



TOWN OF  
VICTORIA PARK

## Agenda Briefing Forum Agenda –1 October 2024

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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 1 October 2024** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Mr David Doy – Acting Chief Executive Officer**  
26 September 2024

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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 a deputation. A deputation is a presentation made by one individual or a group up to five people affected (adversely or favourably) by a matter on the agenda. Deputations may not exceed 10 minutes. 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.

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 at the Agenda Briefing Forum must be related to agenda items only.

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**

## **3 Acknowledgement of country**

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

*Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.*

I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

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

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

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

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

## **4 Announcements from the Presiding Member**

### **4.1 Purpose of the Agenda Briefing Forum**

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

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

### **4.2 Notice of recording and live-streaming**

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

### **4.3 Conduct of meeting**

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

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

#### **4.4 Public participation time**

There is an opportunity to ask questions and make statements at the beginning and end of the meeting.

The opportunity to ask questions and make statements at the end of the meeting is limited to those members of the public who did not participate in the first public participation time at this meeting.

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.

#### **4.5 Questions taken on notice**

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

## 5 Attendance

<b>Mayor</b>	Ms Karen Vernon
<b>Banksia Ward</b>	Cr Claire Anderson Cr Peter Devereux Cr Peter Melrosa Cr Lindsay Miles
<b>Jarraah Ward</b>	Cr Sky Croeser Cr Jesse Hamer Deputy Mayor Bronwyn Iffe
<b>Acting Chief Executive Officer</b>	Mr David Doy
<b>Chief Operations Officer</b> <b>Chief Financial Officer</b> <b>Chief Community Planner</b>	Ms Natalie Adams Mr Duncan Olde Ms Natalie Martin Goode
<b>Acting Manager Governance and Strategy</b> <b>Manager Business Services</b> <b>Acting Manager Strategic Accounting</b>	Ms Rhonda Bowman Mr Trent Prior Mr Daniel Vivian
<b>Secretary</b> <b>Public liaison</b>	Ms Felicity Higham Ms Winnie Tansanguanwong

### 5.1 Apologies

### 5.2 Approved leave of absence

Nil.

### 5.3 Statutory leave

<b>Jarraah Ward</b>	Cr Daniel Minson
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## **6 Declarations of interest**

### **6.1 Declarations of financial interest**

A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the Council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

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, where they are providing advice or a report to the Council. Employees may continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

### **6.2 Declarations of proximity interest**

A person has a proximity 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 the *Local Government Act 1995*) of land that adjoins the persons' land.

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.

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.

Employees are required to disclose their proximity interests where they are providing advice or a report to the Council. Employees may continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

### **6.3 Declarations of interest affecting impartiality**

Elected members (in accordance with Code of Conduct for Council Members, Committee Members and Candidates) and employees (in accordance with the Code of Conduct for employees) are required to declare any interest that may affect their impartiality in considering a matter. The declaration must disclose the nature of the interest. This declaration does not restrict any right to participate in or be present during the decision-making process.

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

# 11 Chief Executive Officer reports

## 11.1 Council Resolutions Status Report - September 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Governance Officer
<b>Responsible officer</b>	Manager Governance and Strategy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Outstanding Council Resolutions Status Report - September 2024 [<b>11.1.1</b> - 16 pages]</li><li>2. Completed Council Resolutions Status Report - September 2024 [<b>11.1.2</b> - 27 pages]</li></ol>

### Summary

The Council Resolution status reports are provided for Council's information.

### Recommendation

That Council:

1. Notes the Outstanding Council Resolutions Report as shown in attachment 1.
2. Notes the Completed Council Resolutions Report as shown in attachment 2.

### Background

1. On 17 August 2021 Council resolved as follows:

*That Council:*

1. *Endorse the inclusion of Council Resolutions Status Reports as follows:*
  - a) *Outstanding Items – all items outstanding; and*
  - b) *Completed Items – items completed since the previous months' report to be presented to each Ordinary Council Meeting, commencing October 2021.*
2. *Endorse the format of the Council Resolutions Status Reports as shown in Attachment 1.*

### Discussion

The Outstanding Council Resolutions Report details all outstanding items. A status update has been included by the relevant officer/s.

The Completed Council Resolutions Report details all Council resolutions that have been completed by officers from 28 August 2024 to 26 September 2024. A status update has been included by the relevant officer/s.

### Legal and policy compliance

Not applicable.

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk Rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	
Legislative compliance	Not applicable.		Low	
Reputation	Not applicable.		Low	
Service delivery	Not applicable.		Medium	

## Engagement

Internal engagement	
Stakeholder	Comments
All service areas	Relevant officers have provided comments on the progress of implementing Council resolutions.

## Strategic alignment

Civic Leadership	
Community priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	The reports provide elected members and the community with implementation/progress updates on Council resolutions.

## 11.2 Local Government Elections Advocacy Position

<b>Location</b>	Town-wide
<b>Reporting officer</b>	A/Manager Governance and Strategy
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Local Government Reform Summary of Proposed Reforms - To VP response - February 2022 - EXTRACT [11.2.1 - 2 pages]

### Summary

#### Recommendation

That Council recommends that WALGA adopt the following Local Government Election Advocacy Positions:

1. PARTICIPATION – Council support advocacy position (a) The sector continues to support voluntary voting at Local Government election.
2. TERMS OF OFFICE - Council support advocacy position (a) The sector continues to support four-year terms with a two year spill.
3. VOTING METHODS - Council support advocacy position (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections.
4. INTERNAL ELECTIONS - Council support advocacy position (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.
5. VOTING ACCESSIBILITY - Council support advocacy position (b) Postal voting and (c) In-Person voting.
6. METHOD OF ELECTION OF MAYOR - Council support advocacy position (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.

### Background

1. The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:
  - the introduction of Optional Preferential Voting (OPV);
  - extending the election period to account for delays in postal services;
  - changes to the publication of information about candidates;
  - backfilling provisions for extraordinary vacancies after the 2023 election;
  - public election of the Mayor or President for larger Local Governments;
  - abolishing wards for smaller Local Governments; and
  - aligning the size of councils with the size of populations of each Local Government (change to representation)
2. Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the

Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

3. An extract of the Town’s position on the reforms to legislation relating to Local Government Elections is attached for reference (**Attachment 1**). This position was presented to the Department of Local Government, Sport and Cultural Industries following endorsement at the February 2022 Ordinary Meeting of Council.

## Discussion

4. The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA’s Local Government Elections Advocacy Positions.
5. WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA by 28 October for the December 2024 State Council meeting.
6. The following is a summary of WALGA’s current Advocacy Positions in relation to Local Government Elections:

### 2.5.15 ELECTIONS

Position Statement	<p>The Local Government sector supports:</p> <ol style="list-style-type: none"> <li>1. Four year terms with a two year spill</li> <li>2. Greater participation in Local Government elections</li> <li>3. The option to hold elections through: <ul style="list-style-type: none"> <li>• Online voting</li> <li>• Postal voting, and</li> <li>• In-person voting</li> </ul> </li> <li>4. Voting at Local Government elections to be voluntary</li> <li>5. The first past the post method of counting votes</li> </ol> <p>The Local Government sector opposes the introduction of preferential voting, however if ‘first past the post’ voting is not retained then optional preferential voting is preferred.</p>	
Background	<p>The first past the post (FPTP) method is simple, allows an expression of the electorate’s wishes and does not encourage tickets and alliances to be formed to allocate preferences.</p>	
State Council Resolution	<p>February 2022 – 312.1/2022</p> <p>December 2020 – 142.6/2020</p> <p>March 2019 – 06.3/2019</p>	<p>December 2017 – 121.6/2017</p> <p>October 2008 – 427.5/2008</p>

### 2.5.16 METHOD OF ELECTION OF MAYOR

Position Statement	<p>Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.</p>	
State Council Resolution	<p>February 2022 – 312.1/2022</p> <p>March 2019 – 06.3/2019</p> <p>December 2017 – 121.6/2017</p>	

## 2.5.18 CONDUCT OF POSTAL ELECTIONS

Position Statement	The <i>Local Government Act 1995</i> should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.	
Background	Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.	
State Council Resolution	May 2023 – 452.2/2023 March 2019 – 06.3/2019	December 2017 – 121.6/2017 March 2012 – 24.2/2012

6. WALGA has requested the following advocacy positions be considered by Councils:

### 1. PARTICIPATION

(a) The sector continues to support voluntary voting at Local Government elections.

**OR**

(b) The sector supports compulsory voting at Local Governments elections.

### 2. TERMS OF OFFICE

(a) The sector continues to support four-year terms with a two year spill;

**OR**

(b) The sector supports four-year terms on an all in/all out basis.

### 3. VOTING METHODS

a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections

**OR**

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

### 4. INTERNAL ELECTIONS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

**OR**

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

### 5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

- a) Electronic voting; and/or
- b) Postal voting; and/or
- c) In-Person voting.

## 6. METHOD OF ELECTION OF MAYOR

The sector supports:

- a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
- b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

### Relevant documents

[Advocacy Positions for a New Local Government Act](#)

[WALGA submission: Local Government Reform Proposal \(February 2022\)](#)

### Legal and policy compliance

[Local Government Act 1995](#)

[Local Government \(Elections\) Regulations 1997](#)

### Financial implications

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

### Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.	High	Low	Not applicable.
Environmental	Not applicable.		Medium	Not applicable.
Health and safety	Not applicable.		Low	Not applicable.
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	Not applicable.
Legislative compliance	Not applicable.		Low	Not applicable.
Reputation	The Town does not have a position to provide.		Low	TREAT by endorsing a position on the Local Government Elections to WALGA.



Service delivery	Not applicable.	Medium	Not applicable.
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## Engagement

7. Local Governments are being asked to consider WALGAs current and alternative advocacy positions as they relate to Local Government Elections.
8. No internal or external engagement has been undertaken by the Town on this matter at this time.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Providing feedback to WALGA on advocacy positions relating to Local Government Elections may impact future change on this issue.

## Further consideration

## 11.3 September 2024 Policy Review

<b>Location</b>	Town-wide
<b>Reporting officer</b>	A/Manager Governance and Strategy
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Policy 111 Commemorative recognition - tracked changes [<b>11.3.1</b> - 4 pages]</li> <li>2. Policy 301 - Procurement Draft - FINAL DRAFT [<b>11.3.2</b> - 13 pages]</li> <li>3. Policy 351 Parking permits - Tracked changes [<b>11.3.3</b> - 10 pages]</li> <li>4. Policy 351 Comparison Table [<b>11.3.4</b> - 3 pages]</li> <li>5. Policy 352 Parking work zones at building sites - Tracked Changes [<b>11.3.5</b> - 3 pages]</li> <li>6. Policy 023 Provision of information and services elected members - marked up changes [<b>11.3.6</b> - 6 pages]</li> <li>7. Policy 262 Waste removal and recycling- residential and commercial properties [<b>11.3.7</b> - 3 pages]</li> <li>8. Policy 302 Investment - Tracked Changes [<b>11.3.8</b> - 3 pages]</li> <li>9. Policy 103 Communication and engagement [<b>11.3.9</b> - 3 pages]</li> </ol>

### Summary

A review of 10 of the Towns policies identified a variety of changes to be made.

#### Recommendation

That Council:

1. Approves amended 'Policy 111 Commemorative recognition' as contained at Attachment 1.
2. Rescinds 'Policy 301 Purchasing' and approves replacement 'Policy 301 Procurement' as contained at Attachment 2.
3. Approves amended 'Policy 351 Parking permits' as contained at Attachment 3.
4. Approves amended 'Policy 352 Parking work zones at building sites' as contained at Attachment 5.
5. Approves amended 'Policy 023 Provision of information and services – elected members' as contained at Attachment 6.
6. Rescinds 'Policy 257 Waste removal residential properties', 'Policy 258 Waste removal commercial properties' and 'Policy 259 Recycling collection residential and commercial properties'.
7. Approves 'Policy 262 Waste removal and recycling – residential and commercial properties' as contained at Attachment 7.
8. Approves amended 'Policy 302 Investment' as contained at Attachment 8.
9. Approves amended 'Policy 103 Communications and engagement' as contained at Attachment 9.

### Background

2. Policy reviews should be done regularly with the timing dependent on the individual policy.
3. Administration did a thorough review of the following policies:
  - a. Policy 111 Commemorative recognition
  - b. Policy 301 Purchasing
  - c. Policy 351 Parking permits

- d. Policy 352 Parking work zones at building sites
  - e. Policy 023 Provision of information and services - elected members
  - f. Policy 257 Waste removal residential properties
  - g. Policy 258 Waste removal commercial properties
  - h. Policy 259 Recycling collection residential and commercial properties
  - i. Policy 302 Investment
  - j. Policy 103 Communication and engagement
4. The reviewed policies with proposed changes were presented to an Elected Member Policy Workshop on 9 September 2024.

## Discussion

5. Proposed changes to each of the reviewed policies are detailed below.

Policy Name	Proposed Changes
Policy 111 Commemorative recognition  <b>Attachment 1</b>	<ul style="list-style-type: none"> <li>• An additional strategic outcome of the policy has been included.</li> <li>• Cultures and organisations have been included in who can be honoured, expanding on individuals, groups and events.</li> <li>• Specific reference to Aboriginal and Torres Strait Islander Peoples has been added into the policy as a part of the definition of 'cultures'.</li> <li>• The types of recognition that fall under the policy are divided into 'Small' and 'Large' memorials. There were many requests coming into the Town by people who wanted to recognise their deceased relative at a particular park they loved by having a plaque placed on a bench in that park. There are already policies and laws governing the memorial of deceased persons, with the main party responsible being the Metropolitan Cemeteries Board. Policy 111 enables Town staff to confidently differentiate between applications of a nature more suited to memorialisation at a cemetery as opposed to the public memorialisation on public and common ground.</li> <li>• Section 6.b. has been amended to remove the naming of Town facilities and/or buildings and parks and/or reserves.</li> <li>• Section 7 was amended to clarify the criteria for small memorials.</li> <li>• An administrative amendment has been made to the responsible officers and policy manager, reflecting the structure of the relevant service area responsible for this policy.</li> </ul>
Policy 301 Purchasing	<p>The review's purpose was to enhance the document's effectiveness focusing on the following areas.</p> <ul style="list-style-type: none"> <li>• Modify the sequencing of clauses to improve the readability and clarity of the policy.</li> <li>• Inclusion of additional information and dot points to enhance understanding of procurement principles, value for money, sustainability, sustainable suppliers.</li> </ul>

- Inclusions of procurement order of priority to enhance the practicable implementation of approaching the market with obtaining quotes.
- Modifications to purchasing value thresholds to align with market conditions, best practice, and procurement resources.
- Inclusion of additional headings, information, and dot points to enhance understanding of waiver of quotations, sole supplier arrangement, and tender exemptions.
- Introduction of purchasing policy non-compliance clause to communicate actions if a breach is substantiated.
- Introduction of record management requirements.
- The original policy's contents remain intact; however, the information has been arranged in chronological order to improve its readability and understanding of each clause.
- The review of the policy considered best practice by evaluating other LGA policies, stakeholder feedback, and information available via WALGA.
- As a result of the review and the changes to the policy, the title of the policy has changed from Policy 301 Purchasing to Policy 301 Procurement (**Attachment 2**), more accurately reflecting the scope of the document.

Changes made to the policy following the Elected Member workshop are marked up within the draft policy and include the following:

- Creation of numbered paragraphs;
- Replacement of the word "purchasing" to "procurement" where the context requires;
- Amendment to the definition of "Local Business"
- Creation of a definition for "Local Emergency"
- Creation of definition of "Sustainable Product Stewardship"
- Amendments to the Sustainable Procurement and Australian Disability Enterprises to consider product stewardship, right to repair and minimum rates of pay for ADEs; and
- Minor changes to wording in the Procurement Thresholds table

In support of the new Policy 301 Procurement, an amendment to Delegation 1.1.16 and a new delegation are proposed and presented in a separate report to Council.

Policy 351 Parking Permits

**Attachment 3**

**Attachment 4** provides a comparison table with information on changes made which are predominantly due to the Town using digital permits. In addition, changes made to the policy following the Elected Member workshop are marked up with the draft policy and include:

- The word Taxi's has been corrected throughout
- Point 8 has been amended for readability.
- Creation of a support worker permit

<p>Policy 352 Parking work zones at building sites</p> <p><b>Attachment 5</b></p>	<ul style="list-style-type: none"> <li>• Some minor administrative changes have been made to improve the wording of the policy.</li> <li>• Clause 6d has changed to reflect the needs of some residents who are abutted by no stopping / no parking restrictions. Assessments are made by Town officers to ensure safety is not compromised in such instances.</li> </ul>
<p>Policy 023 Provision of information and services – Elected Members</p> <p><b>Attachment 6</b></p>	<ul style="list-style-type: none"> <li>• The Elected Member Request Guideline has been included as a related document to the policy providing additional information in support of the policy.</li> <li>• Clause 20 has been broken into three separate clauses for ease of reading.</li> </ul>
<p>Policy 257 Waste removal – residential properties</p>	<p>These three policies were considered similar and have been combined into new Policy 262 Waste removal and recycling – residential and commercial properties (<b>Attachment 7</b>).</p>
<p>Policy 258 Waste removal – commercial properties</p>	
<p>Policy 259 Recycling collection – residential and commercial properties</p>	
<p>Policy 302 Investment</p> <p><b>Attachment 8</b></p>	<ul style="list-style-type: none"> <li>• An addition to the section relating to environmentally and socially responsible investment has been made in response to discussion at the Policy Workshop held in April 2024.</li> </ul>
<p>Policy 103 Communication and engagement</p> <p><b>Attachment 9</b></p>	<ul style="list-style-type: none"> <li>• The Town has just completed a comprehensive review of Policy 103 Communication and Engagement. This review has included the facilitation of a workshop with the Council, community sessions and staff working groups. Findings from this review have found the policy is working well.</li> <li>• Wording to include the use of relevant images has been added to provide clarity on the images used in communications.</li> </ul>

## Relevant documents

Not applicable

## Legal and policy compliance

Section 2.7(2)(b) of the [Local Government Act 1995](#) – to determine the local government’s policies

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	Not applicable.
Environmental	Not applicable.		Medium	Not applicable.
Health and safety	Not applicable.		Low	Not applicable.
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	Not applicable.
Legislative compliance	Not reviewing policies may lead to non-compliance with regulation.		Low	Treat risk by conducting regular reviews of policies.
Reputation	Not reviewing policies to ensure they are fit for purpose may impact on the Towns reputation.		Low	Treat the risk by conducting regular reviews of policies.
Service delivery	Not reviewing policies may impact service delivery.		Medium	Treat the risk by conducting regular reviews of policies.

## Engagement

Internal engagement	
Stakeholder	Comments
Elected Members	A policy workshop was held with elected members on 9 September 2024
Advisory Group	A member of the Mindeera Advisory Group was consulted in relation to Policy 111 Commemorative recognition
Relevant staff	Relevant staff have provided feedback

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Conducting regular reviews of policies ensures that the policies align with the strategies and resources of the Town.
CL3 - Accountability and good governance.	Conducting regular reviews of policies ensures they are up to date and are fit for purpose.

## Further consideration

## 11.4 Chief Executive Officer Recruitment Process Certification

<b>Location</b>	Town-wide
<b>Reporting officer</b>	A/Manager Governance and Strategy
<b>Responsible officer</b>	A/Manager Governance and Strategy
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	1. Certificate of Compliance - Town of Victoria Park - CEO [11.4.1 - 6 pages]

### Summary

To certify that the process for the recruitment of a new Chief Executive Officer (CEO) for the Town of Victoria Park was undertaken in accordance with the Model Standards for CEO Recruitment, Performance and Termination (the Standards).

### Recommendation

That Council:

1. Certifies in accordance with regulation 18FB(3) of the Local Government (Administration) Regulations 1996, that Carl Askew was employed in the position of Chief Executive Officer of the Town of Victoria Park in accordance with the Model Standards for CEO Recruitment, Performance and Termination as set out in Confidential Attachment 1.
2. Notifies the Departmental CEO of the certification detailed in part 1 above, within 14 days in accordance with regulation 18FB(4) of the *Local Government (Administration) Regulations 1996*.
3. Extends appreciation to the independent member of the selection panel and Beilby Downing Teal for their involvement in the Town of Victoria Park CEO recruitment process.

### Background

1. One of the fundamental roles of Council is the employment of the CEO. The recruitment of a CEO must be conducted in accordance with the Standards. The process seeks to ensure that the principles of merit, equity and transparency are applied.
2. The Council has extended an offer of employment to Mr Carl Askew, which has been accepted.

### Discussion

3. In accordance with the requirements of regulation 18FB(3) of the *Local Government (Administration) Regulations 1996*, the Council must certify that the CEO was recruited and employed in accordance with the Standards.
4. The table below identifies the criteria set out within the Standards and how the Town has met those criteria.

Standard	Criteria	Criteria Met
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5(1)	The local government must determine the selection criteria for the position of CEO.	The Recruitment Consultant facilitated a workshop on 11 June 2024 with Elected Members to develop the position description and selection criteria.
5(2)	The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out the duties and responsibilities of the position and the selection criteria for the position.	The Council endorsed by absolute majority the job description form and selection criteria at its ordinary meeting held 18 June 2024.
6(1)	The vacant CEO position is to be advertised in the manner prescribed.	The position was advertised from 5 July 2024 with a closing date of 3 August 2024 through various platforms including print media, online advertising and relevant websites.
8(2)	The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.	A Selection Panel was approved by Council at its ordinary meeting on the 18 June 2024. An independent panel member was endorsed by Council at its ordinary meeting on 16 July 2024.
9(1)	Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.	The Selection Panel assessed the knowledge, experience, qualifications and skills of each applicant against the selection criteria at the Selection Panel meeting held on 8 August 2024 with further assessment on 26 August 2024 with the assistance of the Recruitment Consultant.
9(2)	The Selection Panel must provide to the local government a summary of its assessment of each applicant and its recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.	A summary was provided to all Elected Members at a Special Council Meeting held 3 September 2024.
9(4)	The Selection Panel must act in an impartial and transparent manner and in accordance with the principles set out in section 5.40 of the Act.	Selection Panel members signed documentation declaring any prior knowledge of applicants and in assessing the applicants' suitability for the role, all agreed to only consider information the applicants presented as part of this selection process and drew no other prior knowledge of them.
9(5)	The local government has verified the recommended applicants work history, qualifications, referees and claims made in their job application.	The Recruitment Consultant verified the preferred candidates' qualifications, referees and claims made on the job application in a confidential report presented to the Council



		at its Special Council Meeting of 3 September 2024. The Council endorsed the Selection Panel’s recommendation at the Special Council Meeting held on 3 September 2024 subject to background checks of the preferred applicant, which were later confirmed at the Special Council Meeting on the 9 September 2024.
11	Before making an applicant an offer of employment in the position of CEO the local government must by resolution of an absolute majority of Council approve the making of the offer of employment to the applicant and the proposed terms of the contract of employment to be entered into by the local government.	Council endorsed by absolute majority that an offer be made to the preferred candidate and the proposed terms of the contract of employment at its Special Council Meeting held 3 September 2024.
12(2)	Council must approve the terms of the negotiated by resolution of an absolute majority.	Council approved the terms of the negotiated contract at the Special Council Meeting of 9 September 2024.

5. **Attachment 1** – CEO Recruitment Process Certificate of Compliance provided by the Towns appointed recruitment consultant Beilby Downing Teal, provides a detailed breakdown of the recruitment process undertaken in accordance with the Town’s Model Standards.

## Relevant documents

[Standards for CEO Recruitment Performance and Termination](#)

## Legal and policy compliance

The CEO Recruitment process must be managed in compliance with all relevant provisions of the *Local Government Act 1995*, Regulations and adopted standards.

This report has been prepared with reference to the following provisions.

[Local Government Act 1995](#), Part 5 Administration, Division 4 Local government employees:

Section 5.39B Contracts for CEO and senior employees

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	Not applicable.
Environmental	Not applicable.		Medium	Not applicable.
Health and safety	Not applicable.		Low	Not applicable.
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	Not applicable.
Legislative compliance	Noncompliance to section 5.36 of the <i>Local Government Act 1995</i> and the Schedule 2 of the <i>Local Government (Administration) Regulations 1996</i> .	High	Low	TREAT by complying with the Recruitment and Selection Standards of the <i>Local Government (Administration) Regulations 1996</i> .
Reputation	Not applicable.		Low	Not applicable.
Service delivery	Not applicable.		Medium	Not applicable.

## Engagement

Not applicable.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Compliance with the governing legislation for the employment of the Chief Executive Officer.

## Further consideration

## 12 Chief Community Planner reports

### 12.1 Appointment of community members to the Access and Inclusion Advisory Group

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Coordinator Community Development
<b>Responsible officer</b>	Manager Community
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL - Confidential Attachment AIAG Assessment [12.1.1 - 3 pages]

#### Summary

For Council to appoint 12 community members to the Access and Inclusion Advisory Group for a two-year term expiring 18 October 2026.

#### Recommendation

That Council:

1. Appoints the applicants numbered 1-12 to the Access and Inclusion Advisory Group community member positions for a two-year term expiring 18 October 2026.
2. Appoints the applicants 13-16 to a reserve list to be used should any community members withdraw from the Access and Inclusion Advisory Group before the end of their two-year term.

#### Background

1. The Access and Inclusion Advisory Group is a standing advisory group of Council.
2. The term for current community members appointed to the Access and Inclusion Advisory Group expires in October 2024.
3. There are currently nine (9) community members on the Access and Inclusion Advisory Group.
4. Personal commitments have impacted the attendance of community members at meetings. This reduces the level of community engagement undertaken by the Advisory Group.
5. The Terms of Reference accommodates 12 community members on the Access and Inclusion Advisory Group.
6. To address the availability issues experienced by current community members, an expression of interest for new members was undertaken before the expiry of the current term.
7. The Town advertised an expression of interest for the twelve (12) vacancies and received 18 applications (confidential attachment).
8. An assessment of the suitability of each candidate is contained in the confidential attachment.
9. The questions included in the expression of interest were intended to identify the applicant's experience and knowledge of access and inclusion, lived experience and connection to the Town.
10. Council is requested to endorse the twelve (12) nominated applicants for appointment to the Access and Inclusion Advisory Group for a two-year term expiring on 18 October 2026.

## Discussion

11. The Town advertised an expression of interest for the twelve vacancies and received 18 applications.
12. An assessment of suitability for each applicant is contained in the confidential attachment.
13. The expression of interest asked applicants to demonstrate their level of experience and knowledge/connection and how their skills and experience aligned with the objectives of the Access and Inclusion Advisory Group.
14. Submissions were assessed against the following criteria:

Assessment criteria
How much does the candidate demonstrate how their skills, interests and/or background connect to access and inclusion topics/initiatives?
How much do the candidates skills and experience align with the objectives of the Advisory Group? (refer to the Terms of Reference)
How much background and knowledge, experience and understanding does the candidate bring to the group?
How strong is the candidate's connection to the Town?
Does the candidate have lived experience? (optional question for applicants)

15. As per Policy 101 – Governance of Council Advisory and Working Groups, a panel was convened to assess the applications. The panel members included Manager Community, Coordinator Community Development, Inclusion Officer, and Place Leader Economic Development.
16. Each applicant was assessed against the criteria listed above and given a score (see confidential attachment).
17. The top twelve scoring applicants are recommended for appointment to the Access and Inclusion Advisory Group.
18. The panel selected their preferred candidates and created a reserve list of four (4) applicants who could be contacted should there be withdrawals from community members on the Access and Inclusion Advisory Group.
19. Council is requested to endorse:
  - I. the twelve nominated applicants for appointment to the Access and Inclusion Advisory Group for a two-year term expiring 18 October 2026
  - II. a reserve list of four (4) applicants to be called upon should any community members have to withdraw from the Access and Inclusion Advisory Group before the end of their two-year term.

## Relevant documents

[Terms of Reference Access and Inclusion Advisory Group](#)

## Legal and policy compliance

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

[Access and Inclusion Plan 2022-2027](#)

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	
Legislative compliance	Not applicable.		Low	
Reputation	The Access and Inclusion Advisory Group does not appear to be independent.		Low	Treat risk by appointing independent members to the Access and Inclusion Advisory Group.
Service delivery	The Town is not able to deliver on actions within the Access and Inclusion Plan.		Medium	Treat risk by appointing community members to the Access and Inclusion Advisory Group.

## Engagement

Internal engagement	
Community Development	Staff were asked for input into the methods of engagement and communication tools for the Expression of Interest (EOI). Additionally, they circulated the EOI information to their network of community contacts.
Events Arts and Funding / Library / Place Planning / Project Management / Environment	Teams were asked to circulate the EOI information to their network of community contacts.
Communications and Engagement	Developed the Communications and Engagement Plan to ensure information on the EOI reached the targeted demographic and broader community.

Governance	Advice sought in relation to EOI process and alignment with Policy 101.
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External engagement	
Stakeholders	Information on the EOI was distributed to community members, community and sporting groups, Town Advisory Groups (including current members) and Not for Profit organisations.
Period of engagement	The expression of interest was open from 15 July to 2 August 2024.
Level of engagement	3. Involve
Methods of engagement	Methods of engagement provided to the community for them to apply included: <ul style="list-style-type: none"> <li>• Online submission</li> <li>• Email submission</li> <li>• Video or audio submission</li> <li>• Face to face or telephone meeting with the Inclusion Officer who documented the application which was approved by the applicant for submission.</li> </ul>
Advertising	The Town called for expressions of interest by advertising on the Town website, social media, newspaper and by email to staff networks and contacts.
Submission summary	18 submissions were received.
Key findings	Not applicable.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	That community members provide advice on the implementation of the Town's Access and Inclusion Plan and continual improvement as an accessible and inclusive community.

Social	
Community Priority	Intended public value outcome or impact
S3 - Facilitating an inclusive community that celebrates diversity.	That the Access and Inclusion Advisory Group represents the perspectives of a diverse community with varied accessibility and inclusion perspectives.

## Further consideration

Nil.

## 12.2 Endorsement of Draft Albany Highway Precinct Plan for advertising

<b>Location</b>	East Victoria Park St James Victoria Park
<b>Reporting officer</b>	Place Leader – Strategic Planning
<b>Responsible officer</b>	Manager Place Planning
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Plan 1 - Albany Highway Precinct [<b>12.2.1</b> - 1 page]</li> <li>2. Draft Albany Highway Precinct Structure Plan Report (2024) [<b>12.2.2</b> - 182 pages]</li> <li>3. Albany Highway PSP Draft Community Benefits Framework (2024) [<b>12.2.3</b> - 72 pages]</li> <li>4. Albany Highway PSP Economic Retail Employment Strategy (2023) [<b>12.2.4</b> - 94 pages]</li> <li>5. Albany Highway PSP draft Built Form Strategy (2023) [<b>12.2.5</b> - 49 pages]</li> <li>6. Albany Highway PSP draft Public Realm Strategy (April 2023) [<b>12.2.6</b> - 61 pages]</li> <li>7. Albany Highway PSP Sustainability Strategy (2024) [<b>12.2.7</b> - 21 pages]</li> <li>8. Albany Highway PSP Heritage Control Recommendations (2022) [<b>12.2.8</b> - 48 pages]</li> <li>9. Albany Highway PSP Market Feasibility - Height &amp; Massing (2021) [<b>12.2.9</b> - 24 pages]</li> <li>10. Albany Highway PSP Mobility Access Report (2022) and Traffic Impact Analysis (2024) [<b>12.2.10</b> - 101 pages]</li> <li>11. Albany Highway PSP Water Management Strategy (2024) [<b>12.2.11</b> - 75 pages]</li> </ol>

### Summary

This report is seeking endorsement by Elected Members to advertise the Town’s draft Albany Highway Precinct Structure Plan (AHPSP), as required by the Planning and Development (Local Planning Schemes) Regulations 2015, prior to its final consideration and referral to the Western Australian Planning Commission for approval.

### Recommendation

That Council:

1. Endorse the draft Albany Highway Precinct Structure Plan for advertising, for a period of 42 days in accordance with Schedule 2 (Part 4 - Structure Plans) of the Planning and Development (Local Planning Schemes) Regulations 2015;
2. Approve the commencement of Stage 3 for the Albany Highway Precinct Structure Plan project with Hatch Pty Ltd;
3. Gives public notice of the draft Albany Highway Precinct Plan - Part One and Part Two with the Technical Appendices - in accordance with Schedule 2, cl.87 of the Regulations;

4. Require the CEO to provide a report back to Council within 60 days of the close of the advertising period, including:
  - a. a schedule of submissions made during the advertising period, together with
  - b. the comments and recommendations in response to those submissions.

## Background

1. The Town's Local Planning Strategy (2022) sets the strategic objectives for the Town's activity centres and provides the supporting framework to deliver strategic urban planning and development projects across the Town for the next 10 – 15 years.
2. Action 3.2 of the Local Planning Strategy requires the preparation of a precinct structure plan (PSP) to guide future updates to the local planning framework and identify public realm, access and infrastructure upgrades for the Albany Highway Neighbourhood (Precinct 11 under the Town's current Local Planning Scheme TPS1).
3. The Town's Strategic Community Plan (2022-2032) reflects our community's long-term vision, aspirations and priorities for the future of the Town. The draft Albany Highway Precinct Structure Plan responds to this strategic vision.
4. At the May 2021 Ordinary Council Meeting, Council awarded the contract associated with the preparation of the Albany Highway Precinct Structure Plan (AHPSP) to Hatch Pty Ltd.
5. Hatch's methodology for the project, breaks the project into three distinct planning phases, (1) Discover, (2) Design and (3) Deliver.
6. The Stage 1 'Shape Albany Highway' stakeholder engagement campaign commenced in October 2021 following staff workshops, place audits and included stakeholder interviews, community workshops, State Government engagement, on-site listening posts and online surveys.
7. Stage 1 delivered the Albany Highway Today and Albany Highway Tomorrow context reports.
8. Albany Highway Today provides: an overview of current conditions drawn from expert technical analysis of each PSP design element; an overview of relevant community feedback shared through previous Town projects; and an outline of how the PSP is expected to address State Planning Policy 7.2 Precinct Design.
9. Albany Highway Tomorrow provides: a summary of what we heard from local stakeholders throughout the Stage 1 'Shape Albany Highway' campaign; an overview of six sub-precincts that have been defined along the Highway and that will inform how the PSP is structured and implemented; and a schedule of big ideas for the future of Albany Highway, developed in response to the 'Albany Highway Today' report and stakeholder feedback.
10. The outcomes from these Stage 1 reports were endorsed by Council at its Ordinary Council Meeting held in June 2022, informing the development of the draft AHPSP and commencement to Stage 2.
11. Stage 2A commenced in August 2022 which included testing and evaluation of the current TPS1 Planning Framework and modelled two concept growth scenarios "Concentrated" and "Distributed" to develop built form outcomes and review the precinct boundary.
12. Testing and evaluation of the current TPS1 Planning Framework included a technical review of recently approved developments and a review of exemplar development projects elsewhere to understand broader performance issues with current planning provisions.
13. A digital model of the site assembled by Hatch allowed for an accurate analysis of visual impact, overshadowing effects and growth implications from each testing scenario.
14. Stage 2A 'Shape Albany Highway' campaign commenced in October 2022 which included extensive engagement with a Community Reference Group (CRG) that were tasked with providing early input into the design review of the Scenarios and Guiding Principles through participation in a series of focus group sessions and interactive design exercises.



15. Following CRG feedback, along with expert feasibility analysis, a preferred “Combined” growth scenario, along with its three informing strategies on Built Form, Public Realm and Transport, were advertised for broader community consultation in April 2023.
16. The Stage 2A engagement outcomes were presented to Council in a Summary Report at its Ordinary Council Meeting held in July 2023 and the ‘Combined’ scenario and its informing strategies were supported by Council as the preferred growth scenario.
17. The preferred growth scenario along with stakeholder feedback on the informing documents and technical market and economic analysis have guided the preparation of Stage 2B being the draft AHPSP.

## Discussion

18. Stage 2 ‘Design’ of the AHPSP project is now complete with the preparation of the draft PSP document.
19. Stage 3 ‘Deliver’ of the AHPSP project requires a ‘gateway’ approval by Elected Members prior to its commencement.
20. Approval to proceed with Stage 3 includes the endorsement of the draft AHPSP for statutory advertising to commence and subsequently commence its formal Western Australian Planning Commission (WAPC) approval processes.
21. Endorsement to advertise the draft AHPSP will provide further opportunity for community, businesses, government departments and other key stakeholders to review the complete suite of documents, prior to Council considering it for WAPC approval.

## Purpose

22. Current planning controls for Albany Highway constrain the capacity to meet infill targets, limit opportunities for renewal and are failing to achieve the desired strategic vision for the Town.
23. The AHPSP will support new development and growth of the Precinct as a distinct, sustainable, and vibrant place, with a strong local focus and regional appeal.
24. The AHPSP will provide the future planning framework for a consolidated Albany Highway Precinct, known as the Victoria Park Secondary Centre under State Planning Policy 4.2 ‘Activity Centres for Perth and Peel’.
25. The current classification of East Victoria Park as a separate District Centre to the Victoria Park Secondary Centre does not accurately represent the existing and planned distribution of employment-generating activity and retail floorspace within the precinct, as such the AHPSP consolidates the two District Centres (Victoria Park and East Victoria Park) and links the entire activity corridor into a single Secondary Centre.
26. The consolidated Secondary Centre classification of the Precinct aligns with the recommendation from the Town’s Local Planning Strategy, based on the functional integration of the urban corridor and its economic role.
27. The Victoria Park Secondary Centre is therefore depicted by the draft AHPSP boundary.

## AHPSP Boundary

28. The boundary for the Victoria Park Secondary Centre and the AHPSP (refer to **Plan 1 Attached**) reflects that of the Preferred Growth Scenario as endorsed by Elected Members in July 2023.
29. The boundary was determined through a comprehensive analysis of:
  - Existing surrounding land use patterns and identification of any areas that align with the desired vision and objectives of the plan;
  - Physical features and infrastructure networks, such as roads, parks and other landmarks, to establish a boundary that is logical and practical;

- Planning policies and regulations at the local and state levels to ensure the proposed boundary aligns with the broader planning framework; and
- Stakeholder and community engagement to gather input and feedback on community priorities and understand site specific objectives along the Highway.

30. The preferred growth scenario has resulted in the expansion of the existing TPS1 Albany Highway Neighbourhood boundary by approximately 55% to incorporate additional residential areas which support greater development diversity and improved transition and interface from the Highway.

### **Sub-Precincts**

31. Early Consultation feedback revealed diverse aspirations for different parts of the precinct.
32. Stakeholders emphasised that Albany Highway is a complex area, with distinct neighbourhoods, each with unique characteristics and needs.
33. In response, six sub-precincts were delineated within the AHPSP area.

### **The Draft AHPSP**

34. The draft AHPSP document is broken into two Parts:
- a. Part One 'Implementation' - sets out the vision for the area and provides technical planning and development guidance for the implementation of the AHPSP. It is to be read in conjunction with the Town of Victoria Park Local Planning Scheme No. 2 (LPS2).
  - b. Part Two 'Explanatory' - sets out Physical Analysis, Opportunities and Constraints, Precinct Boundary and Hierarchy, Stakeholder and Community Engagement, Vision, Design Responses to the six design elements in State Planning Policy 7.2 'Precinct Design', Sub-Precinct Specific Concepts and Implementation Actions.
35. Technical Reports & Strategies that have guided the preparation of the AHPSP and provide further guidance on its implementation are included as Appendices.

### **Part One - Objectives**

36. Development Requirements set out in the AHPSP have been prepared to directly respond to the overall precinct objectives, which specifically relate back to Stage 1 and Stage 2A outcomes and the six (6) Design Elements of State Planning Policy 7.2 'Precinct Design' being: Urban Ecology, Urban Structure, Public Realm, Movement, Land Use and Built Form.
37. Further to the precinct-wide objectives, each of the six (6) Sub-Precincts have additional locational specific objectives and intended development outcomes.

### **Part One – Operation**

38. The provisions of Part 1 of the AHPSP are to be given due regard in determining development applications.
39. **Plan 1** allocates land to sub-precinct areas and shows the underlying Town of Victoria Park Local Planning Scheme No. 2 (LPS2) zoning.
40. Land use permissibility within the AHPSP shall be determined in accordance with LPS2, based on the distribution of zoning and reservations outlined on **Plan 1**.
41. The applicable density coding for the entirety of the AHPSP area is R-AC0 – This density coding is intended to entirely replace the applicable provisions of the Residential Design Codes (as amended) with those specified in the AHPSP.

### **Part One - Development Requirements**

42. Development Requirements have been tested and refined to create a diverse and varied future precinct character while maintaining the positive attributes of each sub-precinct's existing character.
43. The over-arching development requirements relate to:
  - a. Land Use & Zoning
  - b. Subdivision
  - c. Primary Controls (for each sub-precinct)
  - d. General Development Requirements
  - e. Specific Development Requirements (where identified on each sub-precinct plan)
  - f. Community Benefits
44. Each sub-precinct has its own Sub-Precinct Plan and Primary Controls Table that respond to specific development intentions and objectives identified for each sub-precinct.
45. The AHPSP promotes a diverse range of building heights, typologies, and styles to enhance the character of Albany Highway, whilst supporting increased development scale and density.
46. Specific Development Requirements apply to sites requiring site-specific policy direction to appropriately respond to unique characteristics, site size, and existing local context such as heritage and sensitive interface treatments.
47. Community Benefits relate to any development seeking a bonus height or plot ratio allowance, within the maximum as specified under the Sub-Precinct Primary Controls Tables.
48. Bonus is related to additional growth that may be acceptable within the geographic context and planning vision outlined within the AHPSP.
49. Bonus allowances have been calibrated in response to market conditions and spatially across the six sub-precincts to respond to local context and reflect appropriate scale and transition.
50. Community Benefits requirements (associated with a bonus) will ensure the delivery of significant community benefit and public amenity that is commensurate with the scale of development.
51. A list of acceptable benefits has been identified and includes impact-testing and feasibility analysis that measures the monetary value of each community benefit item and how this links with the height/plot ratio bonus provisions of the AHPSP.
52. A framework to guide the implementation for how Community Benefits are to be managed is included as an Appendix to the AHPSP.

## **Part Two Explanatory Requirements**

53. This part explains in detail how the AHPSP (Part One) interacts with:
  - a. Sub-Precinct Visioning
  - b. SPP 7.2 Objectives and 18 Key Ideas from Albany Highway Tomorrow
  - c. Supporting Strategies of the AHPSP:
    - i. Built Form Strategy
    - ii. Public Realm Strategy
    - iii. Transport Strategy
    - iv. Economic Strategy
    - v. Sustainability Strategy
    - vi. Urban Water Management Strategy

vii. Community Benefits Framework

- 54. Part Two provides the rationale for the precinct boundary and reclassification of the entire urban corridor as a Secondary Centre under SPP 4.2.
- 55. Part Two offers additional supportive actions and initiatives for each sub-precinct that are needed to bring the overarching vision for the precinct to fruition, in response to the supporting strategies. These are primarily for implementation through the Town’s Strategic Programs.

**Next Steps**

- 56. Statutory Advertising of the draft AHPSP will include public notice (i.e. newspaper advertisement and copies of the draft AHPSP available to view at Council’s administration and library, in accordance with the P&D Regulations 2015), social media posts, direct mail out to key stakeholders and residents along with continuance of the Shape Albany Highway marketing campaign via Your Thoughts and an online survey.
- 57. Following the statutory advertising period of the AHPSP, Council Staff will review submissions and provide a schedule of submissions and responses back to Council for further consideration.
- 58. Modifications to the AHPSP may be required in response to the advertising process. These will be presented back to Elected Members for consideration in its consideration to endorse a Final AHPSP for WAPC approval.
- 59. A future Scheme Amendment to LPS2 will be required to ensure the Town’s Statutory Planning Framework gives due regard to the Final AHPSP.
- 60. Implementation of Sub-Precinct Actions and supporting Strategy recommendations to be integrated into the Town’s strategic programs so they can be delivered, including preparation of the Albany Highway Public Realm Design Guidelines (Stage 3 output).
- 61. In accordance with Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015 (the Deemed Provisions), the AHPSP shall become operational upon its approval by the Western Australian Planning Commission (WAPC).

**Relevant documents**

[Local Planning Strategy 2022](#)

[State Planning Policy 4.2 – Activity Centres](#)

[State Planning Policy 7.2 – Precinct Design](#)

**Legal and policy compliance**

[Schedule 2 \(Part 4 - Structure Plans\) of the Planning and Development \(Local Planning Schemes\) Regulations 2015](#)

**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.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Time delays associated with failure to commence Stage 3 may impact the agreed contract with Hatch Pty Ltd and bear additional costs.	Medium	Low	TREAT risk by commencing Stage 3 and endorsing the advertisement of the draft AHPSP.
Environmental			Medium	
Health and safety			Low	
Infrastructure/ ICT systems/ utilities			Medium	
Legislative compliance			Low	
Reputation	Time delays associated with advertising of the AHPSP and commencing Stage 3 approvals processes may reflect poorly on the Town and impact its desirability as a place to invest new development.	Medium	Low	TREAT risk by commencing Stage 3 and endorsing the advertisement of the draft AHPSP.
Service delivery	Time delays associated with advertising of the AHPSP and commencement to Stage 3 will impact the ability to meet CEO KPI's.	Medium	Medium	TREAT risk by commencing Stage 3 and endorsing the advertisement of the draft AHPSP.

## Engagement

Internal engagement	
Stakeholder	Comments
Urban Planning	Review of Part One and feedback on draft provisions to ensure operation of the AHPSP is clear and suitable implementation of the proposed development requirements.
Technical Services	Provided key stakeholder input into the preparation of the Stage 1 outcomes reports and Stage 2 review of draft Public Realm and Transport Strategy – In

particular, review of the movement network approach and input into the streetscape typologies and role of various transport modes within the precinct, as well as provided support to the public realm typologies and its implementation strategy. Further advice will be sought on the Public Realm Design Guidelines in Stage 3.

External engagement	
Stakeholders	Community, Local Businesses, State Government
Period of engagement	Stage 1 Shape Albany Highway: Context & Vision (2021) Stage 2 Shape Albany Highway: Scenario Testing & Informing Strategies (2023) Stage 2 ongoing discussions with DPLH
Level of engagement	2. Collaborate
Methods of engagement	written submissions, community workshops, survey, pop-up engagement, one-on-one round tables,
Advertising	Listening Posts, newspaper advertisement, Town website, posters, social media, letters, flyers, direct email
Submission summary	Stage 2: 35 Engaged surveys completed; 11 written submissions; 597 document downloads; 333 participants informed; 779 participants aware; 1.2K total website visits  Of the 35 survey respondents, 69% either strongly supported, or somewhat supported the combined scenario (17% Neutral / 11% Somewhat Oppose / 3% Strongly Opposed)
Key findings	As per Stage 2 Concept Summary Report. DPLH recommendation for additional Community Benefits Framework

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	AHPSP will help to ensure projects are planned and delivered successfully.
CL2 - Communication and engagement with the community.	AHPSP process ensures communication aligns with the community's priorities and content reflects previous Council decisions.
CL3 - Accountability and good governance.	AHPSP supports/aligns to overarching strategies and will help to increase decisions that align with strategy.

Economic	
Community Priority	Intended public value outcome or impact
EC1 - Facilitating a strong local economy.	AHPSP vision and implementation strategies support the following Goals: <ul style="list-style-type: none"> <li>• Promotes the Town as a destination to visit.</li> <li>• Promote the Town as a great place for investment.</li> <li>• Ensure businesses feel supported and engaged.</li> <li>• Encourage a diversity of businesses.</li> <li>• Enable the local economy to be prosperous and resilient.</li> <li>• Deliver infrastructure and planning frameworks that support the local economy.</li> </ul>
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	AHPSP vision and implementation strategies support the following Goals: <ul style="list-style-type: none"> <li>• Increase activity in our local centres through place activation and place investment.</li> <li>• Encourage a community that is invested in improving the places that they live.</li> <li>• Help businesses to activate the public realm.</li> <li>• Create attractive public places.</li> <li>• Deliver a planning framework that enables population growth in our centres.</li> </ul>

Environment	
Community Priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	AHPSP vision and implementation strategies support the following Goals: <ul style="list-style-type: none"> <li>• Reduce percentage of emissions achieved without carbon offsets</li> <li>• Increase households and businesses taking active steps to reduce their household carbon emissions.</li> <li>• Increase tree canopy.</li> </ul>
EN3 - Enhancing and enabling liveability through planning, urban design and development.	AHPSP vision and implementation strategies support the following Goals: <ul style="list-style-type: none"> <li>• Design parks, streets and lanes to create a great environment for people to live.</li> <li>• Improve the energy and water efficiency of new and upgraded buildings and planned places (precinct structure plan areas and major facilities).</li> <li>• Design special places to contribute to a diversity of public spaces for informal socialisation.</li> <li>• Safeguard and enhance the Town's unique historical residential and streetscape character.</li> <li>• Ensure the mix of land uses, location and quality of development maximise amenity and quality of life.</li> <li>• Maintain and enhance a sustainable and viable hierarchy of activity centres and employment areas.</li> </ul>
EN4 - Increasing and improving public open spaces	AHPSP vision and implementation strategies support the following Goals: <ul style="list-style-type: none"> <li>• Increase the amount of (and improve existing) public open space that is easily accessible and closely located.</li> </ul>

EN6 - Improving how people get around the Town.	<p>AHPSP vision and implementation strategies support the following Goals:</p> <ul style="list-style-type: none"> <li>• Ensure transport network is safe, green and enjoyable to get around for all ages and abilities.</li> <li>• Ensure walking, cycling and public transport are desirable ways to get around the Town.</li> <li>• Ensure the public domain and transport facilities are accessible for all.</li> <li>• Actively advocate and collaborate with the State and Federal Government to improve the transport network.</li> </ul>
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<b>Social</b>	
Community Priority	Intended public value outcome or impact
S1 - Helping people feel safe.	<p>AHPSP vision and implementation strategies support the following Goals:</p> <ul style="list-style-type: none"> <li>• Provide safe environments.</li> </ul>
S2 - Collaborating to ensure everyone has a place to call home.	<p>AHPSP vision and implementation strategies support the following Goals:</p> <ul style="list-style-type: none"> <li>• Facilitate dwelling growth and encourage a diversity of housing types.</li> <li>• Facilitate the increase of the availability of accommodation to address acute housing needs.</li> </ul>
S3 - Facilitating an inclusive community that celebrates diversity.	<p>AHPSP vision and implementation strategies support the following Goals:</p> <ul style="list-style-type: none"> <li>• Build a community filled with opportunities for people to connect, participate and contribute to and with each other.</li> <li>• Diversify the cultural offering of arts and culture programs, ensuring representation of the Town's unique community.</li> <li>• Celebrate and recognise Aboriginal and Torres Strait Islander cultures.</li> </ul>
S4 - Improving access to arts, history, culture and education.	<p>AHPSP vision and implementation strategies support the following Goals:</p> <ul style="list-style-type: none"> <li>• Diversify the cultural offering, ensuring representation of the Town's unique community.</li> <li>• Grow an engaged audience of residents and visitors.</li> <li>• Facilitate a sense of belonging and pride in place.</li> <li>• Foster support for local history.</li> </ul>

## Further consideration



## 12.3 Working Group Community Representative Appointments (Various)

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Place Leaders
<b>Responsible officer</b>	Manager Place Planning
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL - Appendix 1 Assessment Scores [12.3.1 - 5 pages] Attachment 1 – Assessment Scores (CONFIDENTIAL)

### Summary

The purpose of this report is for Council to appoint external representatives to the Business Advisory Group, Hockey Working Group, Urban Forest Strategy Implementation Working Group and Integrated Transport Working Group, and to appoint Elected Member representatives to the Integrated Transport Working Group.

### Recommendation

That Council, in accordance with Policy 101 Advisory and Working Groups:

1. Appoints the following community representatives to the Business Advisory Group for a period of two (2) years to October 2026:
  - a. Candidate 1 – 1<sup>st</sup> term
  - b. Candidate 2 – 1<sup>st</sup> term
  - c. Candidate 3 – 2<sup>nd</sup> term
  - d. Candidate 4 – 2<sup>nd</sup> term
  - e. Candidate 5 – 2<sup>nd</sup> term
  - f. Candidate 6 – 3<sup>rd</sup> term (final)
  - g. Candidate 7 – 3<sup>rd</sup> term (final)
  - h. Candidate 8 – 3<sup>rd</sup> term (final)
2. Appoints the following external representatives to the Hockey Working Group for a period of two (2) years to October 2026:
  - a. Candidate 1 – 2<sup>nd</sup> term
  - b. James Savundra, Eddie Bartnik, Stuart Lamont – Victoria Park Xavier Hockey Club
  - c. Graeme Hall - Hockey WA
3. Appoints the following community representatives to the Urban Forest Strategy Implementation Working Group for a period of two (2) years to October 2026:
  - a. Candidate 1 – 1<sup>st</sup> term
  - b. Candidate 2 – 1<sup>st</sup> term
  - c. Candidate 5 – 3<sup>rd</sup> term (final)
  - d. Candidate 6 – 3<sup>rd</sup> term (final)
  - e. Candidate 7 – 1<sup>st</sup> term (re-set)
  - f. Candidate 8 – 1<sup>st</sup> term (re-set)

4. Appoints the following community representatives to the Integrated Transport Working Group for a period of two (2) years to October 2026:
  - a. Candidate 1 - 1st term
  - b. Candidate 2 - 1st term
  - c. Candidate 3 - 1st term
  - d. Candidate 4 - 1st term
  - e. Candidate 5 - 1st term
  - f. Candidate 6 - 1st term
  - g. Candidate 7 - 1st term
  - h. Candidate 8 - 1st term
  - i. Candidate 9 - 1st term
5. Appoints up to 3 Elected Members to the Integrated Transport Working Group to August 2024:
  - a. Councillor 1
  - b. Councillor 2
  - c. Councillor 3
6. That Council authorises the Chief Executive Officer to appoint further community representatives to fill the remaining vacancies should further nominations be received.

## **Background**

1. On 15 August 2023, the Council resolved to extend the external membership of the Town's existing Advisory and Working Groups to October 2024. This effects the membership of the Business Advisory Group, Hockey Working Group and Urban Forest Strategy Implementation Working Group.
2. On the 20 August 2024, the Council resolved to form the Integrated Transport Working Group.

## **Discussion**

3. Expressions of interest were advertised for community representatives for three weeks from 21 August to 11 September 2024 for the following groups:
  - a. Business Advisory Group – 12 representatives.
  - b. Hockey Working Group – 2 representatives (noting that in addition to 2 independence community representatives, the Hockey Working Group Terms of Reference provides for additional external representatives - 1 Hockey WA and 3 Victoria Park Xavier Hockey Club).
  - c. Urban Forest Strategy Implementation Working Group – 6 representatives.
  - d. Integrated Transport Working Group – up to 9 representatives.
4. Existing working and advisory group community representatives were invited to reapply by emailing their expression of interest to the relevant officer.
5. New community representatives were invited to apply via an on-line form which sought responses to criteria around skills, motivation and availability.
6. 26 nominations were received in total.
7. Nominations for each group were assessed by panels comprising three staff members. The assessment results and recommendations have been put forward in confidential Attachment 1 Assessment Scores. Final recommendations are included in the Recommendation.
8. Two (2) new applications were received and six (6) existing members reapplied to fill the twelve (12) community representative positions for the Business Advisory Group. All were deemed suitable and therefore all are proposed to be accepted.

9. Zero (0) new applications were received and one (1) existing member reapplied to fill the two (2) community representative positions for the Hockey Working Group. This application is proposed to be accepted.
10. Four (4) new applications were received and four (4) existing members reapplied to fill the six (6) community representative positions for the Urban Forest Strategy Implementation Working Group. The panel recommends accepting the four (4) existing members and the two (2) highest scoring new applicants, being Candidates 1, 2, 5, 6, 7, and 8, as community representatives for the Urban Forest Strategy Implementation Group. The two (2) lower scoring new applicants, being Candidates 3 and 4, were deemed suitable and will be contacted should any further positions become available.
11. Two (2) community members of the Urban Forest Strategy Implementation Working Group have only recently been appointed. These are Candidates 7 and 8 who were appointed in February and June 2024 respectively. As the August 2023 Council Meeting resolved to align all community representative appointments to October 2024, it is recommended that the appointment of these two (2) existing 1st term community representatives be 'reset' as 1<sup>st</sup> term appointments from October 2024.
12. Nine (9) new applications to fill the up to nine (9) community representative positions were received for the new Integrated Transport Working Group. All were deemed suitable and therefore all are proposed to be accepted.
13. Working and Advisory Group membership therefore stands as follows:

Group	Community positions available	EOI's received	EOI's recommended	Unfilled positions
Business Advisory Group	12	8	8	4
Hockey Working Group	2	1	1	1
Urban Forest Strategy Implementation Working Group	6	8	6	0
Integrated Transport Working Group	Up to 9	9	9	0

14. Should Administration's recommendations be supported, this will leave five (5) outstanding positions as follows:
  - a. Business Advisory Group – 4 representatives.
  - b. Hockey Working Group – 1 representative.
15. Expressions of interest for these positions remain open.

16. To enable speedy filling of these remaining positions, it is recommended that authorisation be granted to the Chief Executive Officer to appoint the five (5) remaining community representatives as expressions of interest are received and assessed against the relevant working group criteria.
17. Existing Elected Member nominations for the Business Advisory Group, Hockey Working Group and Urban Forest Strategy Implementation Working Group will remain.
18. Council is requested to appoint up to three Elected Members to the newly formed Integrated Transport Working Group.

## Relevant documents

[Terms of Reference for the existing advisory and working groups](#), noting the Integrated Transport Working Group's terms of reference will be developed by the group and presented to a future Council meeting for endorsement.

## Legal and policy compliance

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

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	Not applicable.
Environmental	Not applicable.		Medium	Not applicable.
Health and safety	Not applicable.		Low	Not applicable.
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	Not applicable.
Legislative compliance	Not applicable.		Low	Not applicable.
Reputation	Unsuitable or ineffective representatives are chosen.	Medium	Low	TREAT the risk by assessing against criteria which relate to the role of the group and Terms of Reference. TREAT the risk by efficiently managing the groups agenda, meetings and work program.

				TREAT the risk by developing the capacity of representatives to provide advice and contribute.
Service delivery	Not appointing representatives may limit the ability of the group to carry out their work.	Low	Medium	TREAT the risk by appointing the recommended applicants.

## Engagement

Internal engagement	
Elected Members	Were advised of the EOIs and asked to promote through their networks.
Communications and Engagement	Carried out EOI advertising and promotions.
Governance	Have reviewed and are supportive of the proposed authorisation

External engagement	
Stakeholders	Community
Period of engagement	21 August to 11 September 2024 (three weeks)
Level of engagement	1. Inform
Methods of engagement	Existing group members: direct email New applications: EOI application form
Advertising	Existing group members: The Chief Community Planner contacted existing group members via email to advise them of the process and invite them to reapply. New applications: Social media, website, local newspaper advert and direct email to known interested parties. Existing group members were also asked to promote the opportunity through their networks.
Submission summary	Existing group members: 11 existing group members reapplied New applications: 15 new applications received
Key findings	Business Advisory Group: 8 submissions received Hockey Working Group: 1 submission received Urban Forest Strategy Implementation Working Group: 8 submissions received Integrated Transport Working Group: 9 submissions received

## Strategic alignment

<b>Civic Leadership</b>	
Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	Community representation empowers the community and improves community outcomes.

<b>Economic</b>	
Community Priority	Intended public value outcome or impact
EC1 - Facilitating a strong local economy.	Business representation will improve business and economic development outcomes to the benefit of businesses and workers according to the Economic Development Strategy priorities.

<b>Environment</b>	
Community Priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	Community representation will improve environmental outcomes and facilitate greater community participation in delivering change according to the Urban Forest Strategy priorities.
EN5 - Providing facilities that are well-built and well-maintained.	Community representation will ensure a diversity of input into investigating the potential for a new hockey facility and ensure facilities cater for multiple needs.
EN6 - Improving how people get around the Town.	Community representation will improve integrated transport outcomes and facilitate greater community participation in delivering change according to the Integrated Transport Strategy priorities.

## Further consideration

## 12.4 Urban Forest Implementation Action Plan Review

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Place Leader Urban Forest
<b>Responsible officer</b>	Manager Place Planning
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Urban Forest Implementation Action Plan 2019-2024 Document Review [12.4.1 - 6 pages]</li><li>2. Urban Forest Implementation Action Plan 2024 -2029 Draft [12.4.2 - 7 pages]</li></ol>

### Summary

In 2019, the Urban Forest Implementation Action Plan (IAP) was endorsed by Council for 5 years from 2019 – 2024, which is now due for review. This report and its attachments identify and explain the revisions to the previous IAP and provides a draft IAP 2024-2029 to be received. The IAP will be presented back to Council, with the review of the Urban Forest Strategy, in June 2025 to ensure alignment of goals and targets across documents.

### Recommendation

That Council:

1. Notes the revised draft Urban Forest Implementation Action Plan 2024 – 2029, and
2. Requests the CEO to provide a report back to Council by June 2025 on
  - a. The review of the Urban Forest Strategy, and
  - b. The revised Urban Forest Implementation Action Plan 2024-2029.

### Background

1. At the Ordinary Council Meeting held on 11 September 2018, Council endorsed the Urban Forest Strategy (UFS) and approved the development of an Implementation Action Plan.
2. The initial Urban Forest draft Implementation Action Plan was developed by the Transition to Implementation Working Group (TIWG) with the purpose of setting out the actions the Town and community were to undertake to achieve the UFS' Strategic Outcomes.
3. In September 2019, the Council endorsed the Urban Forest Implementation Action Plan which would identify delivery of actions over five years, from 2019-2024.
4. Town staff together with the Urban Forest Implementation Working Group (IWG) have reviewed the IAP 2019 – 2024 and drafted an IAP 2024-2029.
5. At the Ordinary Council Meeting held on 17 September 2024, Council resolved 'that this item be deferred to next Council meeting for a further report on reviewing the Implementation Action Plan 2024-2029 together with the Urban Forest Strategy'.

### Discussion

6. Town staff, in collaboration with the IWG, have reviewed the IAP 2019 – 2024. This process of review involved the IWG as co-authors of the document with an internal review process from key stakeholders.
7. The review of each action involved its status being identified as being either complete, in progress, not started, or removed.

8. Each action was also reviewed to ensure the wording was appropriate and the action was responding to current best practice or emerging research in the field. Some actions were reworded for clarification and to appropriately align with internal operations.
9. A number of new actions have also been proposed.
10. The status and review of all actions from the IAP 2019 – 2024 can be seen in Attachment 1 - Urban Forest Implementation Action Plan 2019-2024 Document Review.
11. An updated IAP for noting can be seen in Attachment 2 - Urban Forest Implementation Action Plan 2024-2029 Draft.
12. The IAP 2024 -2029 proposes an increase from 20% to 30% canopy cover, however this will be confirmed through the review of the Urban Forest Strategy.
13. A comprehensive review of the Urban Forest Strategy is proposed to be undertaken between January and June 2025.
14. The IAP 2024-2029 will be updated according to this review of the Urban Forest Strategy.
15. It is proposed that the review of the Urban Forest Strategy and the IAP 2024-2029 will be presented back to Council by June 2025 with a request for advertising.

## Relevant documents

[Urban Forest Implementation Action Plan 2019 - 2024](#)

## Legal and policy compliance

Not applicable.

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	<p>The IAP 2024 – 2029 has been designed to be accommodated within the current Urban Forest yearly expenditure, noting that this will continue to be dependent on future budget requests for the relevant year.</p> <p>Should the Town wish to increase the delivery of the Urban Forest Program, additional resources would be required, however, these would be considered in future budget requests.</p>

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.			
Environmental	Not adopting the revised IAP 2024-2029 limits the Towns ability to delivery on the Town environmental values.	Medium	Low	ACCEPT – Receival of the IAP 2024-2029
Health and safety	Not implementing the IAP 2024-2029 limits the	Medium	Low	ACCEPT – Receival of the IAP 2024-2029



	community's environmental health benefits.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Not applicable.			
Reputation	Not adopting the IAP 2024-2029 risks the Town's reputation with the local community as it prides itself on leading the way in the Urban Forest and Environmental field.	Medium	Low	ACCEPT – Receipt of the IAP 2024-2029
Service delivery	Without the IAP 2024-2029 being endorsed, it is difficult for the Urban Forest Program to be delivered as it is the guiding document.	Medium	Medium	ACCEPT – Receipt of the IAP 2024-2029

## Engagement

Internal engagement	
Urban Forest Implementation Working Group	To provide a community council and Town perspective on the revisions and offer contributions to the development of actions.
Environment	Oversight and review of the document as it relates to environmental targets and identify actions that crossover with the delivery of the Environmental Plan.
Place Planning	Input through the view of each strategic program lens to ensure the actions can be achieved through relevant delivery streams. Supportive of the proposed revisions.
Community Development Reconciliation Officer	Review actions that align with the Towns Reconciliation Action Plan and indigenous education and engagement. The action plan will be presented to the Mindeera Advisory Group in November liaising with them on indigenous engagement of the program.
Urban Planning	Provided comments on relevant actions in the IAP 2024-2029.

Infrastructure Operations	Provided guidance and feedback with consideration to operational policies and program delivery.
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**Strategic alignment**

<b>Environment</b>	
<b>Community Priority</b>	<b>Intended public value outcome or impact</b>
EN1 - Protecting and enhancing the natural environment.	The public value of the IAP 2024 – 2029 is the commitment to investing in the continuous improvement of environmental health, diversity of our local ecologies, and human comfort and livability within the Town as the IAP works as a guide for the Town to deliver its greening strategy.

**Further consideration**

## 12.5 Summer Street Party Event Sponsorships Report

<b>Location</b>	East Victoria Park
<b>Reporting officer</b>	Coordinator Events Arts and Funding
<b>Responsible officer</b>	Manager Community
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

### Summary

To provide Council with oversight of the event sponsorship agreements for the 2024 Summer Street Party for approval.

#### Recommendation

That Council approves the following event sponsorships for the Town's 2024 Summer Street Party event on Saturday 16 November 2024 from the following organisations:

1. Balmoral Hotel - \$10,000
2. Hawaiian - \$2,500

### Background

1. The Town is planning and delivering the annual Summer Street Party on 16 November 2024.
2. This major event supports the Town's vision 'A dynamic place for everyone'.
3. The Summer Street Party helps to build a strong community, both economically and socially, and contributes to a vibrant, livable community.
4. As part of the 2024/2025 Town budget, \$20,000 revenue was approved for sponsorships of the Town's 2024 Summer Street Party event.
5. Local Albany Highway businesses, as well as larger organisations in the Town, were invited to participate in the event as partners. Through community consultation, two organisations were identified as sponsors for the event.
6. As per Policy 116 – Sponsorship, a sponsorship agreement can be entered into with the approval of the Council.

### Discussion

7. Town officers consulted with a range of local businesses, and existing partners, to discuss their interest and involvement in an event's partnership for the 2024 Summer Street Party.
8. Two organisations confirmed their interest in becoming sponsors of the event, including:
  - a. The Balmoral Hotel, a previous event partner of Summer Street Party, and an iconic local business in the Town, will provide \$10,000 of monetary support as well as in-kind support for the facilitation of the Westminster Alley section of the event. They will be the event's Major Partner.
  - b. Hawaiian Park Centre, an existing partner who supports a range of Town events and projects focused on community outcomes and benefits, will provide \$2,500K of monetary support in addition to in-kind support for the facilitation of 1 x activity zone and 1 x chillout licenced bar area at the event. They will be a Premier Partner for the event.
9. Both organisations will receive the following benefits as event partners:

- a. Logos on event promotional material at the event
  - b. Acknowledgement, including logo, on event advertising and promotion (newsletter and website)
  - c. Acknowledgement on event social media
  - d. Acknowledgment in media relations activities conducted
  - e. Direct community engagement opportunities at the event
  - f. Recognition in event presentations and speeches
  - g. Logo on promotional signage at event site
  - h. Access to post-event report
  - i. Complimentary double passes to the event, including food and drink vouchers and reserved parking
  - j. Presented with event memorabilia
  - k. Inclusion of one question of your choice in the event's survey (approval by the Town required)
10. As the event's Major Partner, The Balmoral Hotel will receive these additional benefits:
- a. Event naming rights on a section of the event (Westminster Alley)
  - b. Acknowledgment on event documentation and communication to the community (i.e. event map/program)

## Relevant documents

[Event Partnership Booklet](#)

## Legal and policy compliance

[Policy 116 - Sponsorship](#)

## Financial implications

<b>Current budget impact</b>	<p>Within the 2024/2025 Events Arts and Funding budget, a total of \$20,000 has been allocated as revenue the Town is seeking to receive in sponsorships for the Summer Street Party event.</p> <p>This amount will offset the event's operational costs and provide opportunities to enhance the infrastructure, entertainment and activities during the event, including:</p> <ul style="list-style-type: none"> <li>• The Westminster Alley area (alongside Balmoral Hotel on Westminster Street), containing music, kids entertainment, food and chill out area.</li> <li>• A chill out licenced area (adjacent to the Main Stage in the Hawaiian outdoor parking precinct), containing food and drink.</li> <li>• An activity zone (in the Hawaiian outdoor parking precinct), involving entertainment and activities for kids and adults.</li> </ul> <p>Should the Town not receive the proposed sponsorship monetary support outlined in this report, adjustments will be made to the event's operations to ensure it will be delivered within budget.</p> <p>For 2023 Summer Street Party, the Town received a total of \$16,500 from two local businesses, the John Hughes Group and Keylend. These two businesses did not express interest in sponsoring this year's event.</p>
<b>Future budget impact</b>	Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Loss of revenue to support the delivery of the event.	High	Low	TREAT risk by accepting sponsorship offers and developing an agreement that creates a win-win situation for all parties.
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Not applicable.		Low	
Reputation	Not accepting local business sponsorship will diminish relationships with intended sponsors.	Medium	Low	TREAT risk by accepting sponsorship offers and developing an agreement that creates a win-win situation for all parties.
Service delivery	Where funding has been offered and not accepted, a change to the event product and scope will occur.	Medium	Medium	TREAT risk by accepting sponsorship offers and developing an agreement that creates a win-win situation for all parties.

## Engagement

Internal engagement	
Stakeholder	Comments
Governance	Advice on Policy 116 – Sponsorship, in relation to sponsorships for the event
Procurement	Written agreement preparation and review
Communications and Engagement	Identification and alignment of organisations for active sponsorships for Town events
Place Planning	Identification and alignment of organisations for active sponsorships for Town events
Community Development	Identification and alignment of organisations for active sponsorships for Town events

Events Arts and Funding	Identification and alignment of organisations for active sponsorships for Town events
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<b>External engagement</b>	
Stakeholders	Consultation with approximately 100 local businesses on Albany Highway, situated within and nearby the event's footprint.
Period of engagement	July – November. Ongoing.
Level of engagement	Collaboration.
Methods of engagement	<ol style="list-style-type: none"> <li>1. Direct engagement (via email and in-person) to businesses to invite participation in the event and share event details (i.e. promotional collateral).</li> <li>2. Emails, phone calls and/or meetings with all those businesses who were involved in previous Summer Street Party events.</li> <li>3. Ongoing engagement with interested businesses across all communication mediums (emails, phone calls and meetings) delivered to support event involvement across all partnership levels.</li> </ol>
Advertising	Save the date promotional shared with all stakeholders in August. Updated event information to be shared in October with all stakeholders.
Submission summary	Two major event sponsorship partners identified for the event.
Key findings	Two sponsors keen to invest in the street party for agreed benefits. In addition, currently over 30 local businesses are interested in participating in the event.

## Strategic alignment

<b>Civic Leadership</b>	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	To provide good governance of sponsorship arrangements between the Town and local businesses.

<b>Economic</b>	
Community Priority	Intended public value outcome or impact
EC1 - Facilitating a strong local economy.	To maximise opportunities for collaboration, networking and relationship building between businesses in the Town, and the community.
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	Promoting the Town as a destination to visit during the street party and again after the event.

<b>Social</b>	
Community Priority	Intended public value outcome or impact

S3 - Facilitating an inclusive community that celebrates diversity.	Creating an event that has something for everyone, that celebrates diversity and is inclusive in all its elements.
S4 - Improving access to arts, history, culture and education.	Increase access to a variety of art, history, culture and educational opportunities throughout the event for all community members and groups.

## 12.6 Development Application - 32 Oswald Street Victoria Park

<b>Location</b>	Victoria Park
<b>Reporting officer</b>	Planning Officer
<b>Responsible officer</b>	Manager Development Services
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Attachment 4 - 5.2020.704.1 - Approval letter &amp; plans [<b>12.6.1</b> - 77 pages]</li> <li>2. Attachment 5 - Environmental noise assessment [<b>12.6.2</b> - 20 pages]</li> <li>3. Attachment 6 - Town Assessment - LP P 3 Non-residential Uses in or adjacent to residential areas [<b>12.6.3</b> - 4 pages]</li> <li>4. Attachment 7 - Transport impact assessment [<b>12.6.4</b> - 60 pages]</li> <li>5. Attachment 8 - Transport technical note [<b>12.6.5</b> - 29 pages]</li> <li>6. Attachment 9 - Table of condition amendments [<b>12.6.6</b> - 4 pages]</li> <li>7. Attachment 1 - Development Plans [<b>12.6.7</b> - 1 page]</li> <li>8. Attachment 2 - Applicants Cover Letter [<b>12.6.8</b> - 15 pages]</li> <li>9. Attachment 3 - Schedule of Submissions - Applicant Responses [<b>12.6.9</b> - 4 pages]</li> </ol>

<b>Landowner</b>	<b>Australasian Conference Association</b>
<b>Applicant</b>	Rise Urban
<b>Application date</b>	06/12/2023
<b>DA/BA or WAPC reference</b>	5.2023.413.1
<b>MRS zoning</b>	Urban
<b>TPS zoning</b>	Residential
<b>R-Code density</b>	R30
<b>TPS precinct</b>	P5 – Raphael Precinct
<b>Use class</b>	Educational Establishment
<b>Use permissibility</b>	'AA' (discretionary)



<b>Lot area</b>	1013m2
<b>Right-of-way (ROW)</b>	N/A
<b>Municipal heritage inventory</b>	N/A
<b>Residential character study area/weatherboard precinct</b>	Residential Character Study Area
<b>Surrounding development</b>	Subject lot is surrounded by existing low scale medium density residential dwellings to the south-east, south and south-west. Another school (Regent College) is located in close proximity to the east with commercial and mixed-use development located nearby to the north.

## Summary

For Council to consider an application to amend the development approval for No. 32 Oswald Street, Victoria Park (Victoria Park Christian School) granted by the Town of Victoria Park Council on 20 July 2021, to include additional car parking and to increase the approved maximum student capacity of the school from 150 to 250 students.

## Recommendation

That Council :

- A. Approve the application submitted by Rise Urban on behalf of Australasian Conference Association (DA Ref: 5.2023.413.1) for Additions to the Existing Educational Establishment and increase to permitted student numbers at No. 32 (Lot 137) Oswald Street, Victoria Park as indicated on the plans dated 5 July 2024, in accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme, subject to the following conditions:
1. Condition No. 1 of development approval DA Reference No. 5.2020.704.1 dated 27 July 2021 being modified to read as follows:
    1. The total number of students on site at any given time shall not exceed 250. Further approval will be required from the Town for any future increase in students on site.
  2. Condition No. 2 of development approval DA Reference No. 5.2020.704.1 dated 27 July 2021 being deleted.
  3. Condition No. 3 of development approval DA Reference No. 5.2020.704.1 dated 27 July 2021 being modified to read as follows:
    3. The traffic management measures outlined in section 6.5.1 of the Stantec Transport Impact Assessment dated 3 October 2023 and additional technical note dated 28/06/2024 respectively,

are to be implemented to the satisfaction of the Town at all times, inclusive of but not limited to the following traffic management measures:

- The proposed kiss and drop arrangement along Oswald Street during school hours;
- Staggered start and finish times for year groups;
- Further encouragement of the private bus use;
- Further encouragement of the use of public and active transport modes."

4. Condition No. 6 of development approval DA Reference No. 5.2020.704.1 dated 27 July 2021 being modified to read as follows:

6. No school bus drop off/collection is to occur within the car parks located to the southeast of the site. All kiss and drop off/collection shall be restricted to the kerbside bays on Oswald Street and within the car park adjacent to the school oval.

5. Condition No. 7 of development approval DA Reference No. 5.2020.704.1 dated 27 July 2021 being modified to read as follows:

7. A minimum of 38 car parking bays, including an ACROD bay, shall be provided on site in accordance with the approved plans. These bays shall be marked and allocated in accordance with the approved plans

6. Remainder of development complying with development application DA Reference No. 5.2020.704.1 approved on 27 July 2021, including the date of expiry of the approval.

7. Existing trees identified on the approved site plan must be retained and protected in accordance with AS 4970-2009 and to the satisfaction of the Town.

8. The proposed trees (shown on the site plan dated 05/07/24) shall be a species of tree that has the potential at maturity to be a minimum height of 5m and a minimum canopy width of 4m and is a minimum size of at least 35 litres when planted. The proposed tree shall be maintained via an automated irrigation system or other similar method by the landowner or developer for the first two summers after the occupation of the dwelling. If the proposed tree is of poor health and is removed, it is to be replaced with a suitable replacement tree by the owner or developer to the satisfaction of the Town.

9. A Tree Growth Zone, as shown on the approved plans shall be maintained to the satisfaction of the Town. No structure, unless water permeable, is to encroach within the Tree Growth Zone.

10. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.

11. The development, once commenced, is to be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town.

12. Parking areas shall conform to AS/NZS 2890.1 :2004 and AS 3727.1:2016 unless otherwise agreed to in writing by the Town.

13. Prior to occupation or use of the development, the redundant crossover to Lot 700, as shown on the approved plans, must be removed and the verge and kerb reinstated at the cost of the owner to the specification and satisfaction of the Town.

14. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Town, and thereafter implement to the satisfaction of the Town, a construction management plan addressing the following matters:

- i. How materials and equipment will be delivered and removed from the site;
- ii. How materials and equipment will be stored on the site;
- iii. Parking arrangements for contractors;
- iv. Construction waste disposal strategy and location of waste disposal bins;
- v. Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
- vi. How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works;
- vii. Construction traffic and pedestrian management; and
- viii. Other matters likely to impact on the surrounding properties.

15. This approval is valid for a period of twenty four months only. If the subject development is not substantially commenced within the twenty four month period, the approval shall lapse and be of no further effect.

B. Request the Chief Executive Officer to inform submitters of the Council's decision on the application.

## In brief

- The application seeks approval for a new "kiss and drive" parking area and an extended driveway and queuing area for the existing Educational Establishment (Victoria Park Christian School). Additionally, the application seeks to amend development approval 5.2020.704.1, approved by the Town on 20 July 2021. The amendments propose to increase the maximum number of students to 250 (150 currently permitted) and modify related conditions.
- The subject site falls within the Residential zone of the Raphael Precinct. The land use 'Educational Establishment' is a discretionary 'AA' land use.
- The purpose of the application is to cater to projections of increased demand for the school beyond the current 150 student maximum. This demand is currently limited by Conditions 1 and 2 of the approval.
- Car parking and traffic management were identified as major concerns from the community as part of the community consultation process stemming from the proposed increase in student numbers.
- Following consideration of public submissions and feedback from Town Officers, the applicant has redesigned the manoeuvring and parking on site and commissioned a Technical Note to reflect concerns previously raised by the Town. The applicant is now proposing net increase of 7 permanent bays, 6 parallel 'kiss and drive' car bays, an angled staff-only bay and 3 new parallel bays in the existing car park to replace the car bays that need to be removed to allow for vehicles to exit the site from the new driveway. In addition, and an extended driveway accommodating 11 'stacking bays' in which cars can queue on site has been added. These modifications have lessened the impact of the proposal on existing public car parking infrastructure.

## Background

1. Development Approval (DA09/0251) was granted by Council on 29 April 2009 for Additions to the Existing Educational Establishment. As part of the approval, Condition 5 stated the following:  
"Student enrolment shall not exceed 100 children without seeking approval from Council."
2. Due to the wording of the above condition, the Town did not have delegation to approve the proposed increase in student numbers and the decision became the responsibility of Council.
3. Subsequently, further development approval was granted on 4 December 2009 for Modifications to the Planning Approval. As part of the approval, Condition 1 stated the following:  
  
"A minimum of 20 car parking bays being provided within the modified car park for the exclusive use of staff and visitors to the site."
4. Other relevant development approvals related to the educational establishment were issued after the two proposals listed above. However, neither have modified the permitted maximum number of students nor the minimum number of car parking bays required on site.
5. At the Ordinary Council Meeting on 27 July 2021, Council considered a development application for additions to the Educational Establishment in the form of an Early Childhood building. The application originally proposed an increase in the maximum number of students from 100 to 180 and an increase in staff from 10 to 14, with no additional on-site car bays. The applicant subsequently amended the proposal to be an increase to the maximum student and staff numbers to 150 and 14 respectively, with an additional 10 car parking bays on-site (total of 30 on-site bays to be provided).

6. The application was approved by Council subject to conditions including -
1. *The total number of enrolled students shall not exceed 150. Further approval will be required from the Town for any future increase in enrolled students.*
  2. *Prior to the submission of an application for a building permit, the applicant is to prepare and submit an updated Traffic Impact Statement to the satisfaction of the Town, reflecting the amended proposal and inclusive of:*
    - *A reduction in the maximum number of students to 150;*
    - *The provision of 10 additional on-site car bays;*
    - *Removing reference to a possible future proposal for up to 230 students;*
    - *The implementation of the measures required by condition 3 below.*
    - *Deleting reference to retention of the existing kiss and drop bays within the existing on-site car parking.*
  3. *The following traffic management measures as outlined in the Cardno Traffic Impact Statement and additional Technical Memorandum dated 15 March 2021 and 4 May 2021 respectively, are to be implemented to the satisfaction of the Town at all times, inclusive of but not limited to the following traffic management measures:*
    - *The proposed kiss and drop arrangement along Oswald Street during school hours;*
    - *Staggered start and finish times for year groups;*
    - *Further encouragement of the private bus use;*
    - *Further encouragement of the use of public and active transport modes.*
  6. *No kiss and drop/collection or bus drop off/collection is to occur within the existing car park and is to be restricted to Oswald Street only.*
  7. *A minimum of 30 car parking bays, including an ACROD bay, shall be provided on site in accordance with the approved plans. These bays shall be marked and allocated in accordance with the approved plans.*
  8. *Prior to the first occupation of the development hereby approved, all approved car parking spaces together with their access aisles shall be clearly paved, sealed, marked and drained in accordance with Australian Standards AS2890.1 and arranged so that all vehicles may at all times leave or enter the street in a forward gear. All parking bays and access aisles shall thereafter be maintained to the satisfaction of the Town.*
  10. *A maximum of 50 children are permitted to attend classes within the new 'Early Teaching Block' at any one time, consistent with the amended Acoustic Assessment, date stamped 24 June 2021. Changes to the maximum number of students permitted within the new 'Early Teaching Block' will require further approval from the Town in addition to the provision of an amended Acoustic Assessment.*
7. Development Approval (5.2021.449.1) was granted by the Town on 22 September 2021 for an amendment to condition 10 of the 2021 development approval to permit a maximum of 108 children within the new building in lieu of maximum of 50, but still maintaining the limitation of a maximum of 150 total students enrolled.

## Application summary

8. The application seeks approval for a new "kiss and drive" parking area and an extended driveway to the existing Educational Establishment (Victoria Park Christian School). The applicant is now proposing net increase of 7 permanent bays, 6 parallel 'kiss and drive' car bays, an angled staff-only bay and 3 new parallel bays in the existing car park to replace the car bays that need to be removed to allow for vehicles to exit the site from the new driveway. Additionally, the application seeks to amend development approval 5.2020.704.1, approved by the Council on 20 July 2021 to increase the maximum number of students to 250 (150 currently permitted).
9. To reflect the increased capacity and additional car park, the applicant is seeking to delete condition 2 from the approval and amend conditions 1, 3, 6, 7 and 8 to read as follows. The intent behind each modification is detailed below each condition.

*"The total number of students on site at any given time shall not exceed 250. Further approval will be required from the Town for any future increase in students on site."*

10. Condition 1 is proposed to be modified to enable the proposed increase to 250 students, and also applies the 250 student limit with respect to students on site, rather than enrolled students as per the current condition.
11. Condition 2 is proposed to be deleted as a new Transport Impact Assessment is appended to this submission and supersedes the previous Traffic Impact Statement. Therefore, the condition is now redundant.

*The traffic management measures outlined in section 6.5.1 of the Stantec Transport Impact Assessment dated 3 October 2023 and the following traffic management measures are to be implemented to the satisfaction of the Town at all times:*

- *Staggered start and finish times for year groups;*
- *Further encouragement of the private bus use;*
- *Further encouragement of the use of public and active transport modes.*

12. Condition 3 is proposed to be updated to reflect the TIA lodged as part of this application and deletes reference to the kiss and drop arrangement along Oswald Street, on account of the change in operation of the partial car bays on Oswald Street proposed by this application.

*"No school bus drop off/collection is to occur within the car parks and is to be restricted to the kerbside bays on Oswald Street only. Kiss and drop/ collection may only occur within the car park adjacent to the school oval or in the kerbside bays on Oswald Street."*

13. Condition 7 is proposed to be updated to reflect 40 bays now being proposed on site.

*"Prior to the first occupation of the development hereby approved, all approved car parking spaces together with their access aisles shall be clearly paved, sealed, marked and drained in accordance with Australian Standards AS2890.1 (except for the angled grassed car parking spaces) and arranged so that all vehicles may at all times leave or enter the street in a forward gear. All parking bays and access aisles shall thereafter be maintained to the satisfaction of the Town."*

14. Condition 8 is proposed to be updated to exclude the grassed car bays from the paving, sealing and draining requirement. Condition 7 will still require them to be marked.
15. Condition 4 requires the traffic management measures required by condition 3 to be implemented and condition 10 limits the capacity of the Early Teaching Block. It is intended that those conditions will remain unchanged and therefore continue to apply.
16. Discussions between the applicant and the Town have resulted in the submission of revised development plans at Attachment 1. The revised plans show a modified vehicular queuing area and parallel ("kiss and drive") parking arrangement that address recommendations provided by Town Officers.
  - Demonstrates new landscaping to be provided adjacent the driveway and parking area,
  - Demonstrates the provision of 3 new trees.
  - Demonstrates intent for vehicular parking areas to be finishing in appropriate hardstand.
  - The removal of an existing crossover and the installation of a new crossover to service the development.

### **Applicant's submission**

17. *"The proposed increased capacity limit of 250 students and additional car park at Victoria Park Christian School are required to meet current and projected demand from parents, while ensuring that the site continues to function effectively and with due consideration for nearby and adjoining residents. The capacity limit and parking satisfy the relevant planning requirements of the Town of Victoria Park Local Planning Policies 3 and 23.*
  18. *The applicant contends that the proposed amendments (being the increased student capacity and additional car park) do not substantially change the development approval for the purposes of clause 77c of the Deemed Provisions, for the following reasons:*
    - a. *The increased capacity proposed by this amendment is necessary to enable full use of the approved development (being the new classrooms);*
    - b. *The new car park is a minor alteration to the site in the context of the approved classroom block and the broader school grounds;*
    - c. *The car park is a direct consequence of the increased capacity, given its purpose is to accommodate vehicles picking up and dropping off the additional students;*
    - d. *The additional car park will not substantially change the functionality of the site or the approved land use;*
    - e. *The additional car park will not substantially affect the Oswald or Colombo Street streetscapes or impact the amenity of local residents; and*
    - f. *The changes to the site circulation and access arrangements will improve the efficiency of the traffic flow through the site and will not affect traffic flow on the public roads and intersections around the site.*
  19. *Local Sufficient car parking is proposed on the site as well as in locations within the road reserves directly adjacent to the site that can be exclusively used by the school to cater for the proportion of the 250 students that will be dropped off and picked up by parents. If either the parking within the adjacent road reserves was ignored or in the very unlikely scenario that all 250 students generated parking demand individually, there would still be sufficient parking available to meet demand.*
-

20. *This application is supported by a Transport Impact Assessment (TIA) prepared by professional accredited traffic engineers Stantec, which demonstrates that the proposed parking arrangement will sufficiently cater for the projected car parking demand in greater detail. The TIA also confirms that the changes to traffic circulation through the site resulting from the additional car park, and the traffic associated with the proportion of the 250 students that are dropped off and picked up by parents, will not cause any impacts on the functionality of nearby streets and intersections.*
21. *This application is also supported by a Noise Assessment prepared by professional accredited acoustic consultants Herring Storer Acoustics, which confirms that some nearby properties will be exposed to less noise as a result of this proposal and others will be exposed to a maximum of 2dB of additional noise, which is barely perceptible.*
22. *On this basis the proposal is a minor amendment and can be assessed as an amendment to the existing approval under clause 77 of the Deemed Provisions."*
23. On 5 July 2024, the applicant has provided the following additional information in support of the proposal, in response to submissions collected during community consultation and to address concerns previously raised by the Town.
- "The updated design responds to the Town's comments by appropriately managing vehicular demand from parents and staff on site, and by providing redundancy for cars to queue within the site should that be necessary. Note that with this design, if the 'kiss and drive' bays are full and parents queue in the stacking bays between those bays and the entrance, they will be incentivised to save time and let their children out (or pick them up) from the school oval directly adjacent – thereby minimising time spent in the 'kiss and drive' car bays and preventing a queue from extending onto Oswald Street."*

#### Relevant planning framework

<b>Legislation</b>	<b>Town Planning Scheme No. 1</b>  <b><i>Planning and Development (Local Planning Schemes) Regulations 2015</i></b>
<b>State Government policies, bulletins or guidelines</b>	WAPC Transport Impact Assessment Guidelines - Volume 4 individual developments
<b>Local planning policies</b>	Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas (LPP3)  Local Planning Policy 23 – Parking (LPP23)  Local Planning Policy 37 – Community Consultation on Planning Proposals (LPP37)  Local Planning Policy 39 – Tree Planting and Retention Policy (LPP39)
<b>Other</b>	Not applicable.



## General matters to be considered

<b>TPS precinct plan statements</b>	<p>The statement of intent within Precinct Plan P5 state the following in respect to non-residential development and traffic:</p> <p><i>“Further non-residential uses will only be permitted where they are small in scale, maintain the residential character and provide for day-to-day local needs...”</i></p> <p><i>Council will endeavor to discourage the movement of commercial traffic into residential streets from main roads adjacent to the precinct. Safe, accessible movement for pedestrians, cyclists, public transport and private vehicles is an important aim for the precinct.”</i></p>
<b>Local planning policy objectives</b>	<p>The following objectives of LPP3 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 the 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><li>• To ensure that the appearance and design of non-residential development is compatible with surrounding residential properties and the streetscape in terms of building size and scale, the provision of adequate landscaping treatments, the retention of existing mature trees and the suitable design and location of advertising signage.</li></ul> <p>The following objectives of LPP23 are relevant in determining the application:</p> <ul style="list-style-type: none"><li>• To ensure that 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 LPP39 are relevant in determining the application:</p> <ul style="list-style-type: none"><li>• To ensure appropriate ‘medium’ or ‘large’ trees are planted which are suited to their environment and location where ‘trees worthy of retention’ have been removed or do not exist on private land.</li><li>• To assist with achieving the Town of Victoria Park’s objective to increase tree canopy coverage to 20% by increasing tree canopy coverage on public and private land.</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>(i) environmental impacts of the development;</li> <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> <li>(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;</li> <li>(y) any submissions received on the application;</li> </ul>
<p><b>Urban forest strategy</b></p>	<p>The following strategic outcome is relevant to the application:</p> <p>SO1 – Plant and protect sufficient trees by 2020 to achieve the 20% tree canopy target as supported by Council.</p>

### Compliance assessment

24. 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.

## Amendment to an Existing Development Approval to Increase Maximum Student Numbers

	Proposed	Required exercise of discretion
<b>Land use</b>	Educational Establishment	'AA' (discretionary) land use
<b>Traffic Management</b>	In assessing an application for non-residential development, in addition to considering matters such as traffic volumes, road capacity and road safety from a technical engineering perspective, Council will have also regard to these matters from a residential amenity perspective.	Transport impact Assessment has been supplied by the applicant to assess the likely traffic impacts associated with the proposed development.
<b>Landscaping</b>	One 'tree worthy or retention' shown to be removed.  6 parallel bays proposed	3 'medium' trees with a minimum pot size of 35L shown to be planted on the site plan, compensating for the removal of the 1 existing tree.  And provided trees at a rate of 1 per 4 parking spaces.
<b>Parking</b>	6 new "kiss and drive" bays provided  3 new parallel bays provided.  1 new staff bay provided	Minimum number of bays required - Not applicable  Maximum number of bays required - Not applicable

## Engagement

Internal engagement	
Environmental Health	No objections expressed and consequently the Noise Management Plan is considered acceptable.  Standard conditions and advice notes will be applied.
Engineering	No objections expressed and supportive of the Transport Technical Note prepared by Transcore dated 28/06/2024.  The Street Improvement team support the proposed Victoria Park Christian school expansion to 250 students and associated vehicular access and parking works.  The following recommendation have either been implemented though amended designs or will be applied as conditions of approval when required.

	<ul style="list-style-type: none"> <li>Proposed "One-way" through driveway to be a minimum 3.0m paved width.</li> <li>Carparking bays to be constructed to a trafficable standard with appropriate and approved material. (NOTE: Grass is not an approved material.)</li> <li>Carbay's to be line-marked and signed to clearly delineate carbay's and use as "Kiss &amp; Drive" parking.</li> <li>Entry point from Oswald Street to be clearly signed as "One Way Entry only".</li> <li>Stormwater design of 4 or more units or commercial developments to be designed and signed by a certified and qualified practising Hydraulic Engineer. Stormwater design to cater for a 1:100-year storm event to retained and disposed of onsite.</li> </ul>
Parking	<p>Objection expressed to the existing bus pick up and drop off zone.</p> <p>Otherwise, no other objections expressed.</p> <p>In respect to the objection received from parking regarding the bus pick up and drop off zone, it is pertinent to note that this is required by condition 6 of DA 5.2020.704.1 (see Attachment 4).</p> <p>Parking have stated as part of their referral comments that have received "2-3 applications from schools in the past 6 -12 months to have their bus bays removed" so may not be supportive of it for future applications.</p> <p>Notwithstanding the bus pick up and drop off zone is required by an existing condition of approval it should remain.</p>
Parks	Requested the Installation of shade trees between proposed car park and playing field.
Building	No objections expressed.
Waste	No objections expressed.

External engagement	
<b>Stakeholders</b>	Town of Victoria Park Residents.
<b>Period of engagement</b>	Consultation was undertaken from Wednesday, 28 February 2024 to Wednesday, 13 March 2024.
<b>Level of engagement</b>	Consult
<b>Methods of engagement</b>	Notification on the Towns website and consultation letters mailed to all affected owner's and occupiers within a 100m radius of the school lots.

<b>Advertising</b>	As above.
<b>Submission summary</b>	18 submissions were received. The majority of which were objections from a mix of owners and occupiers within close proximity of the subject site.
<b>Key findings</b>	A summary of the submissions received during community consultation period, along with the Town's response, can be found in Attachment 3. The key issues raised relate to existing traffic and parking conditions around the school and in nearby streets, and concerns that this will be exacerbated by the proposed development.

## Planning Assessment

### Proposed increase in student numbers

25. As previously stated in this report, a condition of the previous 2021 development approval (DA Ref No: 5.2020.704.1) limited student numbers to a maximum of 150 with any increase in student numbers to be approved by the Town (See Attachment 4).
26. In the applicant's correspondence dated 29/11/2023, the applicant notes that not all students will generate a parking demand. School bus projection, Walk/cycle projection and Multiple-child families all assist in reducing vehicular demand.
27. In regard to noise, the Acoustic Assessment (Attachment 5) submitted in support of the proposal found the increase in noise levels to be within acceptable limits.
28. An increase in student numbers can be considered provided that noise and traffic impacts resulting from the increase in students is appropriately managed or addressed.
29. With respect to the potential noise impact, the Acoustic Report submitted by the applicant (see Attachment 6) states the following:
  - (a) The proposed additional parking is to provide a student morning drop-off and afternoon pick up facility and would only be accessible / open for limited periods in the morning and afternoon.
  - (b) Noise generated from children playing is within acceptable limits prescribed by the Environmental Protection (Noise) Regulations 1997 within the Educational Establishment's operating times;
  - (c) Noise generated from the bitumised area would be considered as a road, thus noise relating to motor vehicles is exempt from the Environmental Protection (Noise) Regulations 1997.
  - (d) Even so, we note that the noise received at the neighboring residences from the noise associated with the cars using the proposed new parking area would easily comply with the requirements of the Environmental Protection (Noise) regulations 1997.
  - (e) The increase in the number of children would in the worst case, increase the noise from children playing outside during lunch and recess by up to 2 dB(A). An increase of 2 dB(A) is barely perceivable. Additionally, the noise received at some of the residences to the north east and east from children playing within the playing ground, would with the construction of the new parking area remain the same or in fact be reduced due to children no longer able to play up against or near the fence.
  - (f) The duration of this possible increase would only be for 2 short periods of the day, with lunch being between 11:20am and 12:00 noon; and recess between 1:30 and 1:50pm. We also note that the although the lunch period is 40 minutes, a reasonable proportion of that time is taken up by the children eating lunch.

- (g) Thus, noise from the proposed additional car parking and student capacity would be deemed to comply with the requirements of the Environmental Protection (Noise) Regulations 1997.
30. To ensure the proposal complies with the acceptable noise limits as stated in the attached acoustic report, a condition has been recommended to comply with the said acoustic report as well as the acoustic report implemented under the previous development application.
31. Fundamentally, in considering the increase to student numbers, consideration must be given to the intensification of the non-residential land use in a primarily residential zone and if the level of intensification is appropriate given the current existing traffic and car parking problems localised in this part of Victoria Park.
32. In support of the above statement, a more comprehensive assessment against the requirements of LPP3 'Non-residential Uses in or adjacent to Residential areas' can be found in Attachment 6.

## **Traffic Management**

33. The applicant has submitted a Traffic Impact Assessment (see Attachment 7) addressing the traffic generated by the increase in student numbers proposed as part of the application (total of 250 students).
34. Key findings of the report are as follows:
- Peak times selected are 8:00am-9:00am and 4:00pm-5:00pm respectively for the morning and afternoon peak periods, which are the peak times identified from the supplied traffic counts. School peak traffic generation is generally in the period of 8:30am-9:00am and 3:00pm-3:30pm, which corresponds to the class start and finish times.
  - Public transport is considered to be excellent as the School is well serviced by local and school bus services.
  - Walking and cycling within the surrounding area is considered to be excellent with easily accessible high quality shared paths.
  - The SIDRA assessment shows that the nearby intersections will operate at an acceptable level of service for all scenarios analysed.
  - Given the availability of parking within the surrounding area of the School as well as initiatives aimed at reducing parking demand (e.g. the private bus service and cycling facilities), the current parking arrangement would be sufficient enough to accommodate the increase in student numbers.
  - Overall, the number of crashes occurring near the Site is low.
35. In response to comments raised by the Town, an additional technical note (see Attachment 8) has been prepared by the applicant's traffic consultant, including the following:
- Updated swept paths for B99 passenger cars;
  - Addressing parking shortfall;
  - Update trip generation and distribution of the proposed development;
  - Undertake SIDRA network assessment;
  - Update the crash assessment based on new crash data;
  - Address pedestrian safety; and,
  - Update the TIA.
36. Having reviewed the Traffic Impact Assessment, Final plan set, and additional technical note, the Town's Traffic and Transport Engineer is supportive of the proposal to increase the capacity of Victoria Park Christian School from 150 to 250 students.
37. The concerns of many submitters relating to the traffic impact of the development are acknowledged. Many of the concerns centre around existing traffic and parking impacts generated by the school and other nearby schools, and a contention that this would be exacerbated by approval of the

development. The applicant has addressed a number of these concerns through comments provided in Attachment 3.

38. In the context of the amended application, it is considered that the implementation of the following measures will improve the parking and traffic situation from that currently experienced:
- 6 additional on-site kiss and ride car bays;
  - An extended internal driveway that enters off Oswald Street and exits onto Colombo Street to provide extended queuing arrangements.
39. Considering the above and having regard to the relevant provisions of LPP3 and clause 67(s) and (t) of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposal is not expected to have a significant adverse impact on the safety of road users or traffic conditions in the area.

## **Car Parking**

40. It is pertinent to note that at the time of lodgement and public advertising of the development application, previous Local Planning Policy 23 'Parking' was in effect. Under previous Local Planning Policy 23 'Parking' an increase in the total number of students by 100 (from 150 to 250) generated the need for a minimum of 22 additional on-site bays. An additional 7 bays are proposed (making a total of 38 on-site car bays), therefore being a shortfall of 15 bays under previous Local Planning Policy 23 'Parking' and the subject of justification from the applicant.
41. As Council will recall, at the September Ordinary Council Meeting Council resolved to replace Local Planning Policy 23 'Parking' with Local Planning Policy No.23 'Bicycle Parking, Car Parking and Access for Non-Residential Development', with the operative policy no longer prescribing a minimum or maximum requirement and allowing applicants to determine their own parking provision that meets their needs,
42. LPP 23 has the following objectives applicable:
- (a) To make it easier for businesses to establish and grow within the Town.
  - (b) To avoid an over-supply of car parking that can encourage dependence on private vehicles and discourage the use of active modes of transport such as walking, cycling and public transport.
  - (c) To facilitate the provision of bicycle parking and end of trip facilities that are well designed to support mode shift to cycling and other active modes of transport.
  - (d) To ensure that the design and location of car parking minimises negative visual and environmental impacts on amenity and streetscapes.
  - (e) To ensure that car and bicycle parking facilities are safe and accessible including ensuring that ACROD parking bays are appropriately provided.
  - (f) To ensure that loading/unloading bays are appropriately provided to support business activity.
43. The proposal as it stands meets the aforementioned objectives outlined in amended LPP 23, with Officers being satisfied that through a combination of the additional on-site bays proposed and the transport and parking management measures proposed by the applicant, that any parking impacts will be minimised.

## **Landscaping**

44. The application proposes to remove one tree worthy of retention and replace it with a total of three (3) 'medium' trees with a minimum pot size of 35L shown to be planted on the site plan, compensating for the removal of the 1 existing tree.
45. The tree proposed to be removed is a Bottlebrush which is a woody shrub that ranges from 0.5 m to 4 m in height. The removal of said Bottlebrush for the construction of an access leg through the site is

considered appropriate as it's adequately compensated for by the conditioning and planting of three replacement trees that have the propensity to grant better height and canopy cover.

46. It is pertinent to note that LPP 23, LPP 39 requires a minimum rate of one (1) tree for every four (4) bays. The applicant has chosen to "bookend" the 6 proposed parallel parking bays with trees meeting the requirements of the policy.

**Amendments to previous conditions of approval.**

47. Town staff are generally supportive of the applicant's proposed amendments to the conditions of approval, subject to some minor modifications. One exception would be condition 8, as staff are not supportive of permanent parking areas not being clearly paved, sealed, line marked and drained in accordance with relevant Australian Standards. Further discussion can be found in Attachment 9.

**Summary:**

48. It is considered that the proposed traffic management strategies contained in the applicant's supporting documentation (see Attachment 7 and 8) along with the refurbished car parking area will manage the increase of student numbers to 250 students. Conditions relevant to the proposed car parking area, associated car bays and traffic management strategies are considered necessary to ensure the landowner takes the necessary action to reduce the impact of traffic generated by the proposal.

**Risk management considerations**

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	Not applicable.			
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	The proponent has a right of review to the State Administrative Tribunal against Council's decision, including any conditions.		Low	Accept – Ensure the Council has all relevant information to make an informed decision.
Reputation	Negative public perception towards the Town either from persons who oppose or support the development.		Low	Accept - ensure that the public submissions have been adequately considered in determining the application.
Service delivery	Not applicable.			



## Financial implications

<b>Current budget impact</b>	The applicant has a right of appeal to SAT against any conditions of approval or refusal. Should the applicant appeal to SAT there may be costs for the Town to engage legal and/or other representation.
<b>Future budget impact</b>	Nil.

## 12.7 Draft Local Planning Policy - Sustainable Development

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Senior Planning Officer
<b>Responsible officer</b>	Manager Development Services
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Attachment 1 Draft LPP46 [12.7.1 - 14 pages]

### Summary

The purpose of this report is to seek consent to commence public advertising of draft Local Planning Policy 46 'Sustainable Development' (LPP46).

### Recommendation

That Council:

1. Consent to the advertising of draft Local Planning Policy 46 'Sustainable Development' (as contained in Attachment 1) for public comment for a minimum period of 28 days, being 7 days greater than the minimum period required by deemed clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Requests the Chief Executive Officer to provide a further report to Council that summarises and responds to any submissions received during the public advertising period along with a recommendation on whether to adopt draft Local Planning Policy 46 'Sustainable Development' with or without modifications.

### Background

1. In 2018 the Council declared a climate emergency.
2. In 2019, the Western Australian Planning Commission published State Planning Policy 7.0 – Design of the Built Environment. This policy promotes the importance of design quality and set out 10 Design Principles that development should strive to achieve. One of the Design Principles, Sustainability, was defined as follows:
  - a. *"Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.*  
  
*Sustainable landscape and urban design adheres to established water-sensitive urban design principles, minimises negative impacts on existing natural features and ecological processes and facilitates green infrastructure at all project scales.*  
  
*Sustainable built environments use passive environmental design measures at various scales, responding to local climate and site conditions by providing optimal orientation, shading, thermal performance and natural ventilation. Reducing reliance on technology for heating and cooling minimises energy use, resource consumption and operating costs over the life-cycle of the project.*

*Sustainable design also includes the use of sustainable construction materials, recycling, good waste management practices, re-use of materials and existing structures, harnessing of renewable energy sources, and total water cycle management."*

3. In 2021, the Town adopted a Climate Emergency Plan.
  - a. One of the aims of the Climate Emergency Plan is to *"Support and educate the community and businesses in working towards their own zero carbon target and community resilience."*
  - b. Action 1.12 of the Climate Emergency Plan is to *"Investigate effective approaches to ecologically sustainable development through the Local Planning Strategy"*
4. In 2022 the Western Australian Planning Commission (WAPC) endorsed the Town of Victoria Park Local Planning Strategy. Amongst other themes, this Strategy includes:
  - a. *"Objective 5.2 – To encourage best practice ecologically sustainable development relative to the opportunities and constraints associated with the scale and siting of the development";* and
  - b. *"Action 5.1 - Investigate opportunities to facilitate best practice environmental planning and ecologically sustainable development in buildings and places through the local planning framework."*
5. At the 20 February 2024 Ordinary Meeting, Council resolved to endorse draft Local Planning Scheme No.2. This draft scheme has been submitted to the Western Australian Planning Commission for assessment. This draft scheme includes the following aim:

*"(l) To protect and enhance the natural environment with due regard to: maintaining biodiversity, minimising non-renewable resource use and greenhouse gas emissions, increasing tree canopy, reducing urban heat island effects and minimising waste and pollution."*
6. In 2022 the Council adopted the 2022-2032 Strategic Community Plan. Community priorities identified include *"Enhancing and enabling liveability through planning, urban design and development."*
7. The Town currently has Local Planning Policy 36 – Climate Control (Energy Efficiency) in place. This was originally part of the Town of Victoria Park Town Planning Scheme No. 1 Policy Manual, and is understood to date back to the late 1990's.
8. LPPs are important planning instruments, adopted by Council, that help the Town set clear expectations for development standards and provide direction to applicants on how the Town may exercise discretion in assessing development proposals.

## **Discussion**

9. A sustainable development Local Planning Policy (LPP) will assist in delivering the Town's sustainable built form strategic objectives, as identified in the Strategic Community Plan, Local Planning Strategy and Local Planning Scheme No. 5 (LPS 5). The Policy also directly assists in deliver action 1.12 of the Climate Emergency Plan, to *"Investigate effective approaches to ecologically sustainable development..."*
10. For development applications to be assessed and treated in an equitable manner, a framework and system is required to ensure consistency.
11. Local Planning Policy 36 – Climate Control (LPP36) is not considered to be fit for purpose. It does not set clear expectations for development standards and provide direction to applicants on how the Town may exercise discretion in assessing development proposals. LPP36 has not been actively applied in a meaningful sense by the Town's Urban Planning team for some time.

12. Town officers have reviewed and considered the approaches taken by other local government areas, including the City of Subiaco, City of Fremantle, City of South Perth, Shire of Augusta Margaret River, City of Vincent and City of Bassendean.
13. Town officers consider City of Subiaco Local Planning Policy 1.3 – Sustainable Development to be a good planning policy/tool for residential development that balances flexibility and developer freedom with ensuring delivery of sustainable design features/elements in development applications.
14. Town officers consider City of Fremantle Local Planning Policy 2.13 Sustainable Buildings Design Requirements and City of South Perth Policy P350.01 Environmentally Sustainable Building Design to be good planning policies/tool for non-residential development.
15. Draft Local Planning Policy 46 is closely based off the above mentioned Local Planning Policies.
16. Draft LPP46 is split into two main parts, Part A and Part B.
  - a. Part A applies to development applications for new single houses, grouped dwellings and significant alterations and/or additions to existing single houses and grouped dwellings (but excluding ancillary dwellings), for which the R-Codes – Volume 1 applies.
  - b. Part B applies to development applications for new non-residential buildings (including the non-residential component of a mixed use development) with a gross floor area (GFA) of 1000m<sup>2</sup> or more, but excluding buildings in an Industrial zone.
17. The policy does not apply to multiple dwellings (ie. apartments) in areas coded R80 and above as the R-Codes – Volume 2 Apartments contain sustainability measures for this dwelling type. It is also noted that apartment developments of significant scale typically involve feedback from the Town's Design Review Panel, who ensure that good design (including sustainability) is given critical attention.
18. The policy does not apply to works that are exempt from development approval. The LPS Regulations exempt the need for development approval for single house proposals (or additions and alterations to single houses) that fully meet the deemed-to-comply provisions of the R-Codes. Therefore the Policy can only be applied to single house developments, including additions, that require development approval.
19. It is intended that should Council agree to the adoption of draft LPP46 in either its current or modified form, that LPP36 will be revoked.

#### *Proposed Application and Operation – Part A (residential developments)*

20. Part A of Draft LPP46 works using a points-based system with 21 sustainability measures for proponents to choose from. The points have been allocated based on an approximation of the sustainability impact and the difficulty of achieving each option.
  21. Part A of Draft LPP46 does not mandate any one specific sustainability measure. Rather, it mandates the inclusion of sustainable measure(s) into the design. Generally, including seven sustainability measures meets the requirements of the policy.
  22. The required points can be achieved with less sustainability measures, depending on the measure(s) chosen. This gives proponents the flexibility to choose which sustainability measures are most appropriate to their site context and budget.
  23. The Policy provides a choice of 21 sustainability measures to include in their development as follows:
-

- Solar photovoltaic (PV) system
- Solar battery storage
- Solar or heat pump hot water systems
- Lighter roof colours
- Double glazed windows
- Rain water tank
- Grey water re-use system
- Permeable paving to driveways
- Waterwise landscaping
- Tree retention
- New native tree
- Electric vehicle charger
- Ceiling fans to bedrooms
- Primary living space orientation
- 9 Star NatHERS rating.
- 'As built' Energy assessor inspection
- 'As built' Air tightness test
- Net zero certification/low embodied energy for construction type
- Gold level universal design accessible dwelling
- Small Dwelling
- No natural gas for cooking, dwelling or water heating

24. Each sustainability measure is allocated points, ranging from 15 to 45. Further detail on the sustainability measures, including their points allocation is provided in Attachment 1.

25. New single houses, grouped dwellings and multiple dwellings in areas coded R60 or lower must achieve a minimum of 100 points (which translates to between three and seven sustainability measures). Significant additions and/or alterations to existing dwellings must achieve a minimum of 60 points.

26. The chosen sustainability measures are to be nominated by the applicant on the Policy's Sustainability Checklist (Form 1 of the Policy) (Attachment 1). The Form 1 must be included with the lodgement of the development application (DA) for all applicable development.

27. Draft LPP46 defines the threshold of significant additions and/or alterations to an existing dwelling as those with a floor area exceeding 50 per cent of the existing building footprint of the dwelling on-site. This approach ensures that additions and/or alterations that are of a significant scale compared to the existing dwelling are also sustainably designed. It is not considered appropriate to apply draft LPP46 to smaller scale additions and/or alterations as:

- a. the cost of applying the sustainability measure(s) would be disproportionate to the cost of the development;
- b. the occupation and use of smaller additions and/or alterations will not generate the same natural resource demands compared to those defined as significant;
- c. the Town does not want to disincentivise additions and/or alterations.

28. Clause A6 of draft LPP46 enables proponents to self-nominate an alternative sustainability measure(s), contained as 'item 22' of Table 1 (Attachment 1). The sustainability theme attributed to this option is 'Additional Sustainability Measures', which provides scope to account for rapidly changing sustainable technologies. This provides further flexibility beyond the 21 options proponents have to choose from.

29. The clause also provides the criteria as to what circumstances the Town would approve the sustainability measure(s) against. These include:
- a. Sufficient information on the sustainability measure(s) submitted to the Town
  - b. The tangible sustainability benefit proposed to be provided
  - c. How the proposed sustainability measure(s):
    - i. meet the objective of the policy; and
    - ii. are proposed to be implemented; and
    - iii. can be maintained in perpetuity.
30. All requests under clause A6 must be submitted to, and approved by, the Town of Victoria Park. Such proposals will be reviewed by the Town's Urban Planning Team with input from other business units as appropriate. Under clause A6(b), the points value attributed to successful request, will be granted at the remaining point value required (whole or in-part) to meet clause A1 (single houses and grouped dwellings reaching 100 points) or clause A4 (significant additions and/or alterations to reach 60 points) of the policy.
31. Full wording of clause A6 is contained in draft LPP46. (Attachment 1).
32. A tree planted for the purposes of the current Local Planning Policy 39 Tree Planting and Retention (date amended 15 February 2022) could also count as a tree planted under this draft policy (ie a retained tree can count towards both requirements).

*Proposed Application and Operation – Part B (non-residential development)*

33. All development applications for new non-residential buildings (including the non-residential component of a mixed use development) with a gross floor area (GFA) of 1000m<sup>2</sup> or more, (but excluding buildings in an Industrial zone) are to be designed and constructed to achieve a rating not less than 4 star Green Star using the relevant Green Building Council of Australia (GBCA) Green Star rating tool, or equivalent, demonstrated through a report provided by a suitably qualified professional.
34. GBCA explanatory material outlines the Greenstar thresholds as follows:
- a. 1 Star equates to 'Minimum practice'
  - b. 2 Star equates to 'Average practice'
  - c. 3 Star equates to 'Good practice'
  - d. 4 Star equates to 'Best practice'
  - e. 5 Star equates to 'Australian excellence'; and
  - f. 6 Star equates to 'World leadership'.
35. When Local Planning Policy 33 'Guide to Concessions on Planning Requirements for Mixed Use, Multiple Dwelling and Non-Residential Developments' is reviewed, the Town's Urban Planning Team intend on including achieving higher benchmarks of sustainable development (eg 5 Star or 6 Star) for non-residential development if/where concessions are sought to planning requirements.
36. Town staff are also cognisant of risks that could be associated with setting the bar too high for compliant non-residential development (development that does not seek a concession to planning requirements). In such a scenario, development with positive (if not 'Australian excellence') outcomes could be unintentionally stalled or discouraged. 4 Stars is considered to be appropriate for non-residential development of that scale.

37. Use of the GBCA green star system (or similar) is not recommended for smaller scale commercial or residential development on the basis that this would be overly onerous. As noted in the background section of this report, the Town's Local Planning Strategy envisioned that encouraging best practice ecologically sustainable development would be "relative to the opportunities and constraints associated with the scale and siting of the development"
38. Full wording of the clauses within Part B is contained in draft LPP46. (Attachment 1).

### Policy Benefits

39. Draft LPP46 provides many benefits, some of which are outlined below:
- a. Sustainable built form –  
Sustainable built form has many benefits including reduced greenhouse gas emissions, reduced utility bills and an increased natural comfort level for occupants. These are discussed further under the Financial and Social and Environmental sections below.
  - b. Integrated policy and statutory framework –  
Draft LPP46 provides a mechanism to implement the sustainability objectives and aims as identified in the Town's strategic and statutory framework. The objectives of draft LPP46 will be implemented via conditions on development approvals, through the standard statutory DA process.
  - c. A vertically integrated strategic, policy and statutory framework ensures the Town is delivering its intended vision for the jurisdiction. Alignment is discussed in the Strategic Implications, Statutory and Policy and Social and Environmental sections below.
40. If draft LPP46 is adopted, it may inspire other local governments to pursue a similar approach. This could lead to a more widespread positive sustainable development outcomes across WA.
41. Information is already readily available to landowners and designers with respect to sustainable development (for example - <https://www.yourhome.gov.au/>). Despite this, the majority of developments and developers currently do not appear to meaningfully engage with this material.
42. A 'pick and mix' approach to sustainability measures as established under Part A of draft LPP46
- a. effectively mandates customers to evaluate their options and engage with some level of sustainable design 'education' while considering the design of their dwelling;
  - b. is hoped to cultivate a sense of 'ownership' and 'buy in' from landowners, as they are empowered to make choices in the process.

### Limitations

43. Sustainable design is an 'umbrella topic' for several specialty fields including
- a. Water Sensitive Urban Design
  - b. Landscape Architecture/Horticulture
  - c. Transport; and
  - d. Energy Efficient Design
- While the Town's Urban Planning team should be expected to administer a Local Planning Policy, they cannot be expected to become subject matter experts on ESD and all of the associated specialty fields.
44. The requirements of the Policy must be reasonable. A central consideration in making sure the policy is 'reasonable' is ensuring the policy does not unreasonably add to the cost of housing, noting that housing affordability is already cited as a significant issue for many.
-

45. The City of Subiaco attained indicative costings for the sustainability measures contained in their policy (which Part A of the Town's draft LPP46 is closely based off). The average modelled cost to comply with that policy, as of July 2023, was an additional \$8000 for each new dwelling.
46. Example indicative costings, as of July 2023, were outlined by the City of Subiaco as follows:

<b>Option</b>	<b>Number of Sustainability Measures</b>	<b>DA Type</b>	<b>Description of Sustainability Measure Combination</b>	<b>Indicative Costing</b>
1	1	Significant Addition and/or Alteration	Retain one mature tree (over 10m)	\$400 <sup>1</sup>
2	4	Single House or Grouped Dwelling	Waterwise landscaping + retain one mature tree (under 10m) + plant new tree + roof colour	\$500
3	2	Significant Addition and/or Alteration	Rainwater tank + new native tree	\$2,300
4	1	Significant Addition and/or Alteration	NatHERS 7-star <sup>2</sup>	\$2,800
5	2	Single House or Grouped Dwelling	NatHERS 7-star + electric vehicle charger	\$4,800
6	4	Single House or Grouped Dwelling	Rainwater tank + permeable driveway + waterwise landscaping + retain one mature tree (under 10m)	\$6,900
7	3	Significant Addition and/or Alteration	Double glazed windows + roof colour + electric vehicle charger	\$7,000
8	4	Single House or Grouped Dwelling	Greywater re-use + roof colour + new native tree + electric vehicle charger	\$9,300
9	4	Single House or Grouped Dwelling	Solar panels + solar battery storage + solar hot water system + new native tree	\$17,000
10	1	Single House or Grouped Dwelling	Passivhaus (Passive House) design <sup>3</sup>	\$57,800

<sup>1</sup> Indicative costing for an Arborist report

<sup>2</sup> Indicative costing for combined construction and NatHERS certification costs (construction cost increase = ~ \$2,500; certification cost = \$300)

<sup>3</sup> Indicative costing for construction and Passivhaus (Passive House) certification costs (construction cost increase = ~\$57,750; certification cost = ~\$6,000)

47. The City of Subiaco policy generally required four (4) sustainability measures to be achieved. The Town's draft policy is envisioned to generally require six (6) to seven (7) to be achieved. This is not expected to unduly increase the resultant cost burden for a number of reasons:
- The Town's draft policy list of sustainability measures has included additional measures that can either be very low cost (Ceiling fans, Air Tightness test etc) or no additional cost (Solar passive orientation, No gas for cooking/heating etc)
  - The most expensive item in the above table (Passivehaus design) is not included in the Town's draft list. NaTHERs is the standard referred to in the National Construction Code (NCC). Encouraging developers to build to a PassivHaus rating in lieu of NaTHERS would impose additionally unnecessary upskilling training and cost to Planning and Building officers.



48. Whilst sustainable development can often incur a greater cost up front, the resultant utility cost savings from energy and water efficiencies compensate this over time. There are also a variety of options to comply with the Policy provided in Table 1, which accommodate a range of site contexts and budgets.

## Relevant documents

[Climate-Change-Emergency-Plan](#)

[Strategic Community Plan](#)

[Local Planning Strategy](#)

[Draft Local Planning Scheme No.2](#)

## Legal and policy compliance

[Planning and Development \(Local Planning Scheme\) Regulations 2015](#)

49. The adoption or amendment of a Local Planning Policy must be undertaken in accordance with deemed clauses 4 and 5 of the Planning and Development (Local Planning Schemes) Regulations 2015, including:

- Publication of a notice in accordance with deemed clause 87;
- Community consultation for a period of not less than 21 days after the day on which the notice is first published; and
- Consideration of public submissions and a Council resolution to proceed with the new or amended policy with or without modifications, or not to proceed.

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

[Local Planning Policy No.37 - Community Consultation on Planning Proposals](#) (LPP37)

51. Introducing a local planning policy that requires additional sustainability measures to (otherwise) 'standard' development types is a shift from existing planning frameworks in the Perth Metropolitan region.

52. Additionally, sustainability has been a theme of considerable community interest raised during the public advertising of the Town's Local Planning Strategy and Strategic Community Plan.

53. For these reasons it is recommended that the consultation period for LPP46 be extended to 28 days and that more extensive community consultation activities than the minimum requirements outlined in LPP37 be undertaken.

54. The following engagement activities are planned for the advertising of LPP46:

- Online advertising (YourThoughts)
- Public inspection of policy (Admin/Library)
- Public notice (Town website)
- Public notice (Admin/Library) noticeboards
- 2x newspaper advertisement during the advertising period
- E-newsletter items (eVibe and Business e-news)
- 2x Social media posts
- Targeted consultation with identified industry stakeholders.

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	The passing of this recommendation does not result in funds being required in future budgets.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	
Environmental	The Council refuses to advertise LPP46, and without an appropriate statutory planning instrument, the Town has limited ability to require sustainable design features as part of development applications above and beyond the NCC.	Low	Medium	
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Not applicable.			
Reputation	The Council refuses to advertise LPP46 or continued application of existing policies that do not reflect the Town's strategic objectives for encouraging sustainable development outcomes.		Low	Accept - consent to public advertising of LPP46 and provide clear communications explaining the rationale for and implications of the policy.
Service delivery	Not applicable.			

## Engagement

Internal engagement	
Stakeholder	Comments
Elected Members	<p>Elected Member Workshop held on the 28 May 2024, points of discussions included:</p> <ul style="list-style-type: none"> <li>• 'Preference for a 'Pick and Mix' approach over a 'Mandate' approach:</li> <li>• Amendments to sustainability measures (eg deletion of 5kw requirement for solar PV, and triple glazing as a higher point option)</li> <li>• Addition of sustainability measures not listed at that time (eg permeable driveways and solar passive orientation)</li> <li>• General strong support for policy direction</li> </ul>
Building Services	Support for preparation of draft LPP46
Urban Planning	Support for preparation of draft LPP46
Place Planning	Support for preparation of draft LPP46

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	Advertising draft LPP46 provides the community with the opportunity to have their say on the proposed planning controls for development within the Town.

Environment	
Community Priority	Intended public value outcome or impact
EN3 - Enhancing and enabling liveability through planning, urban design and development.	LPP46 set objectives and requirements for new development to support sustainable design and built environment outcomes within the Town to achieve strategic goals for sustainability.

## **13 Chief Operations Officer reports**

Nil

## 14 Chief Financial Officer reports

### 14.1 Schedule of Accounts- August 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Financial Services Controller
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Payment Summary August 2024 [ <b>14.1.1</b> - 8 pages] 2. Credit Card Transactions August 2024 [ <b>14.1.2</b> - 2 pages] 3. Fuel and Store Card Transactions August 2024 [ <b>14.1.3</b> - 1 page]

### Summary

Council is required to confirm payments made from the municipal fund, payments by employees via purchasing cards each month and fuel and store card transactions under Section 13 and 13A of the Local Government (Financial Management) Regulations 1996. The information required for Council to confirm the payments made is included in the attachment for the month ended 31 August 2024.

### Recommendation

That Council:

1. Receives the accounts for August 2024, as included in the attachment, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.
2. Receives 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.
3. Receives the credit card transactions attachment, pursuant to Regulation 13A of the Local Government (Financial Management) Regulations 1996.
4. Receives the fuel and store card transactions attachment, pursuant to Regulation 13A of the Local Government (Financial Management) Regulations 1996.

### Background

1. Council has delegated the Chief Executive Officer the authority to make payments from the municipal and trust funds in accordance with the Local Government (Financial Management) Regulations 1996.
2. Under Regulation 13(1) and 13A 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 authorised an employee to use a credit, debit or other purchasing card, each payment is to be noted on a list compiled for each month showing:
  - a) The payee's name
  - b) The amount of the payment
  - c) The date of the payment
  - d) Sufficient information to identify the transaction

3. That payment list should then be presented at the next ordinary meeting of the Council, following the preparation of the list, and recorded in the minutes of the meeting at which it is presented.
4. The payment list and the associated report was previously presented to the Audit and Risk Committee. Given this Committee's scope has changed to focus more on the audit function, the payment listings will be forwarded to the Elected Members ahead of time. Any questions received prior to the finalisation of the report will be included along with the responses within the Schedule of Accounts report for that month.
5. The list of accounts paid in accordance with Regulation 13 and 13A of the Local Government (Financial Management) Regulations 1996 is contained within the attachment and is summarised below.

<b>Fund</b>	<b>Reference</b>	<b>Amounts</b>
<b>Municipal Account</b>		
Automatic Cheques Drawn		\$0
Creditors – EFT Payments		\$6,177,717.19
Payroll		\$1,293,188.58
Bank Fees		\$3,182.97
Corporate MasterCard	August 2024	\$11,621.09
<b>Total</b>		<b>\$7,485,709.83</b>

## Discussion

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

## Relevant documents

Nil.

## Legal and policy compliance

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

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

[Procurement Policy](#)

## 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.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	Misstatement or significant error in Schedule of accounts.	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and external audits.
Financial	Fraud or illegal transactions	High	Low	Treat risk by ensuring stringent internal controls, and segregation of duties to maintain control and conduct internal and external audits.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ICT systems/utilities	Not applicable.			
Legislative compliance	Not accepting schedule of accounts will lead to non-compliance.	Medium	Low	Treat risk by providing reasoning and detailed explanations to Council to enable informed decision making. Also provide the Payment summary listing prior to preparation of this report for comments.
Reputation	Not applicable.			
Service Delivery	Not applicable.			

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 – Communication and engagement with 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
CL3 – Accountability and good governance.	The presentation of the payment listing to Council is a requirement of Regulation 13 & 13A of Local Government (Financial Management) Regulation 1996.

## Further consideration



## 14.2 Financial Statement August 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Financial Services Controller
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Financial Statements August 2024 [14.2.1 - 26 pages]

### Summary

To present the statement of financial activity reporting on the revenue and expenditure for the period ending 31 August 2024.

### Recommendation

That Council receives the financial statements for August 2024, as included in the attachment, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

### Background

1. Regulation 34 of the *Local Government (Financial Management) Regulations 1996* states that each month, officers are required to prepare monthly financial reports covering prescribed information, and present these to Council for acceptance. Number all paragraphs from here on, not including tables.
2. As part of the monthly financial reports, material variances are reported. Thresholds are set by Council and are as follows:

#### 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 (-) \$50,000 or 10% and, in these instances, an explanatory comment has been provided.

#### 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 (-) \$50,000 or 10% 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:

#### Period variation

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

#### Primary reason(s)

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

#### 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.

## Discussion

- The Financial Statements – August 2024 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 Statements – August 2024 be accepted.

## Relevant documents

Not applicable.

## Legal and policy compliance

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	Misstatement or significant error in financial statements.	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and external audits.
Financial	Fraud or illegal transaction.	High	Low	Treat risk by ensuring stringent internal controls, and segregation of duties to maintain control and conduct internal and external audits.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ICT systems/utilities	Not applicable.			
Legislative compliance	Council not accepting financial statements will lead to non-compliance.	Medium	Low	Treat risk by providing reasoning and detailed explanations to Council to enable informed decision making. Also provide the Payment summary listing prior to preparation of this report for comments.

## Financial implications

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

## 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.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 – Communication and engagement with the community	To make available timely and relevant information on the financial position and performance of the Town so that Council and public can make informed decisions for the future.
CL3 – Accountability and good governance.	Ensure the Town meets its legislative responsibility in accordance with Regulation 34 of the <i>Local Government (Financial Management) Regulations 1996</i> .

## Further consideration

### 14.3 Tender and Tender Exempt Delegations

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Strategic Accounting
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. 1 1 16 Tenders for Goods and Services TRACK CHANGES [<b>14.3.1</b> - 5 pages]</li> <li>2. 1 1 16 Tenders for Goods and Services CLEAN VERSION [<b>14.3.2</b> - 4 pages]</li> <li>3. 1 1 1X Tender Exempt Process for Goods and Services CLEAN VERSION [<b>14.3.3</b> - 4 pages]</li> </ol>

#### Summary

This report requests an amendment to Delegation 1.1.16 – Tenders of Goods and Services, Public Tender Procurement (shown as Attachment (1 and 2)) and requests for the adoption of a new Delegation 1.1.1X – Tenders of Goods and Services, Tender Exempt Procurement (shown as Attachment (3)) to make operational efficiencies and align the two delegations.

**Recommendation**

That Council:

1. Endorses the name of the Delegation 1.1.16 Tenders for Goods and Services is amended to Delegation **1.1.16 – Tenders of Goods and Services, Public Tender Procurement** along with the minor amendments to the delegation, as contained in Attachment 1 and 2.
2. Endorses the new Delegation **1.1.1X – Tenders of Goods and Services, Tender Exempt Procurement**, as contained in Attachment 3.

#### Background

1. Section 5.42 of the Local Government Act 1995 (the Act) provides that a council may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act, other than those referred to in section 5.43.
2. Policy 301 – Purchasing was last amended by Council in July 2023 (123/2023) and is scheduled to be rescinded and replaced with Policy 301 – Procurement, as part of the annual review.
3. The draft Policy 301 – Procurement and delegations was presented to the Council Policy Workshop held on 9 September 2024.

#### Discussion

4. Policy 301 – Procurement provides guidance and controls to all Town workers undertaking procurement activities under a total contract value of \$250,000 (exclusive of GST).
5. This report requests an amendment to the Delegation 1.1.16 – Tenders of Goods and Services to provide operational efficiencies and authorise the CEO to accept a public tender where the consideration under the resulting contract is equal to or less than \$500,000 (exclusive of GST) and the item is identified in the adopted annual budget.

6. This report also requests the introduction of a new Delegation 1.1.1X – Tenders of Goods and Services, Tender Exempt Procurement to provide operational efficiencies and alignment with the Tender Exempt allowances as specified in Division 2 Regulation 11(b) and (e) of the Local Government (Functions and General) Regulation 1996.
7. Any tender or tender exempt procurement with a total contract value of over \$500,000 (exclusive of GST) will be presented to Council for approval in accordance with this delegation and the Town’s policy and relevant management practices.
8. The benefit of changing and introducing these delegations is that the town can streamline the approval and award process for tenders under a total contract value of \$500,000 (exclusive of GST). The CEO would be able to approve and accept these types of tenders or tender exemptions without the need to seek Council approval first via an Ordinary Council Meeting. Council approval may take between 14 to 45 days, pending the completion of the Town’s evaluation report and the next available Agenda Briefing Forum and Ordinary Council Meeting. Additionally, there are challenges associated with calling Special Council meetings during December and February due to time constraints and available staff resources to award tenders.
9. A further benefit is the ability to swiftly engage contractors for routine, operational, maintenance or low risk procurements.
10. The quality of the tender or tender exemption process will not be impacted by the changes to the delegations, as Town workers will be required to demonstrate their ability to comply with the council conditions on these delegations, adhere to the Town’s procurement policy prior before the CEO can approve and awarding the tender.
11. The proposed increase in approval thresholds from nil to \$500,000 is a common practice amongst other similar LGA’s, which ranges between nil to \$1,000,000.

## Relevant documents

[Department of Local Government, Sport and Cultural Industries Operational Guideline No.17 - Delegations Register of Delegations and Sub-Delegations.](#)

## Legal and policy compliance

[Section 5.42 of the Local Government Act 1995](#)

[Local Government \(Functions and General\) Regulations 1996](#)

[Policy 301 – Purchasing](#)

*Policy 301 – Procurement (as proposed)*

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Financial loss that may or may not be managed within the existing budget and may or may not impact a program or service.	Low	Low	TREAT risk by stipulating that procurement activities cannot occur unless the service, goods, or works are endorsed within the Annual Budget.
Environmental	Not applicable		Medium	
Health and safety	Not applicable		Low	
Infrastructure/ ICT systems/ utilities	Not applicable		Medium	
Legislative compliance	Not complying with legislative compliance	Low	Low	TREAT risk by Council amending and introducing these delegations.
Reputation	Lack of oversight of procurement activities.	Low	Low	TREAT risk by posting awarded tenders and tender exemptions on the Town's public tender register, available on the website.
Service delivery	Unable to deliver services in a timely manner. Approximately, seven capital work projects would be affected by not supporting the changes to the delegation.	Medium	Medium	TREAT risk by putting in place the appropriate delegations.

## Engagement

Internal engagement	
Chiefs, Managers and other relevant staff	Chiefs, Managers and other relevant staff were asked to provide feedback in relation to existing delegations and if any amendments were required. Feedback was also sought for the new delegations required.
Elected Members	Elected Members were asked for feedback in relation to the proposed amendments and the new delegation at the Policy Workshop held on 9 September 2024.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Maintaining effective and practical delegations ensures that staff resources are allocated efficiently.
CL3 - Accountability and good governance.	Reviewing delegation to ensure they complied with its legislative responsibility under the <i>Local Government Act 1995</i> and the <i>Local Government (Functions and General) Regulations 1996</i> .

## Further consideration

Nil.

**15 Committee reports**

Nil.

**16 Motion of which previous notice has been given**

Nil.

**17 Public participation time**

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

**19 Confidential matters**

**20 Closure**