

agenda

Ordinary Meeting of Council



To: His Worship the Mayor and Councillors

Please be advised that an Ordinary Council Meeting will be held at **6.30pm** on **Tuesday 11 September 2018** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

A handwritten signature in black ink, appearing to read "A. Vuleta".

MR ANTHONY VULETA
CHIEF EXECUTIVE OFFICER

7 September 2018 (**Amended 10 September 2018**)

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1 OPENING

Almighty God, under whose providence we hold responsibility for this Town, grant us wisdom to understand its present needs, foresight to anticipate its future growth and grace to serve our fellow citizens with integrity and selfless devotion.

And to Thee, be all blessing and glory forever.

AMEN

Acknowledgement of Country (by Mayor)

I acknowledge the traditional custodians of this land the Noongar people and pay my respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of Indigenous Australians.

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

2.1 Recording of Proceedings

In accordance with clause 5.14 of the *Town of Victoria Park Standing Orders Local Law 2011*, as the Presiding Member, I hereby give my permission for the Administration to record proceedings of this meeting.

2.2 Public Question & Public Statement Time

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 5.15 of the *Town of Victoria Park Standing Orders Local Law 2011*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

2.3 No Adverse Reflection

In accordance with clause 14.1 of the *Town of Victoria Park Standing Orders Local Law 2011*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees

2.4 Town of Victoria Park Standing Orders Local Law 2011

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Standing Orders Local Law 2011*.

3 ATTENDANCE

Mayor:	Mr T (Trevor) Vaughan
Banksia Ward:	Cr C (Claire) Anderson Cr J (Julian) Jacobs Cr R (Ronhhda) Potter Cr K (Karen) Vernon
Jarraah Ward:	Cr J (Jennifer) Ammons Noble Cr B (Bronwyn) Ife Cr B (Brian) Oliver Cr V (Vicki) Potter (Deputy Mayor)
Chief Executive Officer:	Mr A (Anthony) Vuleta
Chief Operations Officer:	Mr B (Ben) Killigrew
Chief Financial Officer:	Mr N (Nathan) Cain
Chief Community Planner:	Ms N (Natalie) Martin Goode
Manager Development Services:	Mr R (Robert) Cruickshank
Senior Governance Officer:	Ms D (Danielle) Uniza
Secretary:	Mrs A (Alison) Podmore
Public:	

3.1 Apologies

3.2 Approved Leave of Absence

4 DECLARATIONS OF INTEREST

Declarations of interest are to be made in writing prior to the commencement of the Meeting, (a form to assist Elected Members and Staff is attached at the end of this Agenda).

Declaration of Financial Interests

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

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

Declaration of Proximity Interest

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

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

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

Declaration of Interest affecting impartiality

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

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

5 PUBLIC QUESTION TIME

5.1 Responses to Questions Raised and Taken on Notice at the Ordinary Council Meeting held on 14 August 2018

Vince Maxwell

- Q. Agenda Item 13.1, the Dog Exercise areas, I looked over the map of Vic Park and it would appear that almost every park in the Town is designated a dog park, the only notable exception is Rayment Park; can you tell me where I can go, within a reasonable walking distance from my house in Berwick Street, where I can enjoy a park that I have paid for with my rates without having to keep an eye out for dogs running around off their leads?
- R. In addition to the response provided on the night by the Acting Chief Financial Officer, Mr Graham Pattrick, parks that are dog-on-leash areas and that are a reasonable distance from Mr Maxwell’s property on Berwick Street, are:
- Hawthorne Reserve (approximately 627 metres);
 - Kensington Bushland (approximately 650 metres); and
 - Mofflyn Circle (approximately 830 metres).
- In addition to the above, the Kent Street High School oval is a dog free zone and is located about 400 metres from Mr Maxwell’s property.

5.2 Responses to Questions Raised at the Ordinary Council Meeting held on 11 September 2018

6 PUBLIC STATEMENT TIME

7 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Special Meeting of Council held on Tuesday, 28 August 2018 be confirmed.

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday, 14 August 2018 be confirmed.

8 PRESENTATIONS

8.1 Petitions

8.2 Presentations (Awards to be given to the Town)

8.3 Deputations (Planning / External Organisations)

9 METHOD OF DEALING WITH AGENDA BUSINESS

10 CHIEF EXECUTIVE OFFICER REPORTS

10.1 Membership to the Perth Airports Municipalities Group Inc. (PAMG)

File Reference:	TAT/8/4
Appendices:	1. Letter from Perth Airports Municipalities Group Inc. 2. Excerpt of the PAMG Constitution Regarding Membership 3. Schedule of Meetings
Attachments:	No

Date:	11 September 2018
Reporting Officer:	D. Uniza
Responsible Officer:	A. Vuleta
Voting Requirement:	Simple Majority

Executive Summary:
Recommendation – That Council applies to be a core member of the Perth Airports Municipalities Group Inc. (PAMG)

- The Town of Victoria Park has recently expressed interest in becoming a core member of the Perth Airports Municipalities Group Inc. (PAMG).
- The focus of PAMG is to engage stakeholders in effective dialogues to raise mutual awareness of the impacts of airport operations and developments on the local community and vice versa.
- Council is required to nominate one delegate, and up to two deputy delegates, all of whom must either be a duly elected Councillor or an Officer of the core member.
- It is recommended that Elected Members are appointed to the delegate and one of the deputy delegate positions, the Chief Community Planner in the other deputy position, with the Chief Executive Officer as an *ex officio* member.

TABLED ITEMS:

Nil.

BACKGROUND:

The Town of Victoria Park has recently expressed its interest in becoming a core member of the Perth Airports Municipalities Group Inc. (PAMG). As part of the membership process, the Town is required to provide evidence indicating the Council’s resolution to apply as a core member, as well as its nominees for the delegate and deputy delegate positions once the application has been accepted. It has been recommended that the delegate and one of the deputy delegate positions be filled by Elected Members of the Town. It is further recommended that the Chief Community Planner be nominated for the other deputy delegate position, with the Chief Executive Officer as the *ex officio* member.

DETAILS:

Established in 1982, the PAMG started as a group of nine local governments that formed a coalition to address community issues resulting from the redevelopment of Perth Airport. With this initial coalition proving to be successful, the nine local governments decided to

formally establish a not-for-profit association in January 1983, the ‘Perth Municipalities Group’. To date, the association is now comprised of 12 local governments. The Group meets on a quarterly basis with several stakeholders (i.e. operators of the Perth and Jandakot Airports, representatives from Airservices Australia, and the Department of Infrastructure and Regional Development, etc.) to discuss matters which either directly or indirectly impact on the community. Common points of discussion have included aircraft noise, flight paths, off-airport development, and on-airport development.

Legal Compliance:

Nil.

Policy Implications:

Nil.

Risk Management Considerations:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
<p>Reputational Due to its vicinity to airports, there may be negative community perception towards the Town if it chooses to not take an opportunity to regularly represent its interests to the PAMG.</p>	<p>Moderate</p>	<p>Unlikely</p>	<p>Moderate</p>	<p>Membership to the PAMG so that the Town’s interests are represented.</p>

Strategic Plan Implications:

CL3 – Well thought out and managed projects that are delivered successfully.

Financial Implications:

Internal Budget:

If the Town’s application for membership is accepted, the Town will be required to pay an annual membership fee of \$500.

Sustainability Assessment:

External Economic Implications:

Participating in the PAMG will give the Town an opportunity to have a say on issues related to Perth municipal airports, which could be valuable for its economic growth.

Social Issues:

Membership to the Group will allow the Town to champion, and mitigate, any potential community issues arising from Perth’s municipal airports.

Cultural Issues:

Nil.

Environmental Issues:

Nil.

COMMENT:

The Group's objectives are to:

1. To provide a forum of meaningful discussion on issues which affect Metropolitan Airports and their environs;
2. To investigate, report and formulate recommendations in respect of matters affecting or likely to affect the development of Metropolitan Airports;
3. To monitor the use and environmental impact of Metropolitan Airports on neighbouring communities;
4. To advise relevant State and Federal ministers, State and Commonwealth government departments, Airport Noise Management Committees, Community Aviation Consultative Committees and the Owner/s of Perth and Jandakot airports on issues of major concern affecting airports and the surrounding communities;
5. To establish and maintain a strong partnering relationship with the Owner/s of Perth and Jandakot airports for the purpose of open and effective dialogue to identify, discuss, advise, research and seek proactive resolutions to issues affecting the airports and the immediate local community;
6. To provide a conduit and consultation mechanism for the expression of community views and a proper exchange of information with members of the community;
7. To consider all proposals affecting airport development and operations before policy decisions are made and before changes are effected in relevant legislation and regulations;
8. To liaise with the airport emergency procedures committees where necessary on matters involving emergency co-ordination and rescue response;
9. To pursue active participation on Australian Mayoral Aviation Council (AMAC) and such other bodies that may come into existence for the purpose of fostering participation in the development, use and monitoring the impact of airports;
10. To promote the economic benefits of civil aviation airports; and
11. To liaise with local government on issues of concern to the community, and to provide a forum for discussion of planning and development issues affecting future communities close to the major municipal airports.

The Group's current member organisations are the: City of Armadale, Town of Bassendean, City of Bayswater, City of Canning, City of Gosnells, City of Cockburn, Shire of Kalamunda, City of Melville, Shire of Mundaring, City of South Perth and City of Swan. A full list of the delegates and deputy delegates can be accessed on the Group's website: <https://pamg.com.au/about-us/>.

CONCLUSION:

It is recommended that the Council formally applies to be a core member of the Perth Airports Municipalities Group Inc. (PAMG) so that it can represent the communities' interests that fall within PAMG's scope. To facilitate the processing of its application, it is recommended that Council proactively appoint an Elected Member as its delegate, another Elected Member as a deputy delegate, and the Chief Community Planner as the other deputy delegate.

RECOMMENDATION/S:

That Council

- 1. Applies to be a core member of the Perth Airports Municipalities Group Inc. (PAMG).**

- 2. Nominates _____ as Delegate, _____ as Deputy Delegate, and the Chief Community Planner as its second Deputy Delegate.**

11 CHIEF COMMUNITY PLANNER REPORTS

11.1 No. 28 (Lot 32) and No. 30 (Lot 33) Teague Street, Victoria Park – Change of Use to Educational Establishment (Green Space for Recreation and Other Purposes) and Associated Works Including Landscaping, Fencing and Retaining Walls

File Reference:	PR3716
Appendices:	<ol style="list-style-type: none"> 1. Site photos 2. Submitted plans 3. Original Development Application 4. Supplementary Information 5. Acoustic report 6. Schedule of submissions 7. UFCC petition 8. Applicants response to concerns 9. Historical aerial photos 10. Email from Council Officers to applicant outlining noise related matters requiring further attention
Attachments:	No
Landowner:	Roman Catholic Archbishop of Perth
Applicant:	Ursula Frayne Catholic College
Application Date:	21 February 2018
DA/BA or WAPC Ref:	5.2018.124.1
MRS Zoning:	Urban
TPS Zoning:	Residential
TPS Precinct:	Precinct P6 'Victoria Park'
Use Class:	Educational Establishment
Use Permissibility:	'AA' (Discretionary) use

Date:	Amended on 10 September 2018
Reporting Officer:	S. McDonald
Responsible Officer:	R. Cruickshank
Voting Requirement:	Simple Majority

Executive Summary:
Recommendation – Refusal

- Application seeks approval to change the use of the site to 'Educational Establishment' (Green Space for Recreation and Other Purposes) and for associated works including landscaping, retaining walls, earthworks, lighting and fencing.
- The proposed use would effectively be an extension to the existing campus of Ursula Frayne Catholic College, being an Educational Establishment.
- Legal advice received by Council Officers advises that it would be proper for the use of the land to be classified under the 'Educational Establishment' use class which is an 'AA' (discretionary) use in a Residential zone. Council have the discretion to either approve or refuse the proposal.
- Consultation with surrounding property owners was undertaken in accordance with Council's Local Planning Policy 37 'Community Consultation on Planning Proposals' for 21 days. Over the consultation period, 74 submissions were received. 52

submissions were in support of the proposal, 19 objected to the proposal and three (3) were neutral. All of the 10 submissions received from owners/occupiers of residential properties within 50m of the subject site objected to the proposed development.

- The proposal is considered to have adverse amenity impacts on the locality including (but not limited to) the visual bulk and non-residential scale of works proposed, security issues associated with the development and noise from the proposed land-use.
- Council Officers consider the above issues to be exacerbated by the ad-hoc approach taken to expansion of a non-residential land use into a residential area.
- The proposed development is inconsistent with the aim and intent of Town Planning Scheme No. 1 Precinct Plan P6 and contrary to the principles of orderly and proper planning.
- There are a number of outstanding matters in relation to the noise impact of the proposal. The applicant was requested to provide further information addressing these matters, however this information has not been submitted and instead the applicant has decided to lodge an application for review with the State Administrative Tribunal (SAT).
- The application for a change of use is recommended for Refusal.

TABLED ITEMS:

Nil

BACKGROUND:2002 development approval

- Council approval of 30 July 2002 for upgrading of existing facilities and amenities at the School. Under the Parking Policy of the time, there was no prescribed parking ratio for an Educational Establishment, with the Council report describing that there were 44 on-site car bays and this being considered to be sufficient. A condition of approval was imposed that there be no increase in staff and student numbers and that the current numbers be clarified, which was subsequently provided as being 714 students and 75 staff.

2009 development approval

- Approval for additions to the school including new classrooms, and an associated increase in the number of students to a maximum of 740 students (being an increase of 26 students from the 2002 approval) and the maximum number of staff remaining at 75. Based upon the parking ratio of the time (1 bay per 4 students plus 1 per bay staff member), an additional 26 students required an additional six (6) car bays.
- The Officer's recommendation included the following condition (Condition 2) : "The maximum number of students and staff to be 740 and 75 respectively. Any proposed increase in numbers is to obtain the prior approval of Council."
- In determining the application, Council did not accept the Officer's recommended Condition 2 and instead imposed the following conditions on the approval :

Condition 2 - There being no increase in staff and student numbers beyond the present capacity as a result of this application.

Condition 4 - The long standing relationship between the Church and School relating to the parking of cars associated with the School on the Church site is noted. Parking for the School is to be provided on the Church site in accordance with the agreement outlined in the correspondence dated 15 September 2009 from Ursula Frayne Catholic College and St Joachim's Pro-Cathedral.

2017 development approval

- Approval for additions and alterations to the School including construction of new Science block. In correspondence to the Town, the applicant stated that *"There will be no increase in staff and student numbers as a result of this application."*
- As the application proposed no increase in staff or student numbers, there was no need for additional on-site car parking to be provided as part of this application.
- Development approval was issued by the Town including the following condition and advice note :

"Condition 1 – this approval is based upon there being no increase in staff or student numbers as a result of the proposed works.

Advice Note 1 – In relation to condition 1, Council's records indicate the maximum number of staff and students is 740 and 75 respectively as per the Development Application (09/0541) approved at the Ordinary Council Meeting of 13 October 2009."

- The School initially lodged an application for review with the State Administrative Tribunal against condition 1 of the Town's approval, but then subsequently withdrew the application.

2017 demolition permits

Notwithstanding each of these sites at Nos. 20, 22, 28 and 30 Teague Street being occupied by an 'original dwelling' in the Town's Residential Character Study Area, the School applied to the Town for a demolition permit for each site. Due to changes in State Planning legislation in October 2015, the demolition of the single house on each property was exempt from development approval and in turn the Council had no ability to require the retention of the dwellings. Accordingly demolition permits were issued by the Town and the dwellings were then demolished.

2018 development application

On 13 February 2018 the Town received an application for temporary car parking at No. 20 Teague Street. At the Ordinary Council Meeting held on 13 March 2018 the application was refused for the following reasons:

1. *It is inconsistent with the zoning of the area as residential as the carpark is not sympathetic to the residential zoned area.*

2. *It is inconsistent with the Victoria Park Precinct Plan which provides that non-residential uses are to be limited to safeguard residential amenity. This application does not safeguard residential amenity as set out below.*
3. *It is inconsistent with EN1 of the Strategic Community Plan because it does not involve land use planning that puts people first – instead it puts convenience for a private construction program and those workers first.*
4. *It is inconsistent with Local Planning Policy 3 because it will cause pollution from limestone dust for nearby residents, which is undesirable over a 12 month period.*
5. *Under clause 67(n) of the deemed provisions in the Planning and Development (Local Planning Scheme) Regulations, a relevant consideration is whether the use of the land as a carpark will be adverse to the amenity of the locality, which includes:*
 - 5.1 *environmental impacts of the development;*
 - 5.2 *the character of the locality; and*
 - 5.3 *social impacts of the development.*
6. *Although there may be no adverse impact on the adjoining landowners of 18 and 22 Teague St, the use of the land as a carpark will be contrary to clause 67(n) because it is adverse to the amenity of the locality, which includes:*
 - 6.1 *the amenity of all the surrounding residents in that stretch of Teague St;*
 - 6.2 *the character of the locality, which is earmarked by character homes; and*
 - 6.3 *the social impact described by nearby landowners on their properties from dust, dirt and noise.”*

Other matters

- In response to a complaint that the school may be operating with student and staff numbers in excess of that approved by Council, the Town wrote to the School on 18 May 2017 requesting clarification on current staff and student numbers. The School responded by not providing any clarification on numbers, and instead stating that in view of the SAT application being withdrawn, they consider there is no issue to be resolved in relation to staff and student numbers.
- Between 11 December 2000 and 18 April 2017, the School has acquired the properties at Nos. 20, 22, 28 and 30 Teague Street.
- With respect to the current application, the School initially requested an opportunity to brief Elected Members on the application at an Elected Members Workshop. The School were invited to present at the July Workshop, but subsequently advised that they did not wish to attend.

DETAILS:

Application seeks approval to change the use of the site to ‘Educational Establishment’ (Green Space for Recreation and Other Purposes) and for associated works including

landscaping, retaining walls, earthworks, lighting and fencing.

Site Context

The subject site is zoned Residential R40 and is located between Harper Street and Duncan Street and following the demolitions that took place in 2017, are currently vacant.

The subject site is composed of two regular shaped lots, each having a land area of 721m² and a 15m frontage to Teague Street. Cumulatively, this results in a site with a 30m frontage and an area of 1442m². Single residential lots are located to either side of this frontage (ie, to the north-west and south-east). The site abuts Right-of-Way No. 14 to the north-eastern side of the lot.

The subject site is located in a predominantly residential area, the only non-residential sites in the immediate vicinity being:

- Ursula Frayne Catholic College and St Joachims Church, Church hall and Presbytery, occupying the land within the street block bounded by Shepperton Road, Duncan Street, Teague Street and Harper Street. and
- Association for the Blind WA site running between Kitchener Avenue and Sunbury Road.

The properties as noted above are also all located on Residential R40 zoned land.

Proposed Development

The proposed use of the site is classified as being 'Educational Establishment' under Town Planning Scheme No. 1. The proposal is effectively an extension to Ursula Frayne Catholic College, the existing Educational Establishment at No. 15 Duncan Street.

The Development Application as originally submitted to the Town described the proposal as being a green space used for '*Passive Recreation*' and, on the cover letter, '*a soft landscaped recreation space to enjoy*' (see Appendice 3).

Upon completing an initial review of the application, Council Officers requested further information from the applicant including:

- Further details of the use and activities to take place on site;
- Specific details regarding proposed landscaping, including species type, size, maintenance schedule etc;
- Landscaping plan to reflect proposed activities/use of site;
- An Acoustic Assessment;
- Perimeter fencing height(s);
- Security measures (if any), such as front gate(s) and lock(s) and operational details regarding times of accessibility;
- Lighting (if any);
- Retaining wall details;
- Pedestrian crossing/traffic safety details; and
- Student supervision and management.

The revised plans and supplementary information was provided to the Town accordingly.

In correspondence dated received 19 April 2018 (see Appendice 4) the applicant

described the proposed green spaces as including the following elements :

- *“Retention of the existing street trees.*
- *A minimum of nine trees strategically located around the perimeter of the site.*
- *Garden beds along the entire length of the side and rear boundaries.*
- *Turf on the remaining area of the property.*
- *Bollards and two pole lights adjacent to the street boundary.*
- *Uplights under at least five of the planted trees.*
- *Low retaining walls along the side and rear boundaries to make the site level and more functional for its intended use.*
- *1800mm high Colorbond fence above boundary retaining walls with 3m high chain mesh fence inside of Colorbond fence.”*

In this supplementary information provided (see Appendice 4), the applicant clarified the proposed use of the subject site as follows:

“The predominately grassed spaces will provide a setting for learning, informal play, physical activity, relaxation and social interaction. The spaces can be accessed by individuals and small groups to play, socialise, exercise, train, celebrate or participate in activities that provide personal satisfaction or intrinsic reward.

It is intended that during school hours students will access these spaces under the direct supervision of College staff primarily during the recess (11.00 – 11.30 am) and lunch (1.10 – 1.40 pm) breaks. The spaces will not be timetabled for regular Physical Education class instruction or used for carnivals, full match play, early morning or night time events/activities or similar. It is anticipated that the areas would be typically utilised by the equivalent of one to two classes of students at any one time, with the most students using the green spaces during the above breaks with slight fluctuations from time to time.

The spaces would be designated as areas in which the use of hard balls (i.e. cricket ball, softballs and baseballs) and not ‘fit for purpose’ activities (i.e. archery, golf, javelin, discus, overflow parking etc.) will not be permitted. In essence, the spaces will provide venues for a variety of low intensity activities that could range from informal games (e.g. modified soccer) and basic skill acquisition practice under supervision to passive, social interactions. In summary, the College does not intent to utilise these areas for any educative activities that have the potential to directly encroach on the privacy of our neighbours (i.e. cricket, tennis, baseball, softball and tee-ball).”

The physical works involved in the proposed development can be summarised as follows:

- *Retaining walls and fill*
The site currently falls from the south-east boundary to the north-west boundary with a level difference ranging from around 800mm to 1.7m. Through the proposed construction of retaining walls to the side and rear boundaries and the addition of fill, the application proposes to level the site.

Along the common boundary with No. 26 Teague Street a retaining wall up to a maximum height of 1.27 metres above natural ground level is proposed. The height of the retaining wall and retained fill along this lot boundary is, on average, 0.85m above natural ground level.

Along the common boundary with the adjacent right-of-way a retaining wall up to a maximum height of 1.1 metres above natural ground level is proposed. The height of the retaining wall and retained fill along this lot boundary is, on average, 0.66m above natural ground level.

Along the common boundary with No. 32 Teague Street, the retaining wall is proposed to allow for minor excavation and fill (up to 130mm) to occur on No. 30 Teague Street.

- *Fencing*
1.8m high colorbond fencing is proposed on top of the retaining walls along both side boundaries and the rear boundary. A 3.0m high chain mesh fence is proposed to be located adjacent to and inside the colorbond fence to both side boundaries and the rear boundary, such that the first 1.8m (in height) of chain mesh fence is screened from view from neighbouring properties by the colorbond fence.
- *Landscaping*
The proposed landscaping consists of nine (9) trees across the site, garden beds along the entire length of the side and rear boundaries and the remainder of the area being turfed with grass. Information provided in the form of a 'landscape palette' suggests the proposed tree species are Agonis Flexuosa and Melaleuca Viridiflora. Bollards and lighting are also proposed as part of the landscaping works, inclusive of two (2) lighting poles and uplighting to five (5) trees.

The current design of the proposal includes bollards to the Teague Street frontage but not any fencing or gates. As explained by the applicant:

"The current design reflects an open, accessible park, reflecting the wishes of some of our neighbours. We are aware that there are also neighbours who would prefer the park to be secured. Aesthetically, we feel that the current design reflects more positively on the streetscape, hence our application in this manner. We would however be receptive to modifying this element if Council see fit."

The supplementary information provided by the applicant received 12 April 2018 (see Appendice 4) was inclusive of a justification that centres on themes/issues of student health, well-being and educational outcomes, the benefits of green space for the amenity of the area, sustainability outcomes and the Town's own strategies/goals in regard to these same matters. This justification is discussed further in the Comments Section of this report.

In support of the application, the applicant has also submitted an Acoustic Report (see Appendice 5). Relevant comments contained within the Acoustic Report include the following :

- *"The prediction of accurate noise levels from children is not possible due to highly variable vocal efforts as well as numbers/locations of the children themselves. Therefore, the purpose of this report is to simply provide an estimate of a "typical scenario" of children using the area, and the potential for increased acoustic attenuation to neighbours via solid boundary fencing. This assessment is not meant*

to be a comparison to the relevant Assigned Noise Levels outlined in the Environmental Protection (Noise) Regulations 1997.

- *However it must be noted that most activity noise emissions from schools are considered to be Community Noise and are therefore technically exempt from compliance with the regulatory Assigned Noise Levels.*

According to Regulation 16 and Schedule 2 (Item 4), the “exempt noise” applies to: “Noise emitted from a recreational or educational activity on educational premises under the control of the principal. The activity may include musical instruments, but not mechanical equipment”

Therefore it is our belief that any school or educational activity occurring on this land is exempt from meeting the EPNR, provided they are not mechanical in nature, and are still under the direction of the principal.

- *A total of 11 children were randomly spread out across the proposed Greenspace. This was seen as a typical representation of the proposed use of the space. Whilst 30 to 50 students have been proposed to use the space, in reality only a quarter to a third of students will be talking at any given time.*

Furthermore, should the number of students talking at one time double from those modelled, the noise level will only theoretically increase by 3dB(A), which in acoustics can be seen as ‘just perceptible’. The greater influence on this noise level increase will be where the children are standing, rather than the number making noise.

- *Based on this modelling it can be seen that by incorporating a solid element into the perimeter fence, the noise emissions to the neighbouring properties has a significant drop.*
- *Based on the above predicted values, it is our belief that the predicted noise levels from the Greenspace development will be audible, however these will be at levels close to ambient conditions, similar to the noise level of a car passing by on Teague St.”*

On 7 August 2018, Council Officers wrote to the applicant (the College) detailing a number of matters requiring further attention specifically in relation to the acoustic report submitted (see Appendice 10). In an email to the applicant dated 9 August 2018, Council Officers requested that this further information be submitted by 20 August 2018, in order to allow time for review by Council Officers and then finalisation of the Officers report for presentation to the Elected Members Briefing Session (EMBS) and Ordinary Council Meeting in September.

It is noted that the applicant did not respond to the Town’s email of 9 August 2018 nor did they submit the requested additional information by the requested date of 20 August 2018. A follow up email was sent to the applicant on 21 August 2018 seeking clarification on the School’s intentions in relation to submission of the required additional information. The applicant did not respond to this email either.

On 27 August 2018 the Town was served with with a copy of an application for review submitted by the College to the State Administrative Tribunal (SAT). The application for review is based upon the Town not having determined the development application within 90 days in which case the application is deemed refused.

On 28 August 2018 an email was sent by Council Officers to the applicant acknowledging receipt of the application for review to SAT, advising of the Officer's intention to still present the application to the September EMBS and OCM for a decision, and requesting confirmation as to whether the applicant intends to make a deputation to the EMBS. A response email was received later that day, not from the applicant but their legal representative, contending that as an application for review is now before SAT, then the Council is not able to determine the development application. At the time of writing this report, no response has been received as to whether the applicant wishes to make a deputation to the EMBS.

Council Officers are now seeking legal advice. Notwithstanding this and noting that the EMBS is not a decision-making body, the Officers report on the development application is presented to the EMBS for consideration.

Advice has been received that a SAT Directions Hearing is set down for 7 September 2018. Having regard to the Town's legal advice and the outcomes of the SAT Directions Hearing, the application may or may not be considered at the OCM on 11 September 2018.

Legal Compliance:

Legislation

- *Planning and Development Act 2005*, s162;
- Town Planning Scheme No. 1 (TPS 1) Clause 6;
- TPS 1 Precinct Plan P6 – 'Victoria Park'; and
- *Planning and Development (Local Planning Schemes) Regulations 2015* – Deemed Clause 67 'Matters to be considered by local government'. In this instance it is considered that the following items are relevant matters that the Council must have regard to :
 - (a) *the aims and provisions of this scheme and any other local planning scheme operating within the scheme area;*
 - (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.*
 - (n) *the amenity of the locality;*

In relation to the TPS Precinct Plan, the following statements are relevant to the proposed development:

"The Victoria Park Precinct will remain as attractive and essentially low to medium scale residential area set on some of the highest land within the locality...";

“...Development or expansion of existing non-residential uses in the precinct will be limited, to safeguard residential amenity.”;

“The existing schools and the Association for the Blind are acceptable uses within the precinct. Any further expansion or intensification of the uses, however, will not be permitted where it involves significant loss of existing housing or will impinge on the amenity of surrounding residents. Generally, development should be in accordance with planning policy relating to non-residential development in or adjacent to residential areas. Height and scale of any development is to be compatible with existing buildings. New buildings are to be set back from all boundaries and these areas landscaped. Adequate parking and set down areas are to be provided on-site”;

and

“Priority will be given to ensuring that new development, particularly infill and development at higher densities, does not result in undue loss of privacy or amenity for existing residents.”

State Government Policies, Bulletins or Guidelines

- State Planning Policy 3.1 - Residential Design Codes (R-Codes); and

Local Planning Policies:

- Local Planning Policy 3 – ‘Non-Residential Uses in or Adjacent to Residential Areas’ (LPP3); and
- Local Planning Policy Streetscape (LPP 25).

In assessing the application the above matters have been considered and a summary of compliance with the key development requirements is summarised in the Planning Assessment below and where necessary, further addressed in the Comments section of the report.

Planning Assessment:

The proposed development is both within and adjacent to land zoned Residential and therefore is subject to LPP3 ‘Non-Residential Uses in or Adjacent to Residential Areas’.

This Policy seeks to ensure that non-residential uses do not adversely affect the amenity of surrounding residential properties. Policy requirement (a) specifically states that *“non-residential development on land which abuts land which is or may be used for residential purposes shall only be permitted where the nature of the non-residential use will not cause undue conflict through the generation of traffic and parking or the emission of noise or any other form of pollution which may be undesirable in residential areas.”*

Furthermore, the Policy requires non-residential development to comply with various provisions of the Residential Design Codes, as follows:

“...Non-residential development in residential areas is required to comply with the setback and plot ratio development standards for grouped dwellings of the relevant R-Code”

The proposed development includes retaining walls to the adjoining properties at No. 26 Teague Street and No. 32 Teague Street. The proposed works also includes a wall along the boundary adjacent to the right-of-way at the rear of the site.

Summary Assessment

The table below summarises the planning assessment of the proposal against the applicable planning framework. In each instance where the proposal requires the discretion of Council, the relevant planning item is discussed in the Detailed Assessment section following from this table.

Planning Item	Compliant	Requires the Discretion of Council
Land Use		X
Lot boundary walls – Side boundary		X
Setback to ROW		X

Detailed Assessment

The planning items which require the discretion of Council are as follows:

Land Use	
Legal advice has been received confirming that the proper classification of the proposed use of the site is an ‘Educational Establishment’, which is an ‘AA’ (discretionary) use on Residential zoned land.	
Retaining wall height	
Deemed-to-Comply Standard	Proposed
Filling behind a street setback line and within 1m of a lot boundary is not to exceed 0.5m above the natural ground level at the boundary	Fill of up to 1.1m and 1.27m above the natural ground level along the boundary with the right-of-way and No. 26 Teague Street respectively. Requires Design Principles Assessment, which includes
Retaining wall setback	
Deemed-to-Comply Standard	Proposed
Retaining walls that exceed 0.5m in height (above natural ground level) are to be set back in accordance with Table 2a/2b ie. for a wall exceeding 9m in length with no major openings, the applicable setback requirement is 1.5m	Nil setback of retaining walls from both side boundaries and the rear boundary. While the nil setback to the north-east boundary is compliant given this wall is less than 500mm high, the setback of the retaining walls to the other boundaries requires a Design Principles Assessment.
Setback to ROW	
Deemed-to-Comply Standard	Proposed
Buildings (including retaining walls) to a secondary street are to be set back a minimum of 1m from the boundary in accordance with Table 1.	Retaining wall with a nil setback to the right-of-way.

Community Consultation:

In accordance with Council’s Local Planning Policy 37 ‘Community Consultation on Planning Proposals’ (LPP 37), the proposed development was considered to be a ‘significant application’ and was advertised for a period of 21 days. Advertising included signs on site, newspaper notices and letters to the owners and occupiers of properties within a 200m radius of the site.

In addition to the consultation undertaken by the Town, the applicant also notified staff, students and parents of the development application via the School’s newsletter.

A total of 74 submissions were received at the conclusion of the consultation period. 52 submissions were in support of the proposal, 19 objected to the proposal and three (3) were neutral.

Interestingly, an analysis of the submissions received has highlighted the following :

- All 10 of the submissions received from persons owning property and/or residing within 50m of the subject site objected to the proposal.
- Of the 52 supporting submissions received, 22 of the submitters openly identified themselves as either being a staff member at Ursula Frayne Catholic College, being a current student at Ursula Frayne Catholic College or having children or grandchildren currently attending the College.

The nature of the submissions received are summarised below.

Comments Received
50 submissions outlining that the green space proposal is beneficial for students and school.
25 submissions outlining that the green space proposal has positive sustainability outcomes.
43 submissions outlining that the green space proposal has positive amenity outcomes.
26 submissions outlining that the green space proposal is consistent with the goals and strategies adopted/endorsed by Town of Victoria Park.
4 submissions outlining that the inner city schools need to grow.
5 submissions outlining/stating suggestions, requests and/or conditions for their support
13 submissions objecting to the amenity impact that noise from the site will have.
9 submissions objecting to the amenity impact of a 3m high chain link fence.
7 submissions objecting to the retaining wall height and earthworks.
7 submissions objecting to the amenity impact regarding lighting.
8 submissions objecting to the adverse impact regarding security.
14 submissions objecting to the expansion of the school into a residential area.
5 submissions objecting to the proposed development on the grounds that it is inconsistent with the Town’s Planning Policies and Precinct Plan No 6.
8 submissions objecting to the impact of the proposal on traffic generation, parking and road safety.
4 submissions objecting to the loss of privacy
1 submission objecting to the impact of the proposal on the health of neighbours.
10 submissions outlining concerns regarding possible activities, use and development of site.
2 submissions reiterating objections in relation to alleged non-compliance with permitted number of students at the Duncan Street campus of Ursula Frayne Catholic College.

12 submissions outlining concerns regarding future of Teague Street

The comments received are noted, and are discussed in the Comments Section below. The submissions in full are contained in the Schedule of Submissions (see Appendice 6).

A summary of objections and concerns raised by members of the community was provided to the applicant, who have since provided a response (see Appendice 8).

In addition, Ursula Frayne provided the Town with a “change.org” petition on 12 July 2018, with 697 responses in support of the proposal (see Appendice 7). While this petition is recognised as a relevant submission (albeit late), it does not meet the Town’s standards to be a valid petition. Therefore for the purposes of this report and the Town’s assessment, the document has been treated as a single submission containing multiple signatories, rather than being a valid petition requiring consideration under the Town’s Standing Orders Local Law.

Internal Referrals

The application was referred to relevant internal Service Areas for review and comments as per the table below.

Service Area	Comments
Building	No objections. Standard Advice Notes requested.
Parks	Objection. The previous landscaping plan (received 21/02/18) showed a total of 15 trees planted on site. This version (received 17/04/2018) offers 9 trees. An increased quantity of shady canopy trees would be more in line with the community’s wishes for more trees in the Town.
Environmental Health	Objection. Have highlighted a number of concerns with the Acoustic Report submitted (documented further below) and have concluded that the submitted noise modelling cannot be supported.
Street Improvement	No objections. Request a Traffic Management Plan regarding both pedestrian and traffic management for staff and students.

External Referrals

Nil

Policy Implications:

Nil

Risk management considerations:

Risk & Consequence	Consequence Rating	Likelihood Rating	Overall Risk Analysis	Mitigation / Actions
The proponent has a right of review to the State Administrative Tribunal against Council's decision, including any conditions.	Moderate	Likely	High	Ensure that Council is provided with information to make a sound decision based upon relevant planning considerations including the.
Risk & Consequence	Consequence Rating	Likelihood Rating	Overall Risk Analysis	Mitigation / Actions
				Scheme and applicable Local Planning Policies

Strategic Plan Implications:

Environment:

EN1 – Land Use Planning that puts people first in Urban Design, allows for different housing options for people with different housing needs and enhances the Town's character.

EN6 – Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.

EN7 – Increased vegetation and tree canopy.

Social:

S1 – A healthy community.

Economic:

EC2 – A clean, safe and accessible place to visit.

Financial Implications:

Should the applicant be aggrieved by the Council's decision they have a right of review to the State Administrative Tribunal. If the applicant were to exercise this right, then there may be financial implications for the Town in terms of representation to defend Council's decision.

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

Nil.

Cultural Issues:

Nil.

Environmental Issues:

Nil.

COMMENT:Land use

The subject properties are zoned 'Residential' under the Scheme. The proposed use of the site as green space for recreation and other purposes, with associated incidental works, is regarded as falling under the 'Educational Establishment' use class. The 'Educational Establishment' use class is an 'AA' (discretionary) use in a Residential zone. Council has the discretion to either approve or refuse the proposal.

In considering the appropriateness of the proposed use, the abovementioned planning framework should be considered including:

(a) the following statements from the TPS Precinct Plan :

"The Victoria Park Precinct will remain as attractive and essentially low to medium scale residential area set on some of the highest land within the locality...";

"...Development or expansion of existing non-residential uses in the precinct will be limited, to safeguard residential amenity.";

"The existing schools and the Association for the Blind are acceptable uses within the precinct. Any further expansion or intensification of the uses, however, will not be permitted where it involves significant loss of existing housing or will impinge on the amenity of surrounding residents. Generally, development should be in accordance with planning policy relating to non-residential development in or adjacent to residential areas. Height and scale of any development is to be compatible with existing buildings. New buildings are to be set back from all boundaries and these areas landscaped. Adequate parking and set down areas are to be provided on-site";

and

"Priority will be given to ensuring that new development, particularly infill and development at higher densities, does not result in undue loss of privacy or amenity for existing residents."

- (b) the following provisions from LPP3 'Non-Residential Uses in or Adjacent to Residential Areas' :

“Non-residential development on land which abuts land which is or may be used for residential purposes shall only be permitted where the nature of the non-residential use will not cause undue conflict through the generation of traffic and parking or the emission of noise or any other form of pollution which may be undesirable in residential areas.”

- (c) deemed clause 67(m) of the deemed provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*, and 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.

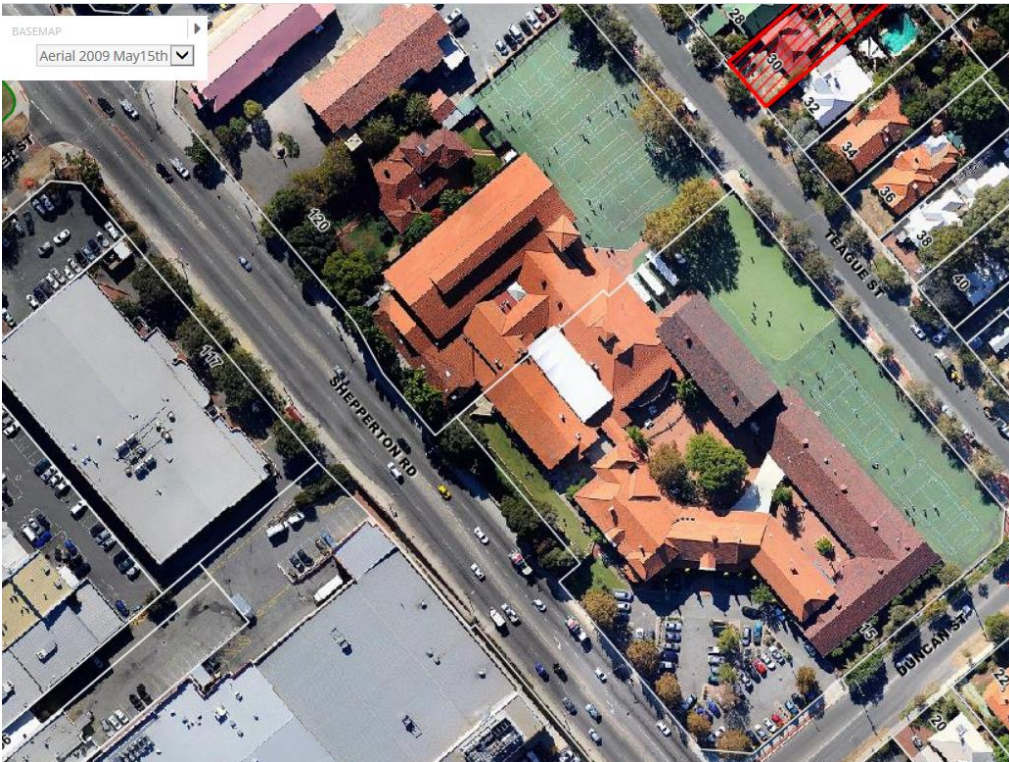
The Development Application as originally submitted to the Town described the proposal as being a green space used for '*passive recreation*' and in the accompanying cover letter, '*a soft landscaped recreation space to enjoy*' (see Appendice 3). The applicant also outlined that they had communicated the plans to the immediate neighbours and received "*predominantly positive feedback.*"

The supplementary information (see Appendice 4) that was received and formed part of consultation documentation provided further clarification on the intended use of the site including :

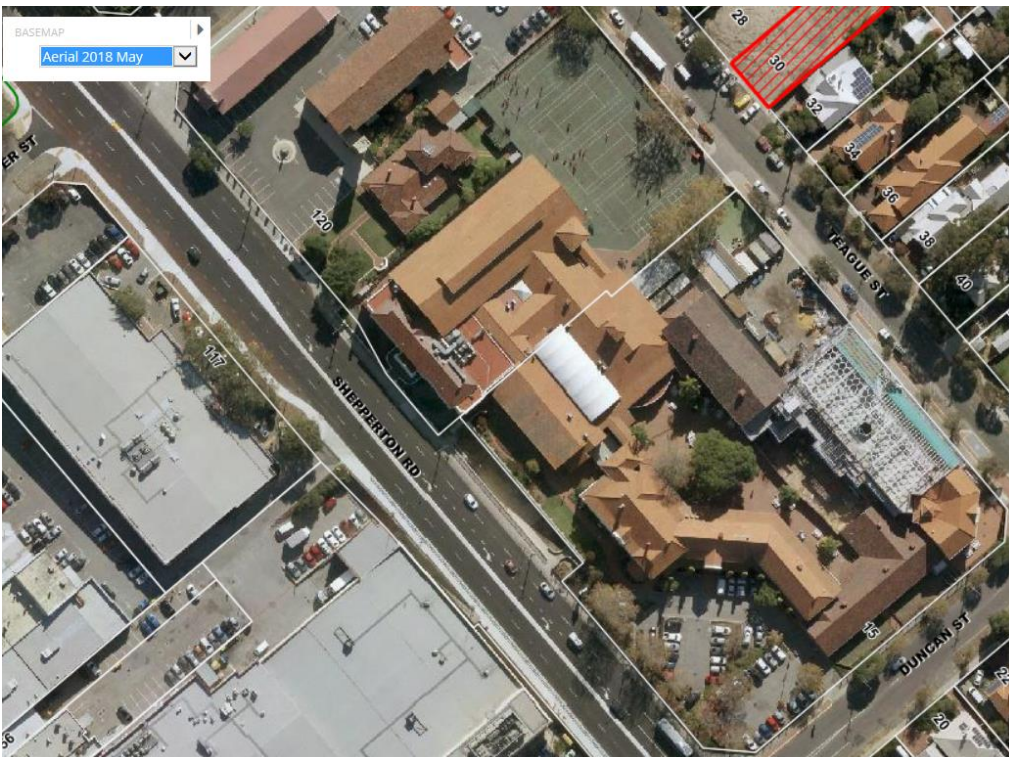
- *““The predominately grassed spaces will provide a setting for learning, informal play, physical activity, relaxation and social interaction. The spaces can be accessed by individuals and small groups to play, socialise, exercise, train, celebrate or participate in activities that provide personal satisfaction or intrinsic reward; and*
- *In essence, the spaces will provide venues for a variety of low intensity activities that could range from informal games (e.g. modified soccer) and basic skill acquisition practice under supervision to passive, social interactions.*

It is clear that the rationale for the proposed development is the School's desire for additional outdoor space for their students. This need has arisen due to an incremental loss of outdoor space on the school site due to School expansion through building additions and improvements that have occurred. The images below and those further images contained in Attachment 9 demonstrate the loss of available outdoor space on the School site, particularly along the Teague Street frontage :

May 2009 Aerial :



May 2018 aerial :



The loss of outdoor space that has occurred and the need for additional outdoor space, is compounded by an increase in the number of students attending the school, and possibly intended to be accommodated at the School in the future.

For the reasons outlined below in this report, it is considered that the use of the subject sites as green space for recreation and other purposes would have a detrimental impact upon the amenity of nearby residential properties, particularly by way of noise impact and the visual impact of the incidental structures associated with the proposal.

Having concluded that there would be a negative impact on the residential amenity, the proposal does not satisfy the abovementioned planning provisions which state that any expansion of non-residential uses will not be permitted where it will impinge upon the amenity of residential properties.

It is acknowledged that the development application under consideration is only for No. 28 and No. 30 Teague Street. However as acknowledged/clarified by the applicant in their response to submitter's objections (see Appendice 8), they have a similar change of use proposal in mind for the currently vacant properties at No. 20 and No. 22 Teague Street. Given the similarity in sites and their context, the Council's determination of this current application would potentially set a precedent for a similar proposal for No. 20 and No. 22 Teague Street.

The isolation of the dwellings at No. 24, No. 24A and No. 26 Teague Street from the residential street block, as a result of demolition of the dwellings either side, is noted. This will be entrenched if the subject properties (Nos. 20, 22, 28 and 30 Teague Street) are developed as green space rather than with buildings.

Additionally the demolition of the dwellings at Nos. 20, 22, 28 and 30 Teague Street, although lawful, has changed the character of the street, where there was previously a consistent streetscape character with a continuous run of dwellings facing Teague Street, whereas there are now gaps in the streetscape. Similar to the above comments, the gaps in the streetscape will be entrenched if the subject properties are developed, in whole or part, as green space rather than with buildings.

The comments from the School are noted that they are not in the business of residential property development and that the sites will otherwise remain vacant. However the relevant matter for consideration by the Council is whether or not the use of the land by a school for the purposes of green space is consistent with the intended use of Residential zoned land having regard to the relevant Scheme and Policy standards.

It is considered that the use of the land for the proposed purposes is not consistent with the use of residential land as outlined in the Scheme and would have an adverse impact upon surrounding properties also contrary to the Scheme.

Fence and retaining wall

As outlined in the Planning Assessment section of this report, the deemed-to-comply standard for a retaining wall in a residential context is for the retaining wall to have a maximum height of 0.5m, or for it to be set back from the lot boundary (1.5m in the case of retaining walls exceed 9m in length).

Along the common boundary with No. 26 Teague Street a retaining wall up to a maximum height of 1.27 metres above natural ground level is proposed. Along the common boundary with the adjacent right-of-way a retaining wall up to a maximum height of 1.1 metres above natural ground level is proposed. Atop each of these retaining walls is a

1.8m colorbond fence and a 3m chain mesh fence (located on the 'inner' side of the colorbond).

This being the case, adjacent to No. 26 Teague Street, at the highest point above the natural ground level the colorbond fence will be 3.07m in height and the chain mesh fence will be 4.27m high.

Given the variation to the deemed-to-comply standards, the proposal is to be assessed against the relevant design principles including the following:

“Development that considers and responds to the natural features of the site and requires minimal excavation/fill”; and

“Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties”

In response to the objections regarding the height of the retaining wall and its impact on the amenity of the adjoining neighbours, the applicant has responded as follows:

“Due to the natural slope of the blocks, retaining work would be needed to achieve a level site and to achieve a high quality fencing solution to neighbouring properties at 26 and 32 Teague Street.”

Council Officers are of a view that the proposed works in this development application are not of a residential scale and have not been designed to minimise the extent of excavation and/or fill.

Stepping retaining walls across the site to be sympathetic with the topography of the locality would lessen the impact of retaining walls proposed against the adjoining properties. Similarly fencing is also readily capable of being stepped to accommodate a sloping site. That the applicant has not pursued this option demonstrates that the priority is in achieving a level site, rather than minimising the impact on adjoining residences. It is noted that a level site would not necessarily be a requirement of a space used for 'social interactions' or 'passive recreation'. A level site, however, would understandably be a requirement if the site was to be used for 'informal' soccer matches or other ball sports. Such ball sports intended for the site is also presumably what prompts the need for a 3.0m high chain mesh fence. Notwithstanding the attempt to soften the fence through climbing plants (to make a 'vertical garden'), the proposed retaining wall and fencing design is considered by Council Officers to be non-residential in a character and scale, and visually imposing.

TPS 1 Precinct Plan P6 – 'Victoria Park' includes the following statements:

“Height and scale of any development is to be compatible with existing buildings”; and

“Priority will be given to ensuring that new development, particularly infill and development at higher densities, does not result in undue loss of privacy or amenity for existing residents.”

Council Officers are of the view that the proposed fencing and retaining works are not of a

height or scale that is compatible with existing residences to the extent that the proposed works are considered to unduly impact the amenity of adjoining landowners, in terms of the visual impact of the proposed retaining wall and fence heights. The visual impact of a wall up 3.07m metres above a neighbour's ground level, and a chain mesh fence up to 4.27m high, is significant and would have an overpowering impact upon the adjoining property.

As discussed below, the removal of the 3.0m high fencing from the proposal (while proceeding with the development) would however risk replacing amenity issues with additional security issues.

If Council is inclined to support the proposal, it should be noted the adjoining right-of-way is intended to be widened in the future to a width of 6.0m (currently 5.0m wide). Any retaining wall constructed along the rear boundary should, at minimum, be located outside the 0.5m widening area. Furthermore, construction of a retaining wall that crosses the lot boundary between No. 28 to No. 30 Teague Street may also require the lots to be amalgamated.

Security

Submissions received in relation to the security of the site demonstrate a tension in the outcomes desired/prioritised by different parties. Many submissions object to the site being left unsecured outside school hours, as this is considered to pose risks (via the misuse of the property) and adverse amenity outcomes (by the use of the property in general) for the residential properties that adjoin the site. Other submissions support the green space being left available 'for use by the community' whenever it is not in use by the school. These outcomes are mutually exclusive. It is noted that if the site was to be gated off and limited to use by the school only, then the proposal's justification of 'community benefit' is substantially lessened, if not eliminated.

In the above comments regarding fencing and retaining wall, it is noted that the removal of ball sports would (a) allow the retaining to be stepped across the site and (b) eliminate the need for the proposed 3.0m high chain mesh fence. Amenity concerns, in this instance, would likely be replaced with security concerns as No. 26 and No. 32 Teague Street would have the side of their residential properties opened up to an interface with a recreation area. As outlined by one of the submitters below, there are ongoing consequences to the demolition (and non-replacement) of dwellings that were previously 'neighbours':

'The removal of the dwellings that previously existed at numbers 28 and 30 and further up the street have removed many line of sight barriers decreasing privacy. In removing these dwellings, it has isolated some properties that are now more of a target for crime as opportunistic people can see that there is no neighbour or that lights are off from the street.'

From a security standpoint, if the proposal were to be favourably considered by Council, the solid colorbond fencing to the right-of-way should be considered for removal (with the chain mesh fence remaining) as this fencing blocks lines-of-sight to the rear 'corners' of the proposed green space, resulting in them being out of view and at risk of facilitating anti-social behavior. It is noted, however, that this would lessen the noise attenuation provided by the solid fencing proposed, and may increase noise issues for dwellings along the right-of-way.

Noise

In view of the use of the site as green space for recreational and other purposes by students and the proximity to residential properties, Council Officers identified the potential noise impact of the development as requiring assessment and therefore requested the applicant to provide an Acoustic Report in support of the application.

As described above, the applicant commissioned an Acoustic Assessment Report prepared by Gabriels Hearne Farrell Pty Ltd (see Appendice 5). This report was made available for review and comment as part of the application consultation process.

The conclusion drawn by the applicant's acoustic consultant includes the following statement :

“Based on the above predicted values, it is our belief that the predicted noise levels from the greenspace development will be audible, however these will be at levels close to ambient conditions, similar to the noise level of a car passing by on Teague St.”

While this conclusion is noted, it is questioned and cannot be accepted for a number of reasons including the following :

- The acoustic report does not actually include any figures, modelling or analysis of ambient noise conditions, whether from traffic on Shepperton Road or a car passing on Teague Street.
- The assertion that ambient noise (cars passing by) is likely to cancel the noise generated by children playing on the park might to some extent be true if related to the front of properties but because people normally use their alfresco to relax and these are generally located in the rear, the ambient noise levels might be a lot lesser there.
- The statement that the predicted noise levels will be at levels close to ambient conditions cannot be verified when no modelling has been provided of the ambient noise conditions, and in the absence of this information it can be treated as no more than an assumption.

Council Officers are not alone in questioning the methodology or findings of the acoustic assessment, many submitters also raise issues with the content of the report.

One particular paragraph of the report has drawn much criticism from nearby residents objecting to the proposal. This paragraph reads as follows:

“A total of 11 children were randomly spread out across the proposed Greenspace. This was seen as a typical representation of the proposed use of the space. Whilst 30 to 50 students have been proposed to use the space, in reality only a quarter to a third of students will be talking at any given time.”

Submitters criticisms of the assessment received generally focused on the use of a proportionally small number of children as representing two classes of students (based upon the notion that three quarters of the students present would be quiet), the measurement of noise being based solely from a few students shouting rather than the noise that various ball sports might result in and disagreement that the total number of students on their lunchbreak would result in noise “*levels close to ambient conditions*”. It is

also noted that the applicant has not specified the maximum number of students they would permit on the subject site. While indicating the space would generally be limited to the equivalent of two classes at any given time, it is unclear whether this would likely be 60 Students or 50, as assumed in the Acoustic Assessment.

Councils Environmental Health Officers have also noted that the estimated/modelled noise levels are representation of 'typical' noise levels that could be expected, rather than 'worst case' or momentary noise emissions that would normally be expected to be provided in an acoustic assessment.

Council Officers acknowledge that, as the Applicant has pointed out, student noise from educational establishments is considered to be 'Community Noise' under the *Environmental Protection (Noise) Regulations 1997*. 'Community Noise' is technically exempt from compliance with the regulatory assigned noise levels.

However it should be noted that exemptions from or compliance with the Noise Regulations does not necessarily mean that the noise does not constitute an adverse impact on the existing amenity of the locality in a planning sense. Therefore Council is still required to determine whether the level of noise emissions resulting from the proposed development would have an adverse impact upon the amenity of nearby residential properties from a planning perspective and in considering the appropriateness of the use, regardless of whether the Noise Regulations apply to the development.

The submitted Acoustic Report raises a number of questions in relation to the methodology used in the noise modelling and the conclusions reached. In the email from Council Officers to the applicant on 7 August 2018 (see Appendice 10), which followed a review of the submitted Acoustic Report by both the Town's Environmental Health Officers as well as an independent noise consultant, the outstanding noise related matters were listed and the applicant was requested to provide further information responding to these matters. In this same email the applicant was advised that given these outstanding matters, the submitted noise modelling could not be supported.

While the full list of outstanding noise related matters are outlined in Appendice 10, the following provides an indication of some of the key issues :

- *The acoustic report does not actually include any figures, modelling or analysis of ambient noise conditions, whether from traffic on Shepperton Road or a car passing on Teague Street. Verification of the actual ambient noise levels is required particularly when it is claimed that the noise levels generated by the proposed use will be close to ambient noise levels.*
- *The estimated/modelled noise levels are representation of 'typical' noise levels that could be expected, rather than 'worst case'. The worst case would be a useful comparison to the typical noise levels produced, and also the assigned noise level (although not applicable). We need as much info as possible to make an informed decision.*
- *The proportionally small number of children modelled talking at any one time (11 out of 50-60 children) and the assumption that three quarters of the students present would be quiet.*
- *The measurement of noise being based solely from a few students shouting and not*

appearing to include the noise that various ball sports might result in (ie. balls hitting fences).

- *Clarification on the maximum number of students using the space - 50 as assumed in the Acoustic Assessment ?*
- *The predictions require more clarity from the acoustic consultant including : compare to absolute worst case; where was the dB level for a child with raised voice sourced from; have they added 11 kids @ 83.5dB together and used 94dB as the SWL in the modelling or just 83.5dB ?*
- *What is the combined effect of activities on both the existing courts and the new green space at the same time ?*

As outlined above, the applicant was requested to provide a response to the outstanding matters by 20 August 2018, however they have not responded. On this basis Council Officers have considered the application on the merits of the information available.

Having regard to the potential noise emissions it is concluded that the development will generate noise at times when nearby residential properties have a reasonable expectation for the quiet enjoyment of their property. Notwithstanding that noise generated by the development is exempt from the prescriptive standards in the relevant Noise Regulations, Council Officers are of the view that the noise generated by the development has the potential to adversely affect the amenity of nearby dwellings and be of a level that is undesirable in residential areas. This is contrary to the objectives and Policy provisions contained in Local Planning Policy 3 and relevant provisions in deemed clause 67.

In the absence of further information clarifying the outstanding noise related questions and issues, Council Officers are unable to conclude that noise emissions from the proposal will not have an adverse amenity impact on the surrounding residents. Based upon the information currently available, Council Officers consider there to be a high likelihood of the proposed development causing adverse amenity impacts for adjoining residences through the emission of noise, beyond that considered reasonable for adjoining residential properties.

Justification provided by applicant

At the core of both the applicant's justification, and supporting submissions received is the rationale that the development will benefit Ursula Frayne Catholic College and its students. Other issues have been raised and discussed. These are outlined and commented on as follows:

'Amenity':

In the Supplementary Information received 19 April 2018 (see Appendice 4), the applicant states that the proposed green spaces "*comply with the relevant development requirements of TPS 1 and local precinct plan and planning policies*". As outlined in the Planning Assessment section of this report, this is not correct, with variations being proposed in relation to both the height and setbacks of the retaining walls. Inconsistency of the proposed retaining walls and fence with LPP3 and the Precinct Plan has been discussed earlier in this Comments Section of the report.

In the 'Response to Objections' document received 24 July 2018 (see Appendice 8) the applicant asserts that the only alternative to the proposal is to "*leave the blocks open and fallow, in which case nobody gains*". Similarly, the invitation for people to sign the petition (see Appendice 7) in favour of the development reads as follows:

*'Without approval of the DA, the blocks will remain in their current state, unable to be used by the College or wider communities'; and
'please sign the petition today to support the development of these blocks from sandy voids into green spaces'*

The applicant is effectively using a low-amenity situation that has resulted from the demolition of the dwellings that previously existed on the site as justification for a proposal that has adverse amenity impacts on nearby residents. This is a notion that nearby residents have communicated as being offensive and unfair. While the demolition of the dwellings on these locations was lawful, Council Officers comment that there is no reason why the properties are unable to be sold and/or redeveloped for residential purposes. Many submissions outline this exact point, and refute the applicant's assertion that developing the property as green space 'is the only option'.

The applicant uses a similar line of reasoning in regard to the (post-demolition) 'eclectic' streetscape character between Harper and Duncan Street, which has been roundly criticised by some residents, as articulated in the following submission :

"In terms of the loss of existing housing, it is unfortunate that the 1920's character homes at 28 and 30 Teague Street were demolished prior to this application for a change of use being made. The act by Frayne showed a complete disregard for the Victoria Park Precinct Plan and the long held desire of the Council and the local community to protect character properties as supported by the Streetscape Policy. There is considerable irony in Frayne's observation in their submission that 'Teague Street between Harper and Duncan Streets has a very eclectic streetscape with no intact or consistent character' given their recent destruction of four character homes that were almost a century old. Frayne decided to demolish these properties prior to making a change of use application, despite being discouraged from doing so ... The only conclusion that can be drawn as to why they would do this, is that they believed there was a stronger prospect of their change of use application being approved if the original dwellings were no longer standing. If the Council were to give credence to such a view it would undermine the purpose of the Victoria Park Precinct Plan and would encourage property owners to demolish existing dwellings prior to making change of use applications. Clearly, this is an undesirable outcome. Therefore, a preferable interpretation of the Victoria Park Precinct Plan is that 'loss of existing housing' should be interpreted broadly to include loss of properties currently being used for a residential purpose. The blocks at 28 and 30 are subdividable and therefore approving the application will result in the loss of up to four residential dwellings. This application should be assessed in the same manner as if the original dwellings were still standing."

'Sustainability' and 'Alignment with Town strategic goals':

In the Supplementary Information received 19 April 2018 (see Appendice 4), the applicant outlines that the proposed development has positive sustainability outcomes and is consistent with many of the Towns strategic goals as follows:

Strategic Community Plan 2017-2032

The plan specifically refers to the need for more educational and recreational facilities in addition to more outdoor spaces for parks and community passive recreation within the Town.

Victoria Park 2050 Social Infrastructure Plan

Identified and presented anticipated social infrastructure requirements for the Town (Inclusive of parks/green space).

Draft Urban Forest Strategy.

The planting of additional trees will further enhance the tree canopy.

While Council Officers are supportive of increasing tree canopy where practical and appropriate, it is noted that the proposed 'green space' is predominantly grass turf. Furthermore, the 'green' intentions of the applicant are questioned by some noting the mature trees that were removed from the northern portion of the site during demolition of the dwellings.

In regards to the need for parks and community spaces, this is acknowledged but not considered to be valid grounds to disregard the Precinct Plan and planning framework to the detriment of nearby residents.

Benefit to students:

As stated in many of the submissions in support of this proposal - *"Fundamentally, the proposal as outlined is about putting the needs of our young people first..."*. Council Officers agree that, in the process of designing their proposal, the applicant indeed appears to have prioritised the benefit to students over other considerations. This prioritisation of the staff and students over the amenity of existing residents, however, is the core conflict of this proposal with the planning framework for the area, with the Town's Precinct Plan clearly stating that *"priority will be given to ensuring that new development... does not result in undue loss of privacy or amenity for existing residents"*.

Just as a commercial development that causes undue amenity impacts on a residential area cannot reasonably be justified on the basis that it will benefit their business, the proposed expansion to an educational establishment with undue amenity impacts should not be considered acceptable on the grounds that it benefits students. Given the analysis of the public submissions found the vast majority of supporting submitters have their place of residence more than 200m from the subject site, this external base of support is not considered to outweigh the concerns and objections of the residents who would be directly impacted by the proposal in the immediate locality.

The applicant has outlined that there are many benefits to open green space for a learning environment. Many of the submissions received in support of the school also express concern at the shortage of green and open space at Ursula Frayne. However it is respectfully noted that this is a consequence of various building additions and extensions that the School have been undertaken with open spaces being replaced by new buildings to support the growing student population. It is an inconsistent position for the applicant to pursue intensification of the development within the current school boundaries and then use that intensification as a justification to expand its boundaries. Landowners in the area

would have bought their properties with the reasonable expectation that, being in the residential zone, adjoining properties would continue to be residential in nature. The ad-hoc approach to acquiring Residential zoned land so as to expand non-residential development into a residential area is inconsistent with the principles of orderly and proper planning.

CONCLUSION:

Having regard to the above, the proposed Change of Use to Educational Establishment (Green Space for Recreation and Other Purposes) and Associated Works Including Landscaping, Fencing and Retaining Walls is considered to pose adverse amenity impacts on the locality including (but not limited to) the visual bulk and non-residential scale of works proposed, security issues associated with the development and noise from the proposed land-use.

Furthermore, the proposed development is considered to be incompatible with its setting, with the abovementioned issues being exacerbated by the ad-hoc approach taken to expansion of a non-residential land use into a residential area.

The proposed development is inconsistent with the aim and intent of Town Planning Scheme Precinct Plan P6 and contrary to the principles of orderly and proper planning.

The application for change of use is therefore recommended for Refusal.

RECOMMENDATION/S:

1. In accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the application submitted by Ursula Frayne Catholic College (DA Ref: 5.2018.194.1) for a Change of Use to Educational Establishment (Green Space for Recreation and Other Purposes) and Associated Works Including Landscaping, Fencing and Retaining Walls at No. 28 (Lot 32) and No.30 (Lot 33) Teague Street, Victoria Park as indicated on the plans dated received 17 April 2018 be Refused for the following reasons :
 - 1.1 The proposal is inconsistent with Town Planning Scheme No. 1 Precinct Plan P6 which provides that non-residential uses are to be limited to safeguard residential amenity and that any expansion of the School “*will not be permitted where it involves significant loss of existing housing or will impinge on the amenity of surrounding residents*”. The proposal is considered to have an adverse impact upon the residential amenity of the area.
 - 1.2 The proposal is inconsistent with the Town’s Local Planning Policy 3 ‘Non-Residential Uses in or Adjacent to Residential Areas’ because it will cause adverse amenity impacts on the locality including (but not limited to) the visual bulk and non-residential scale of works proposed, security issues associated with the development and noise from the proposed land-use.
 - 1.3 The proposed development is considered to not satisfy the following matters identified in Schedule 2, Clause 67 “Matters to be considered by local government” of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- a. Sub-clause (b) – the requirements of orderly and proper planning;
- b. Sub-clause (g) - any local planning policy for the Scheme area;
- c. Sub-clause (m) - the compatibility of the development with its setting including the relationship of the proposed 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;
- d. Sub-clause (n) - the amenity of the locality including: environmental impacts of the development; the character of the locality; and social impacts of the development.

1.4 On the basis of the acoustic information provided and unresolved matters, the Council is not satisfied that noise impacts resulting from the development are acceptable and will not unreasonably impact upon the amenity of the adjacent residential properties.

1.5 The setback and heights of the proposed retaining walls not satisfying the Design Principles in Clauses 5.3.7 and 5.3.8 of the Residential Design Codes.

Advice to Applicant

1.6 If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of this determination.

2. Those persons who lodged a submission regarding the application be advised of Council's decision.

FURTHER COMMENTS:

Further to the Elected Members Briefing Session on 4 September 2018, the matter was the subject of a Directions Hearing at the State Administrative Tribunal on 7 September 2018. As a consequence of Section 26 of the SAT Act, and in the absence of the applicant's consent, the Town is not able to formally determine the application at the Ordinary Council Meeting (ie. Council cannot either approve or refuse the application). Having regard to this, an alternative Officer's Recommendation is presented to Council for consideration.

OFFICER RECOMMENDATION: (Amended on 10 September 2018)

That Council advise the State Administrative Tribunal of the following concerns in relation to the application submitted by Ursula Frayne Catholic College (DA Ref: 5.2018.194.1) for a Change of Use to Educational Establishment (Green Space for Recreation and Other Purposes) and Associated Works Including Landscaping, Fencing and Retaining Walls at No. 28 (Lot 32) and No.30 (Lot 33) Teague Street, Victoria Park as indicated on the plans dated received 17 April 2018 :

- 1.1 The proposal is inconsistent with Town Planning Scheme No. 1 Precinct Plan P6 which provides that non-residential uses are to be limited to safeguard residential amenity and that any expansion of the School “*will not be permitted where it involves significant loss of existing housing or will impinge on the amenity of surrounding residents*”. The proposal is considered to have an adverse impact upon the residential amenity of the area.
- 1.2 The proposal is inconsistent with the Town’s Local Planning Policy 3 ‘Non-Residential Uses in or Adjacent to Residential Areas’ because it will cause adverse amenity impacts on the locality including (but not limited to) the visual bulk and non-residential scale of works proposed, security issues associated with the development and noise from the proposed land-use.
- 1.3 The proposed development is considered to not satisfy the following matters identified in Schedule 2, Clause 67 “Matters to be considered by local government” of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - a. Sub-clause (b) – the requirements of orderly and proper planning;
 - b. Sub-clause (g) - any local planning policy for the Scheme area;
 - c. Sub-clause (m) - the compatibility of the development with its setting including the relationship of the proposed 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;
 - d. Sub-clause (n) - the amenity of the locality including: environmental impacts of the development; the character of the locality; and social impacts of the development.
- 1.4 On the basis of the acoustic information provided and unresolved matters, the Council is not satisfied that noise impacts resulting from the development are acceptable and will not unreasonably impact upon the amenity of the adjacent residential properties.
- 1.5 The setback and heights of the proposed retaining walls not satisfying the Design Principles in Clauses 5.3.7 and 5.3.8 of the Residential Design Codes.

11.2 Proposal to Disband Design Review Committee

File Reference:	PLA/4/0001
Appendices:	No

Date:	22 August 2018
Reporting Officer:	C. McClure
Responsible Officer:	R. Cruickshank
Voting Requirement:	Absolute Majority

Executive Summary:

Recommendation – That Council, by an Absolute Majority, resolve to disband the Design Review Committee.

- The Town's Design Review Group was originally established on 13 March 2001.
- At the Ordinary Council Meeting of 5 July 2005, Council resolved to re-establish the Design Review Group as a Design Review Committee.
- Council is requested to disband the Design Review Committee as a Committee of Council.
- Following this, a Design Review Panel will be established to replace the Design Review Committee which will continue to function as an advisory body to the Administration in respect to design matters for planning applications and proposals.

TABLED ITEMS:

Nil.

BACKGROUND:

Council resolved at its Meeting held 13 March 2001, to endorse the establishment of a Design Review Group for the purposes of advising the Council in respect to design matters for planning applications and issues.

In July 2005, the Design Review Group was re-established as a Committee of Council as a practical solution to the issue of the provision of professional indemnity insurance for members that existed at the time.

DETAILS:

The Design Review Committee is a Committee of the Council forming and operating as per the *Local Government Act 1995*.

As a Committee of Council there are certain requirements and procedures pursuant to section 5.10 *Local Government Act 1995* which are required to be adhered to including agenda and minute reporting etc.

The draft Design WA suite of documents recently prepared by the Department of Planning, Lands and Heritage included a guidance document for local government in the use of design review in the development assessment process. The document recommends the establishment of Design Review Panels.

Having regard to these factors, it is proposed to disband the Design Review Committee and establish a Design Review Panel. Other than no longer being a Committee of the Council, and therefore not being bound by the provisions of the Local Government Act relating to the operation of Committees, there will be no notable changes to the way in which the Town has undertaken design review over a number of years. The Design Review Panel will continue to provide advice and recommendations to Council Officers and the decision maker (Council, JDAP etc) in relation to development and other planning proposals

Council's Administration has recently completed a Request for Proposal process for the appointment of persons to the Design Review Panel, and is assessing submissions at the time of writing this report. The approval of appointments will be by the CEO, with appointments being for a two (2) year term.

Legal Compliance:

Town Planning Scheme No. 1

Clause 27 of the Scheme Text provides for the Council to appoint a design advisory committee for the purpose of considering, and advising the Council with respect to, planning applications.

Local Government Act 1995

s. 5.8 – Establishment of Committees

s. 5.9 – Committees, types of

s. 5.10 – Committee members – appointment of

Section 5.11 of the *Local Government Act 1995* states that:

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*
- (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*
or
- (b) *the person resigns from membership of the committee;*
or
- (c) *the committee is disbanded;*
or
- (d) *the next ordinary elections day,*

whichever happens first.

Policy Implications:

Nil.

Risk Management Considerations:

The risks have been identified as out below:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation / Actions
Compliance: Regulatory and statutory impact.	Major	Possible	High	The disbanding of the Design Review Committee and the creation of a Design Review Panel allows for greater flexibility in the operation of meetings, and reduces an administrative burden.

Strategic Plan Implications:

Nil.

Financial Implications:

Internal Budget:

Nil.

Total Asset Management:

Nil.

Sustainability Assessment:

External Economic Implications:

Nil.

Social Issues:

Nil.

Cultural Issues:

Nil.

Environmental Issues:

Nil.

COMMENT:

Design review plays a significant role in improving the design and built form of developments within the Town. The Town has been an industry leader in design review for some time.

However as a Committee of the Council, there is a significant degree of formality in the operation of the Committee. It is considered that there would be administrative benefits in disbanding the Design Review Committee as a Committee of the Council, and instead establishing a Design Review Panel.

CONCLUSION:

It is recommended that Council resolve to disband the Design Review Committee as a Committee of the Council

RECOMMENDATION/S:

1. **That Council, by an Absolute Majority, disband the Design Review Committee pursuant to Section 5.11 of the *Local Government Act 1995*.**

(Absolute Majority required)

2. **The CEO appoint membership of the Design Review Panel.**

12 CHIEF OPERATIONS OFFICER REPORTS

12.1 Tender TVP/18/08 for Provision of Electrical Services for Town of Victoria Park Council Buildings

File Reference:	TVP/18/08
Appendices:	No

Date:	22 August 2018
Reporting Officer:	J. Robbins/R. Podmore
Responsible Officer:	B. Killigrew
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation – That Council accepts the tender submitted by Rosevale Electrical (ABN: 39 601 543 131) for Tender TVP/18/08 - Provision of Electrical Services to the Town of Victoria Park Council Buildings, as the most advantageous tender with terms and conditions as outlined in the recommendation.

- Submissions were invited for the supply of qualified skilled labour and equipment to install, repair and maintain electrical services to the Town of Victoria Park Council buildings.
- Submissions were to provide a schedule of rates for provision of electrical services as detailed in price schedule.
- Twenty nine (29) submissions were received.
- An evaluation of the tender submissions has been completed and it is recommended that Council accepts the submission from Rosevale Electrical and enters into a contract with them.

TABLED ITEMS:

Nil.

BACKGROUND:

The Town of Victoria Park is seeking an Electrical Services Maintenance Contractor who can deliver services that would be able to demonstrate the following outcomes:

- Quality of workmanship to all maintenance works undertaken;
- Accurate and regular reporting of corrective maintenance to ensure efficient and sustainable operation of all Council buildings;
- Efficient response times to service calls to ensure minimum disruption, safe environment and general health and wellbeing of occupants; and
- Ability to display initiative in communications, clearly correspond and liaise with the Town of Victoria Park or nominated Representative in all matters regarding the Electrical Services Maintenance Contract;
- Provide the Town with the best value for money, as a contract does not currently exist.

DETAILS:

The Town seeks to appoint, through this tender TVP/18/08 the service of a qualified skilled electrical contractor to install, repair and maintain electrical services to the Town of Victoria Park Council buildings.

TVP/18/08 was advertised in the West Australian on Saturday 23 June 2018 and the tender closed at 2pm on Tuesday 10 July 2018 with twenty nine (29) submissions being received.

Part of the request for service is to carry out testing of RCD, emergency lighting and thermographic scanning of switchboards to all Council buildings in accordance with Australian Standards.

The contractor would also be required to respond to the Town's specified response times for emergency, urgent and routine maintenance.

This Contract requires the Contractor to, at all times, observe and comply with the requirements and provisions of all relevant Acts, Ordinances, Regulations, By-Laws, orders and rules and all requirements of any Authority that are applicable to the Work.

Description of compliance criteria

Compliance criteria for TVP/18/08 included submissions being able to demonstrate the below requirements:

- Completion of the Offer Form and provision of pricing submitted in the format required;
- Agreement to comply with the Contractual Conditions of the Request for Tender as provided in Part 4 – General Conditions of Contract;
- Provide a minimum of three (3) references;
- Compliance with the Specification contained in the Request;
- Compliance with the Quality Assurance requirement for the Request;
- Compliance with all Australian and Western Australian license requirements;
- Compliance with OHS requirement;
- Complete Respondents Offer and pricing schedule;
- Submit organisation profile;
- Provide details of financial position;
- Advise of any potential conflict of interest;
- Provide quality assurance position;
- Provide insurance details; and
- Implement the Disability Access and Inclusions Plan.

Selection Criteria

The tender states that the Contract may be awarded to a sole or panel of Tenderer(s) who best demonstrates the ability to provide quality products and/or services at a competitive price. The tendered prices will be assessed together with qualitative and compliance criteria to determine the most advantageous outcome to the Principal.

The Principal has adopted a best value for money approach to this Request. This means that, although price is considered, the tender containing the lowest price will not necessarily be accepted, nor will the tender ranked the highest on the qualitative criteria.

A scoring system will be used as part of the assessment of the qualitative criteria. Unless otherwise stated, a Tender that provides all the information requested will be assessed as satisfactory. The extent to which a Tender demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Evaluation Process

Selection criteria for TVP/18/08 included each submission being assessed against three (3) qualitative criteria, listed below:

<p>Relevant Experience</p> <ul style="list-style-type: none"> i) Provide details of similar work; ii) Provide scope of the Respondent’s involvement including details of outcomes; iii) Provide details of issues that arose during the project and how these were managed; iv) Demonstrate competency and proven track record of achieving outcomes; and v) Demonstrate sound judgement and discretion. 	<p>Weighting 40%</p>
<p>Current Capability:</p> <ul style="list-style-type: none"> i) Organisation’s capacity and capability; ii) Organisation’s structure; iii) Organisation’s vision and mission alignment; iv) Plant, equipment and materials; and v) Any contingency measures or back up of resources including personnel (where applicable). 	<p>Weighting 30%</p>
<p>Demonstrated Understanding</p> <ul style="list-style-type: none"> i) A project schedule/timeline; ii) The process for the delivery of the goods/services; iii) Training processes (if required); and iv) A demonstrated understanding of the scope of work. 	<p>Weighting 30%</p>

The assessment of the submissions was formally undertaken by a panel of three (3) Town Officers:

1. Building Officer;
2. Building Asset Officer; and
3. GIS Asset Officer

The Senior Procurement Officer was involved for advice and as probity advisor throughout the process.

After evaluating the tenders against the compliance and qualitative criteria, a consensus scoring meeting was held with the evaluation panel members. The top five (5) qualitative ranks are shown below:

Company	Rank
Rosevale Fire & Electrical	1
Janissen Electrics	2
Surun Services Pty Ltd	3
Gilmour Joost Electrical	4
Elexacom	5

Rosevale Fire and Electrical ranked the highest score in assessment against the qualitative criteria. The top 5 tenders were then compared to their price rankings, Rosevale’s rates were most competitive and therefore also ranked the highest in value for money.

Legal Compliance:

Local Government Act 1995 Section 3.57.

Local Government (Functions and General) Regulations 1996 Division 2 Part 4.

In accordance with Part 4 of the *Local Government (Functions and General) Regulations 1996 (“the Regulations”)*, tenders shall be invited before the Town enters into a contract for another person to supply goods or services if the consideration under the contract is or is expected to exceed \$150,000.

Policy Implications:

Council Policy FIN4 Purchase of Goods and Services requires Council to invite tenders before the Town enters into a contract if the consideration under the contract is or expected to exceed \$150,000. The provision of electrical maintenance services is likely exceed \$150,000 over a 3 year contract term, therefore it is deemed necessary to enter into a contract.

Council Policy FIN4 has been complied with.

Council Delegation 1.24 – Limits on Delegations to CEO requires all tenders exceeding \$200,000 to be by Council determination. The value of the total contract over three years with further options is expected to exceed \$200,000 therefore it is required that this item be brought before Council for determination.

Risk management considerations:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Compliance – No contract in place and expenditure exceeds \$150,000 over a term	Major	Likely	High	Tender for contract as per Council Policy FIN4

Property – Don't have access to an electrical contractor – Significant damage	Major	Possible	High	Engage an electrical contractor that covers emergency and after hours.
Health – causing injury from electrical faults and not having access to contracted services	Major-Catastrophic	Unlikely	Moderate	Engage an electrical contractor that complies with service level response times.

Strategic Plan Implications:

The Town's Strategic Community Plan 2013-2028 includes the following objectives that relate to the management of Assets -

- EN5 – *Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.*

Financial Implications:

Internal Budget:

The 2018/2019 operating budget has an expense allocation for each building for reactive and preventative maintenance of the Town's Council Facilities. Electrical work and repairs make up a portion of these expenses.

Sustainability Assessment:

External Economic Implications:

Nil.

Social Issues:

Nil.

Cultural Issues:

Nil.

Environmental Issues:

Nil.

COMMENT:

Following the Tender evaluation meeting regarding TVP/18/8 Provision for Electrical Services to the Town of Victoria Park Council Buildings Tender, the top 5 qualitative ranks were put against their price rankings. The scheduled rates rankings fall in the same order of qualitative rankings. Rosevale Fire and Electrical in accordance with qualitative criteria and then assessed against price, show to be the best value for money and most advantageous tender for the Town.

The Town has engaged electrical contractors in the past including Rosevale Fire and Electrical and they have particularly demonstrated their quality workmanship. The tendered rates offered have provided a 20% reduction in hourly rate compared to those of previous works.

CONCLUSION:

It is recommended that the submission from Rosevale Fire and Electrical be accepted as the most advantageous to the Town.

RECOMMENDATION/S:

That Council:

- 1. Accepts the tender submitted by Rosevale Electrical for Tender TVP/18/08 Provision of Electrical Services to the Town of Victoria Park Council Buildings, as the most advantageous tender.**
- 2. Authorises the Chief Executive Officer to execute a contract with Rosevale Electrical, for Provision of Electrical Services to the Town of Victoria Park Council buildings, under the following contractual arrangements:**
 - 2.1 Pricing as contained within the Rosevale Electrical submission; and**
 - 2.2 Contract Term of three (3) years with two options for a further term of one (1) year period each, at the absolute discretion of the Principal.**

12.2 Endorsement of Town of Victoria Park Strategic Waste Management Plan

File Reference:	CUP/9/0001~47
Appendices:	Strategic Waste Management Plan Final
Attachments:	No.

Date:	August 2018
Reporting Officer:	J. Wong/B. Nock
Responsible Officer:	B. Killigrew
Voting Requirement:	Simple Majority

Executive Summary:
Recommendation: That Council endorse the Strategic Waste Management Strategy (SWMP) 2018-2023 as contained within the Appendices.

- Waste management is one of the most significant municipal services provided by the Town of Victoria Park.
- Significant changes are currently being and have been implemented by the Town working in conjunction with stakeholders including the Mindarie Regional Council (MRC) based on the Town’s SWMP 2008 – 2013.
- While cognisant of the current global waste and recycling environment, the Town has reached a stage where it needs a new SWMP. This will ensure that the Town’s current and future efforts are optimised to achieve the best outcomes for the community.
- As part of the development of the new SWMP 2018 - 2023, the following issues have been considered:
 - Determine the future options for the Town and the MRC;
 - Identify priority issues for the Town in the context of the waste management environment;
 - Define what the Town, and ideally the MRC, must achieve;
 - Define who is accountable and how the Town and/or the MRC will achieve the Town’s goals; and
 - Define how formal reviews and monitoring of progress of implementation will be undertaken.

TABLED ITEMS:
 Nil.

BACKGROUND:
 Waste management is one of the most significant municipal services provided by the Town of Victoria Park (‘the Town’). The current annual cost of the Town’s waste services is \$6.5 million and this represents approximately 7% of the total expenditure of the Town for this financial year. Waste Management, including the reuse, recycling and recovery of materials and resources, is an important element of environmentally sustainable practices managed by the Town. Its profile is significant amongst the services provided by the Town considering the State Government’s Towards Zero Waste Strategy, released in 2004.

The Town responded to the challenge of the State's commitment to minimise the creation of waste, recover, retreat and reuse waste efficiently, and dispose of waste responsibly. In 2008, the Town adopted its Strategic Waste Management Plan (SWMP). This plan was developed in response to an initiative of the Western Australian Waste Management Board in 2007 and in accordance with the provisions of Division 3, Section 40-44 of the Waste Avoidance and Resource Recovery Act 2007. A significant amount of the identified actions have been implemented successfully by the Town working in conjunction with stakeholders including the Mindarie Regional Council (MRC) since the development of this strategy.

The purpose and objectives of the Strategic Waste Management Plan 2008-2013 included:

- To confirm current waste infrastructure and levels of service.
- To identify priority actions and associated costs and timelines to incrementally improve waste minimisation within the Town area(s) covered by the plan.
- To form partnerships with other local governments, business and industry to achieve economies of scale where feasible.
- To increase community awareness, appreciation and responsiveness to waste related issues.
- To assign actions, costs and timelines.
- To define a performance monitoring and review schedule.

The following are some of the major successes that were achieved since the commencement of the SWMP 2008 - 2013:

- MRC commissioning of the Neerabup Resource Recovery Facility, which enabled a substantial quantity of the Town's processible waste to be processed and hence diverted from landfill;
- Conversion from a crate-based kerbside recycling collection system to a wheelie bin based system. This simplified the handling of recycling materials for residents, increased the range of materials that was able to be recycled and also dramatically increased the quantity of material recycled. Being a more efficient collection system, the cost per tonne of material recycling also decreased;
- Partnership with the City of South Perth to enable Town's residents to drop off electronic waste, cardboard and used motor oil for free;
- Continued active involvement with the MRC in assessing large scale waste diversion options, including waste to energy, bulk waste recycling and greenwaste processing;
- Improved community group engagement to encourage community participation in waste management activities and to promote further community involvement within Town: and
- Delivery of waste and recycling education programs at events and schools within the Town.

Whilst significant changes have been implemented by the Town since the adoption of the SWMP 2008 - 2013, the Town needs a new SWMP for the next five years. This will ensure that the Town's current and future efforts are optimised to achieve the best outcomes for the community, particularly considering the changes that have taken place in the industry during the recent years.

DETAILS:

The intention of the SWMP 2018 – 2023 is to review the Town’s progress in implementing the actions identified in its SWMP since 2008 and set the strategic waste management direction for the Town for the next five years (2018 to 2023).

As part of the development of the SWMP 2018 - 2023, the following issues have been considered:

- Determine the future options for the Town and the MRC;
- Identify priority issues for the Town in the context of the waste management environment;
- Define what the Town, and ideally the MRC, must achieve;
- Define who is accountable and how the Town and/or the MRC will achieve the Town’s goals; and
- Define how formal reviews and monitoring of progress of implementation will be undertaken.

Going forward, there is an opportunity to achieve measurable shorter term improvements in the various waste streams currently managed by the Town. A number of the new possibilities came about due to the new services introduced in the industry. Within the SWMP, there are also goals and practices identified which are considered to be potentially more cost effective and environmentally sustainable but could only be implemented in a more gradual manner over the medium to longer term future.

Waste Characterisation

In late 2017 and early 2018, the MRC undertook a waste characterisation study of the content of the green wheelie bin waste across the region. This study concentrated on green bin in an attempt to identify the breakdown of the general waste so that future waste management activities could be focused on further diverting from landfill the recyclable, reusable and recoverable components within the general waste stream. As an example, the breakdown of the recyclable components is presented below.

Item	2017	2018
Recyclables	26.3%	29.4%
Non-Recyclables	73.7%	70.6%

The key findings of the MRC winter audit concluded that, at a regional level, “waste sample material was composed of 29.4% recyclables, 50.7% Organic in nature (Food and Green Waste, Wood, Straw and Other Putrescible) and the remaining 19.9% of Pathogenic Infectious 5.12%, Earth 7.95%, Miscellaneous 0.79%, Hazardous 0.92%, Textiles 3.87%, Other 1.16%, and Medical 0.1%”. The Town’s waste material is of a similar characteristics.

The waste audit results indicate that the Town has approximately 50% organic material within the general waste. Effectively, approximately 80% of the content of the Town’s general waste wheelie bins are recyclable and processible, and 20% non-recyclable.

Also, some of the non-recyclable materials in the yellow recycling wheelie bins would be deemed processible if placed in the green wheelie bins (organic material). Based on the MRC audit information, the Waste Authority’s target of 65% waste diversion rate by 2020 within the Perth Metropolitan area is an achievable outcome subject to the future direction of MRC.

Waste Management Considerations

There are a number of consideration within the waste management industry that have the potential to significantly impact on the Town's progression towards improved waste diversion from landfill. Some of these are directly within the control of the Town while others are highly dependent on other government agencies, MRC or other Local Government. These include:

- **The future of Mindarie Regional Council operations**, namely the financial implication associated with the involvement in the MRC versus operating as an individual Local Government.
- **Landfill Levy**. The Perth Metropolitan landfill levy is charged on all waste generated or landfilled in the Metropolitan area. The levy for this financial year has been increased to \$70 per tonne. The Waste Authority is currently reviewing the levy structure. For future planning, MRC member Councils could expect an ongoing annual landfill levy increase in the range of \$5/ to \$10/t. This should give a reasonable upper and lower range cost estimates which long term financial modelling for the Town and MRC can be based on.
- **Food Organics and Garden Organics (FOGO) Kerbside Bin Collection**. In the past few years, there has been substantial promotion and encouragement by the Waste Authority for Local Governments to implement a "third bin" system to collect kerbside organic materials. In accordance with the current agreement (the Constitution) between the MRC and its member Councils, all member Councils of the MRC including the Town are committed to delivering processible waste collected in the general waste bins to the Neerabup Resource Recovery Facility (RRF) until July 2029 (service contract expiry). The RRF processes the organic content in the green wheelie bins and hence, should the MRC member councils adopted a 3 bin system, this would reduce the quantity of organic waste being delivered to the RRF and hence, reduce the facility's efficiency in waste diversion. The Town needs to investigate the environmental and financial business case of implementing an organics bin system (3 bin system).
- **Bulk Bin Verge Collection**. Currently, the Town operates a traditional bulk waste verge collection service with the residents stockpiling bulk waste on the verge which is then collected by contractors and taken to a sorting facility where recyclable materials are salvaged and the remaining residue is sent to landfill. Residents get two services annually. However, due to the substantial increase in landfill disposal fees, mainly attributed to the dramatic increase in the metropolitan landfill levy, alternative solutions to the traditional bulk waste verge collection need to be considered. In recent years, a number of Local Governments have changed their programmed bulk waste verge collection practice to a bulk bin system where residents order bulk bins on an as required basis. The pros and cons of a bulk bin waste collection system is being considered by the Town. It is noted that bulk bins have not been adopted in higher density suburbs surrounding the Perth CBD.
- **Container Deposit Scheme**. The State Government has committed to implement a Container Deposit Scheme (CDS) on 1 January 2020. This scheme is primarily aimed to reduce littering and will target beverage containers that are commonly found in the litter waste stream.

- **Recyclable Material Market.** The cost of recycling is substantially dependent on the revenue that recyclers receive for the recycled materials. This market has proven to be highly volatile over time. During the Global Financial Crisis (2007 to 2008) there was a dramatic reduction in the price that recyclers received for recycled materials. This extended right through the recycling industry from paper, cardboard, plastics to scrap metal. In more recent times, China has banned the importation of some 24 categories of solid waste and revised down the level of contamination acceptable in the recyclable materials received. This volatility in the recycling market has a direct impact on the cost of recycling and hence the cost that the Town pays its recycling contractors. In future recycling tenders, it is recommended that the Town continues to include options within the pricing structure whereby the tenderers provide an all-in price for the delivery of the recycling service and takes all risk of commodity price fluctuation. It is also recommended that tenderers be requested to provide an alternative price for consideration by the Town whereby there is a variable recycling cost based on the fluctuation in recycling commodity costs.
- **Waste to Energy.** Waste to energy (WtE) is something that the West Australian waste industry has been considering for many years. WtE has the potential to dramatically improve the Town's landfill diversion rate, albeit at the lower end of the waste hierarchy pyramid. At this stage, it is uncertain what the cost of disposal at a WtE facility will be. This disposal rate and any environmental factors will ultimately determine the success of this type of solution.
- **Sustainable Purchasing.** The Town has a responsibility to lead by example in sustainable waste management practices. This includes using the Town's substantial purchasing power to encourage the consumption of sustainable products. Ideally, this revolves around the purchasing of products that generate the least waste (waste avoidance), those items that are made of recyclable materials or materials that are easily recyclable (optimising recycling) and materials that are locally manufactured from recyclable materials (supporting local recycling efforts).

The Town has a purchasing policy which includes Sustainable Procurement and Corporate Social Responsibility. This portion of the policy encourages the purchase of products that can be refurbished, reused, recycled and/or reclaimed.

- **Community Involvement.** The vast majority of waste recycling activities cost more than a typical landfill disposal solution, even after the impact of the landfill levy. As the Town progresses with more waste diversion from landfill and also strives to achieve an improved waste management and recycling outcome in line with the waste hierarchy pyramid, the cost of recycling will increase dramatically. To reduce the impact of this dramatic cost increase, the Town would be better positioned if it continues to encourage community participation in specific waste and recycling focused areas. This community involvement can vary from word-of-mouth education to direct involvement in managing and operating small-scale waste management activities.

Waste Minimisation Strategy

Following the review of the previous strategic waste management plan including the degree of success in achieving the previously proposed activities, discussions held with the Town and community consultation undertaken, and based on an understanding of the requirements identified within the Town, the paragraphs below presents some of the proposed activities for the period 2018 to 2023.

Year 1 - 2018 – 2019 Financial Year

- Work closely with MRC and its member Councils throughout the life of this plan to consider future options available to the MRC and the impacts of adopting any strategic changes in MRC's operations.
- Appoint a responsible Council Officer as the custodian of the SWMP.
- Develop a clear policy statement on the drivers that influence waste management decision making to increase waste diversion within the Town and establish relevant benchmark targets against which achievements can be gauged.
- Develop a comprehensive community education strategy.
- Detailed investigation of bulk bin verge collection or other system changes to improve recycling and reduce costs.
- Work with community groups and charity organisations to identify opportunities to extract reusable items from the bulk verge waste prior to collection.

Year 2 - 2019 – 2020 Financial Year

- Detailed investigation of a kerbside organics bin collection system.
- Increase participation in existing recycling systems.
- Continue further discussions with the City of South Perth about the joint operation of the City of South Perth waste management facility.

Year 3 - 2020 – 2021 Financial Year

- Consider the development of a reuse shop, possibly in conjunction with the MRC, City of Perth and/or the City of South Perth, ideally operated by an active community group.
- Optimise community involvement in local small-scale recycling solutions and initiatives.
- Increased community education about what can be placed in the yellow bin (and lime green bin if the organics bin option has been implemented).

Year 4 - 2021 – 2022 Financial Year

- Investigation of possible contingency planning to ensure continuous waste management services.
- Work with the collection contractors to increase the range of materials that can be recycled.
- Encourage and monitor sustainable purchasing within the Town.
- Waste avoidance initiatives with other Local Governments.

Year 5 - 2022 – 2023 Financial Year

- Develop a new Strategic Waste Management Plan for the next five-year period.

Legal Compliance:

Nil.

Policy Implications:

Nil.

Risk management considerations:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Inadequate resourcing	High	Likely	High	<p>The success of the SWMP will depend largely on the allocation of sufficient resources for implementation.</p> <p>Further, to support successful community participation (such as for education and community projects), funding should be carefully targeted towards viable community projects, adequate Town staffing to assist with implementation.</p> <p>Each financial year the Town will need to allocate appropriate resource.</p>
With the time taken to commence the implementation of the SWMP, there is a risk that the community may become disengaged and lose ownership.	High	Low	Medium	<p>Community will be kept informed of the progress.</p> <p>Community education campaigns will be ongoing.</p>

<p>Should Council not endorse the SWMP 2018 - 2023 and the implementation of recommendations contained therein, there is a risk that the cost of provision of waste services within the Town will increase disproportionately against that of other MRC member Councils which have adopted initiatives which caused the MRC gate fee to rise significantly.</p>	<p>High</p>	<p>Likely</p>	<p>High</p>	<p>Council endorsement of the SWMP 2018 – 2023 and dedicate resources to prepare business cases for and implement cost effective initiatives.</p>
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Strategic Plan Implications:

Under the Town’s new Strategic Community Plan 2017 – 2032, the SWMP 2018 – 2023 aligns with the following Mission statements:

- Environment: To promote sustainable, connected, safe and diverse places for everyone.
 - Strategic Outcomes EN4 (A clean place where everyone knows the value of waste, water and energy).

Financial Implications:

Internal Budget:

The extent of cost to the Town will be a function of the level of involvement in regards to implementing possible actions identified in the SWMP.

For instance, there should be a net cost saving should the Town opt for a 3 bin system during the time period when the MRC gate fee continued to increase dramatically (due to other member Councils adopting a 3 bin system) and while lower cost technologies such as WtE is not adopted by MRC. This saving can then be used to progress/implement further recycling and waste minimisation initiatives.

There is also likely to be a saving should the Town adopts on-demand bulk verge collection bins. However, this could result in a reduced utilisation of the service by the community.

It is noted that recycling initiatives to achieve the higher rates of recycling cost money.

The challenge for the Town is to maximise its diversion rate in a manner that can be achieved within a limited budget.

In order to fully scope and implement the high priority initiatives identified in the SWMP 2018 – 2023, which will include detailed business case analysis of cost effective actions and strategies over the life of the Plan, it is recommended that dedicated resource be procured. It is anticipated that this would be no more than \$30,000 for this financial year and can be sourced from WAS1346 (19274.1346) - Waste and Recycling Promotion and WAO1029 (19262.1029) - Consultancy – General.

Funding Opportunities

There are numerous sources of funding to support a wide range of waste management activities. Funding is available for the Town as well as local community groups. Typically, funding is directed to encourage the desired outcomes sought by the fund provider, with the extent of funding proportional to the desired outcome.

The Town will monitor the availability of funding sources and the outcomes sought by the funding suppliers. Wherever the Town and the local community's waste management directions aligned with the outcome of the intent of the funding programs, there is a substantial opportunity to obtain some funding to assist in a range of waste management activities.

The Town is to be aware that generally funding is seen as "seed funding", whereby the fund provider hopes to encourage the establishment of an activity and in time, the activity operator, be it the Town and/or the community, takes over the cost of operating the activity, or in the rare circumstance, the activity becomes self-funding or profitable.

The Waste Authority is the primary source of funding and sets out an annual business plan which provides insight into the direction that the funding is likely to be focused.

Sustainability Assessment:

External Economic Implications:

In previous years, in order to achieve higher diversion and recycling rates, this has resulted in an increase in waste management costs to the Town and its community. Moving forward, the Town's intention needs to focus on optimising the amount of recycling and diversion rate that can be achieved, with minimal financial burden on the community.

Social Issues:

Socially, there is an expectation that the Town operates its waste management services in an environmentally responsible manner. However, there is a limit to the financial burden that the community is prepared to bear in order to attain environmental excellence. The extent of social responsibility within waste management is to a greater extent a discretionary activity.

From a strategic point of view, the Town, as with all Local Governments, has a relatively fixed financial ability within which to undertake all of its waste management activities. It is important for the Town to achieve the maximum waste management efficiency and output within its financial ability. Ultimately, it is the financial sustainability that will influence the majority of the Town's waste management decision making.

Cultural Issues:

Nil.

Environmental Issues:

Environmental waste management is typically managed at higher level by the state environmental regulators (Environmental Protection Authority and the Department of Water and Environmental Regulation), whereby the more hazardous waste materials are regulated and require particular management to reduce environmental harm. Some examples include lined landfills and specific asbestos handling. These waste management activities are mandatory and allow very little discretion at the Local Government/waste generator level. Where there is significant discretion relating to waste management environmental responsibility, that is where the Town needs to consider improving its waste reduction and recycling activities. When adopting new initiatives, the Town also needs to be aware of the potential environmental impact of solutions considering that different activities have different levels of impact (benefit or dis-benefit).

COMMENT:

This Strategic Waste Management Plan sets out the Town's proposed activities for the period 2018 to 2023. In order to achieve this, it is essential that the identified actions of the Strategic Waste Management Plan be implemented and regularly reviewed while considering the fast changing activities within the waste and recycling management industry.

The review undertaken was primarily to gauge the Town's actual achievements against the previously proposed activities and to provide direction as to where the necessary effort is still required in order to achieve the desired outcomes by the end of the Plan's validity period.

A secondary component of the review of the SWMP is to assess the validity of the Strategic Waste Management Plan direction in comparison to the Town's and the Waste Authority's direction. It is acknowledged that during the five-year validity period of this Plan, there is the possibility that some aspects of this Plan may lose relevance and may need to be amended to suit the latest Town or Waste Authority direction.

In the event that there is a major change in waste management direction, such as the establishment of a waste to energy facility or substantial change to the MRC operations, then the impact of the change on the Town should be considered and if necessary, the SWMP 2018 - 2023 reviewed and amended accordingly.

As a minimum, this Plan should be reviewed internally on an annual basis.

Towards the end of the Plan validity period, the Town should consider developing a subsequent SWMP for the next five-year period. This current Plan would form the baseline against which the successes over the past five years can be gauged and be the basis for the development of the future plan.

CONCLUSION:

Following the review of the previous strategic waste management plan, the degree of success in achieving the previously proposed activities, discussions with the Town, community consultation and based on an understanding of the requirements within the Town and MRC, the SWMP lists a range of proposed activities for the period 2018 to 2023.

Going forward, there is an opportunity to achieve measurable shorter term improvements in the various waste streams currently managed by the Town. A number of the new possibilities came about due to the new services introduced in the industry. Within the SWMP, there are also goals and practices identified which are considered to be potentially more cost effective and environmentally sustainable but could only be implemented in a more gradual manner over the medium to longer term future.

The SWMP 2018 – 2023 will ensure that the Town's current and future efforts are optimised to achieve the best outcomes for the community, particularly considering the changes that have taken place in the industry during the recent years.

RECOMMENDATION/S:

That Council endorse the Strategic Waste Management Strategy (SWMP) 2018-2023 as contained in the Appendices.

12.3 6-8 Planet Street Carlisle Demolition and Installation of Three Transportable building modules and Three Sheds

File Reference:	CUP/10/20#14
Appendices:	Extract from Asbestos Management Plan
Attachments:	No

Date:	24 August 2018
Reporting Officer:	J. Morellini
Responsible Officer:	B. Killigrew
Voting Requirement:	Simple Majority

Executive Summary:
Recommendation – That Council approve the signing of the Application for Approval to Commence Development by the CEO on behalf of the Town as the owner of the land for 6-8 Planet Street which includes the demolition of the existing 1960s building and shed, and the installation of two transportable early learning classrooms, one office and three additional sheds.

- The Department of Education has an existing ground lease on 6-8 Planet Street, Carlisle, to provide early learning education. To accommodate rapidly growing student enrolments in the Town of Victoria Park additional classrooms are now required. The original 1960s Kindergarten building has been deemed non-compliant for educational purposes with asbestos throughout the building and its location on site impedes the installation of further transportable classrooms and the necessary play space required.
- The ground lease was provided to the Department of Education to facilitate construction programs in various Town of Victoria Park schools by allowing students to be educated at 6-8 Planet Street, this approval continues to facilitate that outcome for the community.
- A formal letter has been received by The Department of Education expressing no intended future or current use of the existing building on the site because of cost prohibitive refurbishment, and that the demolition will allow additional play space for an enhanced experience for students. The letter also makes note of the most appropriate time frame for demolition and installation of the new classrooms to occur which is during the September/October school holidays to mitigate risks for the children.
- The Department of Education has currently fenced off the original 1960s Kindergarten building and does not allow children access due to health and structural concerns namely, the presence of asbestos in the building as identified in the Towns building assessment. Recently a sinkhole has opened up believed to be the old septic system, this has also been fenced and gated off and will be rectified as part of the demolition scope of works.
- As the land owner the Town is required to provide consent for the Approval to Commence Development Form 1’ which is attached to the report. All cost will be incurred by the Department of Education at no cost to the Town.

TABLED ITEMS:
 Nil

BACKGROUND:

The Council approved entering into a ground lease with the Department of Education for a five (5) year ground lease with a further five (5) year term in November 2017. The intent was to alleviate student accommodation pressures being experienced throughout the Town, and allow The Department of Education to undertake construction programs at existing schools. A temporary Kindergarten was approved and two transportable unit were installed. With continuing enrolments putting further pressure on schools within the Town of Victoria Park, the Department of Education are proposing to install an additional two transportable early learning classrooms, an office and three sheds, as well as a recommendation to demolition of the existing 1960s building.

The existing circa 1960s Kindergarten building was used as Carlisle Kindergarten School and then the Lathlain Playgroup which has since relocated. The site has been vacant since approximately 2015. When the Department of Education entered into the ground lease in 2017 they assessed the existing building and deemed it to be non-compliant for their current education standards, asbestos removal was required, structural improvements needed and new glazing required to meet Occupational Health and Safety requirements. The building has identified asbestos being the ceiling lining and floor tiles in most rooms which are reported in a Council Asbestos Management Plan.

The Department of Education original cost estimates were approximately \$250,000 to meet code compliant legislation requirements. Now with the additional transportable classrooms required, removing the building would allow more children to be educated and more space to play.

If demolition is supported, the Department of Education is aiming to have the works undertaken during the school holiday period commencing Saturday 22 September ending on Sunday 7 October to make sure there is no risk to the children or staff, this will also include rectification of the sinkhole which has opened up and is currently gated off.

The long term use of the site as a potential development opportunity as identified by The Land Asset Optimisation Strategy is also aligned to the demolition of the existing building.

An application for Approval to Commence Development has been received, and the Town is required to consent as the land owner.

DETAILS:

The subject site is located in the suburb of Carlisle, which is approximately 5km from the Perth Central Business District. The total land holding includes four allotments, being Lots 593 –596 (No. 6-8) Planet Street, with a total area of 3,543m². The land is zoned 'R30' and owned in freehold by the Town of Victoria Park.

The sites are generally bounded by Lathlain Oval to the North West, single and grouped residential dwellings to the west and a 'Parks and Recreation' reserve (Tom Wright Reserve) to the south west.

The lessor of the land being Department of Education has lodged an application for approval to commence development. The Town is required to consent as the land owner. The application is for the demolition of the existing 1960s Kindergarten building and the installation of two early learning class rooms, three sheds and 1 office.

The desire is to undertake works during the September/October school holiday period to mitigate any associated health risks to children and to limit the impact on the schooling term.

Site Details (all lots shown outlined in red)



Land Area	3,543m ²
Dimensions	<p>Rectangular site with an irregular north eastern boundary:</p> <ul style="list-style-type: none"> ▪ Roberts Road Frontage / NW - 54.3m; ▪ Planet Street / S - 67.5m; ▪ Rear / SE – 52.3m; ▪ Side / NE - 66.9m; and
Access	<ul style="list-style-type: none"> ▪ Dual Street Frontage to Roberts Road and Planet Street.
Services	<ul style="list-style-type: none"> ▪ Water - The subject lots are provided with reticulated water and sewer services. The water service infrastructure is located within the Roberts Road reserve; ▪ Sewer - Runs south east to North West along the rear boundaries of Lots 593 and 594; ▪ Power - The subject site is currently supplied with power. Underground power lines are located in Planet Street; ▪ Gas - It seems that the subject site is not currently connected to reticulated gas. Given that the required infrastructure is located in the road reserves of both Planet Street and Roberts Road the option of connection to reticulated gas appears viable; and

	<ul style="list-style-type: none"> ▪ Telecommunications - The subject site is connected to Telstra services and has the ability to be connected to the NBN with infrastructure located within Planet Street.
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Title Details

Plan	1740
Vol / Folio	2039 / 306
Registered Owner	Town of Victoria Park
Encumbrances	Nil.

Town Planning

The site has been used for Educational Purposes for a significant period of time. Advice from Council’s planning staff is that the use of the site for Educational Purposes can continue during the duration of the ground lease which is in line with the new request for demolition and installation of transportable classrooms.

Local Authority	Town of Victoria Park
Zoning	Carlisle Precinct: Residential Zone
Plot Ratio	Residential R30
Permitted Uses	<ul style="list-style-type: none"> ▪ Home office ▪ Single House, Group Dwelling, Aged or Dependant Persons’ Dwelling, Multiple Dwelling <p>Note: Multiple Dwellings are only permitted in areas coded R40 and above.</p>
Discretionary Use	<ul style="list-style-type: none"> ▪ Educational Establishment
Development Approvals	Nil.

The application for approval to commence development consent by landowner form 1 has been attached to this report for your perusal.

Legal Compliance:

Nil

Policy Implications:

The use of the site as an educational establishment is a discretionary use under the Town Planning Scheme. The Application is in line with the current use of the site as a Kindergarten.

Risk Management Considerations:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Community and Political				
Negative community response for the demolition.	Minor	Possible	Moderate	Communication Plan to be developed.
Environmental Impact and Sustainability				
Negative community response to potential loss of a tree.	Minor	Possible	Moderate	Communication Plan to be developed given benefits of early learning education for children.
Non sustainable development outcome	Moderate	Unlikely	Moderate	BCA sustainability requirements / Council approvals process. Buildings (demountable) are proposed to be temporary in nature
Asbestos risk to children and/or staff	Major	Possible	High	Demolition of the existing building during the school holiday period.

Strategic Plan Implications:

Social

S1 – A healthy community

S4 – A place where all people have an awareness and appreciation of arts, culture, education and heritage.

Financial Implications:

Internal Budget:

All costs will be incurred by the Department of Education at no cost to the Town.

Total Asset Management:

The subject sites improvements will no longer require maintenance by the Town.

Sustainability Assessment:

External Economic Implications:

Nil

Social Issues:

The continued use of the site as a temporary Kindergarten will provide a community benefit.

Cultural Issues:

The demolition of the 1960s Kindergarten building. The site is not heritage listed on either the State or Town heritage lists.

Environmental Issues:

The Town of Victoria Park Local Planning Policy contains provisions that are considered applicable to the undertaking of the works prescribed in the application to commence development.

COMMENT:

With the existing 1960s Kindergarten building impeding additional education facilities for 6-8 Planet Street and with the Department of Education's assessment deeming the building non-compliant with significant cost to refurbish and the associated Occupational and Safety Health issues, it appears appropriate as the land owner to support the application. This outcome will increase the access to education options for the community, increase the play space for the children and remediate the existing open sink hole.

CONCLUSION:

1. The Department of Education has an existing ground lease on 6-8 Planet Street to provide early learning education. Additional classrooms are now required and the original 1960s Kindergarten building has been deemed non-compliant for educational purposes.
2. The new classrooms will allow additional children to be educated at 6-8 Planet Street, this approval continues to facilitate that the original ground lease intended providing a benefit for the community of the Town of Victoria Park.
3. A formal letter has been received from the Department of Education expressing no intended future or current use of the 1960s Kindergarten building noting non-compliance and cost prohibitive refurbishment of approximately \$250,000, the demolition will also allow additional play space for an enhanced experience for students.
4. The Department of Education has currently fenced off the original 1960s Kindergarten building and does not allow children access due to health and structural concerns, recently a sinkhole has opened up and is believed to be the old septic system, this has also been fenced and gated off and will be rectified as part of the demolition scope of works.
5. The most appropriate time frame for demolition and installation of the new transportable classrooms to occur is during the 2018 September/October holidays to mitigate risks for the children.
6. As the land owner the Town is required to consent for the Approval to Commence Development Form 1 which is attached to the report.

ADDITIONAL COMMENTS:

At its Special Council Meeting held on 28 August 2018, Council resolved to defer this report item to the 11 September 2018 Ordinary Council Meeting to seek additional information.

The Special Council Meeting was called in order to get formal consent from Council, as the land owner, to progress the Department of Education’s development application to commence works on 6-8 Planet Street. The reason for needing consent from Council, as owner of the land, is two-fold: (1) that no delegation from Council to the Chief Executive Officer currently exists; and (2) that, based on previous experience (as outlined in Point 4 below), the issue is deemed to have enough community interest.

As such, the need to seek a formal Council resolution in the form of a Special Council Meeting have been based on the following points:

1. *Safety* – to ensure that the demolition was being conducted at the most ideal time given the presence of asbestos (i.e. during the wet weather);
2. *Timing* – to ensure that the ensuing works, as outlined in the development application, would meet the ideal time for demolition (as indicated above). This is supported through the Town’s project timeframe as outlined in Diagram 1 below;
3. *Transparency* – to ensure that community members that may be affected by these works are notified and are provided with a reason for the decision; and
4. *Precedence* – taking into account levels of community interest, and Council’s previous resolution to formally endorse the Chief Executive Officer’s ability to approve demolition, as part of the Lathlain Precinct Redevelopment Project in August 2017, it was deemed appropriate to take a similar approach.

6-8 Planet Street demolition and installation of classrooms	Sept 11 th 2018	Sept 12 th 2018	Sept 13 th – 15 th 2018	Sept 15 nd – Sept 22 nd 2018	Sept 22 nd – 1 st Oct 2018	Oct 1 st – 7 th Oct 2018	Christmas Holidays
Council Approval							
Land Owner Consent							
BMW to lodge Form n1							
DoE to receive the application							
Hard copy forwarded to ToVP							
*ToVP provide comments to BMW (7days)							
*Demolition permit (10 days)							
*Building Permit (10 days)							
Demolition Works (Spring holidays)							
Building Works (Christmas Holidays)							

*Note these are the maximum times it can be less than this.

Diagram 1

The urgency of this Council item is to achieve demolition during the Sept/Oct school holiday period so there is no disturbance to the staff and children, and so the demolition and the construction can occur in two separate holiday periods. It is also a more pragmatic time to demolish than summer due to dust control; this is especially significant due the

asbestos removal associated with the demolition works. It should be noted that in order to mitigate any risks associated with the presence asbestos, any removal will be conducted in line with the Town's Asbestos Management Plan. This document is available upon request.

In terms of the development approval process, approval is not required from the Town under Town Planning Scheme No. 1, and instead development approval is required under the Metropolitan Region Scheme (MRS) from the WAPC, although the Deputy Director General, Building Management and Works has been delegated the power to determine such applications on behalf of the WAPC.

Should the Town give consent to sign the application form, as owner of the land, the following process should be noted (as shown in Diagram 2):

Under the provisions of the Metropolitan Region Scheme this application requires determination by the Western Australian Planning Commission. Under delegation instrument DEL 2009/02 Powers of Officers (Department of Finance) (as amended), the Deputy Director General, Building Management & Works (BMW), Department of Finance (DoF) is authorised to determine this application on the Commission's behalf.

The process under which the application is being assessed is as follows (also, see WAPC Planning Bulletin 96):

- 1. Pre-application consultation is undertaken with local government to identify in advance any issues that are likely to be raised by the pending development application.**
- 2. Each development application will be lodged with BMW on the Metropolitan Region Scheme Form 1.**
- 3. Upon the receipt of a development application signed by DoE, BMW will forward an electronic copy of the development application to the relevant local government. A hard copy of the development application will also be forwarded to the local government.**
- 4. The local government has seven working days from the date of receipt of the electronic development application to provide its comments to BMW. (Formal referral).**
- 5. The authorised officer may determine the development application upon the expiration of the seven day period, regardless of whether the local government has provided its comments.**

Diagram 2

Potential issues that will be assessed as part of the formal development application process include the provision of car parking to serve the additional classrooms, and the location and setback of the proposed buildings relative to the adjacent residential properties.

It should also be noted that should a development approval be issued for the works, then there will also be a need for the issuing of both a demolition permit to demolish the existing building, as well as a building permit to construct the new building. Both of these permits would be issued by the Department of Finance, Building Management and Works, within a period of up to 10 days.

With the Town continuing to facilitate education over flow to occur at 6-8 Planet Street Carlisle, the ground lease has allowed the progress of a business case by Department of Education to Treasury seeking funding in the 19/20 financial year. This will allow construction at Victoria Park Primary School to begin in 2020 providing a permanent solution to the current capacity issues. This will allow the current generation of children and future generations of the Community of Victoria Park to have increased education infrastructure in the Town.

All other matters regarding school management issues are the responsibility of the Department of Education and questions are to be directed to them.

Additional concerns raised at the Special Council Meeting included the building's significance to the community. In response to this, the Town has received historical information from the community which, on request, has been included as additional information and is outlined below:

6 to 8 Planet Street, Carlisle (was Victoria Park) was resumed in 1947 from the deceased estate of James Thomas Peet for \$160 pounds by the City of Perth specifically for kindergarten purposes and immediately gazetted in the WA Government Gazettes 23rd May 1947 p.897. It took 14 years to get a building onsite with lobbying and support by Cr Harold Hawthorne and Mothers Club in the area and funding by Carlisle Community Centre Association, Lotteries Commission and the City of Perth. It was officially opened by City of Perth Lord Mayor Harry Howard on 30th September 1961 and operated under Lathlain Primary School until December 2010 for 49 years. After that it was used by Movies by Burswood (now called Telethon Community Cinemas) and then Lathlain Playgroup for three years till December 2016.

FURTHER COMMENTS:

In consideration of the questions raised in the Elected Members Briefing Session on the 4 September 2018, retaining the Fairy Garden has been directly expressed to the demolition contractor and has been stated as being of significant community interest and to protect as much as possible during the works.

The request for six (6) new trees to be planted throughout the town if any trees have to be removed will be managed by the Town through the approvals process with the Development Application when lodged. A potential 40km speed limit to be introduced surrounding the Kindergarten at 6-8 Planet street will need to be discussed by the Manager of Street Improvement with Main Roads WA.

A professional photographer has been booked to capture the old Kindergarten building, this will help document the history of the building and provide additional visual information to complement the historical details provided to the Town by the Community.

The traffic management issues that were raised especially with regard to parking will be managed through the Town's approval process with the parking requirements to be worked through with Department of Education to facilitate a solution.

There was some commentary regarding the lack of consultation with neighbours prior to the installation of first demountables onsite to inform the community of the Town's approach. It has been confirmed that prior to the demountable classrooms being installed, all adjoining owners were door-knocked and hand delivered a letter (if they were home) and asked if they had any concerns or issues. Otherwise the letter was placed in their letterbox. The letter made them aware of the decision at the Ordinary Council Meeting 14 November 2017 endorsing the ground lease to Department of Education, and the installation of two demountable classrooms for approximately 50 children. Any issues and concerns were recorded and a follow up phone call was made.

The concerns raised were directly emailed to Department of Education who investigated and addressed them, where possible. A site visit was undertaken 5 September 2018 to ensure these issues had been resolved. The Department of Education then worked directly with those who expressed concerns to resolve any issues conveyed.

The Town also provided FAQs and a public notice on the website which will also form the basis for a communications plan that has been developed in advance of a decision supporting this report's recommendation.

RECOMMENDATION/S:

That Council consents to the signing of the Application for Approval to Commence Development by the Chief Executive Officer, on behalf of the Town, as the owner of the land for 6-8 Planet Street which includes the demolition of the existing 1960s building and shed, and the installation of two transportable early learning classrooms, one office and three additional sheds.

13 CHIEF FINANCIAL OFFICER REPORTS

There are no reports from the Chief Financial Officer.

14 COMMITTEE REPORTS

FINANCE AND AUDIT COMMITTEE

14.1 Recommendation from Finance and Audit Committee - Schedule of accounts for 31 July 2018

File Reference:	FIN/11/0001~09
Appendices:	Payment Summary – July 2018
Attachments:	No

Date:	16 August 2018
Reporting Officer:	A. Thampoe
Responsible Officer:	N. Cain
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation - That Council, acknowledges the Schedule of Accounts paid for the month ended 31 July 2018.

- The accounts paid for 31 July 2018 as included in the appendices.
- Direct lodgement of payroll payments to the personal bank accounts of employees are also included.

TABLED ITEMS:

Nil.

BACKGROUND:

Council has delegated to 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*.

Under Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the Municipal fund or the Trust fund, each payment from the Municipal fund or the Trust fund 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; and
- d) Sufficient information to identify the transaction.

That 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.

DETAILS:

The list of accounts paid in accordance with *Regulation 13(1) of the Local Government (Financial Management) Regulations 1996* is contained within the Appendices, and is summarised as thus -

Fund	Reference	Amounts
Municipal Account		
Automatic Cheques Drawn	608390 - 608413	58,214
Creditors – EFT Payments		3,654,377
Payroll		1,106,060
Bank Fees		4,931
Corporate MasterCard		9,382
		4,832,964
Trust Account		
Automatic Cheques Drawn	3590 – 3594	8,340
		8,340

Legal Compliance:

Section 6.10 (d) of the Local Government Act 1995 refers, ie.-

6.10. Financial management regulations

Regulations may provide for —

(d) the general management of, and the authorisation of payments out of —

(i) the municipal fund; and

(ii) the trust fund,

of a local government.

Regulation 13(1), (3) & (4) of the Local Government (Financial Management) Regulations 1996 refers, ie.-

13. Lists of Accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

(a) the payee’s name;

(b) the amount of the payment;

(c) the date of the payment; and

(d) sufficient information to identify the transaction.

(3) A list prepared under subregulation (1) is to be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and

(b) recorded in the minutes of that meeting.

Policy Implications:

Nil.

Risk Management Considerations:

Three risks have been identified as outlined.

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Compliance: Council not accepting Schedule of Accounts	Moderate	Unlikely	Moderate	Provide reasoning and detailed explanations to Council to enable informed decision making.
Financial Impact: Misstatement or significant error in Schedule of Accounts	Major	Unlikely	Moderate	Daily and monthly reconciliations. Internal and external audits.
Financial Impact: Fraud and illegal acts	Catastrophic	Rare	Moderate	Stringent internal controls. Internal audits. Segregation of duties

Strategic Plan Implications:

CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community.

CL 10 – Legislative responsibilities are resourced and managed appropriately, diligently and equitably.

Financial Implications:

Internal Budget:

Nil.

Total Asset Management:

Nil.

Sustainability Assessment:

External Economic Implications:

Nil.

Social Issues:

Nil.

Cultural Issues:

Nil.

Environmental Issues:

Nil.

COMMENT:

All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures and it is therefore recommended that the Committee recommend to the Council to accept and confirm the payments, as included in the appendices.

In anticipation that the Committee will ask questions about the schedule of accounts, please note that these questions and answers will be included in the appropriate Elected Members Briefing Session agenda and Ordinary Council Meeting agenda.

FURTHER COMMENT:

The members of the Finance and Audit Committee discussed the report at length, seeking further information on a number of payments made in July 2018. The following list represents the questions and answers associated with the request for further information.

- City of Armadale - Printing services - \$8,986.03 and \$169.59
The larger value shown is a long service leave recoup from the City of Armadale and will be corrected to show this. The smaller amount is for the production of banners produced for the foyer of the administration building.
- Connect Victoria Park - Grant CCTV Partnership Program - \$4,316.84
This payment is for six CCTV Partnership Program grants covering multiple locations ranging from \$696 to \$750.
- Downer Engineering Power - Service - \$4,698.10
This payment relates to the scheduled six-monthly service to security systems at the administration facility, Digital Hub, Aqualife, Leisurelife, Victoria Park Library and the depot. The description will be amended to better reflect the services provided.
- Galactic Co-operative - Equipment Supply and Repair - \$7,865.00
Galactic Co-operative (trading as Svelto Bikes) provided electric bicycles to the Town, replacing two that were recently stolen.
- Green Skills - Environmental Services - \$16,093.00
Green Skills Inc. were engaged to plant 7,000 tube stock plants into George Street Reserve, Kensington.
- Hoskins Investments - Construction Services - \$10,202.91, \$54,688.47 and \$544.50
Hoskins Investments (trading as AE Hoskins and Sons) renewed the Depot Mechanical Facility in the 2017-2018 financial year.
- Interconnect IT Solutions - Equipment Supply and Repair - \$12,733.00
The payment listing relates to two separate components. The first and largest component is for the Town's Adobe license subscription. The second and lesser component is for a series of USB chargers.

- LGIS Broking - Insurance - \$102,341.66

This payment to LGIS Broking (as part of the LGISWA) is for multiple premiums including worldwide travel insurance, personal accident insurance, marine cargo insurance, worldwide management liability insurance, journey injury insurance, cyber liability insurance, contingency insurance and motor vehicle insurance.

LGIS Broking, a subsidiary of LGISWA, purchase insurance on behalf of the Town through insurers other than the LGISWA Local Government Insurance Scheme.

- LGISWA - LG Insurance - Insurance - \$330,899.46

This payment is for multiple premiums including workers' compensation insurance (instalment one of two), crime insurance, public liability insurance (instalment one of two) and property insurance (instalment one of two).

Insurance purchased through LGISWA is part of the Town's membership of the LGISWA Local Government Insurance Scheme.

- Miss N Anson - Staff Payments and Reimbursements - \$5,220.00

This payment forms part of Miss Anson's conditions of employment with the Town.

- Ms S Alexander - Contributions - \$200.00

This payment relates to the Kidsport program. The listing will be edited to reflect this.

- Oxfords Carpentry - Construction Services - \$34,628.00

Oxfords Carpentry were engaged to renovate the kitchen area at the Higgins Park Tennis Clubroom facility.

- Roger Henshaw Consulting - Library Services - \$30,800.00

At least once every five years, each service area of the Town undergoes an operational review by an external party to ensure the Town's services are providing value for money for the community. Roger Henshaw Consulting was engaged to conduct the Library Services operational review.

- Airey Taylor – Audit services

This relates to payment for the audit and core survey on the 50 metre outdoor pool at Aqualife, to determine its structural integrity.

- Crocker —Construction services

This payment was for the construction of a footpath extension along Victoria Park Drive, as per the approved capital works program.

- Dimension —Training

*This payment is for training for internal staff in the following areas:
\$6,270.00 – Prince2 project management training
\$3,663.00 - IT helpdesk function training*

- With regards to the payment of grants to community members that regularly feature in the accounts paid listing, will the new grants policy exempt staff and elected members from receiving grants from the Town?

Yes, the new policy excludes elected members, staff and their immediate family members from applying for grants.

- Have funds for the Security Incentive Scheme and CCTV rebate program been included in the 2018-2019 annual budget?

Funds have been included in the 2019 budget for the Security Incentive Scheme. The CCTV program is not being offered this financial year due to budget cuts requested of the Community Development service area. Payments appearing on the July payment summary are in relation to applications received in the 2017/18 financial year, and have been costed accordingly.

- Will the Town be in a position where they have to negotiate a deal for impounded shopping trolleys with companies that own them in the 2018/19 financial year?

The Town has taken several steps to improving our processes and communication with retailers to foster better partnerships, in an effort to not be in this position again. Some of the actions taken include:

- *fees and charges for this financial year being amended to a \$50 impound fee only per trolley, with no daily fee;*
- *continual dialog with retailers;*
- *better recording of abandoned trolleys;*
- *Ranger Services being measured on the response times for trolleys being collected; and*
- *ensuring any trolleys due for disposal is dealt with in a timely manner (sell or dispose of them).*

Our working relationship with the retailers is the best it has ever been.

Currently, retailers are picking up their trolleys within 24 hours, as soon as advised. We have not had to impound a trolley this financial year and do not anticipate having to negotiate a deal for the release of trolleys because of actions listed above.

- The payments to LGIS Broking and LGISWA Insurance are both described as insurance payments. Is this the total annual insurance premiums the Town pays? Why does the Town pay separately to LGIS Broking if that is a part of LGISWA?

Payments to LGIS Broking and LGISWA Insurance are the combination of the full suite of the Town's insurance policies. Payments to LGIS Broking are for policies that are obtained by LGISWA, but are through external insurers (LGIS are acting on our behalf). The payments direct to LGISWA are for the premiums in which they insure directly – public liability, worker's compensation, property and crime, through the Local Government Insurance Scheme.

There will be another group of payments in the second half of this financial year, which relate to the second instalment of payments for property, worker's compensation and public liability policies.

- On 24 August, a letter was sent to all WA Elected Members from Ricky Burges of WALGA providing answers to the Sunday Times regarding the insurance arrangements of local governments using LGISWA. One of the questions asked by the Sunday Times was “*Did all LGIS scheme members receive a premium discount in the same proportion as that obtained by councils who went out to tender for their insurance for 2018/2019?*” The answer given does not appear to me to answer this question. Instead the answer says “... *all LGs that are members of the LGIS scheme received the same proportionate reduction in their contributions as a consequence of the Contribution Reduction Program endorsed by the LGIS Board and WALGA State Council, which is a program intended to provide contribution reductions to all scheme members over at least the next 4 years*”. Could you advise whether the Town’s insurance premiums for the 2018/2019 year were less than the previous year, and if so, did you understand that was due to this Contribution Reduction Program WALGA is referring to?

LGISWA were contacted to provide the appropriate terminology and response to this question. The response, as received, is as follows:

“The Contribution Reduction Program from scheme surpluses was initiated last fund year (2017/18), which contributed to the Town of Victoria Park’s LGIS Scheme membership contributions reducing by \$156,719, or 22%. As the LGIS Scheme is about giving members competitive costs of cover over the long term, rather than short-term “specials” associated with the commercial insurance market, the board adopted a strategy whereby the contribution credit will similarly apply over each of the next three years, for all scheme members. As such, for 2018/19, the Town of Victoria Park’s LGIS Scheme membership contributions increased marginally (4.6%) on 2017/18, but still 18% less than 2016/17.

The credits available to members varies based on contribution to claims ratio, therefore each member gets a fair share of the distribution. Any additional savings in costs a member may experience will include factors such as member risk appetite for certain aspects of the scheme e.g. different risk pricing methodologies on workers compensation.”

RECOMMENDATION/S FROM THE FINANCE AND AUDIT COMMITTEE:

That Council, pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996 (as amended)*, confirm:

1. **The accounts paid for 31 July 2018 as included in the appendices, subject to minor amendments being made to the descriptions of payments to the following:**
 - 1.1 **City of Armadale – description changed to read long service leave recoup;**
 - 1.2 **Downer Engineering Power – description changed to read security system monitoring**
 - 1.3 **Ms S Alexander – description changed to read Kidsport program ; and**
2. **Direct lodgement of payroll payments to the personal bank accounts of employees.**

**14.2 Recommendation from the Finance and Audit Committee -
Financial statements for the month ending 31 July 2018**

File Reference:	FIN/11/0001~09
Appendices:	No
Attachments:	Yes

Date:	21 August 2018
Reporting Officer:	A. Thampoe
Responsible Officer:	N. Cain
Voting Requirement:	Simple majority

Executive Summary:
Recommendation - That Council, accepts the Financial Activity Statement Report – 31 July 2018, as attached to and forming part of this report.

- The Financial Activity Statement Report is presented for the month ending 31 July 2018. The report complies with the requirements of Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*.

TABLED ITEMS:

Nil.

BACKGROUND:

Each month officers are required to prepare monthly financial reports, covering prescribed information, and present these to Council for acceptance.

DETAILS:

Presented is the Financial Activity Statement Report – 31 July 2018.

Please note -

The financial information as shown in this report does not include a number of end-of-financial year adjustments that are still yet to occur, as well as the final approval by the Auditor for the 2017-2018 financial year. The figures stated as opening balances for the 2018-2019 financial year should therefore not be taken as the Town's final financial position.

Revenue

Operating Revenue and Non-Operating Revenue – Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment has been provided.

Expense

Operating Expense, Capital Expense and Non-Operating Expense – Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment has been provided.

For the purposes of explaining each material variance, a three-part approach has been applied. The parts are –

1. **Period Variation**
Relates specifically to the value of the variance between the Budget and Actual figures for the period of the Report.
2. **Primary Reason(s)**
Explains the primary reason(s) for the period variance. Minor contributing factors are not reported.
3. **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, for circumstances may subsequently change prior to the end of the financial year.

Legal Compliance:

Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996* states –

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) *budget estimates to the end of the month to which the statement relates;*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
 - (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
 - (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*

- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

Section 6.8 of the *Local Government Act 1995* (Expenditure from municipal fund not included in annual budget) states –

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
 - (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*;* or
 - (c) *is authorised in advance by the Mayor or president in an emergency.*

** Absolute majority required.*

(1a) *In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.*

- (2) *Where expenditure has been incurred by a local government —*
 - (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Policy Implications:

Nil.

Risk Management Considerations:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Financial Impact: Council not accepting budget amendment recommendation	Moderate	Unlikely	Moderate	Provide reasoning and detailed explanations to Council to enable informed decision making.
Compliance: Financial statement not complying with the requirements of the <i>Local Government (Financial Management) Regulations 1996</i>	Moderate	Unlikely	Moderate	Internal review of monthly Financial activity statement. External audits of monthly financial statements.

Financial impact: Misstatement or significant error in financial statements	Major	Unlikely	Moderate	Daily and monthly reconciliations. Internal and external audits.
Financial Impact: Fraud and illegal acts	Catastrophic	Rare	Moderate	Stringent internal controls. Internal audits. Segregation of duties.

Strategic Plan Implications:

CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community.

CL 10 – Legislative responsibilities are resourced and managed appropriately, diligently and equitably.

Financial Implications:

Internal Budget:

The Statement of Financial Activity, as contained in the body of the Financial Activity Statement Report, refers and explains.

Total Asset Management:

Nil.

Sustainability Assessment:

External Economic Implications:

Nil.

Social Issues:

Nil.

Cultural Issues:

Nil.

Environmental Issues:

Nil.

COMMENT:

It is recommended that the Financial Activity Statement Report – 31 July 2018 be accepted.

CONCLUSION:

The Financial Activity Statement Report – 31 July, complies with the requirements of Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*. It is therefore recommended that the Financial Activity Statement Report – 31 July be accepted.

FURTHER COMMENT:

The members of the Finance and Audit Committee sought clarification on the following items:

- The revenue for Parking shows a \$70,000 better than budget position for the period being reported, which seems quite significant. Is this going to occur each month?

The report is for a single month and so no trend data can be determined at this time. Increased infringements resulting from Optus Stadium and a full complement of Parking Officers may be impacting this financial position. Officers will continue to monitor this item to determine the need for any budget amendment.

- The cash invested between last month and this month is different, why is this?

Cash invested is assessed on a daily basis and measured against the operational needs. Some months this will increase, and some months this will decrease.

- Why has sundry debtors increased from this time last month? Is this from property rent for current leases and grants and subsidies?

Sundry debtors is a constantly changing value. We invoice people / organisations and they pay the Town promptly, or not. This is then displayed in the Aged Sundry Debtors table. By way of example:

Grants and Subsidies

Grants and Subsidies at 30 June 2018 totalled \$334,400.

Amounts raised in July 2018 totalled \$578,512.

Amounts received in July 2018 totalled \$356,400.

Grants and Subsidies at 31 July 2018 totalled \$556,512.

RECOMMENDATION/S FROM THE FINANCE AND AUDIT COMMITTEE:

That Council, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, accepts the Financial Activity Statement Report – 31 July 2018 as attached to, and forming part of, this report.



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Reserve Funds

Capital Items

Statement of Financial Activity Variances

Material Variances Defined

For the purposes of reporting the material variances in the Statement of Financial Activity (by Service Unit) (as contained in this document), the following indicators, as resolved, have been applied –

Revenues (Operating and Non-Operating)

Service Unit material variances will be identified where, for the period being reviewed, the actual varies to budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment will be provided.

Expenses (Operating, Capital and Non-Operating)

Service Unit material variances will be identified where, for the period being reviewed, the actual varies to budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment will be provided.

Before commenting on each of the specific material variances identified it is important to note that, whilst many accounts will influence the overall variance, only those accounts within the affected Service Unit that significantly contribute to the variance will be highlighted.

For the purposes of explaining each variance, a multi-part approach has been taken. The parts are –

1. Period Variation – Relates specifically to the value of the variance between the Budget and Actual figures for the period being reviewed.
2. Primary Reason – Explains the primary reasons for the period variance. As the review is aimed at a higher level analysis, only major contributing factors are reported.
3. Budget Impact – Forecasts the likely \$ impact on the year end surplus or deficit position. It is important to note that values in this part are indicative only at the time of reporting, for circumstances may subsequently change.

Material Variances Explained

The Financial statements are presented based on the new organisational structure

As shown in the in the Statement of Financial Activity (contained within this document), the following variances have been identified -

Revenue

Chief Executive Officer

No material variance to report

Community Planning

No material variance to report

Finance

- **Parking**

- The period variation is favourable to period budget by \$70,469.
- The variation predominantly relates paid parking and infringement income which is greater than same time last year.
The impact on the year end position is an increase in revenue of \$70,469

Operations

No material variance to report

Operating ExpenseOperations

- **Parks and Reserves**

- The period variation is favourable to period budget by \$102,248.
- The variation predominantly relates to delays in works due to weather. Tree maintenance has been delayed due to safety of power line pruning works and tree removal in inclement weather. Programmed kerb and footpath spraying has also been delayed due to weather. Parks sumps maintenance, mowing works delayed due to lack of growth from cold weather.
- The impact on the year end position is Nil. as this is a timing variance.

Capital ExpenseChief Executive Office

No material variance to report.

Community Planning

No material variance to report.

Finance

No material variance to report.

Operations

No material variance to report.

Non-Operating RevenueFinance

No material variance to report.

Operations

No material variance to report.

Non-Operating Expenses

Finance

No material variance to report.

Proposed Budget Amendments

No budget amendments to report

Accounting Notes

Significant Accounting Policies

The significant accounting policies that have been adopted in the preparation of this document are:

(a) Basis of Preparation

The document has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations.

The document has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this document.

In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) have been eliminated.

(c) 2018 - 2019 Actual Balances

Balances shown in this document as 2018 - 2019 Actual are subject to final adjustments.

(d) Rounding Off Figures

All figures shown in this document, other than a rate in the dollar, are rounded to the nearest dollar.

(e) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(f) Superannuation

The Council contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Council contributes are defined contribution plans.

(g) Goods and Services Tax

Revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables in the statement of financial position are stated inclusive of applicable GST. The net amount of GST recoverable from, or payable to, the ATO is included with receivables on payables in the statement of financial position. Cash flows are presented on a Gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(h) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits held at call with banks, other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and that are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are shown as short term borrowings in current liabilities.

(i) Trade and Other Receivables

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(j) InventoriesGeneral

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land purchased for development and/or resale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Revenue arising from the sale of property is recognised as at the time of signing an unconditional contract of sale. Land held for resale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(k) Fixed Assets

Each class of fixed asset is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Initial Recognition

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost, or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Council and the cost of the item can be measured reliably. All other repairs and maintenance are recognised as expenses in the period in which they are incurred.

Revaluation

Certain asset classes may be re-valued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes, where no active market exists, fair value is determined to be the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits of the asset. Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity; all other decreases are recognised in profit or loss. Any accumulated depreciation at the date of revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the re-valued amount of the asset.

Those assets carried at a re-valued amount, being their fair value at the date of revaluation less any subsequent accumulated depreciation and accumulated impairment losses, are to be re-valued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

Land Under Roads

In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government. Council has elected not to recognise any value for land under roads acquired on or before 31 July 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16 (a) (i) prohibits local governments from recognising such land as an asset. In respect of land under roads acquired on or after 1 August 2008, as detailed above, Local Government (Financial Management) Regulation 16 (a) (i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4 (2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail. Consequently, any land under roads acquired on or after 1 September 2008 is not included as an asset of the Council.

Depreciation of Non-Current Assets

All non-current assets having a limited useful life (excluding freehold land) are systematically depreciated over their useful lives in a manner that reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the asset is completed and held ready for use. Depreciation is recognised on a straight-line basis, using rates that are reviewed each reporting period. Major depreciation periods are:

Buildings		40 years
Furniture and Equipment		5 – 10 years
Plant and Machinery		2 – 10 years
Sealed Roads	- Clearing and Earthworks	Not depreciated
	- Construction and Road Base	5 – 80 years
	- Original Surface / Major Resurface	5 – 80 years
Drainage		5 – 80 years
Pathways		5 – 80 years
Parks and Reserves		5 – 80 years

Asset residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period. An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount. Gains and losses on disposals are determined by comparing proceeds with the carrying amount. When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained earnings.

Capitalisation Threshold

Expenditure on capital items under \$2,000 is not individually capitalised. Rather, it is recorded on an Asset Low Value Pool listing.

(I) Financial InstrumentsInitial Recognition and Measurement

Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (i.e. trade date accounting is adopted). Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.

Classification and Subsequent Measurement

Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method or cost. Fair value represents the amount for which an asset could be exchanged or a liability settled, between knowledgeable, willing parties. Where available, quoted prices in an active market are used to determine fair value. In other circumstances, valuation techniques are adopted.

Amortised cost is calculated as:

- a. the amount in which the financial asset or financial liability is measured at initial recognition;
- b. less principal repayments;

- c. plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method; and
- d. less any reduction for impairment.

The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

Financial assets at fair value through profit and loss

Financial assets at fair value through profit or loss are financial assets held for trading. A financial asset is classified in this category if acquired principally for the purpose of selling in the short term. Derivatives are classified as held for trading unless they are designated as hedges. Assets in this category are classified as current assets.

Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current. They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

Available-for-sale financial assets

Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain, or loss, pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other financial assets are classified as non-current.

Financial liabilities

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost.

Impairment

At the end of each reporting period, the Council assesses whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether impairment has arisen. Impairment losses are recognised in profit or loss. Any cumulative decline in fair value is reclassified to profit or loss at this point.

Derecognition

Financial assets are derecognised where the contractual rights for receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

(m) Impairment

In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired. Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116). For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset. At the time of adopting the Annual Budget, it was not possible to estimate the amount of impairment losses (if any) as at 31 July 2018. In any event, an impairment loss is a non-cash transaction and consequently, has no impact on the Annual Budget.

(n) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

(o) Employee Benefits

Provision is made for the Council's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits that are expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled.

Employee benefits payable later than one year have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases and the probability that the employee may not satisfy vesting requirements. Those cash flows are discounted using market yields on national government bonds with terms to maturity that match the expected timing of cash flows.

(p) Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(q) Provisions

Provisions are recognised when:

- a. The Council has a present legal or constructive obligation as a result of past events;
- b. for which it is probable that an outflow of economic benefits will result; and
- c. that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

(r) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non-current based on the Council's intentions to release for sale.

(s) Comparative Figures

Where required, comparative figures have been adjusted to conform to changes in presentation for the current reporting period.

(t) Budget Comparative Figures

Unless otherwise stated, the Budget comparative figures shown in this Budget document relate to the original Budget estimate for the relevant item of disclosure.

Service Unit Definitions

The Town operations, as disclosed in this report, encompass the following service-oriented Service Units –

Chief Executive Office

Chief Executive Office

The Chief Executive Office leads and supports the transformation of the organisation into a customer-focused, culturally constructive, legislatively compliant, sector-leading entity, with a primary focus on the Service Areas within the Chief Executive Office functional area.

Communications and Engagement

Communications and Engagement manages the brand and reputation of the Town. This is achieved through developing clear and accessible messaging, consulting with the community, delivering key messages through various channels and working to reach the appropriate audiences through strategically executed marketing, engagement and communication planning..

Customer Relations

Customer Relations manages the Customer Service Contact Centre, which is the first point of contact for the organisation, and monitors performance against the Town's Customer Service Charter.

Leadership and Governance

The Leadership and Governance Service Area is committed to responsibly managing the Town on behalf of the residents and ratepayers of the District through collaboration, knowledge-sharing and good governance.

Human Resources

Human Resources is responsible for the development and implementation of occupational health and safety compliance, staff development, employee relations, recruitment and payroll services of the Town.

Community Planning

Building Services

Building Services provide services to ensure buildings are safe, liveable, accessible and sustainable, and meet statutory requirements.

Community Development

The Community Development team's vision is an empowered Victoria Park, which will be achieved through the mission of community capacity building.

Community Planning Office

The Community Planning Office leads and supports the transformation of the organisation into a customer-focused, culturally constructive, legislatively compliant, sector-leading entity, with a primary focus on the Service Areas within the Community Planning functional area.

Digital Hub

The Digital Hub provides free digital literacy and online training for the local community, not-for-profit organisations and local business operators.

Economic Development

Economic Development seeks to increase the economic growth of the district through fostering business attraction and retention, tourism, marketing, community initiatives and creating robust relationships.

Environmental Health

Environmental Health seeks to promote good standards of public health via the many hospitality outlets in the area and the community in general.

General Compliance

The General Compliance Area liaise with and direct property owners and developers to ensure built-form building and planning requirements are adhered to at all times.

Healthy Community

The Healthy Community team connect people to services, resources, information, facilities, and experiences that enhance their physical and social health and wellbeing.

Library Services

Library Services plays a pivotal role in providing our community with access to resources, knowledge and technology in a safe, nurturing environment.

Place Management

The Place Management Service Area implements programs, that are suitable for the particular targeted section of the community, to improve places within the District or, where the community is satisfied with the standard of operation, to maintain the already attained standard.

Strategic Town Planning

Strategic Town Planning develops strategies for the future growth of the Town, with the aims of creating a vibrant community and improving the quality of life for residents.

Urban Planning

Urban Planning assesses applications for development approval and subdivision, provides advice to the community and ensures land is appropriately used and developed.

Finance

Aqualife

The Aqualife Centre aims to improve community health and wellbeing; and to provide a safe and welcoming environment for the community to meet and socialise, primarily through aquatic recreation.

Budgeting

The Budgeting Area includes the administration of non-cash expenditure and revenue associated with local government accounting requirements, including profit and loss and depreciation.

Corporate Funds

The Corporate Funds are includes the management of loans, reserve fund transfers, restricted and trust funds, rate revenue and corporate grants funding.

Finance Office

The Finance Office leads and supports the transformation of the organisation into a customer-focused, culturally constructive, legislatively compliant, sector-leading entity, with a primary focus on the Service Areas within the Finance functional area.

Financial Services

The key role of Financial Services is to manage and control the Town's finances in a sound and prudent manner.

Information Systems

Information Systems assists the Town in operating efficiently with the smooth running of essential business computer programs and systems.

Leisurelife

The Leisurelife Centre aims to improve community health and wellbeing, and to provide a safe and welcoming environment for the community to meet and socialise, primarily through active recreation.

Parking

The Parking Management section guides future parking initiatives within the Town, ensuring equitable access for everyone, whilst also monitoring existing parking areas and ensuring a safer community.

Rangers

Ranger Services offer a 24 hours-a-day / 7 days-a-week service to help ensure community safety in the areas of Dog and Cat management and Local Law enforcement.

Operations

Asset Planning

Asset Planning provides services to manage and maintain Council facilities and their related assets.

Environment

The Environment Area is committed to preserving and enhancing natural areas and recognises not only the ecological benefits of protecting natural assets, but also the social and recreational benefits as well.

Fleet Services

Fleet Services oversees the various items of light fleet, heavy fleet and plant and equipment.

Operations Office

The Operations Office leads and supports the transformation of the organisation into a customer-focused, culturally constructive, legislatively compliant, sector-leading entity, with a primary focus on the Service Areas within the Operations functional area.

Parks and Reserves

The Parks and Reserves Section delivers high quality horticultural works to parks, reserves and streetscapes.

Project Management

Project Management assists in improving the standards of project management and project delivery, and delivers nominated projects on behalf of the Town.

Street Improvement

Street Improvement provides engineering advice, design, planning, and road safety initiatives.

Street Operations

Street Operations ensure the maintenance and renewal of roads, pathways, drainage and associated assets.

Waste

Waste Management implements waste collection, minimisation and disposal in a sustainable manner.



*Statement of Financial Activity
For the period 1 July 2018 to 31 July 2018*

Particulars	\$	Material Variance		31 July 2018		
				Revised Budget	Year-to-Date Budget	Year-to-Date Actual
		\$	\$	\$		\$
Revenue						
Chief Executive Office			55,000	4,250		403
Chief Executive Office			50,500	4,210		159
Communications and Engage			1,000	0		0
Customer Relations			0	0		0
Human Resources			3,000	0		164
Leadership and Governance			500	40		80
Community Planning			1,353,000	96,960		140,046
Building Services			370,500	33,680		42,921
Community Development			268,500	497		7,181
Community Planning Office			1,000	0		80
Digital Hub			1,500	0		0
Economic Development			0	0		0
Environmental Health			282,000	23,630		20,326
General Compliance			10,000	0		1,144
Healthy Community			27,500	2,290		5,247
Library Services			31,500	1,905		4,037
Place Management			0	0		0
Strategic Town Planning			1,000	0		0
Urban Planning			359,500	34,958		59,109
Finance			57,733,500	46,379,211		46,420,285
Aqualife			2,182,500	165,360		180,164
Budgeting			1,622,500	14,800		0
Corporate Funds			48,124,500	45,684,700		45,667,956
Finance Office			1,000	0		80
Financial Services			747,500	42,250		35,217
Information Systems			2,000	160		140
Leisurelife			2,205,500	190,804		182,143
Parking	70,469	▲	2,734,000	277,837		348,306
Ranger services			114,000	3,300		6,280
Operations			9,611,000	1,629,997		1,649,048
Asset Planning			1,004,500	79,545		66,319
Environment			0	0		0
Fleet Services			10,500	0		7,130
Operations Office			2,002,500	0		80
Parks and Reserves			3,151,000	306,910		303,530
Project Management			0	0		102
Street Improvement			10,500	876		20,080
Street Operations			2,640,500	500,166		505,124
Waste Services			791,500	742,500		746,683
Total Revenue			68,752,500	48,110,418		48,209,782



Statement of Financial Activity
For the period 1 July 2018 to 31 July 2018

Particulars	Material Variance		31 July 2018		
	\$	%	Revised Budget \$	Year-to-Date Budget \$	Year-to-Date Actual \$
Operating Expense					
Chief Executive Office			(4,403,000)	(359,307)	(357,206)
Chief Executive Office			(1,123,500)	(83,340)	(78,489)
Communications and Engage			(841,500)	(57,472)	(47,396)
Customer Relations			(878,500)	(93,875)	(70,899)
Human Resources			(844,000)	(64,990)	(77,586)
Leadership and Governance			(715,500)	(59,630)	(82,836)
Community Planning			(8,272,000)	(477,656)	(434,479)
Building Services			(496,500)	(39,640)	(42,747)
Community Development			(1,962,500)	(112,493)	(92,229)
Community Planning Office			(947,500)	(50,000)	(47,989)
Digital Hub			(153,000)	(6,330)	(5,314)
Economic Development			(194,500)	(1,960)	(11,106)
Environmental Health			(652,000)	(61,110)	(57,684)
General Compliance			(249,500)	0	(16,623)
Healthy Community			(261,000)	(22,423)	(1,654)
Library Services			(1,243,500)	(109,800)	(90,235)
Place Management			(302,500)	(1,630)	(13,408)
Strategic Town Planning			(726,000)	(31,980)	(25,049)
Urban Planning			(1,083,500)	(40,290)	(30,442)
Finance			(21,912,500)	(1,024,218)	(925,387)
Aqualife			(2,537,000)	(164,955)	(166,779)
Budgeting			(7,756,000)	(16,300)	0
Corporate Funds			(558,000)	(8,800)	13,630
Finance Office			(773,500)	(64,100)	(54,022)
Financial Services			(1,298,500)	(76,850)	(65,723)
Information Systems			(2,966,000)	(301,090)	(320,659)
Leisurelife			(2,756,000)	(222,267)	(201,571)
Parking			(2,442,500)	(103,556)	(85,144)
Ranger services			(825,000)	(66,300)	(45,118)
Operations			(31,223,000)	(712,241)	(627,777)
Asset Planning			(10,814,000)	(197,818)	(183,651)
Environment			(185,500)	(7,336)	(7,269)
Fleet Services			0	0	(11,184)
Operations Office			(2,820,000)	(50,000)	(63,467)
Parks and Reserves	102,248	▼ 42%	(4,981,500)	(245,057)	(142,809)
Project Management			(1,901,500)	(36,840)	(50,932)
Street Improvement			(1,165,000)	(48,148)	(62,938)
Street Operations			(2,854,500)	(70,800)	(59,631)
Waste Services			(6,501,000)	(56,242)	(45,896)
Total Operating Expense			(65,810,500)	(2,573,422)	(2,344,848)



*Statement of Financial Activity
For the period 1 July 2018 to 31 July 2018*

Particulars	Material Variance	%	31 July 2018		
			Revised Budget	Year-to-Date Budget	Year-to-Date Actual
	\$		\$	\$	\$
Capital Expense					
Chief Executive Office			0	0	0
Chief Executive Office			0	0	0
Communications and Engage			0	0	0
Customer Relations			0	0	0
Human Resources			0	0	0
Leadership and Governance			0	0	0
Community Planning			(138,000)	0	0
Building Services			0	0	0
Community Development			(138,000)	0	0
Community Planning Office			0	0	0
Digital Hub			0	0	0
Economic Development			0	0	0
Environmental Health			0	0	0
General Compliance			0	0	0
Healthy Community			0	0	0
Library Services			0	0	0
Place Management			0	0	0
Strategic Town Planning			0	0	0
Urban Planning			0	0	0
Finance			(1,213,500)	0	0
Aqualife			0	0	0
Budgeting			0	0	0
Corporate Funds			0	0	0
Finance Office			0	0	0
Financial Services			0	0	0
Information Systems			(976,500)	0	0
Leisurelife			0	0	0
Parking			(237,000)	0	0
Ranger services			0	0	0
Operations			(17,037,000)	0	(13,810)
Asset Planning			(3,255,000)	0	(7,981)
Environment			0	0	0
Fleet Services			(934,500)	0	(6,109)
Operations Office			0	0	0
Parks and Reserves			(6,297,000)	0	280
Project Management			(71,000)	0	0
Street Improvement			0	0	0
Street Operations			(6,479,500)	0	0
Waste Services			0	0	0
Total Capital Expense			(18,388,500)	0	(13,810)



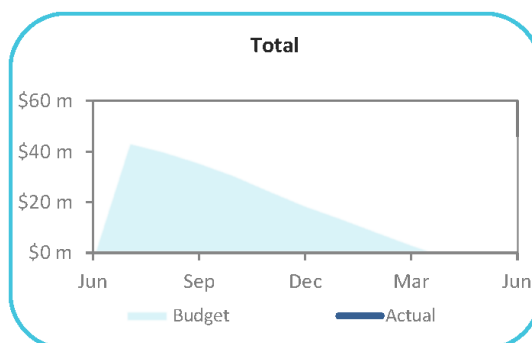
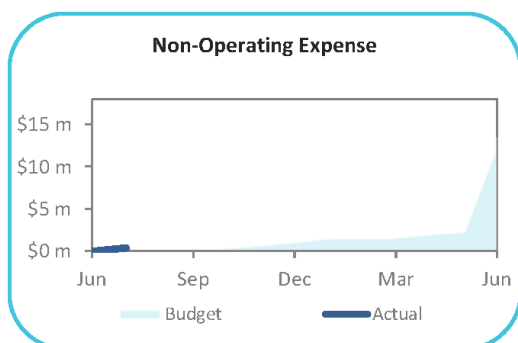
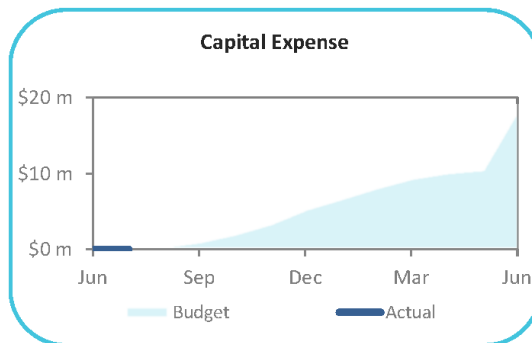
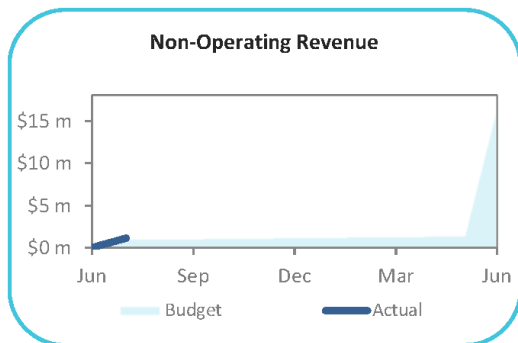
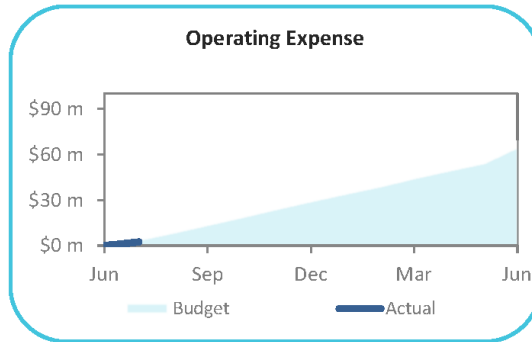
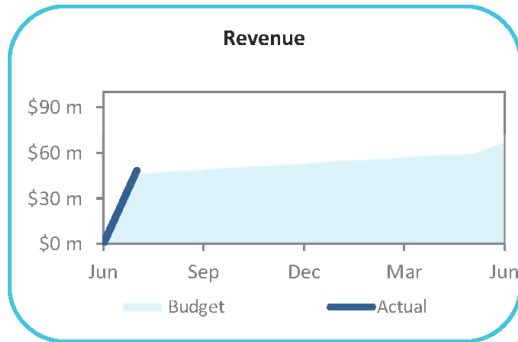
*Statement of Financial Activity
For the period 1 July 2018 to 31 July 2018*

Particulars	\$	Material Variance	%	31 July 2018		
				Revised Budget	Year-to-Date Budget	Year-to-Date Actual
	\$			\$	\$	\$
Non-Operating Revenue						
Finance				17,027,000	1,081,000	1,081,282
Corporate Funds				17,027,000	1,081,000	1,081,282
Operations				383,000	39,000	30,195
Fleet Services				383,000	39,000	30,195
Total Non-Operating Revenue				17,410,000	1,120,000	1,111,477
Non-Operating Expense						
Finance				(12,932,500)	(350,000)	(373,552)
Corporate Funds				(12,932,500)	(350,000)	(373,552)
Total Non-Operating Expense				(12,932,500)	(350,000)	(373,552)
Non-Cash Items Adjustments						
Profit and Loss				(1,607,500)	(133,750)	0
Depreciation				8,037,500	645,250	0
Total Non-Cash Items Adjustments				6,430,000	511,500	0
Suspense Items Yet To Be Applied					0	(323,657)
Opening Surplus / (Deficit)				4,539,000	4,539,000	11,238,363
Closing Surplus / (Deficit)				0	51,357,496	57,503,756



Statement of Financial Activity
For the period 1 July 2018 to 31 July 2018

Graphical Representation





Net Current Funding Position
For the period 1 July 2018 to 31 July 2018

Particulars	Brought Forward 1 July \$	2018-2019 Revised Budget \$	Year To Date Actual \$
Current Assets			
Cash - Unrestricted	15,225,796	7,903,757	15,086,676
Cash - Reserves / Restricted	26,405,974	33,823,443	26,405,974
Receivables and Accruals	4,731,491	2,000,000	55,620,528
Inventories	6,978	1,500	6,978
	46,370,238	43,728,700	97,120,155
Less Current Liabilities			
Payables and Provisions	(8,725,901)	(9,905,257)	(13,210,426)
	(8,725,901)	(9,905,257)	(13,210,426)
Net Current Asset Position	37,644,337	33,823,443	83,909,729
Less			
Cash - Reserves / Restricted	(26,405,974)	(33,823,443)	(26,405,974)
Estimated Surplus / (Deficiency) Carried Forward	11,238,363	-	57,503,756



*Cash and Cash Investments
For the month ended 31 July 2018*

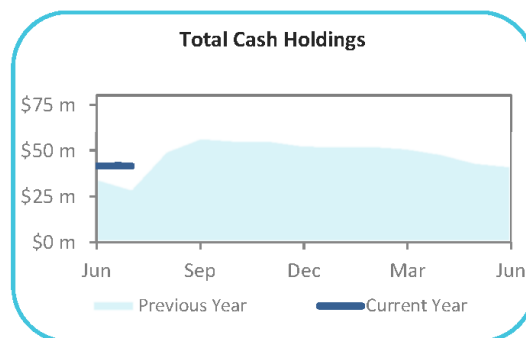
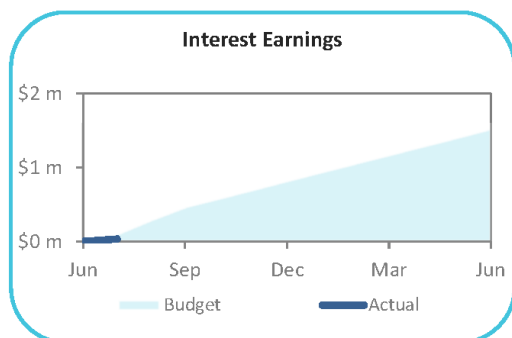
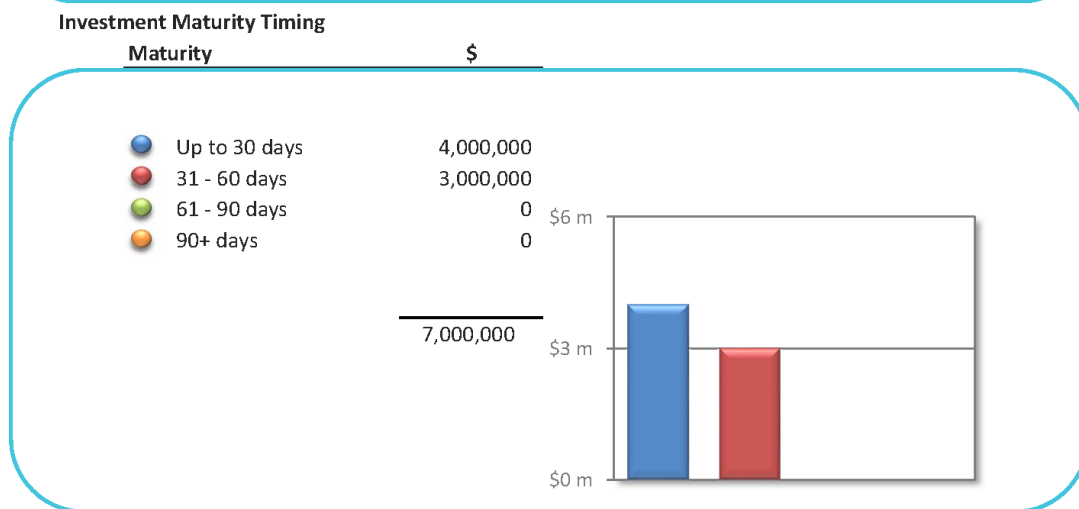
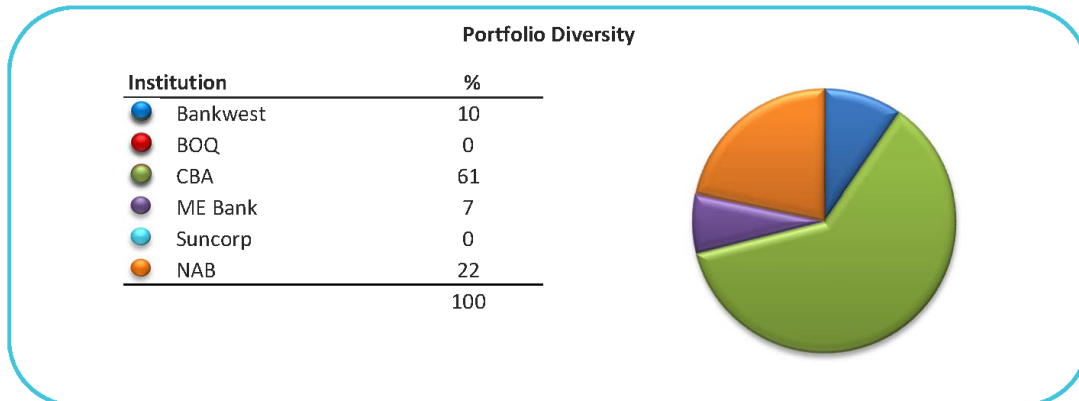
Cash and Investments Analysis

	Amount Invested \$	Interest Rate %	Term (Days)	Maturity Date	Projected Earnings \$	Percentage of Portfolio
Cash - Unrestricted						
CBA	7,077,671				15,341	17%
At Call	7,077,671	Variable	11am	Daily	15,341	
ME Bank	3,000,000				11,638	7%
117986	3,000,000	2.40	59	27-Sep-18	11,638	
NAB	5,000,000				68,642	12%
57-576-8731	2,000,000	2.70	330	25-Jun-19	48,822	
57-344-8427	3,000,000	2.65	91	29-Oct-18	19,821	
Total Cash - Unrestricted	15,077,671				95,622	36%
Cash - Restricted						
CBA	18,405,974				415	44%
At Call	18,405,974	Variable	11am	Daily	415	
Bankwest	4,000,000				82,849	10%
4739557	4,000,000	2.80	270	26-Apr-19	82,849	
NAB	4,000,000				97,644	10%
57-186-2122	4,000,000	2.70	330	25-Jun-18	97,644	
Total Cash - Restricted	26,405,974				180,908	64%
Total Cash - Invested	41,483,645				276,530	100%
Cash on Hand	9,005					
Total Cash	41,492,650					



*Cash and Cash Investments
For the month ended 31 July 2018*

Cash and Investments Analysis

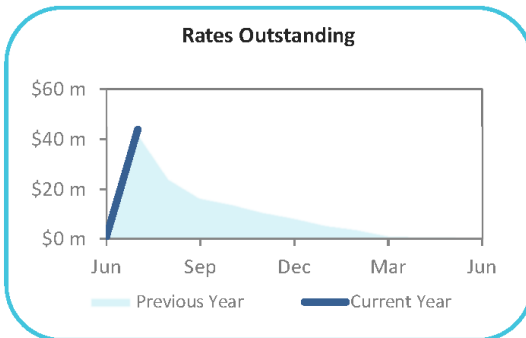




*Receivables (Rates and Sundry Debtors)
For the month ended 31 July 2018*

Rates Outstanding (Not Including Deferrals or Associated Fees and Charges)

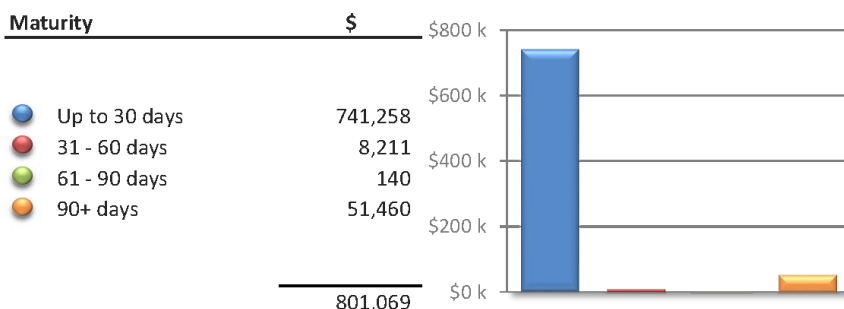
	Total
Balance from Previous Year	1,092,378
Rates Levied - Initial	45,627,053
Rates Levied - Interims	0
Total Rates Collectable	46,719,431
Current Rates Collected To Date	3,916,024
Current Rates Outstanding	42,803,406
% Rates Outstanding	91.6%



Sundry Debtors

Type	Total	30 Days	60 Days	90 Days	90+ Days
Grants and Subsidies	556,512	556,512	-	-	-
Property Rent	91,039	42,536	-	-	48,503
Aqualife Fees	9,000	5,889	3,112	-	-
Leisurelife Fees	14,025	12,100	604	-	1,321
Community Life Fees	18,181	17,176	1,005	-	-
Health Fees	2,368	1,400	80	-	888
Other Fees and Charges	87,574	83,276	3,410	140	748
Long Service Leave From Councils	10,879	10,879	-	-	-
Building and Planning Application Fees	11,491	11,491	-	-	0
Total Sundry Debtors	801,069	741,258	8,211	140	51,460

Sundry Debtor Aged Analysis





*Grants and Contributions
For the month ended 31 July 2018*

Grants and Contributions

Details	Original	Revised	Receipt Status	
	Budget	Budget	Invoiced	Remaining
	\$	\$		
Operating Funding				
<u>Community Development</u>				
Community Grants	25,000	25,000	-	25,000
Lotterywest Grants	10,000	10,000	-	10,000
Sponsorship	2,500	2,500	-	2,500
State Government Grants	3,500	3,500	-	3,500
<u>Corporate Funds</u>				-
Federal Assistance Grant	750,000	750,000	-	750,000
Federal Local Road Grant	350,000	350,000	-	350,000
<u>Library Services</u>				-
Book Council Grants	3,000	3,000	-	3,000
State Government Grants	3,000	3,000	-	3,000
<u>Operations Office</u>				-
State Government Grants	2,000,000	2,000,000	-	2,000,000
<u>Street Operations</u>				-
Federal Government Grants	235,000	235,000	210,000	25,000
MRWA Direct Road Grants	50,000	50,000	-	50,000
Street Lighting Subsidy	31,000	31,000	-	31,000
				-
Non-Operating Funding				-
<u>Asset Planning</u>				-
State Government Grant	751,000	751,000	-	751,000
<u>Parks and Reserves</u>				-
Recreation Capital Grants	304,000	304,000	304,000	-
State Government Grant	2,790,000	2,790,000	-	2,790,000
<u>Street Operations</u>				-
Federal Government Capital Grants	65,000	65,000	-	65,000
MRRG Road Rehabilitation Grants	374,500	374,500	38,320	336,180
MRWA Black Spot Grants	971,000	971,000	256,000	715,000
MRWA Other Grants	40,000	40,000	-	40,000
State Government Grant	303,000	303,000	-	303,000
Transport Grants	456,000	456,000	-	456,000
				-
Total Cash Deposits	9,517,500	9,517,500	808,320	8,709,180



Reserve Funds Descriptions

The purposes for which funds have been set aside by Council, in Reserve Funds, are outlined below -

Building Renewal

To be used to fund renewal projects associated with Council's Building assets.

Cash-in-Lieu

To be used to assist in funding initiatives associated with payments received as cash in lieu of required obligations or works.

Community Art

To be used to fund the purchase and placement of art for the Council and Community.

Drainage Renewal

To be used to fund renewal projects associated with Council's Drainage infrastructure.

Edward Millen Site

To be used to assist in improving and / or maintaining the Edward Millen site, including the associated grounds.

Furniture and Equipment Renewal

To be used to fund renewal projects associated with Council's Furniture and Equipment assets.

Future Fund

To assist in funding projects and property purchases that diversify Council's revenue streams.

Future Projects

To assist in funding 'new' and 'upgrade' capital projects, with funding primarily derived from the sale of land assets.

Harold Hawthorne - Carlisle Memorial

To be used to provide funds to assist in conducting future Spring Garden Competitions.

Information Technology Renewal

To be used to fund renewal projects associated with Council's information technology assets.
significant insurance claims.

Insurance Risk Reserve

To be used for the purpose of meeting the difference between premiums and claims in the event of any significant insurance claims.

Other Infrastructure Renewal

To be used to fund renewal projects associated with Council's Other infrastructure.

Parks Renewal

To be used to fund renewal projects associated with Council's Parks infrastructure.

Pathways Renewal

To be used to fund renewal projects associated with Council's Pathways infrastructure



*Reserve Funds
For the month ended 31 July 2018*

Plant and Machinery Renewal

To be used to assist in the acquisition and replacement of the Town's Plant and Machinery.

Renewable Energy

To assist in investigating and funding renewable energy projects within the District.

Roads Renewal

To be used to fund renewal projects associated with Council's Roads Infrastructure

Underground Power

To assist in the funding of projects associated with the installation of underground power and associated landscaping.

Waste Management

To assist in the funding of waste management and waste minimisation strategies



*Reserve Funds
For the month ended 31 July 2018*

Reserve Funds Transactions

	Annual Opening Balance \$	Transfer to Reserve \$	Transfer from Reserve \$	31 July 2018 Balance Actual \$	Balance Budget \$	Annual Revised Budget \$
Building Renewal	407,314	-	-	407,314	407,314	525,366
Cash-in-Lieu	-	-	-	-	-	-
Community Art	652,005	-	-	652,005	652,005	690,043
Drainage Renewal	175,673	-	-	175,673	175,673	225,920
Edward Millen Site	1,380,080	-	-	1,380,080	1,380,080	1,458,678
Furniture and Equip Renewal	568,465	-	-	568,465	568,465	599,907
Future Fund	12,543,079	-	-	12,543,079	12,543,079	13,658,793
Future Projects	2,579,640	-	-	2,579,640	2,579,640	450,178
Harold Hawthorn - Carlisle	128,593	-	-	128,593	128,593	148,630
Information Technology Renewal	364,528	-	-	364,528	364,528	665,400
Insurance Risk Reserve	374,121	-	-	374,121	374,121	397,230
Land Asset Optimisation	796,370	-	-	796,370	796,370	397,230
Other Infrastructure Renewal	584,265	-	-	584,265	584,265	615,443
Parks Renewal	265,489	-	-	265,489	265,489	46,225
Pathways Renewal	373,680	-	-	373,680	373,680	420,397
Plant and Machinery	239,367	-	-	239,367	239,367	269,342
Renewable Energy	224,758	-	-	224,758	224,758	75,380
Roads Renewal	802,224	-	-	802,224	802,224	882,337
Underground Power	3,013,464	-	-	3,013,464	3,013,464	3,241,999
Waste Management	932,859	-	-	932,859	932,859	985,175
	26,405,974	-	-	26,405,974	26,405,974	25,753,673



Capital Items

The following pages summarise the progress of the Capital Items.

For the purposes of these pages, the following indicators have been used -

Item Timing

This relates to how the item is tracking time-wise and is displayed using the following indicators -

- Behind
- On-Track
- In-Front

Budget Status

This relates to how the item is costing against the Revised Budget and is displayed using the following indicators -

- Over budget
- On budget
- Under budget

Completion Stage

This relates to where the item is currently, in terms of completion, and is displayed using the following indicators -

- Not commenced
- Commenced
- ■ □ □ Half-way completed
- ■ ■ □ Nearing completion
- ■ ■ ■ Completed



*Capital Items Progress
For the month ended 31 July 2018*

Capital Items

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
Land and Buildings			3,021,500	1,191
Renewal - Land and Buildings				
6 Kent Street - Facility - Internal Renewal	□	□□□□	222,500	0
8 Kent Street - Facility - Internal Renewal	□	□□□□	193,500	0
Administration Office - Ceiling - Lighting	□	□□□□	20,000	0
Aqualife - First Aid Room - Refurbish	□	□□□□	20,000	0
Aqualife - Function Room - Renew Floor	□	□□□□	10,000	0
Aqualife - Plant Room - Ultraviolet Generators	□	□□□□	125,000	0
Fletcher Park - Clubrooms - Plumbing Fixtures	□	□□□□	10,000	0
Fraser Park - Clubrooms - Painting	□	□□□□	10,000	0
Harold Hawthorne Centre - Various - Air Conditioning	□	□□□□	100,000	0
Harold Rossiter Park - Clubrooms - Painting	□	□□□□	5,000	0
Higgins Park - Clubrooms - Painting	□	□□□□	10,000	0
Leisurelife - Drama Room - Floor Reseal	□	□□□□	40,000	0
Leisurelife - Gym - Air Conditioning	□	□□□□	230,000	0
Leisurelife - Sports Court Major - Roller Door	□	□□□□	7,000	0
Leisurelife - Toilets and Change Rooms - Renewal	□	□□□□	261,500	0
Library - Outdoor Staff Area - Courtyard Security	□	□□□□	10,000	0
Library - Public Areas - Carpets	□	□□□□	86,000	0
Library - Staff Kitchen - Refurbish	□	□□□□	35,000	0
Library - Staff Locker Area - Compactus Area Ceiling	□	□□□□	7,000	0
Library - Staff Office - Fit Out and Storage	□	□□□□	80,000	0
Reactive Building Renewal Works - Various - Allocation	□	□□□□	100,000	0
Taylor Reserve - Toilets - Renewal	□	■□□□	185,500	1,191
Upgrade - Land and Buildings				
Administration Office - Facility - Accessibility Upgrade	□	■□□□	51,000	0
Land - 25 Boundary Road - Subdivision	□	□□□□	71,000	0
Leisurelife - First Aid Room - Lighting	□	□□□□	1,500	0
New - Land and Buildings				
Lathlain Redevelopment (Zone 2) - Buildings	□	□□□□	750,000	0
Lathlain Redevelopment (Zone 2x) - Buildings	□	□□□□	380,000	0



*Capital Items Progress
For the month ended 31 July 2018*

Capital Items

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
Plant and Machinery			934,500	6,109
Renewal - Plant and Machinery				
105 VPK - Holden Colorado Dual Cab Ute (Plant 397)	□	□□□□	35,000	0
107 VPK - Nissan X Trail Wagon (Plant 394)	□	□□□□	35,000	0
119 VPK - Holden Colorado Dual Cab Ute (Plant 383)	□	■□□□	32,000	0
121 VPK - Nissan Navara Dual Cab Ute (Plant 390)	□	□□□□	32,000	0
123 VPK - Holden Cruze Wagon (Plant 361)	□	□□□□	25,000	0
125 VPK - Nissan Navara Ute (Plant 389)	□	■□□□	32,000	0
126 VPK - VW Caddy Rangers (Plant 375)	□	□□□□	40,000	0
129 VPK - VW Caddy Rangers (Plant 376)	□	□□□□	40,000	0
132 VPK - Holden Colorado Dual Cab Ute (Plant 392)	□	■□□□	32,000	0
141 VPK - Ford Transit (Plant 296)	□	■□□□	45,000	0
162 VPK - Road Sweeper (Plant 341)	□	□□□□	380,000	0
1EFR 960 - Hyundai Sedan (Plant 333)	□	□□□□	25,000	0
1EFZ 074 - Hyundai Parking (Plant 335)	□	□□□□	25,000	0
1EHK 762 - Hyundai Sedan (Plant 337)	□	□□□□	25,000	0
1EIO 123 - VW Caddy Parking (Plant 342)	□	□□□□	45,000	0
1EPG 777 - Hyundai i30 Parking (Plant 373)	□	□□□□	25,000	0
1GEL 999 - Subaru (Plant 391)	□	□□□□	25,000	0
Electric Bicycles	□	■□□□	10,500	0
Minor Plant Renewal - Parks	□	■□□□	13,000	6,109
Minor Plant Renewal - Street Improvement	□	■□□□	13,000	0
Furniture and Equipment			336,500	6,790
6 and 8 Kent Street - Minor Expense - Allocation	□	□□□□	30,000	0
Administration Centre - Minor Expense - Allocation	□	■□□□	30,000	0
Aqualife - Crèche - Play Equipment	□	■□□□	1,000	0
Aqualife - Function Room - Group Fitness Equipment	□	□□□□	3,000	0
Aqualife - Minor Expense - Allocation	□	■□□□	11,000	95
Depot - Minor Expense - Allocation	□	■□□□	10,000	0
Digital Hub - Minor Expense - Allocation	□	□□□□	5,000	0
Leisure life - Minor Expense - Allocation	□	□□□□	10,000	0
Leisurelife - Court 3 - Badminton Posts	□	□□□□	4,000	0
Leisurelife - Court 3 - Equipment Storage	□	□□□□	10,000	0
Leisurelife - Courts 1 and 2 - Volleyball Posts	□	□□□□	4,500	0
Leisurelife - Gym - Gym Equipment	□	■□□□	165,000	6,695
Library - Minor Expense - Allocation	□	□□□□	15,000	0
Upgrade - Furniture and Equipment				
Depot - Pedestrian Gate - Security Upgrade	□	□□□□	6,000	0
New - Furniture and Equipment				
Parking - Enforcement - Parking Machine Cabling	□	□□□□	23,000	0
Parking - Enforcement - Recognition Equipment	□	□□□□	9,000	0



*Capital Items Progress
For the month ended 31 July 2018*

Capital Items

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
Information Technology			976,500	0
Renewal - Information Technology				
Software - Customer Request Management System	□	□□□□	150,000	0
System - Intranet and Portal	□	■□□□	85,000	0
Renewal - Information Technology				
Software - Customer Request Management System	□	□□□□	10,000	0
System - Intranet and Portal	□	□□□□	5,000	0
Software - Leisure Facilities Management	□	■□□□	95,000	0
Software - Library Management	□	■□□□	95,000	0
Software - Records Management	□	□□□□	60,000	0
System - Authority 7.x	□	□□□□	45,000	0
New - Information Technology				
Software - Asset Management	□	□□□□	190,000	0
Software - Minutes and Agendas	□	□□□□	50,000	0
Software - Mobile App Lighten Up	□	□□□□	1,500	0
Software - Mobile Health	□	□□□□	100,000	0
System - RFID Self-Service Solution	□	■□□□	90,000	0
Roads			4,338,500	0
Renewal - Roads				
Albany Highway - Duncan to Teddington - Seal	□	■□□□	10,000	0
Albany Highway - Kent - Miller Roundabout - Seal	□	□□□□	68,500	0
Albany Highway - Service Lane to Shepperton - Seal	□	□□□□	36,000	0
Custance Street - Getting to Roberts - Seal	□	□□□□	36,500	0
Enfield Street - Goddard to Gallipoli - Seal	□	□□□□	142,000	0
Enfield Street - Waller to Goddard - Seal	□	□□□□	33,000	0
Esperance Street - Berwick to End - Seal -	□	□□□□	97,000	0
Gloucester Street - Cargill to Leonard - Seal	□	■□□□	163,000	0
Hampton Road - Howick to Teague - Seal	□	■□□□	131,500	0
Hubert Street - Somerset to Oats - Seal	□	□□□□	76,500	0
Kate Street - Norseman to Lake View - Seal	□	□□□□	56,000	0
King George Street - Berwick to 60m South - Seal	□	□□□□	27,500	0
Maple Street - Gallipoli to End - Seal	□	□□□□	144,500	0
Oats Street - Mars to Planet - Seal	□	■□□□	131,500	0
Oats Street - Tuckett to Rutland - Seal	□	■□□□	158,500	0
Rathay Street - Berwick to Lansdowne - Seal	□	■□□□	127,000	0
Salford Street - Albany to Lichfield - Seal	□	■□□□	72,500	0
Staines Street - Goddard to Gallipoli - Seal	□	□□□□	189,000	0
Star Street - Mid Block to Archer - Seal	□	□□□□	119,500	0



*Capital Items Progress
For the month ended 31 July 2018*

Capital Items

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
Upgrade - Roads				
Hill View Terrace - Oats and Albany - Pavement	□	□□□□	76,000	0
Hill View Terrace and Oats Street - Intersection	□	□□□□	170,000	0
Kent and Hayman - Stage 1 - Pavement	□	□□□□	630,000	0
McCartney Crescent - Pavement	□	■□□□	22,500	0
Roberts Road and Orrong Road - Intersection	□	□□□□	220,000	0
Rutland Avenue - Oats to Welshpool - Pavement	□	□□□□	449,500	0
Shepperton and Miller - Stage 2 - Pavement	□	□□□□	449,500	0
New - Roads				
Cookham Road - Goddard to Gallipoli - Calming	□	□□□□	24,000	0
Cornwall Street - Gallipoli to Castle - Calming	□	□□□□	40,000	0
Egham Street - Goddard to Gallipoli - Calming	□	□□□□	24,000	0
Gallipoli Street - Egham to Enfield - Calming	□	■□□□	23,000	0
Gallipoli Street - Egham to Howick - Calming	□	■□□□	23,000	0
Goddard Street - Egham to Howick - Calming	□	■□□□	24,000	0
Goddard Street - Midgley to Cookham - Calming	□	■□□□	24,000	0
Goddard Street - Saleham to McCartney - Calming	□	□□□□	88,000	0
McCartney Crescent - Goddard to Roberts - Calming	□	■□□□	51,500	0
Saleham Street - Goddard to Gallipoli - Calming	□	■□□□	52,500	0
Staines Street - Rutland to Goddard - Calming	□	□□□□	40,000	0
Streatley Road - Gallipoli to Castle - Calming	□	□□□□	40,000	0
Various - Bike Plan Initiatives - On Road Facilities	□	□□□□	47,000	0
Drainage			444,500	0
Renewal - Drainage				
Hill View Terrace - Intersection Drainage	□	□□□□	74,500	0
Pipe Renewal - Allocation	□	□□□□	40,000	0
Pit Renewal - Allocation	□	■□□□	20,000	0
Sump Renewal - Allocation	□	□□□□	35,000	0
New - Drainage				
Bishopsgate Street - Improvements	□	□□□□	235,000	0
Lake View Terrace - Improvements	□	□□□□	20,000	0
Right of Ways - Various	□	□□□□	20,000	0



*Capital Items Progress
For the month ended 31 July 2018*

Capital Items

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
Pathways			700,000	0
Renewal - Pathways				
Berwick Street - Mackie to McMaster - Surface	□	■□□□	16,500	0
Berwick Street - Whittlesford to Hillview - Surface	□	■□□□	37,000	0
Gloucester Street - McMaster to King George - Surface	□	■□□□	17,000	0
Kitchener Avenue - Howick to Egham - Surface	□	□□□□	18,500	0
Lathlain Redevelopment (Zone 7) - Pathways	□	□□□□	150,000	0
Mint Street - Carnarvon to Shepperton - Surface	□	□□□□	20,500	0
New - Pathways				
Goodwood Parade - Shared Path - Surface	□	■□□□	400,000	0
Turner Avenue - Kent to Brodie Hall - Surface	□	□□□□	40,500	0
Parks			6,297,000	0
Renewal - Parks				
George Street Reserve - Revegetation Project	□	□□□□	60,000	0
GO Edwards Park - Renewal	□	□□□□	1,000,000	0
Kensington Bushland - Information Shelters	□	□□□□	7,000	0
Kent Street Reserve - Revegetation Project	□	□□□□	10,000	0
Main and Arterial Roads - Landscaping and Planting	□	□□□□	10,000	0
McCallum Park - River Wall - Foreshore Landscape	□	□□□□	608,000	0
Tree Plan - Tree Replanting	□	□□□□	78,000	0
Upgrade - Parks				
Fletcher Park - Cricket Nets	□	□□□□	70,000	0
Higgins Park - Tennis Courts	□	□□□□	100,000	0
John Macmillan Park - Redevelopment	□	□□□□	430,000	0
New - Parks				
Kensington Bushland - Jirdarup Signage	□	□□□□	24,000	0
Lathlain Redevelopment (Zone 2) - Parks	□	□□□□	1,533,000	0
Lathlain Redevelopment (Zone 2x) - Parks	□	□□□□	2,245,000	0
Peninsula to Park - Landscaping	□	□□□□	122,000	0



*Capital Items Progress
For the month ended 31 July 2018*

Capital Items

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
Other Infrastructure			1,339,500	0
Renewal - Other Infrastructure				
Car Parks - Car Park Kerbs - Allocation	□	□□□□	5,000	0
Car Parks - GO Edwards No 17	□	□□□□	33,000	0
Car Parks - Resurfacing - Allocation	□	□□□□	20,000	0
Lathlain Redevelopment (Zone 7) - Carparks	□	□□□□	350,000	0
Street Furniture - Bus Shelter - Allocation	□	□□□□	55,000	0
Street Lighting - Albany Highway and Laneways	□	■□□□	30,000	0
Upgrade - Other Infrastructure				
Parking - Parking Meters - Upgrade	□	■□□□	130,000	0
Street Lighting - Leisurelife Car Park - Stage 2	□	■□□□	65,000	0
New - Other Infrastructure				
Artworks - Allocation	□	□□□□	50,000	0
Lathlain Redevelopment (Zone 2) - Artwork	□	□□□□	33,000	0
Lathlain Redevelopment (Zone 2) - Carparks	□	□□□□	303,000	0
Lathlain Redevelopment (Zone 2x) - Artwork	□	□□□□	55,000	0
Parking - ACROD Bays - Allocation	□	□□□□	12,000	0
Parking - Parking Meters	□	□□□□	75,000	0
Right of Way 51 - Resurface	□	■□□□	23,500	0
Street Furniture - Allocation	□	□□□□	15,000	0
Street Furniture - Bike Stations and Hoops	□	□□□□	10,000	0
Street Lighting - Installation	□	□□□□	55,000	0
Street Lighting - Safety Improvements - Allocation	□	■□□□	20,000	0

14.3 Recommendation from the Finance and Audit Committee - New fees and charges - Ticketed Town events

File Reference:	ECO/2/2
Appendices:	Nil.

Date:	14/08/18
Reporting Officer:	D. Doy
Responsible Officer:	N. Martin Goode
Voting Requirement:	Absolute Majority

Executive Summary:

Recommendation – That Council, by an Absolute Majority, pursuant to Section 6.16 of the *Local Government Act 1995*, resolve to impose new fees and charges for ticketed events hosted by the Town of Victoria Park, effective from 12 September 2018.

- Pursuant to Section 6.19 of the *Local Government Act 1995*, local public notice is to be given that the Town intends to impose fees and charges for ticketed business events hosted by the Town.

TABLED ITEMS:

Nil.

BACKGROUND:

The Town delivers a broad range of events each year. There is an emerging need to ticket some events in order to control numbers at particular venues. There is also a need, from time-to-time, to consider ticket pricing for large-scale events as a means of cost recovery and for exclusivity to some events.

The below events on the Town's schedule may be required to be ticketed with or without a charge:

- Breakfast with Ben Wyatt – Discussing the future of Vic Park's economy (ticketed with a price); and
- Town of Victoria Park Inaugural Business Awards (possibly ticketed with a price).

Large scale industry events can provide great benefit to attendees but are expensive to host. On 2 August 2018, the Economic Development Committee discussed that charging for tickets, at an affordable price point, can assist the Town to recover costs and host more events that contribute to the development of the local economy. The purpose of the fee is not to make profit.

The Town's Schedule of Fees and Charges does not currently include an appropriate description for a ticketed event. Administration is therefore recommending an update to the Schedule of Fees and Charges. This fee and charge can be utilised for all events by the Town including both community and business events.

DETAILS:

The Town is proposing to update the Schedule of Fees and Charges to include a new line item under the heading ‘Ticketed Events’.

Fees and Charges 2018/19			Community Planning	
Particulars	Conditions	Previous Year \$	GST Applicable \$	2018-2019 \$
Ticketed event	Per event, per participant	-	-	\$0 - \$100

It is proposed that a fee range from \$0 to \$100 in order to cover the range of events that are delivered, or might be delivered, by the Town.

To help assess if an event requires tickets, and if those tickets should be priced, the following methodology and approvals process will be used.

Business event ticket pricing criteria

- *Large scale events* (100+) for the business community (including non-for-profits) that include food and drink, venue hire and any other associated costs, can incur a ticket price of up to \$100.
- *Medium scale events* (50+) for the business community (including non-for-profits) that include food and drink, venue hire and any other associated costs, can incur a ticket price of up to \$50.
- *Small scale events* (50 and under) for the business community (including non-for-profits) that include food and drink, venue hire and any other associated costs, can incur a ticket price of up to \$10.

Community event ticket pricing criteria

- The option for ticketing with a fee will be assessed individually for each community event. The Town will continue to provide free community events and ticketing will often occur but with no charge. This is to ensure that where there is limitations for participant numbers, it can be managed.

The Town will have consideration of the following when setting a ticket price:

- Cost to the Town to run the event;
- Benefit to attendees (ie. Could the event provide a commercial benefit to the attendee); and
- Level of demand for the event versus capacity of the event venue.

Legal Compliance:

Section 6.16 of the *Local Government Act 1995 (as amended)* (Imposition of Fees and Charges) states:

A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

**Absolute majority required*

1. *A fee or charge may be imposed for the following:*
 - a. *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*

- b. *supplying a service or carrying out work at the request of a person;*
- c. *subject to section 5.94, providing information from local government records;*
- d. *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- e. *supplying goods;*
- f. *such other services as may be prescribed.*

2. *Fees and charges are to be imposed when adopting the annual budget but may be:*
- a. *imposed* during a financial year; and*
 - b. *amended* from time to time during a financial year.*

** Absolute majority required.*

Section 6.19 of the *Local Government Act 1995 (as amended)* (Local government to give notice of fees and charges) stated –

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of

- a. *its intention to do so; and*
- b. *the date from which it is proposed the fees or charges will be imposed.*

Policy Implications:

Nil.

Risk Management Considerations:

Risk & Consequence	Consequence Rating	Likelihood Rating	Overall Risk Analysis	Mitigation/Actions
Financial Impact	Minor	Possible	Moderate	Ensure that business events considered to medium or large scale include a ticket price to reduce over financial impact to the Town.
Reputational: Social exclusion related to ticketed events with a fee	Minor	Possible	Moderate	Town to use discretion and only charge minimal cost recovery only when required

Strategic Plan Implications

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

S4 - A place where all people have an awareness and appreciation of arts, culture, education and heritage.

Financial Implications:Internal Budget:

The proposed change to the Schedule of Fees and Charges will include a range of ticket prices for business events and community events and reduce the impact on the Town's budget. The fee and charge will sit within the Community Planning functional area in order to be utilised for Economic Development and Community Development events.

Sustainability Assessment:External Economic Implications:

Ticket pricing for medium and large-scale business events will have a minor impact on businesses. It is important that the Town carefully considers the impact ticket prices might have on local businesses when setting the ticket price. Business events are designed to provide information and networking opportunities for local business and therefore improve the local economy.

Social Issues:

Nil.

Cultural Issues:

Nil.

Environmental Issues:

Nil.

COMMENT:

Pursuant to Section 6.16 of the *Local Government Act 1995*, Council may adopt Fees and Charges. The Schedule of Fees and Charges (as proposed) have taken into consideration all requirements outlined in legislation, are considered fair and reasonable, and will assist in the continued delivery of business events in the Town.

CONCLUSION:

The Town delivers a broad range of events each year. There is an emerging need to ticket some events in order to control numbers for particular venues. There is also a need, from time-to-time, to consider ticket pricing for large-scale events as a means of cost recovery and for exclusivity to some events.

Large-scale industry events can provide great benefit to attendees but are expensive to host. Charging for tickets, at an affordable price point, assists the Town to recover costs and host more events that contribute to the development of the local economy.

The Town's Schedule of Fees and Charges does not include an appropriate description for a ticketed business event. Administration is recommending an update to the Schedule of Fees and Charges to allow for ticketed events within a range of \$0 to \$100. The ticket price will be assessed within this range in accordance with a criteria that covers large, medium and small-scale business and community events.

RECOMMENDATION/S FROM THAT FINANCE AND AUDIT COMMITTEE:

That Council, by an Absolute Majority:

1. Pursuant to Section 6.16 of the *Local Government Act 1995*, impose new fees and charges for ticketed events hosted by the Town of Victoria Park, as outlined below:

Fees and Charges 2018/19			Town events	
Particulars	Conditions	Previous year \$	GST applicable \$	2018-2019 \$
Ticketed business event	Per event, per participant	-	GST	\$0 - \$100

2. Pursuant to Section 6.19 of the *Local Government Act 1995*, give local public notice that the Town intends to impose new fees and charges for ticketed events hosted by the Town of Victoria Park.

(Absolute Majority required)

ECONOMIC DEVELOPMENT COMMITTEE

14.4 Recommendation from the Economic Development Committee - Draft Economic Development Strategy – Pathways to Growth 2018 - 2023

File Reference:	ECO/10/1
Appendices:	Economic Development Strategy – Pathways to Growth 2018 - 2023
Attachments:	No

Date:	24 July 2018
Reporting Officer:	D. Doy
Responsible Officer:	N. Martin Goode
Voting Requirement:	Simple Majority

Executive Summary:
Recommendation – That Council endorse the Draft Economic Development Strategy for the purpose of public advertising.

- The Draft Economic Development Strategy sets out a high level, long-term direction for the growth of the Town’s local economy.
- The Draft Economic Development Strategy has been informed by research, a literature review and consultation with internal stakeholders and the business community.
- The Draft Economic Development Strategy provides seven (7) pathways for growth, with each pathway providing actions that can be embedded in the projects and plans being undertaken across the entire organisation.
- Endorsement of the Draft Economic Development Strategy will allow further engagement with the local community about the Town’s role in developing the local economy.

TABLED ITEMS:

Nil.

BACKGROUND:

The Town’s Economic Development Strategy ‘Pathways to Growth 2018 - 2023’ (the Draft Strategy) has been developed to guide economic growth in the Town of Victoria Park.

The Town’s Corporate Business Plan identifies the development of a new Economic Development Strategy as a key deliverable for 2019.

The development of the Draft Strategy has been informed by:

- Research undertaken by the Town in collaboration with consultants using a variety of data sources;
- A comprehensive literature review;
- Internal stakeholder consultation; and

- Information gathered from the local business community during 'Evolve', an extensive and intensive consultation process that included one-on-one business consultation with approximately 100 businesses and a subsequent business survey which was completed by seventy local businesses.

The Draft Strategy is a high level document that provides a roadmap for the Town to capitalise on its significant economic drivers, while also focusing on the retention and growth of existing small to medium enterprises, which are (and will remain) the backbone of the local economy.

The Draft Strategy provides seven (7) pathways for economic growth. These pathways have been designed to influence and be embedded in the suite of operations and projects currently in action across the organisation.

The Town's Place Planning team will be responsible for embedding these across the relevant plans and projects being undertaken by the Town.

DETAILS:

It is important that the Town has a strategy to grow the local economy. It is the entire organisations responsibility to develop the local economy, with many of the services and projects delivered by the Town having a direct impact on economic growth.

The Draft Strategy showcases the opportunities to grow and diversify the Town's local economy and has been designed to be embedded into the Town's suite of services and projects and therefore deliver a more integrated approach to economic development.

The Draft Strategy provides a background of the Town's local economy in the context of the State's economy and other broader economic trends at play. The Draft Strategy commits to positioning the Town as a place where business can prosper through advocacy, promotion, leadership, smart regulation and an entrepreneurial mindset. The Draft Strategy sets out a roadmap for growth via the following seven (7) pathways:

- Pathway 1: Leadership;
- Pathway 2: Identity;
- Pathway 3: Local to Global Connections;
- Pathway 4: Smart Town – Digital Innovation;
- Pathway 5: Competitive Business Environment;
- Pathway 6: High Value Precincts; and
- Pathway 7: High Values Sectors.

Each pathway includes a suite of actions with an accompanying timeframe. These actions are summarised in the 5 year Implementation Framework section of the Draft Strategy.

Legal Compliance:

Nil.

Policy Implications:

The Draft Strategy recommends that all Local Policies and Local Laws be reviewed in the context of the aspirations of the Draft Strategy.

The Draft Strategy identifies the need for smart regulation, exploring opportunities to digitise application forms and constantly review the impact of policy decisions that are made by the Town and other Local Governments.

Risk Management Considerations:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Reputational. Negative public perception towards the Town may result from some elements of the Draft Strategy	Minor	Unlikely	Low	Community consultation is undertaken regarding the draft strategy.

Strategic Plan Implications:

The content of the draft LPS has been informed by the values, vision, mission and strategic outcomes detailed the Strategic Community Plan namely:

- **EC1** *A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.*
- **EC2** *A clean, safe and accessible place to visit.*

Financial Implications:

Internal Budget:

Sufficient funds are set aside in the Economic Development service unit budget to progress the Draft Strategy to finalisation, including the required community consultation phase and ultimate publication.

Total Asset Management:

Nil.

Sustainability Assessment:

External Economic Implications:

Promotion of economic growth opportunities for the Town is the key purpose of the Draft Strategy.

Social Issues:

Nil.

Cultural Issues:

The Draft Strategy provides impetus to the attraction of major events and activities and identifies the need to seed creative industries.

Environmental Issues:

Nil.

COMMENT:

The Draft Strategy provides a roadmap to deliver on the Town's strategic economic aim in the Strategic Community Plan, which is to '*promote sustainable, diverse, resilient and prosperous places for everyone.*

At a glance, the Town is poised for significant growth and investment across a diverse range of sectors in its diverse and distinct neighbourhoods. The Town has some large major employers, namely Curtin University and Crown Perth. These major employers provide a large proportion of local jobs, while the balance of jobs provided by a large and diverse pool of local business across the construction, health care and social services, accommodation and food, professional scientific and technical services, and retail sectors.

The development of the Perth Stadium, redevelopment of Crown Perth and Lathlain Oval and the continued emergence of Albany Highway as a destination of high value has created demand and driven the delivery of a number of large scale mixed use developments. This demand is expected to continue and represents a significant opportunity for the Town to proactively grow the local economy.

The Town's proactive involvement in the growth of the local economy is directed by the Draft Strategy into the following seven (7) pathways.

Pathway 1: Leadership

The Draft Strategy outlines the importance of the Town committing to leading a partnered approach with local business, community organisations and all levels of government. It is this partnered approach that enables the competitive advantages and unique identity of the Town to be clearly conveyed.

Key actions relating to Pathway 1 include (but are not limited to):

- Confirming the Economic Development Committee's role in driving and guiding economic growth in the Town; and
- Integrating the aspirations of the Draft Strategy across the relevant plans and projects to ensure an integrated approach to economic development.

Pathway 2: Identity

The Town must understand and develop its own unique identity. It is the diversity of the Town's offer that will form the cornerstone of its message to existing and future local business and investors.

Key actions relating to Pathway 2 include (but are not limited to):

- Providing clear messaging to Tourism WA and work through their established Tourism channels and recently released Tourism Action Plan; and
- Capitalise on the distinct 'Town of Victoria Park brand' in the process of attracting investment.

Pathway 3: Local to Global Connections

The Draft Strategy recognises that the local economies of the Town are operating in a global market and that there is an opportunity for the Town to take a broader view. This is especially relevant with Perth being Australia's closest and most accessible state capital to the world's strongest economic growth regions. In this context the Town has an advantage in the education, leisure and sporting industries.

Key actions relating to Pathway 3 include (but are not limited to):

- Ensuring Western Australian Trade Commissioners have access to up-to-date information on the strengths and opportunities in the Town; and
- Host in conjunction with Austrade and Ausindustry a coordinated schedule of export readiness workshops to local businesses.

Pathway 4: Smart Town – Digital Innovation

New technology can be used to improve liveability, sustainability and economic diversity, develop local innovation, build the Town's international profile and attract visitors, talent and investment. Smart cities are more than places with an abundance of technology, they are about people and the way that technology supports the development of our places.

Digital infrastructure can collect data sets that help the Town and its local businesses make better decisions.

Key actions relating to Pathway 4 include (but are not limited to):

- Seed the creation of a digitally connected innovation district in the Burswood Peninsula and Causeway Precinct to attract businesses and industries working in the digital economy and creative industries; and
- Review and update relevant policy frameworks to support the adoption of innovative proposals and fast-track pilot technology deployments in tender and procurement processes.

Pathway 5: Competitive Business Environment

The Town has an important role to play in creating a competitive business environment. Progressive and easy to use policies, laws and regulations can improve the conditions for growth, investment in innovation and productivity.

Key actions relating to Pathway 5 include (but are not limited to):

- Ensure local laws and regulations relating to the development of high value sectors remain at the forefront of best practice in relation to other regions of Perth;
- Initiate an integrated place-based approach across the organisation to achieve outcomes for the Town's significant precincts; and
- Remove unnecessary regulatory barriers, simplify application processes and actively promote improvements to the local business community.

Pathway 6: High Value Precincts

The Draft Strategy scrutinises the future opportunities on the Burswood Peninsula, Curtin University and Albany Highway and is consistent with the draft Local Planning Strategy's approach to intense development around the Town's centres. The Draft Strategy provides an outline of the opportunities and necessary actions for the following precincts:

- Burswood Peninsula Innovation Precinct;
- Knowledge Creation Precinct (Curtin/Bentley);

- Albany Highway Precincts ; and
- Emergent Precincts:
 - Lathlain Sports and Recreation Precinct;
 - Welshpool Industrial Precinct; and
 - Carlisle – Archer Street.

Pathway 7: High Value Sectors

The Draft Strategy identifies a number of high value sectors. Retaining and growing the competitiveness of sectors that have greatest potential to create employment, generate skills and contribute to local and global value chains is a critical element in a competitive economy. The Draft Strategy provides an outline of the opportunities and necessary actions for the following high value sectors:

- Tourism, Sports, Leisure and Events;
- Knowledge Industries and Biopharmaceuticals; and
- Retail and Hospitality.

CONCLUSION:

The Economic Development Strategy sets out a high-level, long term direction for the growth of the Town's economy. The Draft Strategy has been informed by research undertaken by the Town in collaboration with consultants using a variety of data sources; an extensive literature review and information gathered from the local business community during the 'Evolve' process.

The Draft Strategy provides seven (7) pathways for growth with high level actions that will be delivered over a variety of timeframes. The intent of each pathway will be embodied and embedded within the projects and plans across Administration, and this will be led by the Town's Place Planning team.

Administration is recommending that the Economic Development Committee recommends to Council to endorse the Draft Economic Development Strategy – Pathways to Growth 2018 - 2023 for the purpose of public advertising.

RECOMMENDATION/S FROM THE ECONOMIC DEVELOPMENT COMMITTEE:

That Council endorse the draft Economic Development Strategy – Pathway to Growth 2018-2023 for the purpose of public advertising.

FUTURE PLANNING COMMITTEE

14.5 Recommendation from the Future Planning Committee: Review of Local Planning Policies 1 and 37

File Reference:	PLA/9/0001
Appendices:	<ol style="list-style-type: none"> 1. Current version of Local Planning Policy 1 ‘Public Notification/Advertising Procedure’ 2. Current version of Local Planning Policy 37 ‘Community Consultation on Planning Proposals’ 3. Draft revised Local Planning Policy 37 ‘Community Consultation on Planning Proposals’
Attachments	No

Date:	7 August 2018
Reporting Officer:	L. Parker
Responsible Officer:	R. Cruickshank
Voting Requirement:	Simple Majority

Executive Summary:

That Council advertise the draft revised Local Planning Policy 37, as contained in the Appendix 3, for public comment for a minimum period of 21 days in accordance with deemed clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- Council’s Urban Planning Business Unit have undertaken a review of all 37 Local Planning Policies (LPPs). It is intended to progressively amend and advertise a number of LPPs.
- This report deals with a review of the following LPPs:
 - LPP1 ‘Public Notification/Advertising Procedure’; and
 - LPP37 ‘Community Consultation on Planning Proposals’.
- In reviewing the LPPs, consideration has been given to a number of matters including: the effectiveness of the current policies including any issues of interpretation, application and gaps or deficiencies; like policies of other local governments; alignment with relevant State legislation, policy and/or guidelines (where applicable); greater clarity in the objectives of the policies; and, improving the presentation and ease of use.
- The following actions are proposed as a result of the review:
 - That LPP37 be amended as detailed within the report and the Appendices.
 - That LPP1 to be revoked, as it is now redundant, with all provisions either currently superseded or proposed for incorporation into LPP37.
 - That draft LPP37 be advertised for public comments.

TABLED ITEMS:

Nil.

BACKGROUND:

The subject policies were previously policies forming part of the Town Planning Scheme No. 1 (TPS 1) Policy Manual.

Amendment 69 to TPS 1, which was gazetted on 2 December 2016, removed the policies as forming part of the Town Planning Scheme.

At the Ordinary Council Meeting on 9 February 2016, Council resolved to adopt a number of planning policies as Local Planning Policies, including the policies which are the subject of this review.

DETAILS:

Officers have undertaken a review of LPP1 and LPP37 by considering:

- the effectiveness of the current policies including any issues of interpretation, application and gaps or deficiencies;
- like policies of other local governments;
- alignment with relevant State legislation, policy and/or guidelines (where applicable);
- greater clarity in the objectives of the policies; and
- improving the presentation and ease of use (for both the public and the Town's officers) of the policies.

The review of each of the policies is summarised as follows:

LPP1 'Public Notification/Advertising Procedure'

The matters dealt with by the Policy are almost entirely covered by and/or superseded by the provisions of LPP37 'Community Consultation on Planning Proposals', which is the primary policy guiding the public advertising and community consultation requirements for planning proposals of all kinds.

The exception to the above is Clause 2.2.3(f) which outlines that the posting of consultation letters to owners/occupiers should coincide with the first week that a related newspaper notice is published, where both methods of consultation are required for a particular planning proposal. This clause is proposed for inclusion in the draft revised LPP37.

As existing LPP1 is otherwise redundant, it is recommended that LPP1 be revoked at the time of adoption of the recommended revisions to LPP37.

LPP37 'Community Consultation on Planning Proposals'

This policy was adopted in November 2016, and replaced the former administrative policy GEN3 'Community Consultation', which dealt almost exclusively with consultation requirements for development applications.

LPP37 is the primary policy guiding the public advertising and community consultation requirements for planning proposals of all kinds, including development applications, local planning scheme amendments, structure plans and local planning policies.

The policy is currently being implemented successfully, however improvements have been identified to assist applicants, community members and the administration in utilising the policy, such as reference to the increasing use of online consultation tools (i.e. Town's 'Your Thoughts' online consultation hub, etc.). The proposed changes include:

1. Incorporating standardised formatting changes consistent with all other reviewed policies
2. Linking the policy to the strategic outcomes of the Town's Strategic Community Plan

3. Removing references to position titles to reflect the current organisational structure and management
4. Changes to the format and layout of existing Table 1 (under Clause 1) to:
5. Move the development application consultation requirements to Clause 2
 - a. Name and categorise existing Table 1 (which is actually 4 separate tables) as Tables 2A, 2B, 2C and 2D
 - b. Improve clarity, user-friendliness and substantially reduce the length of the Policy through deletion of repetitive text in the tables and their replacement with a tick and cross style format
 - c. Group like categories of development types together
 - d. List online consultation methods (Council's website and 'Your Thoughts' online consultation hub)
 - e. Clarify the requirement for on-site signage when undertaking consultation for 'AA' discretionary uses, namely Residential Building (short term accommodation) and Family Day Care
 - f. Specify matters to be considered when consulting in relation to a proposed Home Occupation
 - g. Modify the consultation requirements for demolition of properties listed on the Town's Municipal Heritage Inventory to instead refer to properties heritage listed under the Scheme, located within a designated heritage area under the Scheme or entered in the State Register of Heritage Places, to align with the demolition and heritage provisions contained within the *Planning and Development (Local Planning Schemes) Regulations 2015*.
6. Changes to the format and layout of current Table 2 (now moved under Clause 1 as Table 1) to:
 - a. Include online consultation methods; and
 - b. Reformat to a tick and cross style to remove duplicated text, reduce its length and improve its readability/ease of use.
7. Changes to existing Clauses 3 to 18 to:
 - a. Consolidate and reduce the number of clauses
 - b. Reorder the clauses to reflect a more logical sequence
 - c. Reflect the changes to existing consultation requirements and layout of Tables 1 and 2
 - d. Separate the current paragraph-style clauses into separate provisions to provide for improved readability and ease of reference
8. Changes to Clause 4 'Holiday Periods' to exclude the whole of the weeks in which Christmas Day to the day after New Year's Day (inclusive) falls from the consultation period for a planning proposal
9. Incorporating Clause 2.2.3(f) of obsolete LPP1 under Clause 8 'Letters and Email Notices'
10. New provisions under Clause 9 'Sign(s) on Site' and Clause 10 'Newspaper Notice' to:
 - a. Detail acceptable on-site signage materials; and
 - b. Require evidence to be submitted of the installation of any required signs or publication of required newspaper notices within 5 working days of installation/publication.
11. Changes to existing Clause 10 (proposed Clause 7 'Requirement for consultation within a strata development') to:
 - a. More clearly outline the circumstances where consultation for a development application within a strata development will not be required; and

- b. Specify that notification of the Council’s decision will be provided to all owners and occupiers within the strata development in such circumstances.
- 12. Changes to Clauses 13 ‘Submissions received by Council’ to state the clause applies in respect to any planning proposal, not only development applications.
- 13. Clarify the situations where an application before SAT may be the subject of further community consultation.

A copy of draft revised LPP37 is contained in the Appendices to this report. For comparison, the current and operative versions of LPP1 and LPP37 are also contained as Appendices.

Legal Compliance:

Local Planning Policies

The amendment of a Local Planning Policy is to be undertaken in accordance with deemed clauses 4 and 5 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, including:

- Community consultation for a period of not less than 21 days; and
- Consideration of public submissions and a Council resolution to proceed with the policy with or without modifications, or not proceed.

Policy Implications:

The review of LPP1 and LPP37, and proposed draft revised LPP37 provides greater clarity in the objectives, application and applicable requirements, and forms part of a review of all of the Town’s LPPs.

Alignment with State Government Legislation

The changes to applicable consultation requirements for demolition of existing properties/structures also aligns with relevant State Government legislation, namely the demolition and heritage provisions contained within the *Planning and Development (Local Planning Schemes) Regulations 2015*.

State Planning Policy 3.1 - Residential Design Codes

Part 4 of the Residential Design Codes (R Codes) provides that local governments may adopt policies requiring community consultation to be undertaken with adjoining properties where variations to the deemed-to-comply requirements of the R-Codes are proposed as part of a development proposal. The review of LPP37 has considered the existing scope of R Code variations that are specified as requiring consultation and these are considered to remain relevant and appropriate.

Risk Management Considerations:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/ Actions
Application of Policies which could be clearer in their intent, and in some instances could have been more effective if clearer and containing additional requirements.	Moderate	Likely	Low	Support the proposed draft revised Policy for the purposes of community consultation.

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/ Actions
The continued operation of obsolete policies creating uncertainty or confusion to applicants and members of the community	Low	Some likelihood	Low	Support the proposed draft revised Policy for the purposes of community consultation (including revocation of LPP1).
The continued operation of clauses within LPP37 that are unclear, confusingly worded or limited in their applicability to development applications only, rather than planning proposals of all kinds.	Moderate	Likely	Medium	Support the proposed draft revised Policy for the purposes of community consultation.

Strategic Plan Implications:

Environment

EN1 – Land use planning that puts people first in urban design, allows for different housing options for people with different housing needs and enhances the Town’s character.

Economic

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

Civic Leadership

CL1 – Everyone receives appropriate information in the most efficient and effective way for them; and

CL2 – A community that is authentically engaged and informed in a timely manner.

Financial Implications:

There will be a cost for advertising of the proposal in the Southern Gazette newspaper, with their being funds available to cover this cost.

Sustainability Assessment:

External Economic Implications:

Nil.

Cultural Issues:

Nil.

Environmental Issues:

Nil.

COMMENT:

Existing LPP37 is currently proving effective in guiding the public advertising and community consultation requirements for planning proposals of all kinds, and has made existing LPP1 largely redundant further to reviews conducted in previous years. Changes have been identified to improve its structure and formatting, clarify consultation requirements for a small number of land use/development types, and reflect the increasing use of online consultation tools. The consultation requirements listed within the tables contained in the Policy have also been reduced in length and simplified by deleting duplicated text and amending them to a tick and cross style format, reducing the overall length of the policy by over three (3) pages.

The review has considered the operative policies of other local governments, some of which are substantially shorter in length than both the current and draft revised versions of LPP37. While shorter, the majority of these policies do not specify circumstances where consultation will not be required and so result in the requirement to consult for development applications that propose variations of any kind to the Residential Design Codes, even in circumstances where such variations are extremely minor in nature, have negligible adverse impact on surrounding properties or the streetscape, and are routinely supported under delegated authority and at a Council level. Additionally, many of these shorter policies provide for significant discretion by officers and Council to modify, reduce or require additional consultation methods for a broad range of proposals without outlining the scope or circumstances where such discretion will be exercised. Existing LPP37 has the significant advantage of addressing both of these matters, delivering confidence, certainty and consistency to the public and applicants of when consultation will or will not be required, and greater efficiency in the use of time and resources by applicants and officers. Accordingly, these aspects of existing LPP37 are proposed to remain (albeit in a revised format) as part of draft revised LPP37.

It is recommended that the Future Planning Committee recommend to Council that draft revised Local Planning Policy 37, as included in the Appendices, be advertised for public comment. A further report will be presented to Council in the future following the conclusion of the consultation period, reporting on any submissions received, and seeking a final decision from Council as to whether or not to adopt the draft Policy (in its current revised form or in a further modified form). It will be necessary at this time to also formally revoke the current Local Planning Policy 1 'Public Notification/Advertising Procedure'.

RECOMMENDATION/S FROM THE FUTURE PALNNING COMMITTEE:

That Council advertise the draft revised Local Planning Policy 37 'Community Consultation on Planning Proposals', as contained in the Appendix 3, for public comment for a minimum period of 21 days in accordance with deemed clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

14.6 Recommendation from the Future Planning Committee – Endorsement of Town of Victoria Park Urban Forest Strategy

File Reference:	ENV/13/6
Appendices:	1. Town of Victoria Park Urban Forest Strategy 2. Urban Forest Strategy Community Consultation Comment/Response Table
Attachments:	No.

Date:	August 2018
Reporting Officer:	B. Nock
Responsible Officer:	B. Killigrew
Voting Requirement:	Simple Majority

Executive Summary:
Recommendation: That Council:

- 1. Endorses the Town of Victoria Park Urban Forest Strategy, subject to alterations as outlined within the Comments section of this report**
- 2. Approves the development of an Urban Forest Strategy Implementation Plan.**
 - On the 13 July 2016 at the Special Meeting of Electors (SME), Motion 5 was passed by the electors of the Town of Victoria Park. This motions was subsequently referred to Council for consideration at the 9 August 2016 Ordinary Council Meeting (OCM).
 - Motion 5, as put and carried 45-0, was such that:
“That Council, as a matter of priority, undertake an urban forest strategy in partnership with Curtin University, residents, community groups and any relevant stakeholders that wish to participate, and that this strategy proceed or be undertaken in conjunction with any discussion relating to future Town Planning Scheme amendments, to achieve an increase in tree canopy coverage up to 20% by 2020.”
 - The Town proceeded to adopt the Asset Based Community Development approach by engaging an incorporated community group to deliver the Urban Forest Strategy for the Town. This subsequently resulted in the engagement of the Vic Park Collective, in partnership with the Victoria Park Urban Tree Network.
 - As per the Communication and Community Consultation Plan, extensive community and stakeholder consultation has occurred since August 2017.
 - The Urban Forest Strategy provides detailed methods and costs to increase the canopy coverage within the Town by up to 20%.

The Town is seeking Council endorsement of the Urban Forest Strategy, and support for the development of an Implementation Plan.

TABLED ITEMS:
 Nil.

BACKGROUND:

Urban tree canopy is a measure of the coverage of the leafy part of a tree, which delivers the most benefits environmentally. The rate of urban deforestation across Perth has been rapid and the loss of urban tree canopy is having both a direct and indirect impact upon the quality of health and amenity enjoyed by residents.

The latest canopy mapping and analysis undertaken for the Town shows that despite growth in established trees, in 2016 the total canopy cover within the Town was 10%.

On the 13 July 2016 at the Special Meeting of Electors (SME) a number of motions were passed by the electors of the Town of Victoria Park. These motions were subsequently referred to Council for consideration at the 9 August 2016 Ordinary Council Meeting (OCM).

Motion 5 (of the 19 carried at the SME) was:

“That Council, as a matter of priority, undertake an urban forest strategy in partnership with Curtin University, residents, community groups and any relevant stakeholders that wish to participate, and that this strategy proceed or be undertaken in conjunction with any discussion relating to future Town Planning Scheme amendments, to achieve an increase in tree canopy coverage up to 20% by 2020.

The motion was put and carried 45-0.”

At the OCM on 9 August 2016 at item 10.3 Motions from the Electors’ Special Meeting of 13 July 2016, Council resolved:

‘Requests the Chief Executive Officer to prepare a report to the council’s Future Planning Committee November 2016 meeting on the urban forest strategy as contained within Motion 5’.

The matter was subsequently workshopped at the Future Planning Committee on 17 August 2016 with the following required actions noted:

Action:

Assessment of resources and cost assessment with timing options for consideration at the FPC meeting in September. (DRL)

Engage with Community from beginning to work through the process.

In response to community concerns, the Council has committed to increase its tree canopy with a target of 20%. This target was based on information available at the time and was in line with the target of other local governments.

The Town proceeded to adopt the Asset Based Community Development approach by engaging an incorporated community group to deliver the Urban Forest Strategy (UFS) for the Town. This subsequently resulted in the engagement of the Vic Park Collective, in partnership with the Victoria Park Urban Tree Network.

As per the Communication and Community Consultation Plan of this project, extensive community and stakeholder consultation has occurred since August 2017.

The collective consultation outcome has been considered and integrated into the initial development and subsequent revisions of the UFS itself.

The purpose of this report is to present the final UFS to the Future Planning Committee and Council for endorsement.

DETAILS:

The Town of Victoria Park's Urban Forest Strategy aims to contribute to the health and wellbeing of our community and a sustainable livable city. To achieve a target of 20% canopy, the Town needs to protect and save existing trees, and embark upon a mass tree planting program.

The UFS has been created by the community via community groups, and it is anticipated that the Town will manage and facilitate its implementation with support from the community.

The primary opportunity for the success of the UFS is the high level of current community interest, support and activity towards improving the Town's natural environment. .

Strategic Outcomes, Targets and Actions

The UFS is comprised of several overarching strategic outcomes. Each strategic outcome has suggested actions to facilitate specific targets on both public and private land within the Town, and an indication of the proposed timeframe for implementation, as follows:

- S – short term up to 5 years;
- M – medium term from 5-10 years; and
- L – long term beyond 10 years.

The below outlines the strategic outcomes, targets and some examples of suggested actions:

Strategic Outcome 1: Plant and protect sufficient trees by 2020 to achieve the 20% tree canopy target as supported by Council

TARGET: Protect existing trees on public and private land and plant enough trees by 2020 to allow 20% canopy when the trees have matured. A staged implementation plan will be developed and may include separate targets and actions for different land use zones and densities.

SUGGESTED ACTIONS:

Public Land

- Prioritise trees and vegetation in streetscape planning, traffic management (as appropriate) and urban design.
- Develop a Town street tree strategy.
- Implement an 'opt-out' verge trees policy.
- Develop and implement a sumps vegetation project and collaborate with local community groups, State government agencies, SERCUL, and other stakeholders.

Private land

- Density/heights bonuses based on performance criteria that protect existing trees and enable new trees to be planted.
- Design guidelines that support protecting and enhancing canopy cover on private land.
- Explore and develop effective penalties to deter unnecessary tree removal and clearing of development sites.
- Strengthen and enforce local planning policy to require best practice tree planting and landscaping in non-residential car parks.

Strategic Outcome 2: Maximise community involvement and collaboration

TARGET: The local community will be engaged with the UFS and will be more closely involved in greening activities within the Town.

SUGGESTED ACTIONS:

- Consult and collaborate with community groups, private landowners, businesses and other stakeholders (local, national and global) to deliver innovative urban forest solutions.
- Work with local Aboriginal people to develop community programs that increase knowledge about the cultural significance of landscapes, flora and fauna in the Town.
- Join with other LGAs and government agencies to co-develop and deliver programmes and strategies that support the UFS.
- Conduct a public information campaign and local schools education programme focused on the UFS goals and actions.

Strategic Outcome 3: Increase tree diversity, whilst favouring local endemic and West Australian species that also support wildlife

TARGET: There shall be a tree diversity policy for the Town's public urban forest and guidelines for private land, based on data from regular tree audits (see Strategic Outcome 1). A staged planting programme will be implemented to adjust the mix of trees to achieve these diversity targets over the long term.

SUGGESTED ACTIONS:

- Implement use of a Town tree matrix to achieve agreed tree diversity guidelines, including annual review and update.
- Revise verge and street tree planting guidelines to increase diversity.
- Establish protocols for increasing understorey and ground cover planting in public parks and other planted areas (whilst considering public safety) to encourage healthy ecosystem promoting wildlife.

Strategic Outcome 4: Maintain high standard of vegetation health

TARGET: No less than 90% of the Town's urban forest will be maintained in good health.

SUGGESTED ACTIONS:**Improve tree health**

- Benchmark and reduce the number of stressed trees and vegetation through careful management.
- Select good stock and species that are resilient to the effects of climate change.
- Continue with dieback treatment trials.

Strategic Outcome 5: Improve soil and water quality

TARGET: Develop and employ benchmarks that ensure soil moisture is maintained at levels that support healthy vegetation, water quality and effective flood and water resource management.

SUGGESTED ACTIONS:

- Review storm water infrastructure capability to maintain and improve soil and water quality.
- Explore options for planting native sedges in Town sumps.
- Install alternative or temporary watering systems (for example, portable water tanks) in suitable locations.

Strategic Outcome 6: Improve urban ecosystems

TARGET: Protect and enhance biodiversity, green infrastructure and green corridors that contribute to a healthy urban ecosystem.

SUGGESTED ACTIONS:

- Develop a rehabilitation and revegetation plan for the Kent St Sand Pit.
- In collaboration with the Kwongan Foundation at UWA and local stakeholders, review the Town's Environment Plan and incorporate an Urban Ecology and Biodiversity Plan in which trees and vegetation are used to address environmental problems.
- Using a collaborative approach with other landowners, re-create green corridors throughout the Town to connect fragmented parcels of land that assist native fauna access and freedom of movement.
- Develop a planter box and parklet policy for shop fronts.

Consultation

A key focus of the UFS development was to consult and engage community stakeholders, and particularly the Town's residential population. This was achieved using the following methods:

- Interviews with 16 local land caretakers; individuals and community groups representing over 3,000 members.
- Information exchanges with experts in the field.
- Media coverage and social media posts, comments, likes and shares (with a reach of over 50,000 people).
- School visits.
- Vic Park Farmers' Market stall and discussions with 120 Town residents.
- Online surveys through 'Your Thoughts' portal, attracting submissions from 50 residents and 18 Town officers.
- Five community workshops.
- Town officers and peer workshops and engagement.

This community input helped to shape the UFS strategies and actions, identified planting priorities, and provided a guide for ongoing community education and engagement. The consultation process revealed a high level of community awareness and a strong desire for action to protect and grow the urban forest.

UFS Implementation

The practical implementation of the UFS will require the development of an Implementation Plan.

It is intended that the Implementation Plan will translate the high-level principles, strategies and actions of the UFS into a practical roadmap that will inform operational tasks, staffing and resources, gap analyses and cost benefit assessments, implementation and reporting responsibilities, risk management and monitoring and evaluation plans.

It is anticipated that the Implementation Plan would be developed in liaison with the UFS Working Group.

Legal Compliance:

The Town has complied with Section 3.57 of the *Local Government Act 1995* relating to tenders.

Policy Implications:

Council Policy FIN4 Purchase of Goods and Services has been complied with for the UFS project.

The UFS also proposes some policy revisions within the Town of Victoria Park to strategically address issues such as retention of existing trees, provision of deep soil areas, landscaping and biophilic design, best practice tree planting and landscaping in non-residential car parks.

Risk management considerations:

Risk & Consequence	Consequence Rating	Likelihood Rating	Overall Risk Analysis	Mitigation/Actions
<p>Urban infill: Preparing for 40,000 new residents by 2050 and an increase of 19,300 dwellings presents an unprecedented social and environmental challenge for the Town.</p> <p>The pressures of urban infill and other development has led - and may continue to lead - to ongoing deforestation, particularly on private land, which has not been offset by plantings in public areas. Resistance</p>	<p>High</p>	<p>Likely</p>	<p>High</p>	<p>Action is required by the Town and other stakeholders to mitigate the ongoing decline in tree canopy.</p> <p>The Town must educate and promote the UFS and its benefits to the community. The Town should also actively plan, budget for and collaboratively manage the UFS on public land and facilitate outcomes on private and land.</p>

Risk & Consequence	Consequence Rating	Likelihood Rating	Overall Risk Analysis	Mitigation/Actions
<p>from developers and private property owners, together with the constraints of existing local and state planning regulations, may present challenges to UFS vision.</p>				
<p>Community sentiment: Whilst there are many passionate Town residents who are supportive of the UFS, there may be a lack of knowledge about land management policies, poor coordination between community groups, and limited buy-in from the community.</p>	High	Likely	High	<p>To mitigate these challenges, a coordinated public communication campaign by the Town would be necessary.</p>
<p>Inadequate resourcing</p>	High	Likely	High	<p>The success of the UFS will depend largely on the allocation of sufficient resources for staffing and implementation.</p> <p>Further, to support successful community participation, funding should be carefully targeted towards viable community projects, adequate Town staffing to assist volunteers.</p> <p>Each financial year the Town will need to allocate budget according to the staged Implementation Plan.</p>

<p>With the time taken to commence the implementation of the UFS, there is a risk that the community may become disengaged and lose ownership.</p>	<p>High</p>	<p>Low</p>	<p>Medium</p>	<p>Community will be kept informed of the progress.</p> <p>Community education campaigns will be ongoing.</p>
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Strategic Plan Implications:

Referring to the Town’s new Strategic Community Plan 2017 – 2032, the UFS project aligns with the following Mission statements:

- Social: To promote sustainable, connected, safe and diverse places for everyone.
 - Strategic Outcomes S1 (A Healthy Community); S3 (An empowered community with a sense of pride, safety and belonging).
- Economic: To promote sustainable, diverse, resilient and prosperous places for everyone.
 - Strategic Outcomes EC1 (A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship); EC 2 (A clean, safe and accessible place to visit).
- Environment: To promote sustainable, connected, safe and diverse places for everyone.
 - Strategic Outcomes EN6 (Appropriate, inviting and sustainable green spaces for everyone that are well maintained and managed); EN7 (Increased vegetation and tree canopy).

Financial Implications:

Internal Budget:

The UFS calls for an increase in tree canopy within the Town of 20%. This will have a significant impact on the street and other tree maintenance budget in the future.

For 2018/19 the Parks business unit have requested \$100,000 (a four-fold increase in 2017/18 planting budget) to be allocated to accommodate some initial planting. This will be done in conjunction with the development of the Implementation Plan. Likely planting will be focused initially on Parks, Reserves and Sumps.

Additionally, a resource will be required in order to ensure the appropriate scoping and cross-functional (Engineering, Property Development, Parks, Planning, Environment, etc) development of an Implementation Plan to direct the staged implementation of the UFS, a dedicated resource will be required. It is anticipated that \$30,000 will be required for this resource.

Further, once the Implementation Plan is developed and endorsed by Council, an officer (possibly part time) will be required to coordinate the implementation of the UFS, guided by the Implementation Plan. This would include coordination of planting efforts, volunteers and communications. For a part-time role, this is estimated to cost \$40,000.

Total Asset Management:

To establish a healthy urban forest and achieve a 20% canopy target, it will require a mass tree planting programme along with ongoing maintenance and replacement. The minimum number of trees to be planted to reach this target is estimated at 256,000 trees.

Given the magnitude of the urban forest challenge, the reliance on an implementation approach that exclusively uses Town staff and contractors will place significant pressure on budgets. It currently costs the Town an estimated \$1,500 to plant a young tree and maintain it for three years (watering, mulching, staking, pruning). If the implementation of the UFS rested solely with the Town, it will cost \$384,000,000 to plant the 256,000 trees plus additional ongoing costs to reach canopy height.

As such an expenditure figure is completely beyond affordability of the Town, the UFS proposes to establish a volunteer urban foresters' network that can be mobilised for a mass planting and stewardship programme. This method can significantly reduce costs, potentially create effective synergies that combine resources and ideas, and improve efficiency and productivity. Long-term cost to the Town will be defined once the above is incorporated considered and incorporated into the Implementation Plan.

Sustainability Assessment:**External Economic Implications:**

A well designed and maintained Urban Forest has been well researched. Many benefits have been identified including the benefits to the local economy through:

- Reducing energy costs;
- Increasing property values;
- Avoiding costs of infrastructure renewal;
- Decreasing health costs;
- Marketing the municipality; and
- Nature boosting business through drawing shoppers into the district.

Social Issues:

An UFS has the potential to have a huge impact on the social wellbeing of the Town's community by;

- Providing a sense of place and creating a sense of local identity;
- Improving community cohesion;
- Encouraging outdoor activity;
- Reconnecting children with nature;
- Reducing peoples exposure to sun;
- Reducing heat-related stress and; and
- Improving mental wellbeing.

Cultural Issues:

The UFS presents an opportunity to address some cultural concerns regarding trees. For instance, there may be a perception that trees can be a dangerous nuisance. Leaf litter, bird activity, falling limbs, obstruction of views and damage to pavements and walls may cause irritation. In reality, these perceived risks and issues can be positively addressed through good planting design and management practices.

Clearly promoted benefits of an urban forest, as communicated through education campaigns associated with the UFS, may result in improved public awareness.

Environmental Issues:

The UFS will deliver benefits to the Town on a number of environmental issues including:

- Increasing canopy coverage;
- Combating climate change;
- Cleaning the air;
- Provide oxygen;
- Cool the streets;
- Conserve building energy costs;
- Prevent water pollution; and
- Habitat for wildlife.

COMMENT:

The Vic Park Collective and the Vic Park Trees have worked highly collaboratively and engaged extensively and respectfully with all stakeholders.

Vic Park Collective and the Vic Park Trees have endeavoured to create a UFS that accords with relevant Town of Victoria Park strategic plans and to align with all existing policies and procedures.

The Town has noted some minor suggested changes to the UFS, as contained within the recommendations. It is recommended that Future Planning Committee endorses the Town the UFS, subject to these the suggested alterations.

Alterations Required to Report:

- Page 47 – Change wording: “Explore and develop effective penalties to deter **illegal** tree removal and clearing of development sites”.
- Page 50 – “Investigate establishing an Environmental Resource Centre at the Kent Street Sand Quarry or other suitable site” to be consistent with the wording page 59, “Investigate the feasibility of establishing an Environmental Resource Centre within the Jirdarup Bushland Precinct as a public information and action hub for urban ecology”.
- Page 53 - Change wording: “Revise verge and street tree planting guidelines to **enhance** diversity”.
- Page 55 – “Target - No less than 90% of the Town’s urban forest will be maintained in good health”. Change to: “Maintaining the Town’s Urban Forest in good health”.
- Page 55 – “Benchmark and reduce the number of stressed trees and vegetation through careful management”. Suggest removing this action as this is addressed under the monitoring action on page 55: “Conduct targeted arborist checks; annually in problem areas as identified by GIS mapping, and Town-wide checks every three years”.
- Page 59 – Change wording: “As a matter of urgency develop a rehabilitation and revegetation plan for all areas to be planted”.
- Page 59 - Change wording: “Using a collaborative approach with other landowners and caretakers and adjacent LGAs, re-create green corridors throughout the Town to connect fragmented parcels of land that assist native fauna access and freedom of movement”.

- Page 59 – Where the following is mentioned: “Develop a planter box policy and parklet policy for shop”. Remove and integrate into the following point: “Develop a biophilic building design guide and implement trials, for example, roof top gardens and green walls, planter boxes and parklets to inform and promote best practice in the Town”

CONCLUSION:

To achieve a target of 20% canopy the Town needs to protect and save existing trees, and embark upon a mass tree planting program as well as policy and procedural changes.

Through the UFS, the Town’s urban forest will be strong, healthy and accessible to all. It will contribute to the health and wellbeing of our community and a sustainable liveable city.

The UFS has been created by the community via community groups. In partnership with the community, it is intended that the Town will manage and facilitate its implementation with the much needed support from residents, ratepayers and the broader community.

Should the UFS be endorsed by Council, the practical delivery of the UFS will need to be explored through the development of an Implementation Plan.

ADDITIONAL INFORMATION

Included as Appendix 2 to this report is the Urban Forest Strategy Community Consultation Comment/Response Table.

RECOMMENDATION/S FROM THE FUTURE PLANNING COMMITTEE:

That Council:

1. **Endorses the Town of Victoria Park Urban Forest Strategy, subject to alterations as outlined within the Comments section of this report.**
2. **Approves the development of an Urban Forest Strategy Implementation Plan.**

15 APPLICATIONS FOR LEAVE OF ABSENCE

RECOMMENDATION/S:

That Council approve leave of absence for:

1. Cr Brian Oliver from Monday 24 September 2018 to Sunday 30 September 2018, inclusive;
2. Cr Jennifer Ammons Noble from Monday 17 September 2018 to Tuesday 9 October 2018, inclusive; and
3. Mayor Trevor Vaughan from Thursday 4 October 2018 to Wednesday 31 October 2018, inclusive.

16 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17 QUESTIONS FROM MEMBERS WITHOUT NOTICE

18 NEW BUSINESS OF AN URGENT NATURE

19 PUBLIC QUESTION TIME

20 PUBLIC STATEMENT TIME

21 MEETING CLOSED TO PUBLIC

21.1 Matters for Which the Meeting May be Closed

- 21.1.1 Recommendation from the Chief Executive Officer Recruitment and Performance Committee - Chief Executive Officer Performance Review 2017/18 – *Confidential Item*

21.2 Public Reading of Resolutions That May be Made Public

22 CLOSURE



**DECLARATION OF
FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT
IMPARTIALITY**

**TO: CHIEF EXECUTIVE OFFICER
TOWN OF VICTORIA PARK**

Name & Position	
Meeting Date	
Item No/Subject	
Nature of Interest	Financial Interest* <i>(*Delete where</i> Proximity Interest* <i>not applicable)</i> Interest that may affect impartiality*
Extent of Interest	
Signature	
Date	

Section 5.65(1) of the Local Government Act 1995 states that:

“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed”.

ALTERNATE MOTION / AMENDMENT SUBMISSION



To: HIS WORSHIP THE MAYOR:

Please be advised that I wish to move an ALTERNATE MOTION / AMENDMENT

Name of Elected Member:

Signature:

Date of Submission:

Council Meeting Date:

Item Number:

Item Title:

Alternate Motion / Amendment: *(strike out which is not applicable)*

Note: Motions to Stand Alone

All decisions of the council must be in the form of motions that are clear in their intent and enable a person to understand what has been decided without reference to another motion or information contained in the body of a report.

Reason:

Note: Explanation for changes to Recommendations

Administration Regulation 11 requires the minutes to include written reasons for each decision that is significantly different from the written recommendation. Members must therefore provide a written reason in the space provided above.