment 3 - Ordinary Council Meeting Minutes of 9 October 2018 [<b>11.2.3</b> - 24 pages]</li> <li>4. Attachment 4 - Ordinary Council Meeting Minutes of 10 July 2018 [<b>11.2.4</b> - 15 pages]</li> </ol>

### Recommendation

That Council adopt draft Council Policy 406 'Temporary Food Businesses and Itinerant Food Vendors', as contained in Attachment 1.

### Purpose

To consider the outcomes of the workshop held with local businesses further to Council's deferral of the consideration of Draft Council Policy HLTH6 'Mobile Food Vendors (Vic Park Vendor's) Policy' at the Ordinary Council Meeting held on 9 October 2018, and to consider the recommendation of Council's Officers to adopt the further redrafted policy entitled Council Policy 406 'Temporary Food Businesses and Itinerant Food Vendors'.

### In brief

- At the Ordinary Council Meeting held on 9 October 2018, Council deferred its decision to adopt the modified version of Draft Council Policy HLTH6 'Mobile Food Vendors (Vic Park Vendor's) Policy' on a trial basis from 1 November 2018 to 31 March 2019.
- The deferral was to allow a workshop to be convened with local business owners to consult with them directly about the policy and report the outcomes of the workshop to Council before a decision is made.
- A workshop with local businesses was held on 10 June 2019, which has informed the position of Council Officers and resulted in a change of direction and substantial redrafting of the policy.
- On balance, the moderate amenity benefits that may be enjoyed by local residents supportive of mobile food vendors at public open spaces within the Town is not considered to offset the potentially more

significant and deleterious impacts to local business confidence and customer trade in the current economic climate.

- It is recommended that Council no longer progress implementation of a trial of mobile food vending at several open spaces within the Town, and that the current practice of allowing only temporary, events-associated trading remain.
- A policy is still required to address the current deficiency that exists in terms of the Council not having an adopted position with regard to itinerant food vending and the trading of mobile food vendors in the Town.
- The draft policy has been revised to clarify that the Council will not permit the trading of itinerant food vendors on public land or thoroughfares under the care and management of the Town, and that mobile food vendors will only be granted approval to trade in association with authorised events.

## Background

1. Preliminary community consultation undertaken in January to February 2018 suggested a high level of support for mobile food vendors to trade at a number of public open spaces throughout the Town.
2. A draft policy to allow mobile food vendors to trade at several community nominated public open spaces was prepared over several months in consultation with Council's former Future Planning Committee, with Council consenting to publicly advertise the draft policy in July 2018.
3. The draft policy proposed to establish a new form of 'trader's permit' under the *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000*, with approved permit holders being able to trade on the public open spaces identified under the draft policy. The draft policy included 12 potential locations for mobile food vending to occur.
4. Consultation occurred on the draft policy for 21 days from 13 August to 3 September 2018 with 76 submissions being received, comprising:
  - (a) 22 supporting submissions (no concerns raised);
  - (b) 14 supporting submissions (raising concerns);
  - (c) 9 submissions raising concerns (neither supporting nor opposing); and
  - (d) 31 objections.
5. The submissions received were summarised and responded to in the report presented to the Council on 9 October 2018 (refer Attachment 3).
6. Consideration of the submissions resulted in 6 (half) of the 12 public open spaces being removed from the proposed draft policy, as well as several other changes to address concerns regarding environmental waste, the number of mobile food vendors trading at any one time, and the extent of permissible trading hours (see Attachment 2 for the modified version of the policy responding to public submissions).
7. The Council considered the outcomes of the community consultation and the modified draft policy at its Ordinary Council meeting held on 9 October 2018, with Council Officers recommending that the modified draft policy be adopted on a trial basis from 1 November 2018 to 31 March 2019.
8. At this meeting the Council heard from a number of local businesses and other members of the public regarding the proposed policy trial and determined to defer its decision until such time as Council Officers had convened a workshop with local business owners to consult with them directly about the policy, and to report the outcomes to the Council to help inform their decision.

## 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.	Community consultation and public advertising occurring in accordance with Council Policy
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The draft policy addresses an existing policy deficiency and provides certainty and clarity to Council Officers, the public, temporary food businesses and itinerant food vendors.

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	The redrafted policy formalises the Town's approach to mobile food vending and applicable regulatory requirements, providing certainty and clarity to existing and prospective local businesses seeking to operate in the Town.
EC02 - A clean, safe and accessible place to visit.	Establishing and formalising appropriate policies and procedures to ensure compliance and public confidence in the regulation, safety and operation of food businesses in the Town.

## Engagement

Internal engagement	
Stakeholder	Comments
Environmental Health	Redrafted policy has been prepared in close collaboration with Environmental Health Officers, who will be the custodians of the policy if adopted by Council.
Governance	Redrafted policy has been referred to Governance for comment and feedback to ensure consistency with relevant Local Laws and current policy formatting and content requirements.
Community Development (Clubs and Bookings)	No concerns raised as redrafted policy will not result in any impacts to existing resources or practices.

External engagement	
Stakeholders	Comments
Stakeholders	Residents, land owners, local businesses, mobile food vendors, industry bodies/organisations.
Period of engagement	13 August to 3 September 2018

Level of engagement	2. Consult
Methods of engagement	Written submissions, community workshops.
Advertising	Mail, email, newspaper notices, Your Thoughts, social media, workshop with mobile food vendors.
Submission summary	76 submissions, comprising: (e) 22 supporting submissions (no concerns raised); (f) 14 supporting submissions (raising concerns); (g) 9 submissions raising concerns (neither supporting nor opposing); and (h) 31 objections.
Key findings	Refer to Ordinary Council Meeting Minutes of 9 October 2018 (Attachment 3).

**Other engagement - Workshop held with local businesses on 10 June 2019**

Attendance:	Comments (note the comments listed below reflect individual comments made by attendees):
14 registrants representing 10 local businesses; 10 persons representing 7 local businesses in attendance. 1 of these businesses was a mobile food vendor.	Low attendance or inability of local businesses to attend this workshop should not be construed as a lack of objection, indifference or support of mobile food vending occurring as per the draft policy. It costs money for local businesses to attend with additional staffing costs or businesses having to close during the workshop. This is particularly the case for hospitality businesses where customer demand may be unpredictable or staff may be unexpectedly sick, etc. Several of the registered attendees could not attend due to unforeseen circumstances such as these.
	The direction of the changes, in terms of reducing the number of locations and food trucks at each location is supported/welcome, however all businesses (aside from the mobile food vendor) do not support the operation of food trucks in the Town as proposed under the draft policy.
	Local businesses don't understand why the Town would be considering supporting mobile food vendors when it has potential to adversely affect local businesses along Albany Highway. This seems counterproductive when the Place Planning Team is trying to encourage and support local businesses with their projects.
	Local businesses rely on trade from passing foot traffic and the introduction of food trucks (e.g. at the Causeway end of McCallum Park) will reduce/deviate passing foot traffic and therefore potential customers.
	Businesses are already struggling with several businesses closing recently. Several of us have had to reduce our trading hours/close on some weeknights as we are

losing more money by staying open than if we are shut. Some of us try to stay open anyway in a hope to support the strip and our businesses to avoid/slow further decline.

It is the weekends, Friday and Saturday nights that provide a large amount of weekly earning and enable local businesses to continue trading during the week. If food trucks are permitted to trade at these busier times it will undermine local businesses who rely on the income generated during these periods to stay afloat.

The current economic downturn and conditions within the hospitality industry are very tough and are likely to continue to be for some time. The Town should focus on policies/programs that support and attract business along the Albany Highway strip, not detract or take away from it.

If the trial does proceed it should not be fee-free, as in order to be a realistic trial of the viability of food trucks in the Town, appropriate fees should be set and applied, as the Town would effectively be subsidising their operating costs.

The initial success of food trucks (if trialled) may be the 'nail in the coffin' for already struggling bricks and mortar businesses. Once their initial success/popularity has waned the food trucks are able to move on elsewhere, with the damage and loss of further bricks and mortar businesses being left in their wake.

Food trucks should only be permitted to operate on an occasional events basis only, not ongoing/every day/every week. Local businesses could then be worked into the events so they can also benefit. For example, running a free shuttle bus from events held at McCallum Park up to Albany Highway businesses.

Up to 6 trucks is too many at a single location. If any trial is to proceed it should start small and then slowly increase over time – for example one truck at a single location the first month, then two trucks the following month, etc.

The experience of local bricks and mortar businesses in the Town is that customers, families etc. have a constrained budget/weekly spend (particularly in the current economic climate) and that the attraction of food trucks if successful would reduce this available spend leading to reduced sales/customers to local bricks and mortar businesses. This can occur regardless of the degree of proximity of local businesses to the food trucks, as it is this constrained disposable income that is diminished by the introduction of additional food businesses within the Town. This adverse impact extends to retail businesses/shops as well as food businesses as locals have reduced spending available at retail businesses as well.

As local residents without a business interest in the Town, we can appreciate the attraction that food trucks may have in terms of convenience, increase in vibrancy etc. at local parks. However, from a business perspective we cannot see how this policy makes sense and has any positive impacts. We can already point to the examples of Mt Lawley/Inglewood and South Perth where food trucks have had significant adverse impacts for local businesses, amongst other contributing factors, to the decline of these strips. We should not be making the same mistakes for Albany Highway and the Town of Victoria Park.

The food trucks will not be adding anything new that is currently missing from the Albany Highway strip in terms of the food offer, so it is only duplicating what is already available. Therefore any business they take is taking away from Albany Highway businesses and we do not see any potential for trickle down or complementary effects of food trucks trading in the Town.

Other general comments/feedback from some in attendance that the Town would introduce the same or similar proposed policy regardless of the comments of local businesses and so the workshop, while a welcome forum, was a futile exercise.

## Legal compliance

[\*Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000\*](#)

## Risk management consideration

<b>Risk and consequence</b>	<b>Consequence rating</b>	<b>Likelihood rating</b>	<b>Overall risk analysis</b>	<b>Mitigation and actions</b>
<b>Compliance and Reputational</b> – Continued ad hoc consideration of mobile food vending applications, and itinerant food vending requests if a Policy is not adopted.	Moderate	Likely	Medium	Adopt the redrafted policy as recommended by Council Officers.
<b>Reputational</b> – Significant opposition from local residents and existing food businesses if the non-events-associated trading of mobile food vehicles is permitted to occur.	Moderate	Likely	Medium	Adopt the redrafted policy as recommended by Council Officers.

<b>Reputational</b> – Loss of opportunities to attract and realise the potential benefits of mobile food vending at several of the Town’s public open spaces on an ongoing basis (in addition to event-based trading which already occurs in the Town).	Minor	Likely	Low	The moderate amenity and activation benefits that may arise from additional non-events based mobile food vendor trading are not considered to offset the potentially more adverse impacts to local bricks and mortar businesses or impacts on local business confidence arising from real or perceived increased competition and reduced customer attraction to the Town’s established commercial strips.
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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

9. The workshop held on 10 June 2019 has provided Council Officers with valuable additional insight from the local business community, further to Council’s decision to defer its consideration of a mobile food vending trial as recommended by Council Officers in October 2018.
10. The ability for local businesses to attend the workshop held by the Town has proven difficult as demonstrated by the low numbers in attendance and the wide discrepancy in available attendance times provided by businesses that registered their interest. This resulted in Council Officers extending the registration deadline on three occasions in an effort to recruit additional attendees. Notwithstanding, Council Officers believe the feedback received at the workshop was valuable and this has helped to inform the direction of the further redrafting of the policy.
11. Council Officers made significant changes to the originally advertised draft policy in an attempt to address concerns from both local residents and businesses received during the community consultation carried out in August to September 2018. Most significantly, these changes saw the number of public open space locations proposed for mobile food vending halved from 12 to 6, with the remaining 6 locations being major public open spaces on the periphery of the Town. It is acknowledged that in making these changes to address the objections and concerns raised (predominantly from residents of smaller, centrally located parks as well as food businesses along Albany Highway and Lathlain Place), that one of the draft policy’s main objectives to increase the activation, use and enjoyment of underutilised public open spaces in the Town was partly compromised. This is due to the fact that the remaining trading locations presented to Council in the draft modified policy in October 2018 (namely



McCallum Park, G O Edwards Reserve, Higgins Park and Carlisle Reserve) are some of the most highly utilised and active reserves in the Town, both in terms of sports/leisure activities and community events.

12. The workshop held with local businesses has underscored the significant financial strain that a number of local businesses within the Town find themselves under and the low confidence and outlook that a number of local businesses have within the current economic climate. On balance, the moderate amenity benefits that may be enjoyed by local residents supportive of mobile food vendors at public open spaces within the Town is not considered to offset the potentially more significant and deleterious impacts to local business confidence and customer trade in the current economic climate. Local businesses also refer to the decline of bricks and mortar businesses in established commercial strips in other metropolitan local government areas, and contend that one of a number of the factors that has contributed to this, is mobile food vendors.
13. Council Officers would continue to recommend a trial of mobile food vending to occur in the upcoming 2019/2020 Summer trading period if this lack of business confidence in the current economic climate were not so evident. Additionally, two of the remaining public open spaces within the October 2018 version of the draft policy (Taylor St Reserve/McCallum Park and G O Edwards Park) are either undergoing major upgrade works or are scheduled for such works in the near future. It is therefore recommended that any non-events based mobile food vending not occur at these sites until after these works have been completed so that their appropriateness for such trading to occur (having regard to their increased enjoyment/use by the public as well as their altered designs/available infrastructure) can be assessed.
14. In view of the above, it is recommended that Council no longer progress implementation of a trial of mobile food vending at several public open spaces within the Town, and that the current practice of only allowing trading associated with authorised events continue to remain.
15. Council Officers have redrafted the policy accordingly, which is still required as the Town remains without an adopted policy with regard to itinerant food vending or the trading of mobile food vendors in the Town. The redrafted policy clarifies that the Town will not permit the trading of itinerant food vendors on public land or thoroughfares under the care and management of the Town, and that mobile food vendors will only be granted approval to trade in association with authorised events.
16. While trading in a public place requires a Temporary Food Business permit (whether or not the trading is occurring on private land), it does not circumvent or exempt the trade from applicable planning legislation, particularly where the trade is not occurring on a temporary basis (for example, a coffee van trading daily from a private office car park). In these circumstances the trade must be carried out in accordance with the Town Planning Scheme No. 1, and may or may not require development approval from the Town, similar to a café or restaurant. Accordingly, the redrafted policy only restricts the length/duration of trading of temporary food businesses on Town controlled public land (i.e. temporary, events-based trade) as it is the relevant planning requirements applicable to private property that determine the permissibility for non-temporary/ongoing trading to occur on private property. The carrying out of temporary uses (including temporary food business trading in association with an event such as a school fete or a private wedding function) is exempt from the requirement for development approval.
17. Re-advertising of the redrafted policy is not considered necessary in view of the following:
  - The already extensive community engagement undertaken during the lifetime of this project has ascertained the views of the community and relevant stakeholders with respect to the trading of mobile food vendors on the Town's public open spaces;
  - The revised policy reverts to and formalises the Town's existing procedures and practices with respect to the approval of temporary food businesses in the Town, including the restricted

trading of food vehicles and food stalls to events only trading where that trading is occurring on Town owned or controlled land, such as the Town's public open spaces;

- The provisions relating to non-permissibility of itinerant food vending remain unaltered and consistent with those contained in the advertised policy and no concerns or objections were raised with respect to this direction during previous consultation;
- Advertising of the redrafted policy is considered unlikely to generate any new or significantly different views with respect to the trading of mobile food vendors on the Town's public open spaces that have not already been received or considered; and
- All persons who made submissions, registered for or attended workshops during the consultation stages of the project have been informed of the details of the Agenda Briefing Forum and Ordinary Council Meeting at which this matter is being considered, and have been provided with directions on how to access the officer report and redrafted policy.

18. The redrafted Policy has been reviewed by Council's Environmental Health and Governance Officers and is recommended for adoption by Council.

## **Relevant documents**

[Policy 001 Policy management and development](#)

[Policy 103 Public participation](#)

## 11.3 Etwell Street Revitalisation Concept Design Report

<b>Location</b>	<b>East Victoria Park</b>
<b>Reporting officer</b>	Pierre Quesnel
<b>Responsible officer</b>	David Doy
<b>Voting requirement</b>	Simple Majority
<b>Attachments</b>	1. Etwell Street Concept Plan Report Rev B Digital view [ <b>11.3.1</b> - 26 pages]

### Recommendation

That Council endorses the Etwell Street Local Centre Revitalisation Plan contained in Attachment 1 for the purpose of public advertising.

### Purpose

To present the Etwell Street Local Centre Revitalisation Plan contained in Attachment 1 for Council endorsement to proceed to public advertising to the surrounding community.

### In brief

- The Etwell Street Local Centre Revitalisation Plan is presented as a design report which captures the collaborative design process that reached a proposed urban design outcome for the Etwell Street Local Centre. This plan is to a concept level of detail with a detailed design project budgeted for the 2019/2020 financial year.
- The plan proposes the following main urban design interventions to the Etwell Street Local Centre:
  - Altering the road carriage way to narrow the lanes and deflect the alignment as a traffic calming technique;
  - Re-configuring carparking to angled and parallel car bays on each side of the roadway (total reduction of approximately 10 bays);
  - Realigning foot path and creating a more useable space;
  - Creating garden beds that interface with the road, pedestrian spaces and private property;
  - Upgraded bus stops;
  - Integrated art opportunities (eg sculptural bike racks, wall mural etc.); and
  - Planting of approximately 30 large trees.
- It is proposed to bring the revitalisation of Etwell Street Local Centre into the existing Old Spaces New Places program brand. The concept design is consistent with the intent of the Old Space New Places program.

## Background

1. The Etwell Street Local Centre Revitalisation Project aims to transform the Etwell Street Local Centre into an important hub and local meeting place.
2. The project was initiated by a self-forming group of local residents who joined with business owners, landowners, Town of Victoria Park staff and Elected Members to form a Design Reference Group that were guided through a three stage design process to establish a shared vision for the desired future of the Etwell Street Local Centre.
3. The first stage in the design process involved analysing the current context and condition of the centre along with exploring a diverse range of opportunities for its future condition. This produced a complex set of objectives under the themes of Movement, Safety, Beautification and Activation/Amenity.
4. The second stage involved the interpretation of these objectives into spatial concepts for the future public realm of the Etwell Street Local Centre. These concepts were broken apart and explored by the Design Reference Group. This second stage produced the unexpected favouring of a curving of the road through the Etwell Street Local Centre.
5. The third stage refined the design in a further level of detail. A variation of the design was presented to the group which was of a more conventional design however the group reaffirmed their original preference. There was a strong desire for the design to be a special, somewhat unique outcome best suited to the context, usage and desired condition.
6. The outcome is a vision and concept design that was developed collaboratively with residents, business owners, land owners, Town of Victoria Park staff and Elected Members. It is a distinctive design outcome that aspires for Etwell Street Local Centre to be a special place that plays an important part in the local lifestyle.

## 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 Design Reference Group allowed for a deep level of engagement and involvement in the development of the concept plan. It is proposed for the concept plan to be advertised to the surrounding community.
CL03 - Well thought out and managed projects that are delivered successfully	This project aims to be a pilot project for the town highlighting the benefits of a collaborative design process.
CL07 - People have positive exchanges with the Town that inspires confidence in the information and the timely service provided	The direct engagement between Town staff, Elected Members and community has provided an opportunity for positive exchanges, understanding and trust development.

<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.	Improving the public realm will provide a more comfortable and inviting experience for visitors to the centre and improve the likelihood of businesses 'coming out' onto the street and upgrading their shopfronts.
EC02 - A clean, safe and accessible place to visit.	Safety has been expressed as a strong concern from the community in early talks and the application of CPTED principles is embedded in the design.

<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 upgrade of the public realm will increase the amenity for surrounding community. This upgrade will encourage land owners to consider enhancement and optimisation of their land.
EN02 - A safe, interconnected and well maintained transport network that makes it easy for everyone to get around.	Improvements to the Etwell Street Local Centre include improved bus stops and a better pedestrian environment.
EN03 - A place with sustainable, safe and convenient transport options for everyone.	The calming of traffic, and improving the pedestrian, cycling and public transport experience in the Etwell Street Local Centre is a key objective for the project.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Urban greening is a key component of the plan including the addition of approximately 30 broad canopy trees, a number of large garden beds and planted verges
EN07 - Increased vegetation and tree canopy.	The plan proposes the planting of approximately 30 broad canopy trees in the urban environment

<b>Social</b>	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	The project aims to create a place for community exchange, socialisation and activity. It aims to create a Local Centre which the community are proud of.
S02 - An informed and knowledgeable community.	By including community members in the design process, and ongoing communication with the project process they will gain an understanding of the Town's processes, strategies and policies that affect their place.
S03 - An empowered community with a sense of pride, safety and belonging	The collaborative design process will empower the local community and result in a sense of ownership for the future quality of their place

## Engagement

Internal engagement	
C-Suite	Endorsement of project approach. Project progress update after workshop two and briefing on preferred design direction.
Elected Members	Three Elected Members participated in the Design Reference Group and contributed to design workshops. Project approach presented to Elected Members at a Future Planning Committee meeting.
Community Development	Safer Neighborhoods Officer participated in the Design Reference Group.
Place Planning	Manager Place Planning helped facilitate the workshop. Place Leader (Economic Development) participated in the Design Reference Group.
Urban Planning	Two Urban Planners helped facilitate the workshops and contributed to urban design development and workshop material preparation.
Engineering	Design Engineer participated in the Design Reference Group and contributed to urban design development and workshop material preparation.
Community Engagement	Contributed to the workshops as a facilitator.

External engagement	
Stakeholders	Local residents, business owners, land owners
Period of engagement	Workshop series and Your Thoughts private group – January to April 2019
Level of engagement	Collaborate
Methods of engagement	<ul style="list-style-type: none"> <li>• A meeting with local residents to learn the background and determine the most appropriate engagement process.</li> <li>• Three workshops with the Design Reference Group to work through a collaborative design process.</li> <li>• ‘Your Thoughts’ private group for Design Reference Group ongoing engagement</li> </ul>
Public Advertising (subject to endorsement)	Should Council endorse the Etwell Street Local Centre Revitalisation Plan to progress for public advertising the Town will target landowners, residents, and businesses within 300 metres of the Etwell Street Local Centre to provide

	comment on the draft concept design. This public advertising period will last for a period of 21 days.
Submission summary	The members of the Design Reference Group have a strong sense of ownership of this unique design outcome and are strong supporters of the proposal. Members of the group have offered further assistance to help achieve implementation of the plan.
Key findings	The Design Reference Group expressed the current underutilisation of the Etwell Street Local Centre and attributed this to the Local Centre's poor public and private environments. They stated that they "resided on Etwell Street but lived elsewhere". The group expressed a desire for a unique public realm that will attract visitors and foster a sense of pride in their place.

## Legal compliance

Not applicable.

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Reputational</b> Negative public perception towards the Town may result if the design outcome of Etwell Street Local Centre Revitalisation Plan is not well received by the community.	Minor	Unlikely	Low (4)	Thorough explanation in the report detailing the design process that developed the plan.
<b>Reputational</b> Raising of community expectations for a project without specific capital budget allocation	Minor	Possible	Moderate (6)	<ul style="list-style-type: none"> <li>• Early explanation of the future stages required prior to commitment of capital funds.</li> <li>• Exploration of external funding opportunities.</li> <li>• Investigation of dividing the project across multiple capital budget streams (eg. UFS, Road resealing, foot path, lighting upgrade programs)</li> </ul>

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
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<p><b>Future budget impact</b></p>	<p>The detailed design and documentation stage is included in the 2019/2020 budget for a figure of \$40,000.</p> <p>Following the detailed design stage, accurate cost of implementation will be known and funding sought.</p>
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## Analysis

7. The Etwell Street Local Centre Revitalisation Plan contained in Attachment 1 provides a detailed explanation of the engagement and design process outlined below:
  - a) Project initiation, agreed process and design scope;
  - b) Site analysis and identification of opportunities;
  - c) Concept plan development; and
  - d) Refinement and agreement of the design and exploration of detailed design elements.
  
8. The Etwell Street Local Centre Revitalisation Plan also provides a detailed explanation of the final concept prepared following the design process. The final concept plan represents a bold proposal for significant change and consists of the following interventions:
  - a) Modified road carriage way to deflect road alignment and create a curved roadway with a distinct surface (eg. coloured asphalt);
  - b) Inclusion of mixed car parking with parallel parking bays for short term parking and loading and also angled bays for longer term parking;
  - c) Creation of two simple open public spaces on either side of the road adjacent commercial premises;
  - d) Inclusion of significant amount of planting space for large shade providing trees and low local shrub species;
  - e) 3 x pedestrian crossing points with differential, textured surface treatments;
  - f) Inclusion of an accessible parking bay;
  - g) Upgraded bus shelters; and
  - h) Public art integration into street furniture.
  
9. Should Council endorse the Etwell Street Local Centre Revitalisation Plan to proceed to public advertising the Town would commence advertising to the surrounding community (all landowners, residents and businesses within 300 metres) for a period of 21 days. Following the public advertising period, the final concept plan (with any necessary refinements based on submissions received) will then be presented to Council for final approval.
  
10. Should Council approve the Etwell Street Local Centre Revitalisation Plan following public advertising, the Town would then proceed to a Detailed Design Phase. The Detailed Design Phase includes preparing plans (based on the approved concept) that can be used for construction and inform detailed cost estimates and tender documentation. This Detailed Design Phase is scheduled to be completed in the 2019/2020 financial year.
  
11. It is recommended that Council endorse the Etwell Street Local Centre Revitalisation Plan for public advertising.



## Relevant documents

Not applicable

## 11.4 Town of Victoria Park METRONET Advocacy Platform

<b>Location</b>	Carlisle East Victoria Park Lathlain Welshpool
<b>Reporting officer</b>	Caden McCarthy
<b>Responsible officer</b>	David Doy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Draft METRONET Advocacy Platform [11.4.1 - 2 pages]

### Recommendation

That Council endorses an Advocacy Platform including a vision and desired outcomes for METRONET projects within the Town of Victoria Park as outlined in Attachment 1.

### Purpose

For Council to consider and determine the Town's formal Advocacy Platform with respect to METRONET projects within the Town.

### In brief

- Achieving consensus on desired outcomes from METRONET projects will demonstrate a cohesive and consistent position from the Town to State government as they assess the different options for level crossing removal; station redevelopment; and station precinct development at the stations of Carlisle, Oats Street, Burswood and Welshpool.
- There is a risk that these projects could deliver poor community and place outcomes in favour of cost-effective rail efficiency.
- There is recent precedent for State government acquiring planning controls around station precincts through the Metropolitan Redevelopment Authority. An agreed and consistent position from the Town will assist in mitigating this possibility.
- The formal consideration and endorsement of the Town's advocacy position on METRONET projects within the Town was recommended in the June Concept Forum with elected members.

### Background

1. The level crossing removal projects at Mint/Archer Street, Oats Street and Welshpool Road have a total of \$415 million allocated from the State and Federal governments with \$207.5 million to be used over the next four years. In addition, \$17.5 million has been budgeted for the 2019/20 financial year to conduct planning and business case development for these projects amongst others on the Armadale line.

2. Due to the profile of the Carlisle and Oats Street Stations, the level crossing removal projects will cause the stations to require alterations and ultimately redevelopment. Therefore, the redevelopment of these stations is a significant aspect of these level crossing removal projects. Additionally, the METRONET station precincts team has been assessing the development potential of these areas within 800 metres of existing stations. While a report on this work is still being finalised, METRONET has indicated that areas around Oats Street Station have development potential.
3. Level crossing removal projects throughout Australia take many different forms and deliver a variety of outcomes. Common examples in Australia range from simple "road over" or "rail over" options that can be seen at Miller's Crossing in the Town or King William Street in Bayswater. However, more sophisticated options are also being considered such as a "cut and cover" or "elevated rail". An example of "cut and cover" can be seen at Subiaco Train Station. A recent example of elevated rail can be seen at Clayton Station in Victoria that was delivered as part of the level crossing removal program in Victoria.

## Strategic alignment

<b>Civic Leadership</b>	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	The Advocacy Platform will provide clarity for the Town, State Government and other external stakeholders regarding our agreed desired outcomes.
CL07 - People have positive exchanges with the Town that inspires confidence in the information and the timely service provided.	The Advocacy Platform will ensure the Town is easy to work with and clear in its intentions to provide clarity and confidence to our stakeholders.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The Advocacy Platform reflects the Town's visionary civic leadership and provides transparency to the community.

<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 Advocacy Platform will significantly impact the success of station precincts and the success of surrounding commercial areas.
EC02 - A clean, safe and accessible place to visit.	Train station surrounds currently experience significant crime and safety issues. The desired outcomes outlined in the Advocacy Platform directly impact these issues while improving accessibility.

<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 Advocacy Platform will directly and significantly impact the future of housing and urban design in the Town.

EN02 - A safe, interconnected and well maintained transport network that makes it easy for everyone to get around.	METRONET is the largest transport infrastructure investment in the Town for decades and the desired outcomes in the Advocacy Platform seeks to directly impact the future design and use of the transport network.
EN03 - A place with sustainable, safe and convenient transport options for everyone.	METRONET and the desired outcomes in the Advocacy Platform will significantly impact the transport options and behaviours in the Town.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	The desired outcomes in the Advocacy Platform recognises the significant opportunity for new public open space and a high-quality public realm through the redevelopment of stations and station precincts.
EN07 - Increased vegetation and tree canopy.	The Advocacy Platform recognises the opportunity to substantially increase public open space and opportunities for increased vegetation and tree canopy coverage.

<b>Social</b>	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	The Advocacy Platform recognises and reinforces the potential positive impact METRONET will have on walkability and access to public transport which both have a positive impact on community health.
S02 - An informed and knowledgeable community.	The Advocacy Platform will inform and educate the community of the impact that different METRONET options will have on the community.

## Engagement

<b>Internal engagement</b>	
METRONET Working Group	The internal METRONET working group at the Town is led by Place Planning and consists of the Chief Executive Officer, Chief Community Planner, Chief Operations Officer and representatives from Property, Stakeholder Relations and Technical Services. The working group conducted a workshop to produce the vision and desired outcomes detailed in this report and contained in Attachment 1.

<b>Other engagement</b>	
METRONET	<p>The METRONET agency is formed by staff from the Department of Planning, Lands and Heritage, Department of Communities, Department of Transport and the Public Transport Authority.</p> <p>The Town has been meeting with METRONET to discuss and inform the planning process for the projects METRONET is undertaking in the Town.</p>

Public Transport Authority	The Public Transport Authority is considering planned redevelopment of Burswood Station. Additionally, they are currently developing station access strategies in the Town that will also inform METRONET projects. The Town has been actively involved in these projects.
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## Legal compliance

Not applicable.

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Reputational</b> Negative public perception towards the Town may result if METRONET projects have poor community results	Moderate	Possible	Moderate	Community consultation and input into METRONET planning at the appropriate stages. External stakeholders to have a clear understanding of the Town's Advocacy Platform
<b>Service Interruption</b> Road or bicycle network interruption due to works delays	Moderate	Likely	High	Comprehensive engagement from and with METRONET during planning and delivery

## Financial implications

<b>Current budget impact</b>	Preparing the Advocacy Platform has no impact on the budget.
<b>Future budget impact</b>	It is possible that passing the recommendation may impact the outcome of METRONET projects and therefore have a future budget impact. This may include scenarios such as (but not limited to): the Town acquiring land within the rail corridor from the Public Transport Authority for development and/or maintenance; increasing the number of dwellings (and therefore rates base) within an area; and being responsible for the maintenance of newly created public spaces.

## Analysis

- The Town has developed an Advocacy Platform that includes a vision and set of desired outcomes for the METRONET projects (Attachment 1) at Oats Street Station, Carlisle Station and Burswood Station. This Advocacy Platform will guide engagement and negotiations with the State government. The Town's overarching vision for METRONET affected Stations is:

*"Our vision is to create well connected and thriving places for people at Oats Street Station, Carlisle Station, and Burswood Station for our existing and future community."*

5. This vision is complemented by four desired outcomes the Town is aspiring to achieve through the METRONET projects within the Town. These desired outcomes are as follows:
  1. **Underground:** The rail corridor is underground and the land at ground level is available for other uses.
  2. **Great Places:** Station Precincts are great places that provide obvious and lasting community benefits.
  3. **All Stations Remain:** All existing stations in the Town must remain with only minor adjustments to their locations.
  4. **Sustainable Access:** Station Precincts promote and facilitate walking, cycling and public transport as the predominant mode choice for accessing each station.
6. A more detailed version of the Town's METRONET Advocacy Platform is contained in Attachment 1.
7. By endorsing the Advocacy Platform, Council will enable a clearer, consistent and transparent starting point for negotiations with METRONET. This is critical while work occurring at Oats Street Station, Carlisle Station and Burswood Station is in the planning phase and open to influence. A unified approach will mitigate significant risks to the Town and the community and provide a clear and consistent position to State government, making the Town easier to partner with and more likely to be influential in project planning and delivery.
8. Should the recommendation be adopted, the Town will transition the Advocacy Platform that includes the vision and desired outcomes detailed in this report into a more visual and useable aid (graphic design). Councillors and nominated representatives will be able to use the Advocacy Platform to communicate with the community and other stakeholders on behalf of the Town.

## 11.5 413 (Lot 763) Berwick Street, St James - Application for Residential Building (Lodging House)

<b>Location</b>	St James
<b>Reporting officer</b>	Josh Arnott
<b>Responsible officer</b>	Robert Cruickshank
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	(attachment-list-do-not-remove)

<b>Landowner</b>	Ingrid Riley
<b>Applicant</b>	Kurt Riley
<b>Application date</b>	29 April 2019
<b>DA/BA or WAPC reference</b>	5.2019.201.1
<b>MRS zoning</b>	Urban
<b>TPS zoning</b>	Residential
<b>R-Code density</b>	R20
<b>TPS precinct</b>	Precinct 12 - East Victoria Park
<b>Use class</b>	Residential Building (Lodging House)
<b>Use permissibility</b>	AA - Discretionary
<b>Lot area</b>	695m <sup>2</sup>
<b>Right-of-way (ROW)</b>	N/A
<b>Municipal heritage inventory</b>	N/A
<b>Residential character study area/weatherboard precinct</b>	Outside Specified Areas
<b>Surrounding development</b>	Single residential dwellings and grouped dwellings on similar sized lots to the north, west, south and east. The surrounding land on the western side and eastern sides of Berwick Street is coded R20 and R30 respectively.

## Recommendation

That Council:

1. Refuses the application for retrospective development approval submitted by Kurt Riley (DA Ref: 5.2019.201.1) for Change of Use from 'Single House' to 'Residential Building (Lodging House)' at No. 413 (Lot 763) Berwick Street, St James as indicated on the plans dated received 29 April 2019, in accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme, for the following reasons:
  - a. The development proposes a car parking shortfall of five car parking bays which is considered to likely adversely impact upon the amenity of the surrounding area and is contrary to objective a) of Local Planning Policy 23 – Parking Policy.
  - b. The proposed scale and intensity of the proposed use is considered to be incompatible with the surrounding low scale residential development contrary to objectives a) and d) of Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas and objectives a), d) and e) of Local Planning Policy 31 – Serviced Apartments and Residential Buildings including Short Term Accommodation.
  - c. The proposed change of use is considered to be inconsistent with matters a), g), m), n), s), t), u), x) y) and za) of deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015.

### Advice to Applicant

Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or Metropolitan Region Scheme and the applicant may apply for review of the determination of Council by the State Administrative Tribunal within 28 days of this decision.

2. Advise those persons who lodged a submission on the application of Council's decision.
3. Direct the landowner to cease the 'Lodging House' land use within 60 days of Council's decision.

## Purpose

The application seeks to retrospectively change the use of an existing dwelling, currently approved as a 'Single House', to a 'Residential Building (Lodging House)'. The proposed land use is an 'AA' (discretionary) land use in a Residential zone under the Town's Town Planning Scheme No. 1 (TPS 1).

As the application is for a non-residential land use which in this instance is not supported, staff do not have the delegation to determine the application, and accordingly, the matter is referred to Council for determination.

## In brief

- The application seeks to change the use of an existing dwelling currently approved as a 'Single House' to a 'Residential Building (Lodging House)'.
- The intent is for the dwelling to be used for permanent accommodation catering for as many as 11 people. Nine bedrooms are to be used with two bedrooms able to occupy two people each and the rest being able to occupy one person each.
- The proposed use of 'Residential Building (Lodging House)' is an 'AA' (discretionary) use.
- Community consultation concluded 9 July 2019. Four submissions objecting to the proposal were received.



- It is considered that the amenity impacts associated with the use will likely impact the neighbouring properties and given the scale of the proposal would not be able to be appropriately managed.
- The proposal is recommended for refusal subject to reasons and advice notes.

## **Background**

1. On 2 March 2005 the Town issued a development approval (05/0093) for a second storey addition to the single dwelling on the site. It is noted that the plans submitted to Council only showed one proposed bedroom and a storeroom within the second storey addition, whereas there are now 4 bedrooms on this floor.
2. On 3 April 2007, in response to a complaint from a member of the public, the Town issued a letter of warning to the owner of the property regarding the unauthorised use of the property as a 'Residential Building', on the basis that the 8 bedrooms were being used for short-term accommodation. The Town received a response from Mr Riley on 22 May 2007 advising that the number of tenants would be reduced to six people in order to comply with Council's planning requirements, and no further action was taken at this time.
3. On 5 April 2012 the Town issued a letter of warning to the owner of the property regarding the unauthorised conversion of the single dwelling into two residential buildings in a multiple dwelling form (ie. the ground floor and upper floor were modified to facilitate separate occupation on each floor, by more than six persons). The Town received a response from Mr. Riley on 17 April 2012 regarding the issues, resulting in a further letter being issued by the Town on 20 April 2012 identifying that the use of the dwelling needs to be returned to that of a single dwelling.
4. On 6 June 2012 the Town issued a letter to the owner of the property noting that the number of residents had been reduced to six, with a minimum stay of six months. The letter did request compliance with regard to an external doorway and staircase to the upper floor of the dwelling.
5. On 4 April 2019, in response to a complaint from a member of the public, the Town issued another letter to the owner of the property regarding the illegal use of the dwelling as residential buildings in a multiple dwelling form, including there being more than six occupants and the occupation being for a period of less than six months.
6. On 29 April 2019, the Town received an application for development approval from Mr Riley proposing to change the use of the dwelling to 'Residential Building' (Lodging House).
7. Noting the history of the subject property being used for short-term accommodation purposes without Council approval, and the landowner's knowledge of the relevant planning requirements, prosecution action has commenced against the property owner in relation to the unauthorised use for short-term accommodation of another property that they own in the Town.
8. The existing two storey building on the subject site is approved as a 'Single House' and has vehicle parking for four cars. Two cars can be located within the double car port and there is space for two cars to be located in the outbuilding at the rear of the property.

## **Application summary**

9. The development application proposes a change of use of from 'Single House' to a 'Residential Building (Lodging House)'.

10. On the development application form, the applicant describes the proposal as being *"lodging house for 8 people."* In correspondence dated 26 April 2019 the applicant refers to *"the possibility of 9 unrelated people living together."* In the Management Plan dated 6 June 2019 (see Attachment 4) the applicant then states there will be a *"maximum of 11 persons including manager, 1 bedroom for manager, 8 bedrooms for other residents, 2 of which may occupy up to 2 people ..."*
11. In the Management Plan, the applicant states the following:  
*"The object is to occupy the home with short term tenants and long term in the hope short term guests become long term tenants, also many tenants may only occupy for a period of 3 months, more or less for job, training or university programs.*  
*The property is managed by an onsite manager permanently residing at the property ..."*
12. The development plans (see Attachment 3) indicate the following:
  - Use of the existing outbuilding at the rear of the site as a storeroom with opportunity for the parking of two vehicles.
  - A maximum of 11 available on-site car bays.
  - Ground floor – 5 bedrooms; 1 shared bathroom; 1 private bathroom; laundry; kitchen; dining; lounge.
  - Upper floor – 4 bedrooms; 1 shared bathroom; kitchen; dining; lounge.
  - Stairs linking the ground floor to the upper floor.
  - External steps adjacent to the stairs allowing for separate access to the upper floor.
13. In the applicant's response to public submissions (see Attachment 6) the applicant states *"in short my application will not really change anything as to how it has been over the last 12 years or so, being occupied by 5 to 9 tenants in total."*

## **Applicants submission**

14. A copy of the Management Plan was provided to the Town as part of additional information (see Attachment 4) on 7 June 2019. The Management Plan provides information in relation to the following:
  - Objectives of the Management Plan
  - Management strategies
  - Manager details
  - Check in/check out times
  - Mitigation and complaints procedure
  - Use and maintenance
  - Safety
  - Hygiene and comfort
  - Security
  - Car parking
15. Relevant statements within the Management Plan include:
  - *"The Managers main purpose is to control Noise, friction and unruly behaviour between tenants or Guests. It is also the managers' responsibility to either clean or encourage cleaning by other "Long Term" tenants to maintain a high level of hygiene and general cleanliness.*

- *I myself, the Owner, "Kurt Riley" will also be actively participating in the day to day running of the premises, I live in 10 Mint St. East Victoria Park, about 5 minutes away and usually accessible by mobile phone.*
- *Parties or Social Gatherings / functions will not be allowed unless agreed by onsite manager or myself. Noise will always be limited to within acceptable levels to other tenants/guests within and surrounding Neighbours, this historically is and will be quieter than normal households as not all guests or tenants are aggregable to Noise, le loud music, even if contained within the house itself. Loud music or Noise is definitely not be permitted in external recreation areas. The Managers and my phone number will be visibly displayed on the property. Adjoining property owners are free to contact myself or Hayden should any problems arise. Our contact details will be made available to neighbours as well as displayed on the front fence.*
- *Parking is available on the premises for a total of 11 Cars, 6 Cars can easily move in and out of the premises, after 6 cars, stacker parking applies with additional parking available in the backyard and Garage/Shed. Usually around 50% of occupants do not have cars, the property is located within 100m of a bus stop leading to and from the city via Albany Hwy. A Free Curtin University Bus now passes by the houses frequently thus making it desirable for University students."*

## Relevant planning framework

<b>Legislation</b>	Town Planning Scheme No. 1 Planning and Development (Local Planning Schemes) Regulations 2015
<b>State Government policies, bulletins or guidelines</b>	State Planning Policy 7.3 - Residential Design Codes Volume 1
<b>Local planning policies</b>	Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas (LPP3) Local Planning Policy 23 – Parking Policy (LPP23) Local Planning Policy 31 – Serviced Apartments and Residential Buildings including Short Term Accommodation (LPP31)
<b>Other</b>	N/A

## General matters to be considered

<b>TPS precinct plan statements</b>	<p>The following statements of intent contained within the Precinct Plan are relevant to consideration of the application.</p> <ul style="list-style-type: none"> <li>• <i>The East Victoria Park Precinct will be enhanced and consolidated as a residential neighbourhood in which a range of housing types of low scale is predominant.</i></li> <li>• <i>A large part of the precinct is to remain low to medium density, with some higher density housing permitted close to Albany Highway to take advantage of the array of amenities offered.</i></li> <li>• <i>Specialised forms of accommodation and a limited number of non-residential uses, to serve the needs of the local population, may be permitted in these areas.</i></li> </ul>
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<p><b>Local planning policy objectives</b></p>	<p>The following objectives of Local Planning Policy 3 ‘Non-Residential Uses in or Adjacent to Residential Areas’ are relevant in determining the application.</p> <ul style="list-style-type: none"> <li>• To ensure non-residential uses are compatible with the residential character, scale and amenity of surrounding residential properties.</li> <li>• To minimise impacts of non-residential development through appropriate and sufficient management of car parking and traffic generation, noise, visual amenity and any other form of emissions or activities that may be incompatible with surrounding residential uses.</li> </ul> <p>The following objectives of Local Planning Policy 23 ‘Parking Policy’ are relevant in determining the application.</p> <ul style="list-style-type: none"> <li>• To ensure the adequate provision of parking for various services, facilities and residential developments and to efficiently manage parking supply and demand.</li> </ul> <p>The following objectives of Local Planning Policy 31 –‘Serviced Apartments and Residential Buildings including Short Term Accommodation’ are relevant in determining the application.</p> <ul style="list-style-type: none"> <li>• To facilitate the development of appropriately located and high quality accommodation other than permanent residential dwellings within the Town of Victoria Park;</li> <li>• To protect the residential amenity of permanent and long term residents and minimise the perceived negative impacts that may be caused by the transient nature of alternative forms of accommodation;</li> <li>• To ensure various forms of accommodation, particularly where they are to be located within existing residential areas, are of a compatible scale and design with surrounding development;</li> </ul>
<p><b>Deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015</b></p>	<p>The following are relevant matters to be considered in determining the application.</p> <ul style="list-style-type: none"> <li>a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</li> <li>g) Any local planning policy for the Scheme area;</li> <li>m) The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</li> <li>n) The amenity of the locality including the following - <ul style="list-style-type: none"> <li>ii. The character of the locality;</li> <li>iii. Social impacts of the development;</li> </ul> </li> <li>s) The adequacy of - <ul style="list-style-type: none"> <li>i. The proposed means of access to and egress from the site; and</li> <li>ii. Arrangements for the loading, unloading, manoeuvring and parking of vehicles;</li> </ul> </li> </ul>

- t) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.
- u) The availability and adequacy for the development of the following -
  - v. Access by older people and people with disability;
- x) The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- y) Any submissions received on the application;
- z) Any other planning considerations the local government considers appropriate.

## Compliance assessment

16. The table below summarises the planning assessment of the proposal against the provisions of the Town of Victoria Park Town Planning Scheme No.1, the Towns local planning policies, the Residential Design Codes and other relevant documents, as applicable. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the detailed assessment section following from this table.

Change of use application		
Planning element	Permissibility/deemed-to-comply	Requires the discretion of the Council
Land use	'Residential Building' (Lodging House) - 'AA' use	Yes
Car parking	Require minimum of 9 car bays. 4 compliant car bays proposed	Yes

17. Based upon the above table, the following development standards require the discretion of Council.

Element	Requirement	Proposed	Variation
Car Parking	9 car bays (1 for every bedroom)	4 car bays. While the development plans indicate up to 11 available on-site car bays, 7 of these bays are not functional in terms of their size, location or manoeuvrability (note: as Berwick Street is a District Distributor, in accordance with clause 5.3.5 of the Residential Design Codes (R-Codes) vehicles are required to exit the site in a forward gear, requiring adequate manoeuvring area on-site).	5 car bays
			Not supported

18. While it is accepted that some tenants may not own a car and some tenants may rely upon the nearby available public transport, given that the tenants may be either long-term or short-term tenants, and

that the owner has limited ability to restrict tenants and/or their visitors to park at the site, it is considered that the provision of only four compliant on-site car bays is not adequate for potentially up to 11 occupants. The parking variation may result in on-street parking, creating traffic issues on an already highly trafficable corner and resulting in amenity impacts on adjoining properties.

Element	Permissibility	Recommendation
Land use	AA	Not supported

19. A 'Residential Building (Lodging House)' land use is a discretionary (AA) use within the 'Residential' zone.
20. Under the TPS1, a 'Residential Building' is defined as follows:
 

*"A building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for purpose of human habitation:*

  - *Temporarily by two or more persons; or*
  - *Permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school."*
21. Under LPP31, a 'Lodging House' is identified as a type of 'Residential Building' with the Lodging House being defined as follows:
 

*"has the same meaning as defined in the Health Act 1911, namely any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than 6 persons, exclusive of the family of the keeper thereof, for hire or reward; but the term does not include— (a) premises licensed under a publican's general license, limited hotel license, or (b) wayside-house license, granted under the Licensing Act 1912; (c) residential accommodation for students in a non-government school within the meaning of the School Education Act 1999; or (d) any building comprising residential flats."*
22. Examples of Lodging Houses include youth hostels, guesthouses, boarding houses, backpackers and workers accommodation and any other form of Residential Building proposed or capable of providing accommodation for 7 or more guests/occupants, whether on a short-term commercial basis or on a long term basis. Applications seeking approval for a building determined by the Council as capable of providing accommodation for 7 or more persons who do not comprise a single family, shall be assessed as a Lodging House under the provisions of this Policy.
23. The Statement of Intent of Precinct Plan P12 – East Victoria Park identifies that a large part of the precinct is to remain low to medium density housing, while specialised forms of accommodation may be supported in areas close to Albany Highway. The site, while 500m from Albany Highway, is not considered to be in close proximity to Albany Highway in the sense contemplated by the Scheme, and does not align with this objective of the Precinct Plan.
24. With respect to the provisions of LPP31, the following policy provisions are relevant:
  - "(a) Residential Buildings and Serviced Apartments should be appropriately located to ensure they are in convenient, easily accessible locations for their guests, and to minimise potential adverse impacts on the amenity of surrounding residential properties, particularly within low density, suburban environments.*
  - (b) Applications for a Lodging House will generally not be supported on 'Residential' zoned land with a designated density coding of 'R60' or lower under the Scheme."*

25. A revised version of LPP31 was adopted by Council in April 2019. Intentionally, the revisions included modifying the locational criteria by clarifying the objective of the policy to reduce potential adverse amenity impacts, particularly within low density, suburban environments. Accordingly, it was considered that Lodging Houses, given their greater intensity of use (being for 7 or more occupants), should not be located in the lower density locations of the Town, hence the introduction of the policy provision that they be located in areas coded greater than R60.
26. It is considered that the scale and intensity of the land use, accommodating up to 11 persons at a time, and comprising occupants of a transient nature or permanent, is much greater than that reasonable or expected for a low density R20 residential location, and is inconsistent with orderly and proper planning.
27. In particular it is considered the scale and intensity of the land use would adversely impact the amenity of the area and is incompatible with surrounding development, contrary to relevant considerations and objectives under the planning framework.

## Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The proposed land use will be allowing for a different housing option (lodging house) within the Town. However, the scale and intensity as well as the location of the development is not considered to be appropriate.

## Engagement

Internal engagement	
Stakeholder	Comments
Engineering	The Town's Engineering Department had no comments on the original application. The Engineering Department raised issues with the parking plan when it was provided to the Town on 7 June 2019, noting that car parking bays 1, 4, 5, 6, 7, 8 and 11 do not comply with AS/NZ 2890.1:2004 or allow for appropriate maneuverability on-site to exit onto Berwick Street in a forward gear.
Environmental Health	No comments
Building	No comments
Parks	No comments

## External engagement

<b>Stakeholders</b>	Owners and occupiers of adjoining properties.
<b>Period of engagement</b>	25 June 2019 – 9 July 2019
<b>Level of engagement</b>	2. Consult
<b>Methods of engagement</b>	Letters provided to owners and occupiers of adjoining properties outlining the proposed change of use, sign erected on-site outlining the proposed change of use and uploading of relevant documents and information on Your Thoughts.
<b>Advertising</b>	Letters provided to owners and occupiers of adjoining properties outlining the proposed change of use, sign erected on-site outlining the proposed change of use and uploading of relevant documents and information on Your Thoughts.
<b>Submission summary</b>	Four objections were received. See Attachment 4 for Schedule of Submissions and Attachment 5 for the Applicant's Response to Submissions
<b>Key findings</b>	<ul style="list-style-type: none"> <li>• Car parking not complying with the requirements of LPP23.</li> <li>• The proposed use not being suitable for the area.</li> <li>• Concerns with potential noise and anti-social behaviour associated with proposed use.</li> </ul>

## Risk management considerations

<b>Risk and consequence</b>	<b>Consequence rating</b>	<b>Likelihood rating</b>	<b>Overall risk analysis</b>	<b>Mitigation and actions</b>
Reputational Negative public perception towards the Town may result if the proposed use goes ahead.	Low	Likely	Moderate	Refusal of the proposed use or approval of a scaled back version of the proposal for a time-limited basis.
The applicant / owner has a right of review to the State Administrative Tribunal (SAT) in relation to any conditions of approval, or if the application was refused by the Council.	Moderate	Possible	Moderate	Ensure that Council is provided with information to make a sound recommendation based upon relevant planning considerations including the Scheme and applicable Local Planning Policies.



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## Financial implications

<b>Current budget impact</b>	N/A
<b>Future budget impact</b>	Should the applicant be aggrieved by the Council's decision they have a right of review to the State Administrative Tribunal. If the applicant were to exercise this right, then there may be financial implications for the Town in terms of representation to defend Council's decision.

## Analysis

28. Town Planning Scheme No. 1 requires the exercise of discretion when considering the appropriateness of the proposed 'Residential Building (Lodging House)' use on a 'Residential' zoned lot, taking into consideration the amenity impact on the surrounding properties.
29. The proposal is consistent with Local Planning Policy 31 (LPP31) with respect to most provisions regarding the locational criteria. However, it is noted that the site does not conform with clause 1.3 of the LPP31 having specific regard to Lodging Houses. Clause 1.3 of LPP31 states the following:
 

*"Applications for a Lodging House will generally not be supported on 'Residential' zoned land with a designated density coding of 'R60' or lower under the scheme."*
30. The subject site is zoned 'Residential' with a density coding of 'R20', which given the scale and intensity of the proposed land use, is not considered to be an appropriate location.
31. The application proposes the leasing of nine bedrooms for preferably 6-month periods or longer as part of the intended use, with a manager on-site residing in one of the bedrooms and the potential for ten additional occupants.
32. In accordance with LPP23, the car parking ratio is determined at one car bay per bedroom being used as part of the intended use. Accordingly, as there are nine bedrooms associated with the use, a minimum of nine car bays are required on-site.
33. While the applicant contends that a maximum of 11 cars can be accommodated on the site, as described above, only four of these bays are functional and compliant, in which case there is a car parking shortfall of five car bays for the proposed use.
34. In terms of the appropriateness of the use and potential amenity impacts, the applicant in their correspondence dated received 7 June 2019, includes a Management Plan. The management plan outlined management strategies and mitigation and complaints procedure to lessen any amenity impacts on neighbouring properties. Furthermore and in accordance with LPP31, a manager will reside on-site. Contact details for both the on-site manager and the owner's representative have been provided within the management plan.
35. Notwithstanding the applicant's intended measures to manage the property and any resulting amenity impacts, the scale and intensity of the land use is not considered appropriate for the low-density residential area that it is located within. In particular the car parking variation coupled with the number of potential occupants within the dwelling is considered to be inconsistent with the provisions of LPP3, LPP23, LPP31 and the statement of intent of Precinct Plan P12.
36. It is acknowledged that the dwelling could otherwise be occupied by up to six unrelated people on a permanent basis (ie. for periods of six months or more), and that this would constitute a 'dwelling' and be permitted. However, in this case of the current application the proposed occupation is by up to 11

unrelated people, on either or both a permanent or short-term basis, and therefore the amenity and social impacts are relatively different.

## **Relevant documents**

*Town of Victoria Park Town Planning Scheme No. 1* <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-2>

*Town of Victoria Park Precinct Plan 12 – East Victoria Park* <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-4>

*Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas*  
<https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>

*Local Planning Policy 23 – Parking Policy* <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>

*Local Planning Policy 31 – Serviced Apartments and Residential Buildings including Short Term Accommodation* <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>

*State Planning Policy 7.3 - Residential Design Codes Volume 1* <https://www.dplh.wa.gov.au/rcodes>

## 11.6 Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants Application

<b>Location</b>	Victoria Park
<b>Reporting officer</b>	Tim Cronin
<b>Responsible officer</b>	Kaitlyn Griggs
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Draft - South Perth Junior Cricket Club 2019 CSRFF July Small Grants Application... (1) [11.6.1 - 10 pages]

### Recommendation

That Council:

1. Approves the submission of a \$25,000 grant application to the Department of Local Government, Sport and Cultural Industries (DLGSC) through the Community Sport and Recreation Facilities Fund (CSRFF) for modifications to Raphael Park club.
2. Approves the receipt of CSRFF grant funding of up to \$25,000, should the grant application be successful.

### Purpose

To seek Council approval for the Town to submit a CSRFF grant application for \$25,000 to DLGSC by 30 August 2019, and to seek approval to accept the grant funding of up to \$25,000 should the Town's application be successful.

### In brief

- The CSRFF, which is administered by DLGSC, provides financial assistance to community groups and Local Government Authorities (LGA) to develop basic infrastructure for sport and recreation, capped at one-third of the total infrastructure cost (excluding GST).
- LGAs are required to review, rank, priorities and submit CSRFF grant applications to DLGSC, upon approval by Council.
- In June 2019 the Community Development Officer (Clubs, Events & Bookings), advised local community sport and recreation clubs that the CSRFF grant funding round was open.
- The Town has received one grant application from South Perth Junior Cricket Club (SPJCC). The grant seeks to increase storage space and modifications to the changeroom amenities at Raphael Park to encourage and support the participation of females with sport.
- The storage capacity will be increased by approximately 26m<sup>2</sup> (combined).
- Based upon quotes, \$75,000 has been allocated and approved in the 2019/20 budget to undertake the capital works.

## Background

1. The CSRFF program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities.
2. The CSRFF program operates on a reimbursement system. Grantees, in this case the Town and SPJCC, are required to demonstrate that they have expended the funds equivalent to the full cost of project before CSRFF grant funds will be paid in full.
3. Both SPJCC and Curtin University Football Club (CUFC) are growing in membership numbers and require additional storage for equipment. The additional storage will create a safe environment for volunteers who are required to manage equipment.
4. Currently SPJCC is using the internal storage area within the club room, which is accessible to any party which makes a booking of the facility.
5. SPJCC approached the Town in November 2018 to build a storage shed behind the club room at Raphael Park to accommodate additional storage. This proposal was not supported as it did not meet the below planning requirements;
  - (a) The material does not match the existing building
  - (b) The roof shape does not match the existing dwelling
  - (c) Being located forward of the existing building line, the structure would be located too close to the street boundary
  - (d) The colours do not match the existing building
  - (e) The structure does not complement the existing streetscape.
6. The Town worked in partnership with SPJCC and CUFC to identify an alternative solution within the current roofline of the building. This will include modifying the large changerooms to provide additional storage space within the facility.
7. Additionally, through consultation with the clubs it was identified that upgrades to the shower and toilet facilities are required as they are in poor condition and are currently open plan, as per traditional male change rooms.
8. The shower and toilet facilities will be upgraded to unisex facilities. This will include the removal of urinals which will be replaced with cubicles, and the partition of showers, inclusive of lockable shower doors.
9. It is anticipated that the modifications will encourage female participation and retention in sport and will demonstrate the Town's commitment to equality in service provision.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	Renewed facilities which meet current standards and maximized facility usage, through a well planning project management framework.
CL07 - People have positive exchanges with the Town that inspires confidence in the information and the timely service provided.	Both Clubs have been engaged, consulted and provided input into the project.

Environment	
Strategic outcome	Intended public value outcome or impact
EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	<p>Renewing facilities, keeping them well maintained, modern, fit for purpose to allow for 'all' community use.</p> <p>Increasing storage options in 'dead space' within the change rooms to maximize facility usage, and to meet the needs of the community.</p>

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	<p>Facilitate an active lifestyle for members of the Victoria Park community through the provision of quality recreation facilities.</p> <p>Promote participation in community sport through the provision of contemporary changeroom and bathroom facilities which provide privacy for all.</p>

## Engagement

Internal engagement	
Coordinator Strategic Assets and Community development	The Community Development Officer (Clubs, Events & Bookings) met regularly with Coordinator Strategic Assets to raise capital works requirements and to identify appropriate storage and changeroom solutions.

External engagement	
Stakeholders	Site meeting with representative from SPJCC and CUFC to discuss lack of storage and modification of facilities at Raphael Park. Alternative options were presented to the clubs, which were supported.
Period of engagement	November 2018 to present
Level of engagement	3. Involve
Methods of engagement	Meetings and written submissions.
Advertising	Email direct to impacted seasonal users.
Submission summary	N/A
Key findings	External stakeholders (two seasonal users) supportive of project.

## Other engagement

Department of Local Government, Sport and Cultural Industries

Community Development Officer (Clubs, Events & Bookings) has discussed the proposed grant submission with DLGSC. It is likely that a site meeting will take place with DLGSC in the near future.

SPJCC has attempted to contact the CSRFF officer at DLGSC to discuss the project prior to submitted CSRFF application to DLGSC.

## Legal compliance

Not applicable.

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Financial</b> Construction costs exceed estimates	Moderate	Likely	High	Indicative quote has been received and within budget allocation. However, if justified and unforeseen incidentals arise, Town would be required to cover the cost.
<b>Compliance</b> Town unable to complete projects within outlined project timeline	Moderate	Possible	Moderate	A project management plan is being prepared to ensure project delivery within allocated timeframes.
<b>Reputational</b> Required change room closure for works	Moderate	Possible	High	Ensure a comprehensive communication plan for both internal and external stakeholders and community.

## Financial implications

### Current budget impact

Nil Impact – Town has budgeted \$75,000 within 19/20 Budget.

If successful, the grant income will offset \$25,000 worth of expenditure towards this project.

## **Analysis**

10. There is evidenced based need to maximize the storage areas and to upgrade the change room facilities to contemporary standards, at Raphael Park.
11. The Town will be required to fund the capital works upgrade, with reimbursement of \$25,000 through CSRFF should the grant application be successful.
12. Should the CSRFF grant be unsuccessful, the Town will fund the full capital works program of \$75,000.
13. Works will not commence until the outcome of the CSRFF grant funding round, which is anticipated to be announced in November 2019.
14. A comprehensive capital works project plan will be implemented to ensure the project is managed and delivered successfully.

## 12 Chief Operations Officer reports

### 12.1 Single-Use Plastic and Polystyrene Ban

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Brendan Nock
<b>Responsible officer</b>	Ben Killigrew
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Policy 260 Single Use Plastic and Polystyrene [<b>12.1.1</b> - 3 pages]</li><li>2. Plan - Town of Victoria Park - Single Use Plastic and Polystyrene Ban Project Plan [<b>12.1.2</b> - 6 pages]</li></ol>

#### Recommendation

That Council:

1. Endorse the Single-Use Plastic and Polystyrene Policy (as attached to this report);
2. Endorse the Single-Use Plastic and Polystyrene Project Plan (as attached to this report) for the phasing out of single-use plastic products and polystyrene products from use, sale or distribution at:
  - a) all Council buildings
  - b) all Council-run events
  - c) all events supported by Council
  - d) all market stalls held on Council land.

#### Purpose

In response to a Council Resolution in February 2019, this report seeks Council endorsement for the Single-Use Plastic and Polystyrene Policy and associated Project Plan for phasing out of single-use plastic products and polystyrene products.

#### In brief

- In response to a Council Notice of Motion in February 2019, the Town is proactively addressing the issue of plastics in our environment and has been directed by Council to implement a ban on the use, sale or distribution of single-use plastic and polystyrene at:
  - all Council buildings (except those buildings which are, or may become, subject to a lease or licence permitting the use of the building for commercial tenancy or residential occupancy);
  - all Council-run events;
  - events on Council land that require Council approval;
  - all market stalls held on Council land.



- Since the endorsement of the Notice of Motion, the Town has developed a Single-Use Plastic and Polystyrene Policy and an accompanying Project Plan to facilitate the implementation of the ban by 31 December 2019. This was informed through Council input at a Concept Forum in May 2019, as well as Town staff.
- Supporting the Policy, the Single-use Plastics and Polystyrene Project Plan provides the framework for the phasing out of single-use plastics and polystyrene products in our community, as well as educating and supporting the Town's businesses to utilise alternatives where available.

## Background

1. Single-use plastics, or disposable plastics, are used only once before they are disposed of or recycled. Examples of items are plastic bags, straws, coffee stirrers, soft drink and water bottles and most food packaging.
2. The Town supports action to address the negative impacts of plastics in our environment.
3. The extent of plastic and polystyrene pollution occurring in terrestrial and marine environments has become a serious global problem and has been recognised at an international level. There is now a substantial amount of evidence on the negative impact that plastics are having on the environment. Recent information from Clean-up Australia through its annual clean up days showed that Western Australia was found to have one of the highest levels of plastic pollution in the country, particularly along the Perth coastline.
4. In response to a Council Resolution in February 2019, the Town plans to address the issue of plastics in our environment with a single-use plastic and polystyrene ban from use, sale or distribution at:
  - all Council buildings except those buildings which are, or may become, a subject to a lease or licence permitting the use of the building for commercial tenancy or residential occupancy;
  - all Council-run events;
  - events on Council land that require Council approval; and
  - all market stalls held on Council land.
5. The phasing out of single use plastics and polystyrene products will:
  - reduce the amount of plastic materials being disposed to landfill or ending up as litter in our community;
  - help to reduce pollution in the Australian marine environment including the Swan River;
  - reduce the impacts on the Town's environment and human health;
  - educate the Town's community to shift away from single use plastic and polystyrene products;
  - Support, in-kind to businesses to embrace alternative options to single use plastic and polystyrene products and those already utilising alternatives;
6. Since the endorsement of the Notice of Motion, the Town has undertaken the following actions:

- Investigated practices undertaken by other Councils. The City of Rockingham, for example, has recently established a policy on Single Use Plastics and Balloons, applicable to all City operations, events and permits to trade. The City has also prepared an educational 'Turn the Tide on Plastic Guideline':

<http://rockingham.wa.gov.au/getmedia/54d545fa-c5ce-4824-999a-90fccfc7e44/Turn-the-Tide-on-Plastic-Guideline.pdf.aspx>

- Extensive liaison with staff across relevant business units to discuss the Notice of Motion and potential future direction.
- Legal advice was sought regarding the enforceability of the ban.
- Collection of baseline data on the range of single-use plastic and polystyrene products that are or are likely to be used across the Town's different business units.
- Development of Policy and Project Plan. This was informed through Council input at a Concept Forum in May 2019, as well as Town staff.

7. Single-Use Plastic and Polystyrene Policy and Project Plan are attached to this report. These have been developed in consultation with WA Plastic Free, a project run by [The Boomerang Alliance](#), which is a national peak not-for-profit organisation formed in 2003 with the aim of a zero-waste society. WA Plastic Free works on the ground to provide advice, information and product recommendations to communities to help them switch away from single-use plastic.

8. WA Plastic Free are currently funded by the WA Waste Authority and to date have been assisting Councils which are delving into this initiative. WA Plastic Free will be able to assist the Town with community education, engagement of events vendors, and non-profit and community groups that use the Town's facilities.

9. The proposed Staging Plan for the roll out of the ban is detailed below:

Stage	Timeframe
Complete data-gathering on the range of single-use plastic and polystyrene products that are or are likely to be used across the Town's various business units according to the wording within the Notice of Motion	July 2019
Develop communication and engagement plan with assistance from ToVP Communications and WA Plastic Free	From July 2019
Town's operations - Roll out change to alternatives* within Town-managed centres, with assistance from WA Plastic Free.	From July 2019
Draft overarching Policy and Guidance** (content)	July-August 2019
Legal advice sought on Policy and Guidance	July-August 2019
Report to Council on the Project Plan for endorsement	August 2019

Staff consultation AND Council consultation – Guidance content.	September 2019 (at least 3 weeks)
Revision of Policy and Guidance content. Graphic Design of Guidance.	October 2019
Concept Forum – Guidance - final design.	October 2019
<p>Roll out of communication campaign about the ban (with assistance from WA Plastic Free), or at least communication regarding the ban. This may include:</p> <ul style="list-style-type: none"> <li>• Simple fact sheet developed.</li> <li>• Internal launch to ensure consistent messaging.</li> <li>• Educating food vendors regarding using de-compostable items and avoiding the use of single use plastic. Whilst the ban is in effect immediately, vendors at markets and events that the Town approves should be given a three months grace period to source alternatives to single use plastic and polystyrene. If they use single use plastics and polystyrene, an officer from the Town could advise them of our ban and provide them with a list of alternatives (available from WA Plastic Free);</li> <li>• Clubs and other groups that lease our facilities will be informed of the ban and – in lieu of a new lease or variation to the already existing agreement – encouraged to source alternatives to single use plastics and polystyrene. Educating all the user groups/sporting clubs/individual hirers of the Town’s facilities, ovals/reserves regarding the Town’s ban on single use plastic and encouraging use of de-compostable items</li> <li>• Clubs and other groups that lease our facilities will be informed of the intention to include the ban within new lease agreements.</li> <li>• Broad community education about the ban, with assistance from ToVP Communications and WA Plastic Free. This includes broad distribution of the Guidance document to all schools, to be used as a class resource.</li> </ul>	From October 2019
The Mayor to write to all businesses in the Town outlining our ban on single use plastics and encourage them to reduce single use plastics, particularly straws and plastic cups where possible	October 2019
The Mayor write to Coles, Woolworths and ALDI informing them of our ban and request they audit and cease their use of plastic wrapping, particularly on fruit and vegetables	October 2019
Establish internal committee to oversee the implementation of the ban. This could be comprised of nominated champions from the Town’s respective out-centres that report back to SMT.	November 2019

Requirement of ban integrated into conditions of hire.	By 31 December 2019
Ban applied as a condition on all permits issued. An associated fact sheet should be provided to all permit holders. Compliance with the policy may be enforced as with any other condition on an issued permit or approval.	By 31 December 2019
Ban applies to vendors, lessees and licensees following the three-month grace period to source alternatives to single use plastic and polystyrene.	January 2020
Budget for potential alternatives (e.g. glass, ceramic, paper, multi-use plastic etc) at mid-year budget review (March 2020) and ongoingly	From March 2020
Investigate potential to develop incentive scheme to encourage voluntary adoption. e.g. 'Green Awards'.	April 2020

\* Disposable alternatives must be certified compostable under AS 4736 – Industrial Composting or AS 5810 – Home Composting. Alternatively, the Town should encourage the use of reusable options to avoid waste generation altogether.

\*\* In support of the Policy and the ban generally, and to assist the community in the transition away from single-use plastic and polystyrene, the Town is developing an overarching guidance document, with assistance from WA Plastic Free. The guidance document will be similar to the City of Rockingham's 'Turn the Tide on Plastic Guideline':

<http://rockingham.wa.gov.au/getmedia/54d545fa-c5ce-4824-999a-90fccfc7e44/Turn-the-Tide-on-Plastic-Guideline.pdf.aspx>

## Strategic alignment

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	<ul style="list-style-type: none"> <li>Reduction in the amount of plastics being disposed to landfill or ending up as litter in our community; and</li> <li>Reduction of the impacts on the Town's environment and human health;</li> </ul>

Environment	
Strategic outcome	Intended public value outcome or impact
EN04 - A clean place where everyone knows the value of waste, water and energy.	<ul style="list-style-type: none"> <li>Education of the Town's community to shift away from single use plastic and polystyrene products;</li> </ul>

	<ul style="list-style-type: none"> <li>• Support businesses to embrace alternative options to single use plastic and polystyrene products and those already utilising alternatives;</li> <li>• Help to reduce the degradation of the Australian marine environment including the Swan River; and</li> <li>• Reduce the carbon emissions associated with creating plastic from non-renewable oil resources.</li> </ul>
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## Engagement

Internal engagement	
Stakeholder	Comments
Meetings with staff across relevant business units	Discussion of the Notice of Motion, potential impacts and costs and likely future direction.
Staff consultation	Call for collection of baseline data on the range of single-use plastic and polystyrene products that are or are likely to be used across our different business units according to the wording within the Notice of Motion.
SAL team	Call for SALT to request their teams to populate spreadsheet for baseline data on the range of single-use plastic and polystyrene products that are or are likely to be used across our different business units according to the wording within the Notice of Motion.
Governance	Legal advice regarding the enforceability of the ban.
Council	Concept Forum in May to discuss and consolidate understanding of what is encompassed within the scope of the ban, and that which is outside of scope, including the enforceability of the ban.
Communications	Development of future community education collateral.
Governance team	Draft Policy review.
SAL Team	Consultation regarding the draft Project Plan and Policy.
C-Suite	Approval of draft Policy and Staging Plan to be considered by Council.

Other engagement	
Stakeholder	Comments
WALGA	Liaison regarding potential assistance with the Single-Use Plastic and Polystyrene Ban study; attendance to single-use plastic forum.
WA Plastic Free	Engagement of services to assist with the development of the Project Plan; assistance with gathering baseline data on the range of single-use plastic and polystyrene products that are or are likely to be used across our different business units according to the wording within the Notice of Motion; assistance with determining alternatives to single-use plastic and polystyrene.
Town of Bassendean	Obtaining information on the development of the Town of the Bassendean's single-use plastic ban for their events.

## Legal compliance

Not applicable.

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Reputational</b> Negative public perception towards the Town by vendors, retailers, public with the implementation of the ban; Lessees or Licencees do not agree to it; or if there is little community buy-in.	Medium	Likely	High	a) Robust community education communication about the ban and acceptable alternatives to single-use plastic and polystyrene.  b) Allow appropriate transition period before implementing the ban.
<b>Financial</b> Facilities, associated suppliers (e.g. event vendors) – particularly in the areas of food, drink and retail – the community may be	Medium	Likely	High	a) Robust community education communication about the ban and acceptable alternatives to single-use plastic and polystyrene.

negatively affected by a ban on single-use plastics and polystyrene if there is an increased cost to use an alternative.				b) Allow appropriate transition period before implementing the ban.
Cost of implementing the ban at an operational level, and potential associated reduction in the delivery of services to the community.	Major	Likely	High	a) Estimate the cost/s and ensure they are accommodated in next FY budgets.
This may impact the Town's Community Grant Program, Sponsorship Program, Reserve and Park bookings and associated potential revenue raising opportunities which may be lost.	Major	Likely	High	a) Robust community education communication about the ban and acceptable alternatives to single-use plastic and polystyrene.  b) Allow appropriate transition period before implementing the ban.

## Financial implications

<b>Current budget impact</b>	<p>The development of the targeted community education campaign may require to be outsourced. This will be determined in liaison with the Town's Communications team and may be supplemented with the assistance of WA Plastic Free, who will be able to provide the Town with some existing educational resources at no cost to the Town.</p> <p>Internally, there will be a significant financial impact to various business units across the Town that need to source and then purchase (generally more expensive) alternatives to single-use plastic and polystyrene.</p>
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	<p>The extent of the impact depends on the cost difference to transition to the alternative that is available. Town staff have attempted to assess the impact at a high level, which currently is in the vicinity of \$60,000 - \$100,000 increase in cost the Town.</p> <p>This considers the inclusion of compostable material collection units and collection of said units.</p> <p>If the ban is to be implemented from 1 January 2020, then it suggested that the operational expenditure budgets be increased accordingly.</p>
<p><b>Future budget impact</b></p>	<p>There will be a need to be budget in subsequent for plastic and polystyrene alternatives in future financial years.</p> <p>There is evidence that the cost of some of these alternatives are reducing as their demand rises.</p>

## Analysis

10. The Town is committed to reducing the amount of single-use plastics and polystyrene that are in our environment. The Single-use Plastics and Polystyrene Policy demonstrates Council's leadership in this area. It should be noted that whilst the policy formalises the Town's position, it is not a legal instrument to enforce the ban itself within the community. Instead, the Town will administer the ban through encouragement of our community to shift away from single-use plastic and polystyrene products, rather than enforcement.
11. The Single-use Plastics and Polystyrene Policy and the Project Plan, with support from WA Plastic Free, provides a framework for the phasing out of single-use plastic and polystyrene products, educating and supporting the Town's community and businesses to shift away from these products and to embrace more sustainable alternative options where available.

## Relevant documents

Not applicable.



## 12.2 TVP-19-05 - ROW52 Laneway Upgrade

<b>Location</b>	East Victoria Park
<b>Reporting officer</b>	Jack Bidwell
<b>Responsible officer</b>	Ben Killigrew
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	Nil

### Recommendation

That Council:

1. Awards the contract associated with Tender TVP/19/05 ROW52 Laneway Upgrade, to Menchetti Consolidated Pty Ltd [MG Group] (ABN: 90 126 134 147), for the delivery of works as specified in the Tender documents, with the terms and conditions as outlined in the contract, for the lump sum price of \$496,278.05 (ex. GST);
2. Approves additional expenditure for works of \$200,000, pursuant to Section 6.8 of the *Local Government Act 1995*; and
3. Amends the 2019-20 Annual Budget as follows:

Expenditure

ROW52 Laneway Upgrade – increase by \$200,000

Revenue

From Reserve Funds – Future Projects increase by \$200,000

### Purpose

Under Council Delegation 1.24 - Limits on Delegations to the CEO – all tenders exceeding \$200,000 to be by Council determination. As the total value exceeds \$200,000 Council endorsement is required to proceed to Contract.

### In brief

TVP/19/05 ROW52 Laneway Upgrade was advertised in accordance with local government regulations.

- Suppliers were requested to provide a lump sum price for the supply and delivery of the requested laneway upgrade specifications, as outlined in the Tender documentation, within a budget of \$315,000.
- Suppliers were asked, if they were unable to deliver the full specifications for the proposed budget, to nominate value management items to reduce the lump sum price.
- All submissions received were significantly over the proposed budget and would require large reductions in the specification to meet the budget.
- The reduction in scope required to meet the budget, based on the submissions received, would lead to significant impact on the outcomes of the project as envisioned by the community. Therefore it is recommended that the best option is to deliver the project scope in full with a budget amendment, to ensure the project outcomes are delivered to meet the community's needs for the space.
- The Town assessed alternative options such as reducing the scope to meet the original budget, staging

the project, re-tendering or cancelling the project. All of which do not deliver the best outcome for the community.

- A budget amendment is required for the purpose of completing the ROW52 Laneway Upgrade project in its entirety, thus avoiding the need to significantly alter the scope and ensure the works are delivered as envisioned by the community.
- An evaluation of the tender submissions against the prescribed criteria has been completed and it is recommended that Council accepts the submission made by MG Group 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. Following a Council resolution in December 2016, the Town has been developing a suite of public realm upgrade projects to enhance and improve public spaces for the community. ROW52 Laneway Upgrade was identified as the first project in the "Old Places, New Spaces" program.
2. The space is predominantly utilised by pedestrians as a thoroughfare and holds semi-regular pop up events such as TGIF Hawkers Markets and Summer Street Party events.
3. A community engagement process was undertaken where the community conceptualised and voted on the design themes for what they wanted to see in the space. The Town collated the community's ideas and design themes and used them to inform the criteria for procuring a design consultant.
4. An overwhelming majority of the community that engaged with the Town during the process voted to close the laneway to vehicles and upgrade it to a pedestrian activity area. With a major issue aiming to be resolved being the removal of vehicle and pedestrian conflict at the intersection of Albany Hwy and ROW52.
5. The concept design, detailed design, tender specifications and opinion of probable cost was completed by EPCAD Pty Ltd in November 2018.
6. The opinion of probable cost provided by EPCAD was used to inform the original project budget.
7. The Town has also been in negotiations with the neighbouring landowners to facilitate the closure of the ROW to vehicles, which will enable the Town to undertake the upgrade project. This process was finalised in July 2019 due to delays in negotiations from the landowners. Gaining this approval led to a carry-forward of funds to the 2019/20 financial year.
8. The award of the Contract will be subject to the approval of the Landgate closure application and the approval of a Western Power connection, with both to be facilitated by the Town or its representatives.
9. In accordance with Tender regulations, the Tender was publicly advertised and closed on 16 July 2019. Evaluations of the submissions were undertaken by a three staff evaluation panel based on the qualitative and quantitative criteria as advertised in the tender documents.

## **Compliance criteria**

10. The Tender included several compliance and qualitative criteria which Tenderers were required to address to be considered for evaluation. These can be summarised as:
  - Compliance with conditions of the Tender
  - Risk Assessment, Corporate Information, Insurances and Financial ability of the company

- Previous work similar to the project, project references and proven track record of achieving outcomes
- Current staff, plant and equipment and their capability to meet the Tender requirements
- Records of OHS management, Safety and Contingency
- Understanding of the project requirements
- Demonstrated understanding of the scope of work required and the process to deliver the scope
- Price breakdown and schedules as required

## Evaluation process

<p><b>Relevant experience</b></p> <p>I) Provide details of similar work undertaken.</p> <p>II) Provide scope of the Tenderer's involvement including details of outcomes.</p> <p>III) Provide details of issues that arose during the project and how these were managed.</p> <p>IV) Demonstrate competency and proven track record of achieving outcomes.</p> <p>V) Project reference sheet.</p>	<p>Weighting 20%</p>
<p><b>Current capability</b></p> <p>I) Curriculum vitae of key staff inclusive of membership to any professional or business association, qualifications etc.</p> <p>II) Plant, equipment and materials.</p> <p>III) Any contingency measures or backup of resources including personnel (where applicable).</p> <p>IV) OHS Survey.</p> <p>V) Safety Record.</p> <p>VI) Resources Schedule.</p>	<p>Weighting 20%</p>
<p><b>Demonstrated understanding</b></p> <p>I) A project schedule/timeline (where applicable).</p> <p>II) The process for the delivery of the Goods/Services; and</p> <p>III) Demonstrated understanding of the Scope of Work.</p>	<p>Weighting 20%</p>
<p><b>Price</b></p> <p>I) Provide a detailed breakdown of items in the specification included in the tenderers price.</p>	<p>Weighting 40%</p>

## 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.	Engagement was undertaken with the purpose of delivering a space conceptualised by the community to ensure ongoing activation.
CL03 - Well thought out and managed projects that are delivered successfully.	The project will be delivered utilised the Town's Project Management Framework to ensure accountable and transparent project delivery for the community.

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.	The delivery of the project will convert the ROW from an underutilised thoroughfare to an active, safe and vibrant space delivered to a pedestrian scale.
EN07 - Increased vegetation and tree canopy.	The scope includes the installation of several large trees, planters and vines in an area traditionally dominated by hard surfaces. This will increase vegetation and tree canopy in the area.

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	The delivery of the full scope of works will provide a safer and more inviting space as conceptualised by the community, therefore creating a sense of community pride within the space.

## Engagement

Internal Engagement	
Stakeholder	Comments
Procurement	Provided advice and acted as a probity advisor throughout the process.
Financial Services	Provided advice throughout the process.
Place Planning	Active involvement in the community engagement, design and procurement process.
Infrastructure Operations	Active involvement in the design and procurement process.
Stakeholder Relations	Active involvement in the community engagement process and on-going support for communications.

## Legal compliance

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

[Part 4 Division 2 of the Local Government \(Functions and General\) Regulations 1996](#)

[Section 6.8 of the Local Government Act 1995 \(Expenditure from municipal fund not included in annual budget\)](#)

## Risk management considerations

Risk and Consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and Actions
<b>Reputational</b> Negative public perception towards the Town may result if the project is not delivered as the community envisioned through the engagement process	Moderate	Likely	High	Project scope is delivered in full to meet the community's needs.
<b>Financial</b> Insufficient budget to deliver the scope of works required as per the Tender submissions	Major	Almost Certain	Extreme	Budget amendment with additional funds to ensure the scope of works can be delivered in full. Project team will also work with the contractor to identify savings within scope that don't impact project outcomes.
<b>Service Interruption</b> Some disruption to the neighbouring businesses may occur during construction	Minor	Likely	Moderate	Town will hold formal meetings with the neighbouring businesses prior to construction to develop access plan. Contractor will ensure appropriate access is maintained and disruptions minimised

## Financial implications

Current budget impact	<p>Council Delegation 1.24 – Limits on Delegations to CEO requires all tenders exceeding \$200,000 to be by Council determination. The value of the total contract is expected to exceed \$200,000, therefore it is required that this item be brought before Council for determination.</p> <p>Council policy <a href="#">FIN4 Purchase of Goods and Services</a> requires Council to invite tenders before the Town enters into a contract if the consideration under the contract is or is expected to exceed \$150,000. The provision of TVP/19/05 ROW52 Laneway Upgrade is likely to cost \$496,278 over a 1-year contract term, therefore it is deemed necessary to enter into a contract.</p> <p>Sufficient funds do not exist within the annual budget. There is currently \$315,000 available and an additional \$200,000 is required to facilitate the works through the recommended supplier. It is proposed that funding will be acquired through:</p> <ul style="list-style-type: none"><li>• Reserve Funds - Future Projects</li></ul> <p>Note it is proposed that \$496,278 of the total funds be allocated to the Lump Sum Contract with the remainder to be held as project contingency.</p>
Future budget impact	<p>The delivery of the upgrade project will result in an increase in maintenance costs associated with maintaining this space within future operating budgets.</p> <p>The upgraded space will also present the Town with the opportunity to facilitate events that may lead to small revenue generation potential.</p>

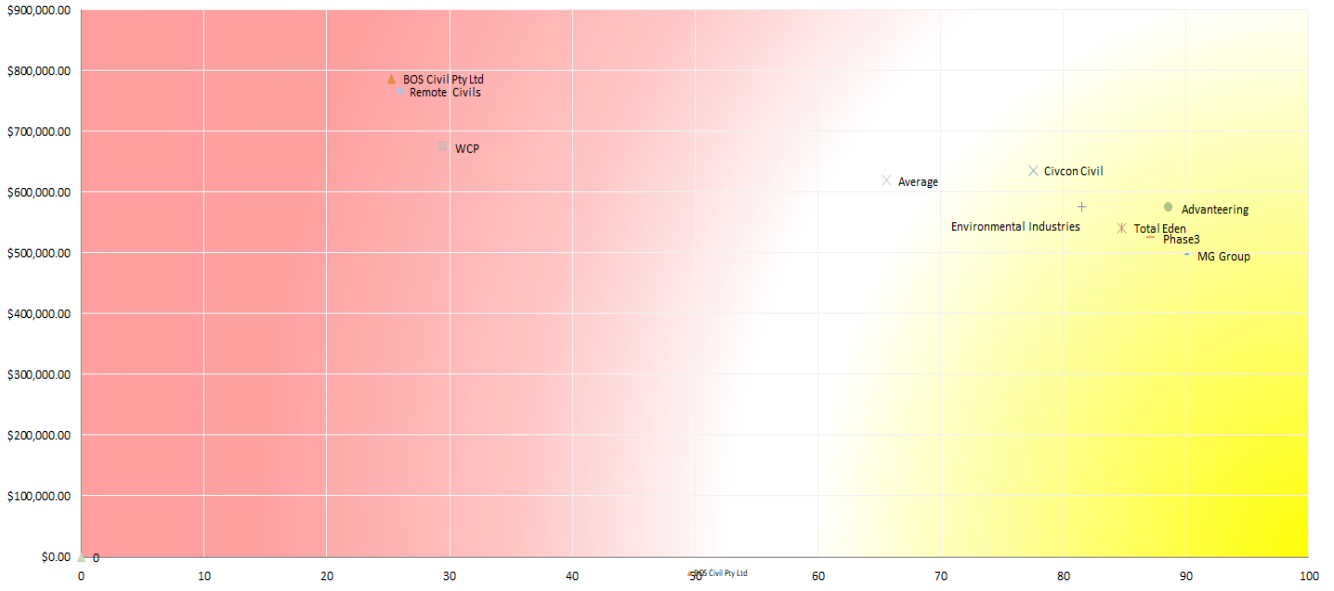
## Relevant documents

[Council policy FIN4 Purchase of Goods and Services](#)

## Analysis

11. The assessment of the submissions was formally undertaken by a panel that included:
  - A/Chief Operations Officer
  - Manager Infrastructure Operations
  - Place Leader Urban Design
12. The Town received nine submissions. Of these submissions, three were eliminated in a preliminary assessment based on price.
13. The evaluation of the submissions against the quantitative and qualitative criteria are shown on the graph below.

Combined Totals



### 12.3 TVP/19/07 Higgins Park Tennis Courts Upgrade

<b>Location</b>	East Victoria Park
<b>Reporting officer</b>	Gregor Wilson
<b>Responsible officer</b>	Ben Killigrew
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

#### Recommendation

That Council awards the contract associated with Tender TVP/19/07 Higgins Park Tennis Courts Upgrade, to D.B Cunningham Pty Ltd t/a Advanteeing Civil Engineers (ABN: 45 009 144 414), for the Upgrade of the Higgins Park Tennis Courts, with the terms and conditions as outlined in the contract, for the lump sum price of \$ 605,195.80.

#### Purpose

To seek Council approval and appoint a preferred contractor for the Upgrade of the Higgins Park Tennis Courts as the value of tender TVP/19/07 exceeds \$150,000.

#### In brief

- Tender TPV/19/07 was advertised in the West Australian Newspaper on Wednesday 12 June 2019 and information also released via the Tenderlink portal on the same day.
- Suppliers were requested to provide a lump sum cost for the construction of additional tennis hardcourts, grass courts, a dedicated grass croquet court, a shared court, as well as additional lighting and fencing requirements.
- Installation of shade structures and seating, as well as new cricket nets were included as an optional parts of the tender. They have been considered in the pricing for both tenderers, but a decision will be made during the works as to whether they are required once the preliminary site works are completed.
- Two submissions were received from Menchetti Consolidated PTY LTD trading as MG Group and D.B. Cunningham PTY LTD trading as Advanteeing Civil Engineers.
- The approved municipal funding allocation for this item is \$636,000. Additional \$100,000 grant funding from the Department of Local Government, Sports and Cultural Industries, (DLGSCI) has been provided through the Higgins Park Tennis Club for this project.
- An evaluation of the tender submissions against the prescribed criteria has been completed and it is recommended that Council accepts the submission made by D.B Cunningham Pty Ltd t/a Advanteeing Civil Engineers and enters into a contract to upgrade the Higgins Park Tennis Club.



## Background

1. The Town of Victoria Park, through the Land Use Optimisation Strategy, has been investigating council public open space and buildings within the Town.
2. The Victoria Park Croquet Club and Higgins Park Tennis Club were seen as an opportunity to co-locate, potentially improving facilities and reducing costs for both clubs. It also would ensure that land identified within the Land Asset Optimisation Strategy on the existing croquet club site on the corner of Rushton Street and Shepperton Road could be assessed for future use.
3. In order to facilitate colocation of the two clubs and improve their financial sustainability, the footprint of the Higgins Park Tennis Club, located on Higgins Park, needed to be increased. Some existing grass tennis courts would be converted to hardcourts with new LED lighting installed. This would allow for additional night use. An additional grass court would be installed to maintain tennis court numbers.
4. A dedicated croquet court with LED lighting as well as a shared croquet/tennis court would be added to the site to facilitate croquet requirements.
5. The Department of Local Government Sports and Cultural Industries, (DLGSCI) tend to look more favourably at providing funding to multi use facilities. The Higgins Park Tennis Club successfully obtained a \$100,000 grant, to assist in the upgrade of the courts.
6. An MOU between the Higgins Park Tennis Club and the Victoria Park Croquet Club has been accepted, and it is intended the Victoria Park Croquet Club will relocate to Higgins Park at the completion of the proposed upgrade works.

## Compliance criteria

7. Tenderers are to provide acknowledgment that your organisation has submitted in accordance with the Conditions of Tender including completion of the Offer Form and provision of your pricing submitted in the format required by the Principal.
8. Compliance with the Specification contained in the Request.
9. Tenderers are to provide their Registrations, Certifications and Licences relevant to the works.
10. Compliance with attendance at any mandatory tender briefing or site inspection.
11. Compliance with the Quality Assurance requirement for this Request.
12. Compliance with the Delivery Date.

## Evaluation process

<p><b>Relevant experience</b></p> <ul style="list-style-type: none"> <li>i). Provide details of similar work undertaken</li> <li>ii). Provide scope of the Tenderer's involvement including details of outcomes.</li> <li>iii). Provide details of issues that arose during the project and how these were managed.</li> <li>iv). Demonstrate competency and proven track record of achieving outcomes.</li> <li>v). Project reference sheet.</li> </ul>	<p>Weighting 15%</p>
<p><b>Current capability</b></p>	<p>Weighting</p>

i). The Tenderer's role in the performance of the Contract.	20%
ii). Curriculum vitae of key staff inclusive of membership to any professional or business association, qualifications etc.	
<b>Demonstrated understanding</b>	
i). A project schedule/timeline (where applicable).	Weighting 15%
ii). The process for the delivery of the Goods/Services.	
iii). Training processes (if required); and	
iv). Demonstrated understanding of the Scope of Work.	
<b>Price</b>	Weighting 50%

## 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.	An open public tender process was carried out as required, with additional supporting funds from a government grant

<b>Civic Leadership</b>	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	A cohabitated site with shared facilities making both clubs more sustainable

<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.	Being able to cater to two different clubs using common shared facilities, working within an MOU
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Providing an appropriate mix of hardcourts and grass courts maintained to a high standard amongst existing public open space

<b>Social</b>	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	Encouraging physical activity and social interaction in clubs with a wide demographic

## Engagement

<b>Internal Engagement</b>	
Stakeholder	Comments

Procurement	Assisted in creating the tender documents, managing the process and provided advice throughout the process.
Property Development Officer, Project Management	Was the main liaison from the Town with the two clubs, facilitating MOU
Reserves and Capital Works Supervisor	Provided site specific information
Elected members	Provided input during Special Council meetings

External Engagement	
Stakeholder	Comments
Higgins Park Tennis Club	Provided club requirements, assisted to facilitate successful grant
Victoria Park Croquet Club	Provided club requirements

## 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 considerations

Risk and Consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and Actions
<b>Financial</b> Clubs not sustainable	Moderate	Likely	High	Colocate Clubs where possible and invest in facilities that drive club financial sustainability and improved community access
<b>Reputational</b> Upgrades impact on the master plan for Higgins Park	Moderate	Possible	Medium	Consultant performing the needs assessment for Higgins Park masterplan has been advised of proposed upgrades
<b>Reputational</b> Clubs do not operate well together in same premises	Moderate	Possible	Medium	Clubs to sign co-developed MOU that is acceptable to the Town prior to works being undertaken

## Financial implications

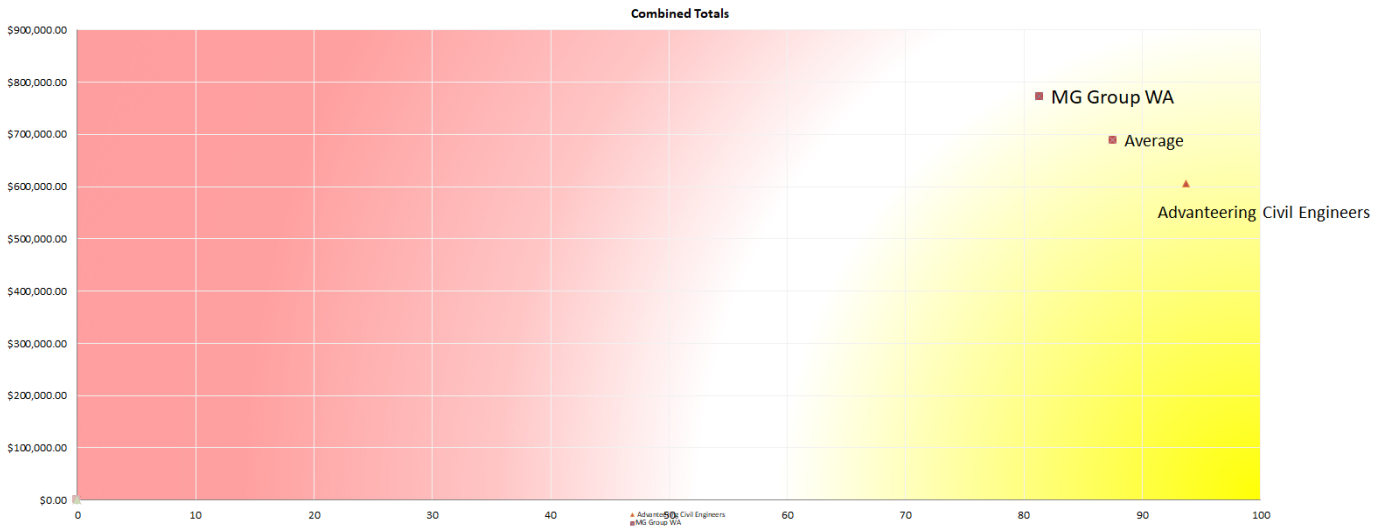
Current budget impact	<p>Council Delegation 1.24 – Limits on Delegations to CEO requires all tenders exceeding \$200,000 to be by Council determination. The value of the total contract is expected to exceed \$200,000, therefore it is required that this item be brought before Council for determination.</p> <p>Council policy <a href="#">FIN4 Purchase of Goods and Services</a> requires Council to invite tenders before the Town enters into a contract if the consideration under the contract is or is expected to exceed \$150,000. The provision of Tender TVP/19/07 Higgins Park Tennis Courts Upgrade is likely to cost over \$600,000 as a lump sum contract term, therefore it is deemed necessary to enter into a contract.</p> <p>Sufficient funds exist within the annual Capital budget to address this recommendation. The funds have been approved to come from the LAOS reserve fund.</p> <p>\$636,000 is contained within the 2019/2020 Parks Capital budget.</p> <p>A further \$100,000 grant from the Department of Local Government Sports and Cultural Industries, (DLGSCI) has been provided to the Higgins Park Tennis Club as their contribution to the project.</p>
Future budget impact	<p>Continuation of the \$15,000 operating subsidy to the Victoria Park Crocket Club as per the Towns Operating subsidy policy, to assist with greenkeeping costs to the new site.</p>

## Relevant documents

[Council policy FIN4 Purchase of Goods and Services](#)

## Analysis

13. The assessment of the submissions was formally undertaken by a panel that included:
  - Manager Infrastructure Operations
  - Parks Project Officer
  - Property Development Manager, Project Management
14. The Town received two (2) submissions. Both of these submissions were compliant.
15. The evaluation of the submissions against the quantitative and qualitative criteria are shown on the graph below.



16. Both submissions were to a high standard. Each company provided an extensive list of major construction projects incorporating works consistent with the requirements of the tender specifications and appeared capable of delivering the Higgins Park work. Advanteering is currently carrying out the works on Lathlain zone 2 and 2X for the Town of Victoria Park. Price weighting was 50% of the selection criteria and Advanteering were significantly cheaper than MG Group and scored higher in the overall assessment.
17. Any surplus funds remaining after the contract is completed including contingencies, will be returned to the LAOS reserve fund.

## 12.4 Extension and Variation of Lease of Lot 3 Memorial Avenue, Harold Hawthorn Senior Citizens Centre and Memorial Hall, and Lot 404 Rutland Avenue, Aged Day Care Centre

<b>Location</b>	Carlisle
<b>Reporting officer</b>	Jayde Robbins
<b>Responsible officer</b>	Ben Killigrew
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

### Recommendation

That Council:

1. Approves a Deed of Variation and Extension of Lease for the Senior Citizens Centre and Memorial Hall at Lot 3 Memorial Avenue, Carlisle, and Day Centre at Lot 404 Rutland Avenue, Carlisle, to Harold Hawthorne Senior Citizens' Centre and Homes Inc. with the term of extension of the lease to expire on 30 June 2022.
2. Authorises the Mayor and the Chief Executive Officer to execute, on behalf of the Town, the subject Deed of Variation and Lease for Senior Citizens Centre and Memorial Hall at Lot 3 Memorial Avenue, Carlisle, and Day Centre at Lot 404 Rutland Avenue, Carlisle, to Harold Hawthorne Senior Citizens' Centre and Homes Inc.
3. Approves an Operational Subsidy payment of \$119,354 exclusive of GST and annually indexed by CPI (Perth All Groups) to Harold Hawthorn Senior Citizens Centre for the term of the Lease expiring 30 June 2022.

### Purpose

The Lease for Lots 3 Memorial Avenue (Harold Hawthorn Senior Citizens Centre and Memorial Hall) and Lot 404 Rutland Avenue (Day Centre) is currently in a holding over phase requiring Deed of Variation and execution of a further lease term of five years.

### In brief

- The lease of Lot 3 and Lot 404 to Harold Hawthorne Senior Citizens' Centre and Homes Inc. (HHSCC) was executed in 2007 for a term of five years expiring on 30 June 2012 with options for two further terms of five years if exercised within the terms of the lease.
- HHSCC has requested the Extension of the Lease term.
- A Deed of Variation and Extension of Lease expiring 30 June 2022 has been prepared by lawyers acting for the Town and has been agreed to in principle by the board of HHSCC and a lawyer acting for HHSCC.
- Inclusions in the Deed of Variation are:
  - a) a clause indicating that the property may be subject to redevelopment.

- b) clearly defined responsibilities in respect to maintenance, fair wear and tear, and structural responsibilities for the Seniors Centre, Hall and Day Centre.
- The new lease does not contain any clauses relating to an operating subsidy.
- The Operational Subsidy for an amount of \$119,354 has been allocated in the 2019-20 annual budget and will be dealt with separately through a Funding Agreement, overseen by the Manager Community.

## Background

1. The lease applies to Lots 3 Memorial Avenue and Lot 404 Rutland Avenue, Carlisle, which has the Harold Hawthorn Administration Centre, Hall and Day Centre located over the two lots.
2. Bickford Soldiers Association purchased this land parcel in 1919 and using voluntary labour, built a hall for the benefit of servicemen returning from World War One. In 1965 the Bickford Hall needed major renovation but the Bickford Soldiers Association was unable to fund repairs.
3. In 1967 the land was gifted to the City of Perth and they rebuilt the hall and built a dedicated Seniors Centre. In October 1968 it was officially opened as the Harold Hawthorne Senior Citizens Centre in recognition of the late Councillor Hawthorne and with the purpose of being a dedicated local hub for services, support, activities and events for seniors. In 1980, the Council leased the land adjoining the Centre for housing for the Aged with the successful service provider being the Harold Hawthorne Centre which then built 12 units on the land (Lot 2 Memorial Avenue, Carlisle).
4. Subsequently, the land and buildings including Memorial Hall, Seniors Centre Administration, Day Centre and housing were transferred from the City of Perth to the Town of Victoria Park. In 1997, the Town provided the Centre with an operating subsidy of \$50,000 per annum (indexed with CPI) specifically to assist the HHSCC with the cost of maintaining the premises. In 2005, Council resolved to increase the operational subsidy to \$85,000, with the expectation that the Harold Hawthorn Board will endeavor to place up to \$15,000 in a Reserve Fund for the replacement of infrastructure and the upgrading of buildings. Council also resolved to include the operating subsidy of \$85,000 (indexed with CPI) in the Lease.

## Operating Subsidy 2018/19 and 2019-22

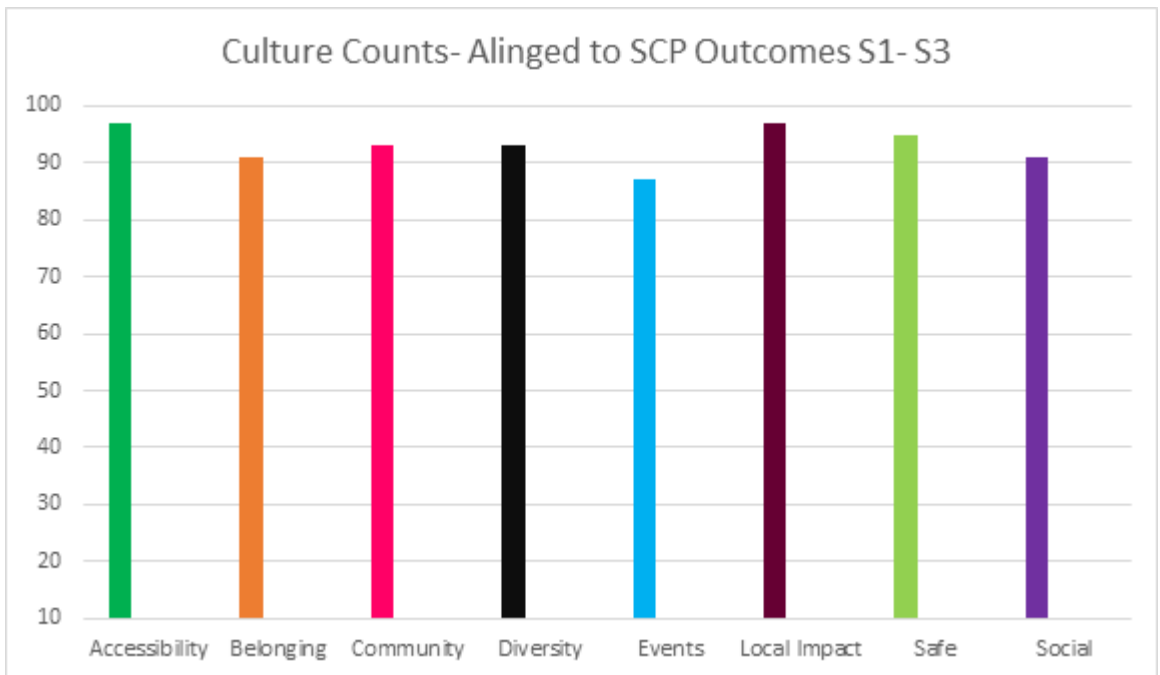
5. In 2018/19 the operating subsidy contributed towards HHSCC capacity to deliver a range of programs and services which created a sense of belonging, safety, and pride, whilst also improving social health and wellbeing of senior community members. The programs align to The World Health Organisation's *Global Age-Friendly Cities: A Guide*, which recognises the importance of Active Aging through optimizing opportunities for health, social participation and security in order to enhance ones quality of life as people age.
6. Throughout 2018/19 HHSCC provided quarterly progress reports against S1-S3 of the Strategic Community Plan to Manager Community, and to the Community Development committee prior to its disbandment.
7. The following is an overview of some of the programs and initiatives delivered in 2018/19;
  - **Meals at Harry's Dinner-** Harry's Dinner is open to the general community during the week and provides affordable and nutritious meals. With over 15,272 meals served in 2018/19, creating a sense of belonging and breaking down social isolation was achieved by community members

coming together to enjoy good times and meals. This is an increase of service delivery of 1,272 meals compared to 2017/18. HHSCC also provides a meal delivery service through the Meals on Wheels service which delivered 11,681 meals to community members. In total 26,963 meals were delivered to the community contributing to social health and well-being of the senior community.

**Cost:** The operational cost of the meals program was over \$320,000. This included employee costs, materials, service and facilities costs (excluding the delivery of the meals as this is funded through the Commonwealth Home Support Program).

- **Social Activities and Events-** In total there were approximately 7,979 attendance at social activities and events delivered or hosted by HHSCC throughout 2018/19. Such activities included bingo, yoga, carpet bowls, crafts, digital literacy, tai-chia and book exchange. Along with Special Events were held throughout the year, including ANZAC Day service, Christmas in July, Melbourne Cup, Christmas, Seniors Week Games, West Coast Eagles visit, Fremantle Dockers visit, 55+ in the Park launch, Cancer Foundation Biggest Morning Tea, Volunteers Day lunch and Art Mural launch. The successful delivery of the activities and events were achieved through the contributions and efforts of 41 volunteers who participated in running the events, and approximately four paid staff who coordinated and provided administration support. Aligned to collaboration and partnerships, the events and activities involved 49 community organisations and service providers. **Cost:** The operational cost to deliver the social activities and events program was over \$150,000. This included employee costs, materials, service and facilities costs.
- **Social Outcome Measurements-** HHSCC used personal impact stories and Culture Counts to evaluate the services and programs delivered, and the outcomes they had at an individual level. Aligned to SCP S1-S3 participants were asked if they agree or disagree with the following dimension questions. The results are captured in the graph below;
  - Accessibility: I find it easy to get to and from here
  - Belonging: It helped me feel part of the community
  - Community: I felt a sense of a community here
  - Diversity: It could engage people from different backgrounds
  - Events: I enjoy attending events here
  - Local Impact: It's important that its happening here
  - Safe: It made me feel part of the community
  - Social: There are social things that I like to do here (e.g. meet friends, have a night out).





**Intergenerational games, Seniors Week**



**Collaborative partnership with the Town, SwanCare and Connect Victoria Park on 55+ in the Park – community directory.**

8. The operating subsidy for 2019/2020 equates to \$119,354 excluding GST and is to support the ongoing operating capacity of HHSCC to deliver a range of programs, services, events, and partnerships, as outlined above, which enhance the quality of life of senior community members. Manager Community will manage the operating subsidy through a funding agreement which requires quarterly output reports and an Annual Outcome report as briefly detailed in the Analysis section, point 11, of this report.

<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.	Operating Subsidy, with quarterly reporting requirements, is provided to HHSCC to assist the operation and maintenance of the facility to enable them to deliver and facilitate a range of initiatives and programs which take place at the Community Centre
CL09 - Appropriate devolution of decision-making and service provision to an empowered community.	Providing a facility for a peppercorn lease supports Community Groups (HHSCC) to provide an important service to the Town's community in particular the Aged community and people in social isolation or with a disability.

<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.	Facility is in good condition and fit for purpose. Well maintained by the Lessee and assessed annually by Lessor for structural condition. Building is providing a valuable service to the community.
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Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	Meals at Centre – reduce social isolation by enjoying a meal with others. Meals on wheels benefits extended to people with disabilities – welfare checks provided for vulnerable people living in the community.
S03 - An empowered community with a sense of pride, safety and belonging.	Bingo – reducing social isolation. Accessible facility for people to meet and connect with others. Events such as carpet bowls – enabling seniors or people with disabilities to stay actively engaged in their community.

## Engagement

Internal engagement	
Stakeholder	Comments
Manager Community	Interest in ensuring continuance of delivering a community benefit.
Property Development Manager	Discussion have been ongoing during the extension and variation of the Lease for Lot 3 in relation to the potential strategic future of the land asset for the Town. Specific clauses were negotiated in order to maintain a good working relationship with the Lessee as the asset naturally progresses to a more holistic potential aged care redevelopment outcome.

External engagement	
Stakeholders	Management and Board members of HHSCC.
Period of engagement	2018-2019
Level of engagement	Direct meeting contacts
Methods of engagement	Meetings in person

Advertising	Not applicable
Submission summary	Not applicable
Key findings	<p>HHSCC is supportive of the draft Deed of Variation and Extension of Lease.</p> <p>HHSCC requested for the funding agreement for the operating subsidy to align to the Deed Variation and Extension of Lease until 2022. This will provide the option for HHSCC to apply for additional operating subsidy funds.</p>

## Legal compliance

[Section 3.58 of the Local Government Act 1995](#)

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Property</b> Failure of Lessee to maintain the leased premises	Moderate	Unlikely	Moderate	Action to enforce compliance with Lease conditions
<b>Property</b> Failure to work with Lessee and existing tenants to undertake a future redevelopment outcome	Moderate	Possible	Moderate	A redevelopment clause has been negotiated for the lease and the lessee understand the implications.

## Financial implications

<b>Current budget impact</b>	<p>The expired administration, hall and day centre lease contained a provision for the Town to provide an annual subsidy payment to HHSCC. *It is proposed that the previous subsidy as contained within the lease be removed and any subsidy payable to HHSCC will be managed through a more transparent and common process overseen by the Town's community service area. This will have an overall negligible impact on the forecast operating budget.</p>
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	<p>HHSCC has not paid any significant rent during its tenure at Carlisle and it is not proposed to recommend change to that arrangement. Had the second term options for the lease been exercised within the specified timeframes, those second terms of the lease would have attracted no rental payments.</p> <p>Note: a rental valuation assessment of the administration centre, hall and day centre on Lots 3 and 404 carried out by a licensed valuer on 20 March 2018 assessed the market rental income, excluding outgoings and GST, as \$220,000 per annum.</p>
<p><b>Future budget impact</b></p>	<p>An allocation of \$119,354 (CPI indexed annually) will continue to be budgeted for annually. It is recommended that this Operating Subsidy be reviewed with consideration of the lease expiry date of 30 June 2022.</p>

## Analysis

9. The execution of Deed of Variation and Extension of Lease will essentially equate to the lease term that would have been in place had the second term of the expired lease been exercised within the specified timeframe.
10. HHSCC have been receiving an annual Operational Subsidy from the Town since 2005 the amount of \$85,000 increasing by CPI annually. The clause in the lease regarding an operating subsidy has been removed and the Town will deal with the operating subsidy separately to the lease, through a Funding Agreement to be managed by The Town's Community service area.
11. There is an allocation of \$119,354 in the 2019/2022 Annual budget for the operational subsidy for HHSCC. HHSCC will be required to submit;
  - satisfactory quarterly Output/ Activity reports;
  - satisfactory detailed and comprehensive End of Year Outcome Report by 30 October in the new financial year (or as negotiated), following the financial year for which the funding was granted. The first End of Year Report for funding in 2018/19 is 30 October 2019.
  - The End of Year Outcome Report will contain a summary of;
  - Community Outcomes for the financial year against S1-S4 of the Town's Strategic Community Plan (SCP);
    - S1 A Healthy Community
    - S2 An informed and knowledgeable community
    - S3 An Empowered Community with a sense of pride, safety and belonging; and
    - S4 A Place where all people have an awareness and appreciation of arts, culture, education and heritage
  - Any unspent funds that the Recipient is seeking to have carried over into the next financial year or to return to the Town
  - Explanation as to why the funds are required to be carried over or returned
  - An Audited Financial Statement
  - Detailed explanation of any additional funding secured or lost in that financial year, or for future years.

12. The new term of Lease and Deed of Variation will expire on 30 June 2022.

## **13 Chief Financial Officer reports**

### **13.1 Schedule of Accounts for June 2019**

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Ann Thampoe
<b>Responsible officer</b>	Graham Pattrick
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Payment Summary Listing - June 2019 [13.1.1 - 9 pages]

## Recommendation

That Council:

1. Confirms the accounts for 30 June 2019, as included in the attachment, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.
2. Confirms the direct lodgement of payroll payments to the personal bank accounts of employees, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.

## Purpose

To present the payments made from the municipal fund and the trust fund for the month ended 30 June 2019.

## 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) Regulation 1996.
- The information required for Council to confirm the payments made is included in the attachment.

## Background

3. 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.
4. 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
5. 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.

6. 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.
7. The list of accounts paid in accordance with Regulation 13 of the Local Government (Financial Management) Regulation 1996 is contained within the attachment and is summarised below.

Fund	Reference	Amounts
<b>Municipal Account</b>		
Automatic Cheques Drawn	608588 – 608596	29,587
Creditors – EFT Payments		5,523,607
Payroll		1,034,170
Bank Fees		3,749
Corporate MasterCard		5,178
		<b>6,596,291</b>
<b>Trust Account</b>		
Automatic Cheques Drawn	3679 – 3686	32,384
		<b>32,384</b>

## Strategic alignment

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

## Legal compliance

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

[Regulation 13 of the Local Government \(Financial Management\) Regulation 1996](#)



## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Compliance</b> Council not accepting Schedule of Accounts	Moderate	Unlikely	Moderate	Provide reasoning and detailed explanations to Council to enable informed decision making.
<b>Financial impact</b> Misstatement or significant error in Schedule of Accounts	Major	Unlikely	Moderate	Daily and monthly reconciliations. Internal and external audits.
<b>Financial impact</b> Fraud and illegal acts	Catastrophic	Rare	Moderate	Stringent internal controls. Internal audits. Segregation of duties.

## Financial implications

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

## Analysis

- 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](#)

## 13.2 Financial statement for the period ending 30 June 2019

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Ann Thampoe
<b>Responsible officer</b>	Graham Pattrick
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Financial Statements for the month ending June 2019 [13.2.1 - 44 pages]

### Recommendation from the Finance and Audit Committee

That Council accepts the Financial Activity Statement Report – 30 June 2019, as attached.

### Purpose

To present the statement of financial activity reporting on the revenue and expenditure for the period ended 30 June 2019.

### In brief

- The financial activity statement report is presented for the month ending 30 June 2019.
- The report complies with the requirements of Regulation 34 (Financial activity statement report) of the Local Government (Financial Management) Regulations 1996.
- The financial information as shown in this report does not include a number of end-of-financial year adjustments that are still yet to occur, as well as the final approval by the Auditor. The figures stated should therefore not be taken as the Town's final financial position for the period ended 30 June 2019.

### Background

1. Regulation 34 of the Local Government (Financial Management) Regulation 1996 states that each month, officers are required to prepare monthly financial reports covering prescribed information, and present these to Council for acceptance.
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, sustainability 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 could make informed decision for the future.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	Ensure Town meets its legislative responsibility in accordance with Regulation 34 of the Local Government (Financial Management) Regulation 1996.

## Engagement

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

## Legal compliance

[Regulation 34 of the Local Government \(Financial Management\) Regulations 1996](#)

## Risk management consideration

Risk and Consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and Actions
<b>Financial impact</b> Misstatement or significant error in financial statements	Major	Unlikely	Moderate	Daily and monthly reconciliations. Internal and external audits.
<b>Compliance</b> Misstatement or significant error in financial statements	Moderate	Unlikely	Moderate	Internal review of monthly financial activity statement. External audits of monthly financial statements.
<b>Financial impact</b> Fraud and illegal acts	Catastrophic	Rare	Moderate	Stringent internal controls. Internal audits.

## 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

- 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 – 30 June be accepted.

## Relevant documents

Not applicable.

### 13.3 Amendment (Dogs) Local Law 2019

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Liam O'Neill
<b>Responsible officer</b>	Michael Cole
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Amendment (Dogs) Local Law 2019 - Final [<b>13.3.1</b> - 2 pages]</li> <li>2. Amendment ( Dogs) Local Law 2019 Public Submissions [<b>13.3.2</b> - 1 page]</li> <li>3. Dog Local Law 2018 Consolidated [<b>13.3.3</b> - 20 pages]</li> </ol>

<b>Recommendation</b>	
That Council makes the <i>Amendment (Dogs) Local Law 2019</i> to amend the <i>Dog Local Law 2018</i> as at attachment 13.3.1.	

### Purpose and Effect

1. The purpose of this local law is to amend the *Town of Victoria Park Dog Local Law 2018* consistent with the undertakings provided to the Joint Standing Committee on Delegated Legislation.
2. The effect of this local law is to amend clauses 1.4 and 3.1, remove part 5 and revise schedule 3 of the *Town of Victoria Park Dog Local Law 2018*.

### In brief

- At its meeting held on 16 April 2019, a report was presented to Council relating to undertakings required by the Joint Standing Committee on Delegated Legislation on the *Town of Victoria Park Dog Local Law 2018*.
- Council subsequently resolved to give public notice regarding the purpose and effect of the *Amendment (Dogs) Local Law 2019* to give effect to those undertakings.
- The public submission period has now concluded and no significant issues arose as a result of the consultation as such it is recommended that Council make the *Amendment (Dogs) Local Law 2019*.

### Background

3. At its meeting on [16 April 2019](#) the Council received a report on undertakings required by the Joint Standing Committee on Delegated Legislation (the Committee) in relation to the Dog Local Law 2018. Council subsequently resolved to give notice of the *Amendment (Dogs) Local Law 2019* to give effect to those undertakings.

### Strategic alignment

<b>Civic Leadership</b>	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and	Accepting the requests of the Committee demonstrates a commitment to the good governance of the district.

accountable governance that reflects objective decision-making.	
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## Engagement

Internal engagement	
Stakeholder	Comments
Rangers	Supported undertakings and changes requested by the Committee.
Governance	Prepared amendment local law and liaised with the Department and Parliament.

External engagement	
Stakeholders	All residents
Period of engagement	13 May 2019 to 5 July 2019
Level of engagement	2. Consult
Methods of engagement	Your Thoughts
Advertising	Southern Gazette, West Australian and Public Notice boards
Submission summary	1 submission received
Key findings	One submission was received opposing the proposal in relation to the Chief Executive Officer's level of delegated authority.

Other engagement	
Stakeholder	Comments
Department of Local Government, Sport and Cultural Industries.	Provided suggested amendments as set out later in the report.

## Legal compliance

[Section 3.12 of the Local Government Act 1995](#)

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
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<b>Compliance</b> Town does complete the undertakings requested by the committee and as such the local law is disallowed.	Moderate	Unlikely	Moderate	The Town accepts the undertakings.
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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

4. As this amendment relates to resolving errors in the local law, as required by the Committee, it is recommended that Council make the amendment local law.
5. A further submission was received from the Department of Local Government, Sport and Cultural Industries, which is set out in the below table:

Clause	Department proposed amendment
Enacting provision	After "powers of the Local Government Act 1995" insert ", the Dog Act 1976".
Clause 4	Delete "this"
Clause 6	reformat text as follows:  6 Clause 3.1 amended (1) After clause 3.1(2) insert:  "Penalty: \$5,000"  (2) In clause 3.1(3) delete "Penalty: \$5,000.".

6. All of the department's suggested amendments were adopted in the final local law.
7. It is recommended that Council resolves to make the *Amendment (Dogs) Local Law 2019*, with a commencement date of 1 October 2019.
8. As required by the [Local Government Amendment Act 2019](#), once the proposed [Amendment \(Dogs\) Local Law 2019](#) has come into effect. A consolidated [Town of Victoria Park Dogs Local Law 2018](#) will be made available on the Town's website.

## Relevant documents

Not applicable.

## 13.4 TVP-19-09 Microsoft 365 E3 Licencing

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Mark Dunne
<b>Responsible officer</b>	Graham Pattrick
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. TV P-19-09 Microsoft 365 E 3 Licencing RFT v 1.0 [13.4.1 - 5 pages]

### Recommendation

That Council accepts the submission submitted by Data#3 Limited (ABN 31 010 545 267) for Tender issued through the Western Australia Local Government Association (WALGA) Preferred Supplier Arrangement for Microsoft 365 E3 Licencing at a cost of \$511,451 ex GST over three years.

### Purpose

To renew and upgrade the Town's three-year Microsoft licensing agreement, which expires 30 October 2019, in line with the Town's long-term objective towards cloud services.

### In brief

- TVP-19-09 Microsoft 365 E3 Licencing was published through the WALGA eQuote tender exempt platform.
- Suppliers were requested to provide a lump sum cost for the supply and management of Microsoft licenses for three years.
- The approved municipal funding allocation for this item is \$520,000 (ex GST) over three years.
- An evaluation of the tender submissions against the prescribed criteria has been completed and it is recommended that Council accepts the submission made by Data#3 Limited and enters into a contract to purchase Microsoft 365 E3 Licencing.

### Background

1. The Town is currently licensed with a Microsoft Open Value agreement (non-cloud) for the provision of the Microsoft Office software, workstation and server licensing which is due to expire 30 October 2019.
2. A renewal of the existing Microsoft licensing agreement to "keep the lights on" would cost approximately \$430,000, over three years.
3. All services, provided by the Town, rely on Microsoft software and services to perform daily duties.
4. A Microsoft 365 cloud services licensing model (Microsoft 365) will make it easier for the Town to deploy and manage software solutions, enable collaborative working spaces and improved system integration.
5. The Town has already implemented services that rely on Microsoft 365 to operate correctly. These services include:
  - (a) DocAssembler – Agenda and Minutes



(b) Viki – Intranet and Councillor Portal

6. These Town services are operational under a temporary Microsoft licensing model, valid until 30 October 2019, with some users currently experiencing reduced functionality due to this temporary model.
7. The Town is expecting an increasing requirement for Microsoft 365 for capital projects within Information Systems over the next three to five years.
8. Information Systems have identified this renewal period to be the optimal time to change its Microsoft licensing model to the cloud.

## Compliance criteria

9. Under the Local Government (Functions and General) Regulations, Local Governments do not need to tender for services, irrespective of contract value when procuring Preferred Supplier Agreements through the WALGA eQuotes tender exempt platform.

## Evaluation process

<b>Deliverables</b> Weighting 40%	<ol style="list-style-type: none"> <li>i) Provide a price for the services listed under section "Deliverables".</li> <li>ii) Please address this criterion in a separate attachment labelled Deliverables</li> <li>iii) Rating: Exceeds expectations – Meets expectations – Did not meet expectations</li> </ol>
<b>Demonstrated Understanding</b> Weighting 15%	<ol style="list-style-type: none"> <li>i) The Town has previously received submissions for other projects that left some areas vague due to the supplier not fully understanding the scope. As a result of this, the Town has experienced project implementations with excessive scope creep and/or poor outcomes.</li> <li>ii) As such, please detail your understanding with the implementation of the Deliverables with, in particular, references to the end user experience that should be expected.</li> <li>iii) Please address this criterion in a separate attachment labelled Demonstrated Understanding</li> <li>iv) Rating: Exceeds expectations – Meets expectations – Did not meet expectations</li> </ol>
<b>Relevant Experience</b> Weighting 15%	<ol style="list-style-type: none"> <li>i) The Town has a strict budget and a list of required items to be renewed and upgraded. It is important to the Town that the product quality is not lowered in order to meet the budget, but is of a best practice quality that would be delivered to other medium to large corporate customers.</li> <li>ii) As such, please provide references for where the Deliverables, that you are recommending in your response, have been supplied previously. The Town may elect to contact these references to confirm their level of satisfaction with the quality of the products, and their implementation, offered as part of your submission.</li> <li>iii) Please address this criterion in a separate attachment labelled Relevant Experience</li> </ol>

	iv) Rating: Exceeds expectations – Meets expectations – Did not meet expectations
<b>Submission Quality</b> Weighting 30%	<p>i) The Town does not have proficient knowledge with the Microsoft 365 suite of products. If your submission is too technical without a “layman” explanation, it will reduce the perceived quality of your submission.</p> <p>ii) As such, please provide a suitable level of imagery and end-user focused content to explain why you have recommended your product or service.</p> <p>iii) This criterion will be assessed as part of your overall submission.</p> <p>iv) Rating: Exceeds expectations – Meets expectations – Did not meet expectations</p>

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL04 - Appropriate information management that is easily accessible, accurate and reliable.	To digitally enable the Town to deliver improved services at lower costs with reduced timeframes.

## Engagement

Internal engagement	
Information Systems	Provided subject matter expertise.
Financial Services	Provided procurement advice and acted as a probity advisor throughout the process.
C-Suite	Requested Microsoft 365 services.

## 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 and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Service Interruption</b> Rejection of this tender will result in the Town being non-	Catastrophic	Rare	Moderate	Outage of all Town service communicated to staff and the community

compliant and the Town will be unable to operate.				
<b>Financial Impact</b> Rejection of this tender will prevent the Town from processing revenue.	Catastrophic	Rare	Moderate	Manual processing of the Town's revenue stream
<b>Reputational</b> Rejection of this tender will result in community outrage due to the service interruption.	Catastrophic	Rare	Moderate	Massive community engagement operations to restore trust in the Town.

## Financial implications

<b>Current budget impact</b>	<p>Council Delegation 1.24 – Limits on Delegations to CEO requires all tenders exceeding \$200,000 to be by Council determination. The value of the total contract over three years with further extension options (remove if tender is a lump sum contract) is expected to exceed \$200,000, therefore it is required that this item be brought before Council for determination.</p> <p>Council policy <a href="#">FIN4 Purchase of Goods and Services</a> requires Council to invite tenders before the Town enters into a contract if the consideration under the contract is or is expected to exceed \$150,000. The provision of TVP-19-09 Microsoft 365 E3 Licensing is likely to cost \$520,000 (ex GST) over a three (3) year contract term, therefore it is deemed necessary to enter into a contract.</p> <p>Sufficient funds exist within the annual budget to address this recommendation.</p>
<b>Future budget impact</b>	<p>The three (3) year commitment to the Microsoft 365 E3 licensing model will require the below funds to remain available in the Information Systems operating budget:</p> <ul style="list-style-type: none"> <li>i) FY2020 - \$173,333 (ex GST)</li> <li>ii) FY2021 - \$173,333 (ex GST)</li> <li>iii) FY2022 - \$173,333 (ex GST)</li> </ul> <p>During this contract period, Information Systems will investigate opportunities to decommission existing services (see below) that may be delivered under the Microsoft 365 E3 licensing model.</p> <p>The investigation will include a cost benefit analysis, reviewing the cost saving and functionality, of potential changes.</p>

These services, and their potential savings, are listed below:

- i) Email Archiving - \$36,000
- ii) Mobile Device Management - \$23,000
- iii) Anti-Malware - \$47,000
- iv) Anti-Spam - \$17,000
- v) Contact Centre - \$58,000

All savings are for the annual maintenance/support fees and exclude GST.

## Relevant documents

[Council policy FIN4 Purchase of Goods and Services.](#)

## Analysis

10. The assessment of the submissions was formally undertaken by a panel that included:
  - Senior IT Infrastructure Administrator
  - Principal ICT Specialist
  - Manager Corporate Services
11. The Town approached three (3) vendors on the WALGA eQuotes tender exempt platform.
12. The Town received one (1) submission.
13. This submission was compliant.
14. The evaluation of the vendors approached against the quantitative and qualitative criteria are shown on the table below.

Criteria	Data#3	Datacom	Winc
Deliverables Weighting 40%	Exceeds expectations	Did not respond	Did not respond
Demonstrated Understanding Weighting 15%	Meets expectations	Did not respond	Did not respond
Relevant Experience Weighting 15%	Meets expectations	Did not respond	Did not respond
Submission Quality Weighting 30%	Meets expectations	Did not respond	Did not respond

15. While only one submission was received through the tender process, the submission quality from Data#3 Limited exceeded expectations in terms of cost and met all other expectations.

## Further consideration

Not applicable.

## 14 Committee reports

### 14.1 Draft Interim Audit Report 2018-2019 Financial Year

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Ann Thampoe
<b>Responsible officer</b>	Graham Pattrick
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. D 19 09482 Interim Management Letter to CEO - Town of Victoria Park - 30 June 2019 [<b>14.1.1</b> - 10 pages]</li><li>2. Report P Os raised after invoice - MAY [<b>14.1.2</b> - 4 pages]</li></ol>

#### Recommendation from the Audit Committee

That Council

1. Receives the 2018-2019 Interim Audit.
2. Requests a further report to the Audit Committee of the draft Information Technology security and user access policies and result of the review of the procurement policy to the October meeting of the Audit Committee.

#### Purpose

This report is to present the findings of the Interim audit, together with the responses from Management for the Committee's review and acceptance.

#### In brief

- The 2018-2019 Interim audit was conducted by the Auditors appointed by the Auditor General's Office. The Interim Audit is primarily concerned with a review of internal controls, policies, procedures and management's compliance with those controls. The interim audit reports on an exception basis those items that require management's attention.

#### Background

1. Each year, as part of Council's audit process, an interim audit is undertaken to ascertain areas of potential review associated with Council's financial systems / processes. The advice received through the interim audit is then assessed by Management who note the comments and take action as required.
2. Management has reviewed the matters raised and consider them to be appropriate and have either already resolved or recognised actions to be taken.
3. These matters raised by the Auditor, and Management's response to each matter, were listed within the 2018-2019 Draft Interim Management Report which was presented to Finance and Audit Committee.

4. The Town has since received the finalised 2018-2019 Interim Audit Management report which is attached to this report.

## 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.	Ensure Town meets its legislative responsibility in accordance with part 7 of the <i>Local Government Act 1995</i>

## Engagement

Internal engagement	
All Service Areas	All Service areas were engaged as part of the Interim audit process and the auditors were provided access to the relevant staff members for consultation.

## Legal compliance

[Part 7 of the Local Government Act 1995](#)

## Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Compliance:</b> Council not accepting auditor recommendation which may leave the Town open to fraud, error or non-compliance	Moderate	Unlikely	Moderate	Provide reasoning and detailed explanations to Council to enable informed decision making.
<b>Financial Impact:</b> Management not implementing auditor recommendations which will lead to poor financial management and control.	Major	Unlikely	Moderate	Consideration impacts of the recommendation on resource / system requirements. Once resources and/or systems are available implement recommendations.

## Financial implications

<b>Current budget impact</b>	Budget allocated within the 2019/2020 budget is sufficient to implement the auditor recommendations
<b>Future budget impact</b>	Not applicable

## Analysis

5. Management is content with the audit findings and will implement the recommendations as noted within the management's response that is attached to the report. It is therefore recommended the Audit committee support the management responses to those comments as attached.

## Relevant documents

Not applicable.

## Further consideration

The following questions arose during the consideration of the report at the meeting of the Audit Committee on 15 July 2019:

### Audit Finding 1

*How can we not eliminate the risk of purchase orders being raised after invoicing?*

This would be difficult as human nature is prone to occasional mistakes. When an invoice arrives before a purchase order then we flag that staff member in the system and provide training in order to prevent this in future.

*What is the explanation for AAPT and Marketforce cases identified in the findings?*

This question was taken on notice. See response provided as Further Consideration at the end of this report.

*The identified rate in the findings is that 2 out of 18 invoices did not have a purchase order. Is this a representative sample?*

This question was taken on notice. See response provided as Further Consideration at the end of this report.

### Audit Finding 2

*Are the auditors findings inconsistent with their recommendation?*

The Town will approach the external auditor to clarify this matter. See response provided as Further Consideration at the end of this report.

### Audit Finding 3

*Should a resolution of this matter be reached than December 2019?*

The Town does have a number of procedures in place to carry out background check on new suppliers and will continue to improve them. However, conducting a full ASIC check on every new supplier would represent a significant compliance cost to the Town.

*Are we really at risk given the composition of Council, would the risk not be greater in tender evaluation?*



Officers on tender panels are required to make statutory declarations that they are not a related party to any tenderer or have any conflict of interest. It is incumbent on Councillors to declare their own interests not for the Town to identify them.

*Are we committing to implementing this recommendation?*

The Town will be seeking more information from the auditors about exactly what they intended before making any commitment.

#### **Audit Finding 4**

*Is the Town aware of the credit card reconciliation solution provided by the bank?*

Yes, however we only have two credit cards so it is not considered efficient to utilise this service.

#### **Audit Finding 5**

*What progress has been made since last year on reducing leave balances?*

This question was taken on notice. See response provided as Further Consideration at the end of this report.

*How long will it take to address to extinguish this issue?*

This question was taken on notice. See response provided as Further Consideration at the end of this report.

*Can further information be provided regarding a demographic analysis of what sort of staff are not taking leave?*

This question was taken on notice. See response provided as Further Consideration at the end of this report.

#### **Audit Finding 6**

No questions.

#### **Audit Finding 7**

*Would the proposed policy mentioned under Management Comment be an operational policy or Council policy?*

Management has not determined if this will be a policy or management practice at this time. However the Town does currently have a raft of different guidelines and plans regarding IT security however the Auditors were seeking a specific single policy document on this matter. It's considered an operational policy as it user access to the Town's network and systems is limited to employees. Councillor's IT use is restricted to emails, the Councillor Portal and Docs on Tap while Officers have far greater access to a number of information systems. Given this recommendation has been raised with the Audit Committee, the draft policy will be brought to Audit for review prior to approval.

*Are staff when inducted required to read all policies and sign they understand them? If not are they doing the same for IT documentation? Are inductions and onboarding dealing with ensuring staff understanding the policies and practices of the Town?*

Officers when inducted are provided with a number of documents including documents on confidentiality and appropriate use of IT systems. The Town will continue to work to improve its induction processes to ensure Officers understand their obligations on these matters.

### **Audit Finding 8**

*Have the auditors painted a broad brush with this finding given that the Town has plenty of documentation on disposal of land assets?*

While the Town has plenty of documentation for asset disposals, the Town is happy to implement this recommendation.

### **Other questions**

*How have the systems failures related to the fines and bad-debt been addressed?*

Response - The fines are now lodged as soon as they go overdue on a monthly basis. This process required a change to the Authority system and our own internal processes.

All outstanding fines must be lodged within 2 years from the infringement date and we are lodging these within 6 months and on a monthly basis.

*There were \$1.38 million of overdue infringements in the May financial statements in the 90 day+ window?*

Response - The most recent report was for May. The write-off was approved by Council in June and when the June report is finalised there will be a significant reduction. Infringements referred to Fines Enforcement Registry will still appear as outstanding and FER will from time to time advise that some fines are unrecoverable.

### **Further consideration**

The following additional information is provided in response to questions and comments made at the Audit Committee meeting held on 15 July 2019.

#### Audit Finding 1

Question - What is the explanation for AAPT and Marketforce cases identified in the findings?

Response -

- AAPT PO relates to a 3 year contract for internet services. A bill is issued on a monthly basis.
- Marketforce – No reasoning provided, the PO was simply raised after the invoice was received.

Question - The identified rate in the findings is that 2 out of 18 invoices did not have a purchase order. Is this a representative sample?

Response -

An exception report for May 2019 revealed that 143 POs were raised that month, of which 50 were raised after the invoice was received. A copy of the exception report is attached. Without researching each and every instance, it is difficult to determine whether these bad practice, or circumstantial occurrences, eg, invoice forwarded without approval prior from officer, automatic renewals coming through, or Standing

orders for services under contract which have been completed requiring a new PO for the balance to be raised. The Town will need to consider:

- a. An Internal audit process
- b. Escalation process and/or further training for officers
- c. Report to audit committee PO findings per month/quarter

#### Audit Finding 2

Question - Are the auditor's findings inconsistent with their recommendation?

Response - The procurement variation percentage referred to my Interim Audit relates to the 20% variation tolerated for invoices received compared to value of PO raised. This would allow for variances to contracts although if there is a variance to contract this should be a separate PO. A contract management module would assist with managing this process better.

This procurement management practice will be reviewed to ensure the practice complies with the thresholds set out in the Local Government Act and Regulations.

#### Audit Finding 3

Question - Are we committing to implementing this recommendation?

Response - The cost implications of this finding have been considered. For 2018/19 financial year the Town set up 729 new creditor accounts. The cost of doing a basic check with ASIC is \$9, therefore, ignoring staff time, the cost per annum for searching companies for linked directors would have been \$6,561.

#### Audit Finding 5

Questions -

- What progress has been made since last year on reducing leave balances?
- How long will it take to address to extinguish this issue?
- Can further information be provided regarding a demographic analysis of what sort of staff are not taking leave?

Response - The following table compares excessive leave balances as at 30 June 2019 to the previous year.

	30 June 2018	30 June 2019
No of employees (Full Time & Part Time)	218	217
No of Annual leave hours	37,839.11	38,109.65
No of Excessive hours (> 10 weeks)	3,545.52	2,720.86
No of employees > 10 weeks	30	35
Average Exc. Hrs/ employee	118	78
Average Annual Leave Hrs /employee	174	177

Additional comments from Manager Human Resources and Development

1. The Town of Victoria Park Enterprise Agreement (Clause 18.2) allows: "An employee may accrue a maximum of 10 weeks annual leave (380 hours)"
2. Accrued annual leave hours have remained reasonably constant (>1% only)
3. Those hours in excess of the allowable hours has reduced from 3, 545 to 2,721 hours; a reduction of approximately 23%.
4. The number of employees with excessive leave has increased from 30 to 35, however the average excessive hours for these employees has reduced from 118 to 78 hours.
5. There has been an increase in the average annual leave hours per employee. (174 to 177)

## 14.2 Asset Sustainability Ratio - Audit opinion

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Ann Thampoe
<b>Responsible officer</b>	Graham Pattrick
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

### Recommendation of the Audit Committee

That Council:

1. Notes the adverse trend over the past three years of the Asset Sustainability Ratio
2. Receives the report on the Asset Sustainability Ratio in accordance with Section 7.12A(4) of the Local Government Act 1995
3. Notes the action to be taken to monitor the ratio over the 2019/2020 financial year.

### Purpose

This report is to present matters identified as significant within the 2017-2018 Independent auditor's report, together with actions taken or intended to be taken by Management for the Audit Committee's review and acceptance.

### In brief

- The Independent Auditor's Report for the financial year ended 30 June 2018 identified an adverse trend in the financial position or the financial management practices of the Town, due to the asset sustainability ratio being below the Department of Local Government, Sport and Cultural Industries standard for the past three financial years. The Town's asset sustainability ratio indicates an improvement in the trend and is expected to meet the Department's standard of 0.9 within the 2019-2020 financial year.

### Background

1. Each year, as part of Council's audit process, an Independent Audit is undertaken to assess Council's Annual Financial Report and the legitimacy and accuracy of Council's accounts. An Independent audit report is then produced by the Auditor.
2. The Auditor, after completing the audit, is to forward a copy of the audit and / or management report to –
  - The Mayor
  - The Chief Executive Officer
  - The Minister, via the Department of Local Government, Sport and Cultural Industries.

3. The Independent Auditor's Report formed part of Council's 2017-2018 Annual Report. Any issues arising from the Independent audit report are to be investigated and action taken to resolve those issues.
4. The independent Auditor's report for the financial year ended 30 June 2018 was presented to the Finance and Audit Committee at its meeting of 26 November 2018. As part of the report the Auditor noted there was a significant adverse trend within the asset sustainability ratio which has been below the Department of Local Government, Sport and Cultural Industries (DLGSCI) standard for the last three years as follows:

- |                               | <b>2018</b> | <b>2017</b> | <b>2016</b> |
|-------------------------------|-------------|-------------|-------------|
| 5. Asset sustainability ratio | 0.72        | 0.61        | 0.28        |
6. According to the DLGSCI Operational Guideline, the standard is met if the ratio can be measured and is 90% (or 0.90). The standard is improving if this ratio is between 90% and 110% (or 0.90 and 1.10).
  7. Section 7.12A(4) of the Local Government Act 1995, requires a local government to prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government. Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website. Due to an oversight, this has not occurred.
  8. While the Town's ratio has improved each year since 2016 from 0.28 in 2016, 0.61 in 2017 and 0.72 in 2018, it is still below 0.9. In order to achieve 0.9, the Town would need to increase expenditure on capital renewal and replacement.
  9. It should be noted that the ratio is calculated on actual expenditure for the year as at 30 June 2018. It should also be noted that as at 30 June 2018, there was a significant carry over of planned capital renewal works totaling \$1,378,000.
  10. Had most of this work been completed, the ratio for 2017/2018 would have improved to 0.88.
  11. In addition to the above, the proposed asset renewal program as listed in the adopted budget for 2019/2020 together with estimated depreciation expenses is projected to result in an Asset Sustainability Ratio of 1.01 which is above the DLGSCI standard and is shown as follows:

Asset Renewal Expenditure	2019/2020
Land and Buildings	\$ 1,276,400
Plant and Machinery	\$ 1,265,000
Furniture and Equipment	\$ 183,400
Information Technology	\$ 130,000

Roads	\$ 2,427,000
Drainage	\$ 165,000
Pathways	\$ 663,000
Parks	\$ 2,953,670
Other	\$ 370,000
<b>Total</b>	<b>\$ 9,433,470</b>
<b>Total Depreciation</b>	<b>\$ 9,381,500</b>
<b>Projected Asset Sustainability Ratio</b>	<b>1.01</b>

12. In addition to the above, the Town will be conducting a comprehensive revaluation of its non-current asset, which would provide the Town with fair values for its non-current assets, asset conditions and updated depreciation rates.

## 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 report on matters identified by the auditor as significant in regard to adverse trends and recognise actions intended to be taken with respect to those matters.

## Engagement

Internal engagement	
All Service area leaders and senior management	All Service area leaders who have responsibility in asset renewal and senior management teams have been informed of the adverse trend within the Asset Sustainability Ratio and provided guidance on actions to be taken to improve the ratio.

## Legal compliance

[Section 7.12A\(4\) of the Local Government Act 1995](#)

### Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
<b>Financial impact</b> Town not allocating sufficient funds towards renewal or replacement of assets.	Major	Unlikely	Moderate	<p>Town to allocate sufficient budget and resources towards renewing or replacing assets that are reaching the end of its useful life relative to depreciation expense.</p> <p>Ensure condition of assets monitored and recorded in a centralised database.</p> <p>Funds to be allocated for the proactive maintenance of these assets to ensure longevity of the assets.</p> <p>Assets are revalued and measured at fair value to ensure an effective calculation of depreciation.</p>

### Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the 2019-2020 budget for required capital renewal works as well as a comprehensive revaluation of non-current assets.
<b>Future budget impact</b>	To overcome the adverse trend within the Asset Sustainability Ratio the Town would need to prioritise funding towards asset renewal and replacements.

### Analysis

- The Town's Asset Sustainability Ratio is improving each year. Funds allocated for renewal and replacement expenditure within the adopted budget for 2019/2020 is projected to meet the standard. Progress towards completing the capital works program will be monitored throughout the year and reported on a monthly basis to Council.
- In addition, the Town's depreciation expense will be revised as required as part of the ongoing review of asset data, condition monitoring etc for the Town's Asset Management Plans under the Integrated Planning and Reporting Framework.



15. The Town will also be conducting a comprehensive revaluation of its non-current assets within the 2019-2020 financial year, which would provide updated fair values for these assets as well as revised depreciation rates which in turn would provide an accurate reflection on the asset sustainability.

## **Relevant documents**

Not applicable.

## **Further consideration**

The following questions were raised at the meeting of the Audit Committee 15 July 2019:

*May we please have additional commentary regarding the oversight noted on p9 — specifically, the implications of failure to publish mitigation measures related to matters from the auditor's report?*

The failure to publish mitigation measures has resulted in a follow up letter from the Department of Local Government, Sport and Cultural Industries requesting action be taken to address this. Administration is required to report this to Council noting action taken to address this finding. Once received by Council the Town is required to provide a copy to the Minister and publish this on the Town's website

*Is the 2019/20 revaluation of non-current assets anticipated to reflect positively on the asset sustainability of the Town?*

The revaluation of non-current assets will include a review of each asset's remaining useful life, its condition assessment and any residual value. It should be noted that fair value of infrastructure assets is a developing process in local government. It's is hoped this will also reflect positively on the asset sustainability ratio.

*What is the range of life of assets and will this be considered?*

The asset revaluation will consider the useful life for each asset. The policy provides for a range.

*What happens if there are delays in asset renewal expenditures?*

The Town is working consistently to schedule our works programme to be completed each financial year. The draft 2019 - 2020 budget estimates a 1.01 asset renewal ratio.

*What happens if the revaluation of non-current assets does not meet the required level?*

If a further significant finding was made, it will be reported to Council along with action to be taken to address that finding. However, should the revaluation process not meet predictions, Town Officers will review the findings and whether the results truly reflect fair value.

*What is the monthly report mentioned in the Officer report?*

The report referred to in paragraph 13 is part of the monthly financial reporting.

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

**16 Public participation time**

**17 Confidential matters**

**17.1 Land Asset Optimisation Strategy, unsolicited bid to acquire property owned by the Town of Victoria Park**

**18 Closure**