

Office of the Chief Executive Officer Memorandum

Subject:	Ceres Lane Reconstruction TVP/22/06
Date:	18/07/2022

The recommendation for Item 13.2 – Ceres Lane Reconstruction TVP/22/06 has been changed to reflect a new contractor and price for the scope of works. After the Agenda Briefing Forum held on 5 July 2022, the original recommended contractor advised they could not hold the tendered price reflected in the report. The amended report reflects the new proposed contractor in the recommendation and in the report.



Bana Brajanovic
A/CHIEF EXECUTIVE OFFICER



Natalie Martin Goode
A/CHIEF EXECUTIVE OFFICER



TOWN OF
VICTORIA PARK



Ordinary Council Meeting Agenda – 19 July 2022



WE'RE OPEN
VIC PARK

Please be advised that an **Ordinary Council Meeting** will be held at **6:30pm** on **Tuesday 19 July 2022** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Mr Anthony Vuleta – Chief Executive Officer

14 July 2022

Table of contents

Item	Page no
1 Declaration of opening	5
2 Announcements from the Presiding Member	5
3 Attendance.....	7
3.1 Apologies.....	7
3.2 Approved leave of absence	7
4 Declarations of interest.....	8
5 Public question time.....	8
5.1 Responses to previous public questions taken on notice at the Agenda Briefing Forum held on 5 July 2022.....	9
5.2 Public question time	10
6 Public statement time	10
7 Confirmation of minutes and receipt of notes from any agenda briefing forum	11
8 Presentation of minutes from external bodies.....	11
9 Presentations	11
10 Method of dealing with agenda business.....	11
11 Chief Executive Officer reports	12
11.1 Council resolutions status report.....	12
11.2 Quarterly progress report - July 2022	15
11.3 Adoption of the Corporate Business Plan 2022-2027	28
11.4 Review of the Local Government Property Local Law 2000 - public submission results.....	35
11.5 Millers Crossing Communications and Advocacy.....	39
12 Chief Community Planner reports.....	44
12.1 Access and Inclusion Plan 2022 - 2027	44
13 Chief Operations Officer reports.....	54
13.1 Archer Mint Street Stage 1 TVP/21/13.....	54
13.2 Ceres Lane Reconstruction TVP/22/06.....	63
13.3 Extension of Concrete and Kerbing Services CTVP/22/03	69
14 Chief Financial Officer reports.....	73
14.1 Schedule of Accounts - May 2022.....	73
14.2 Financial Statements - May 2022.....	77
15 Committee Reports.....	81
16 Applications for leave of absence	81
17 Motion of which previous notice has been given.....	81

18 Questions from members without notice	81
18.1 Responses to questions from members without notice taken on notice at the Agenda Briefing Forum held on 5 July 2022	81
18.2 Questions from members without notice.....	81
19 New business of an urgent nature introduced by decision of the meeting.....	82
20 Public question time	82
21 Public statement time	82
22 Meeting closed to the public	82
23 Closure	82

1 Declaration of opening

Acknowledgement of Country

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

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

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

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

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

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

2 Announcements from the Presiding Member

2.1 Recording and live streaming of proceedings

In accordance with clause 39 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, as the Presiding Member, I hereby give my permission for the administration to record proceedings of this meeting.

This meeting is also being live streamed on the Town's website. By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to public. Recordings are also made available on the Town's website following the meeting.

2.2 Public question time and 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 40 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, 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 56 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, 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 Meeting Procedures Local Law 2019*

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 Meeting Procedures Local Law 2019*.

2.5 Mayor's report

3 Attendance

Mayor

Ms Karen Vernon

Banksia Ward

Deputy Mayor Claire Anderson
Cr Wilfred Hendriks
Cr Luana Lisandro

Jarraah Ward

Cr Jesse Hamer
Cr Bronwyn Ife
Cr Jesvin Karimi
Cr Vicki Potter

A/Chief Executive Officer

Ms Natalie Martin Goode

A/Chief Executive Officer

Ms Bana Brajanovic

Chief Operations Officer

Ms Natalie Adams

A/Chief Financial Officer

Mr Luke Ellis

A/Chief Community Planner

Mr David Doy

Strategic Projects Manager

Mr Rizwan Check

A/Manager Governance and Strategy

Ms Amy Noon

Meeting secretary

Ms Natasha Horner

Public liaison

Ms Alison Podmore

Meeting support

Ms Felicity Higham

3.1 Apologies

Chief Executive Officer

Mr Anthony Vuleta

3.2 Approved leave of absence

Banksia Ward

Cr Peter Devereux

4 Declarations of interest

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

Declaration of financial interests

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

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest, where they are providing advice or a report to the Council. Employees may continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

Declaration of proximity interest

A person has a proximity interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5) of the *Local Government Act 1995*) of land that adjoins the persons' land.

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

A member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

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

Declaration of interest affecting impartiality

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

5 Public question time

5.1 Responses to previous public questions taken on notice at the Agenda Briefing Forum held on 5 July 2022

Vince Maxwell

2. *[Regarding item 11.3] Rather than just increasing rates, what is Council planning to do to address this runaway increase in operational expenditure?*

Annual reviews are undertaken as part of the budget process to see whether the Town can reduce operating expenditure each year while keeping the same service level for the community. In the 2022/23 proposed operating budget operating expenditure has reduced.

4. *Council resolved in May 2022 to advertise its intention to levy differential rates, and the rates in the dollar for each category was listed along with the amount of \$340 per household for waste levy. According to the draft budget, there is a total of 16,033 residential properties in the Town. At last month's Ordinary Council Meeting, the A/Chief Financial Officer advised that 11,694 properties have GRV below \$18,500. Using the figures the Council agreed to advertise in May, then 73% of residential property owners will have their rates increase by more than the 4.6% and some as high as 14%, based on the advertised rates, can you confirm if a household with a GRV of 12500 will see a rate increase of 14.2% and that a household with a GRV of \$36,000 will get a rate cut of 5%?*

What was advertised in May is not the current minimum rate and rate in the dollar currently proposed in the budget document.

Based on what is being proposed, a property with a GRV of 12,500 will see an increase of 12.8% which is a difference of \$148 (\$2.85 a week), paying an annual charge of \$1,303.

A property with a GRV of 36,000 will see a decrease of 5.9%, paying an annual charge of \$3,129.

2. *Can I ask will the total waste budget this year be only \$5 million?*

The total proposed budget for waste services is \$6.18 million.

3. *In a nutshell are you saying the \$340 is the cost of taking rubbish from a residential property?*

The proposed waste and recycling charge of \$331 considers all waste services provided within the Town.

5. *Who owns the green light poles in Berwick Street?*

These poles are Western Power assets.

6. *Does the Town know who owns what looks like a 5G base station on the poles and who put it there? Do telecommunication companies need to submit structural engineering requests for these devices to be attached to lights? Do they need to come to the Town for approval, given it is in a public area?*

The devices attached to the existing streetlights are Telstra 4G/5G small cell radiocommunications devices and their main purpose is to improve network coverage in the area. As the asset attached to the pole does not belong to the Town, nor is it fixed to a Town asset, no approval was required for the devices, however the Town did provide a work-zone permit for the contractor to undertake works to facilitate the installation process. We understand there would be a license agreement between Western Power and Telstra. The devices appear to be small lightweight units, therefore unlikely to have any structural implications on the pole. Small cells are regarded as "low impact facilities" which are exempt from State and Local Government planning approval in accordance with the Telecommunications (Low Impact Facilities) Determination 2018 made under the Telecommunications Act 1997.

5.2 Public question time

6 Public statement time

7 Confirmation of minutes and receipt of notes from any agenda briefing forum

Recommendation

That Council:

1. Confirms the minutes of the Ordinary Council Meeting held on 21 June 2022
2. Confirm the minutes of the Special Council Meeting held on 12 July 2022
3. Receives the notes of the Agenda Briefing Forum held on 5 July 2022
4. Receives the notes of the Hockey Working Group meeting held on 2 June 2022
5. Receives the notes of the Access and Inclusion Advisory Group meeting held on 15 June 2022
6. Receives the notes of the Urban Forest Strategy Implementation Working Group meeting held on 23 May 2022
7. Receives the notes of the Urban Forest Strategy Implementation Working Group meeting held on 20 June 2022
8. Receives the notes of the Mindeera Advisory Group meeting held on 30 June 2022

8 Presentation of minutes from external bodies

Recommendation

That Council:

1. Receives the minutes of the Tamala Park Regional Council Ordinary Meeting held on 16 June 2022
2. Receives the minutes of the South-East Metropolitan Zone meeting held on 22 June 2022

9 Presentations

9.1 Petitions

9.2 Presentations

9.3 Deputations

10 Method of dealing with agenda business

11 Chief Executive Officer reports

11.1 Council resolutions status report

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Outstanding Council Resolutions Report - June 2022 [11.1.1 - 34 pages] 2. Completed Council Resolutions Report - June 2022 [11.1.2 - 7 pages]

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the Outstanding Council Resolutions Report as shown in attachment 1. 2. Notes the Completed Council Resolutions Report as shown in attachment 2.

Purpose

To present Council with the Council resolutions status reports.

In brief

- On 17 August 2021, Council endorsed status reporting on the implementation of Council resolutions.
- The status reports are provided for Council’s information.

Background

1. On 17 August 2021, Council resolved as follows:

That Council:

1. Endorse the inclusion of Council Resolutions Status Reports as follows:

- a) Outstanding Items – all items outstanding; and
- b) Completed Items – items completed since the previous months’ report to be presented to each Ordinary Council Meeting, commencing October 2021.

2. Endorse the format of the Council Resolutions Status Reports as shown in Attachment 1.

Strategic alignment

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

Engagement

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

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Not applicable.				Low	
Reputation	Not applicable.				Low	
Service delivery	Not applicable.				Medium	

Financial implications

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

Analysis

3. The Outstanding Council Resolutions Report details all outstanding items. A status update has been included by the relevant officer/s.
4. The Completed Council Resolutions Report details all Council resolutions that have been completed by officers from 1 June 2022 to 30 June 2022. A status update has been included by the relevant officer/s.

Relevant documents

Not applicable.

11.2 Quarterly progress report - July 2022

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Chief Executive Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Corporate Business Plan quarterly report - Completed deliverables - July 2022 [11.2.1 - 5 pages] 2. Corporate Business Plan quarterly report - Progress report - July 2022 [11.2.2 - 17 pages] 3. Corporate Business Plan quarterly report - Annual progress summary - July 2022 [11.2.3 - 18 pages] 4. Five-year capital works program quarterly report - July 2022 [11.2.4 - 17 pages] 5. Economic Development Strategy quarterly report - July 2022 [11.2.5 - 7 pages] 6. Urban Forest Strategy quarterly report - July 2022 [11.2.6 - 6 pages] 7. Reconciliation Action Plan quarterly report - July 2022 [11.2.7 - 5 pages] 8. Disability Access and Inclusion Plan quarterly report - July 2022 [11.2.8 - 6 pages] 9. Community Benefits Strategy quarterly report - July 2022 [11.2.9 - 25 pages] 10. Climate Emergency Plan Implementation Working Group Terms of Reference [11.2.10 - 3 pages] 11. Green Building Guidance Green Star and NABERS [11.2.11 - 9 pages]

Recommendation

That Council:

1. Receives the quarterly written progress reports, for July 2022, relating to the:
 - a) Corporate Business Plan
 - b) Five-year capital works program, including the 2021/2022 Annual Strategic Project Plan
 - c) Economic Development Strategy 2018-2023
 - d) Urban Forest Strategy
 - e) Reconciliation Action Plan
 - f) Disability Access and Inclusion Plan
 - g) Community Benefits Strategy
 - h) Climate Emergency Plan.
2. Requests the Chief Executive Officer to add outstanding 2021-2022 Corporate Business Plan corporate deliverables as actions in the Corporate Business Plan 2022-2027.

Purpose

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

In brief

- At the Ordinary Council Meeting on 16 July 2019, Council resolved that quarterly written progress reports be presented to Council on the Corporate Business Plan, Annual Strategic Project Summary, five-year capital works program and a selection of strategies and plans. A resolution in July 2021 requested that the progress report on the Climate Emergency Plan also be included.
- The progress reports were requested to enable Council to confidently oversee the Town's performance, allocation of finances and allocation of resources, as well as improve transparency and accountability to the Council and community.
- All progress reports for this quarter are attached to this report to be received by Council.

Background

1. At the Ordinary Council Meeting on 16 July 2019, Council resolved:

That Council requests that the Chief Executive Officer:

1. *Develops an Annual Strategic Project Summary for 2019/2020, containing a summary of the projects that are aligned to strategic outcomes in the Strategic Community Plan 2017-2027.*
 2. *Presents the 2019/2020 Annual Strategic Project Summary for adoption at the September Ordinary Council Meeting.*
 3. *Presents to Council, commencing from the October Ordinary Council Meeting, quarterly written progress reports on the actions, projects and outcomes within the Town's following plans and strategies:*
 - a. *Corporate Business Plan*
 - b. *2019/2020 Annual Strategic Project Summary*
 - c. *5 Year Capital Works Program*
 - d. *Economic Development Strategy 2018 – 2023*
 - e. *Urban Forest Strategy*
 - f. *Reconciliation Action Plan*
 - g. *Disability Access and Inclusion Plan*
2. The quarterly written progress reports were requested to enable Council to assess performance against strategies and plans, identify risks and significant variations in project performance and budgeting, receive information needed to be able to make informed decisions, and be able to take action to address any issues that arise. They were also requested to give Council and the community a higher level of transparency and accountability relating to strategic actions, plans and projects.
 3. At the Ordinary Council Meeting on 20 July 2021, Council resolved:

That Council:

 1. *Receives the community consultation results for the draft Climate Emergency Plan.*
 2. *Endorses the Climate Emergency Plan 2021 – 2031.*
 3. *Instructs the Chief Executive Officer to include the Climate Emergency Plan in the Quarterly written progress Reports to Council, commencing in the next quarter for 2021.*
 4. At the Ordinary Council Meeting on 12 October 2021, Council resolved to request quarterly progress reports on the programs within the Community Benefits Strategy 2019-2024.

Strategic alignment

Civic Leadership	
Community priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Regular reporting on agreed actions and deliverables enables the Council and community to have oversight of the Town's performance in achieving adopted strategies and plans.

Engagement

Internal engagement	
Stakeholder	Comments
Operations	Operations coordinate the progress reports for the 2021/2022 Annual Strategic Project Summary and Five-Year Capital Works Program.
Governance and Strategy	Governance and Strategy coordinate the progress reports for the Corporate Business Plan.
Place Planning	Place Planning coordinate the progress reports for the Economic Development Strategy 2018 – 2023 and Urban Forest Strategy.
Community Development	Community Development coordinate the progress reports for the Reconciliation Action Plan and Disability Access and Inclusion Plan.
Events, Arts and Funding	Events, Arts and Funding coordinate the progress report for the Community Benefits Strategy.

Legal compliance

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	.
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	

Legislative compliance	Not applicable.					Low	
Reputation	Negative public perception towards the Town if progress expectations are not being met.	Minor	Possible	Moderate	Low	<p>Risk to be treated by providing commentary and reasoning within progress reports where expectations are not being met.</p> <p>Avoid risk by frequently reporting to Council, allowing Council and community to be informed of progress in a timely manner and potentially mitigate further progress delays.</p>	
Service delivery	Not applicable.					Medium	

Financial implications

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

Analysis

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

Corporate Business Plan

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

Strategic outcome	Total actions	No. of actions completed	No. of actions in progress	No. of actions overdue
Social	27	18	9	9
Environment	78	45	33	33
Economic	24	20	4	4
Civic Leadership	133	95	38	38

8. Actions completed within the reporting quarter are as follows.

Completed actions
CL8.4.1 - Complete the major review of the Strategic Community Plan
CL8.5.15 - Conduct a review of Leisure centres operations
CL8.5.19 - Conduct a review of People and Culture's operations
EC2.2.1 - Deliver the Safer Neighbourhoods Plan
EC2.3.1 - Review Parking Hotspot Zones 1 and 6
EN1.1.2 - Prepare the Local Planning Strategy
EN5.1.10 - Link adopted strategies to strategic asset planning
EN6.1.10 - Finalise the Kent Street Sandpit concept plan
S4.1.1 - Review the Town's Public Art Policy
S4.2.2 - Prepare the Scheme Heritage List

9. Outstanding actions are recommended to be included in the new Corporate Business Plan 2022-2027.

2021/2022 Annual Strategic Project Summary

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

Total projects	No. of projects on track	No. of projects for monitoring	No. of projects off track
19	14		5

Five Year Capital Works Program

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

2021/2022

Total projects	Works in Progress	Not yet started	Complete
163	64	17 Not yet started 5 deleted	77

Approved project list for FY23 to FY25 to be updated post budget adoption.

2022/2023

Total projects	Works in Progress	Not yet started	Complete
88		88	

2023/2024

Total projects	Works in Progress	Not yet started	Complete
42		42	

2024/2025

Total projects	Works in Progress	Not yet started	Complete
27		27	

Deferred/Not nominated

Total projects	Works in Progress	Not yet started	Complete
11		11	

Economic Development Strategy 2018 – 2023

- The Economic Development Strategy 2018 - 2023 (EDS) outlines 50 actions required to achieve the seven pathways for sustainable economic growth over the next five years. The EDS was adopted by council in March 2019.
- The summary table below represents the number of actions progressed and completed since the adoption of the EDS.

Outcome	Total actions	No. of actions completed	No. of actions in progress	No. of actions not started
Pathway 1: Leadership	4	2	2	0
Pathway 2: Identity	2	0	2	0
Pathway 3: Local to Global Connections	5	0	3	2
Pathway 4: Smart Town- Digital Innovation	7	0	5	2
Pathway 5: Creating an Enabling Business Environment	8	1	6	1
Pathway 6: High Value Precincts	6	5	1	0
Pathway 7: High Value Sectors	18	1	16	1
Total	50	9	35	6

Urban Forest Strategy

- The Urban Forest Strategy (UFS) Implementation Action Plan (IAP) outlines 41 actions required to achieve the six strategic outcomes defined in the UFS over a 5-year period. The UFS was adopted by council in September 2018 and the IAP in September 2019.

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

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

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

Reconciliation Action Plan

17. The Town's Reflect Reconciliation Action Plan (RAP) was adopted by Council in November 2018.
18. The document outlines strategies and actions to support opportunities to strengthen the community, build strong relationships and foster greater awareness and understanding of Aboriginal culture and history.
19. The status of actions from the Reconciliation Action Plan are as follows.

Category	No. of actions completed	No. of actions in progress/ongoing	No. of actions not started
Relationships	18	0	0

Respect	33	3	0
Opportunities	14	3	2
Tracking and Progress	2	1	1

A summary of the progress for each of the actions from the RAP is attached in a separate schedule.

Disability Access and Inclusion Plan

20. The Town's Disability Access and Inclusion Plan was adopted by Council in September 2017 and is a legislative requirement for all local governments.
21. The status of actions from the Disability Access and Inclusion Plan are as follows.

Category	No. of actions completed	No. of actions in progress	No. of actions not started
Services and Events	5	1	0
Building and Facilities	3	1	0
Information	5	1	0
Quality Customer Service	5	0	0
Complaints	2	0	0
Public Consultation	3	0	0
Employment	5	0	0

22. A summary of the progress for each of the actions from the DAIP is attached in a separate schedule.

Community Benefits Strategy

23. The Community Benefits Strategy (CBS) was launched on 2 December 2019.
24. The Town of Victoria Park, West Coast Eagles, Waalitj Foundation, and the Perth Football Club partnered in the design process of the CBS to collectively bring their own strengths to the partnership. The design process resulted in the creation of four programs, each program has a lead delivery partner to ensure its success.
25. The status of actions from the CBS are as follows:

Program	No. of actions completed /ongoing	No. of actions progressing	No. of actions not started
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Youth engagement program	3	1	0
Healthy relationship awareness	7	1	1
Supporting local community organisations	4	3	0
Recreational groups and sports club development	4	1	1

26. A summary of the progress for each of the programs from the CBS is attached in a separate schedule.

Climate Emergency Plan

27. The Town's Climate Emergency Plan (CEP) was adopted by Council on 20 July 2021.

29. The Climate Emergency Plan aims to:

- Achieve a zero-carbon target for emissions generated by the Town of Victoria Park by 2030. The timeframe of 2030 has been chosen because it is the timeframe needed to curb emissions and limit the seriousness of climate change impacts.
- Achieve at least 40% emissions reduction through direct action (i.e. not through carbon offsets).
- Support the community and businesses in working towards their own zero carbon target.
- Improve the resilience of the Town in responding to immediate climate change impacts.

30. The status of actions from the CEP are as follows.

Category	No. of actions completed	No. of actions in progress/ongoing	No. of actions not started
1 Embed a low carbon culture	5	1	2
2 Reduce emissions of facilities and assets	3	7	
3 Reduce waste emissions	No 2021/2022 actions		
4 Switch to low carbon and renewables	1		
5 Respond to immediate climate change impacts	3	2	2

6 Support and educate our community	5	3
7 Support and educate our businesses	5	2
8 Offset residual emissions	1	

0. This quarter, the key progress highlights of the Climate Emergency Plan are outlined below.
 1. ClimateClever workshop series for residents, schools and businesses held June 2 and 5.
 2. In partnership with the UFS team, held educational workshops on the value of tree retention, urban farming, and sustainable landscaping, including biophilic design in 2022:
 - (i) Workshop 1 -Urban Farming / Sustainability at home: Tuesday 5 April
 - (a) Workshop 2 -Climate proof cities – city design and transport: Wednesday 6 April
 - (b) Workshop 3 - Green lab kid's event: Tuesday 12 April
 - (c) Workshop 4- Biodiversity: Thursday 5 May
 3. Established the Switched on Business awards program, to celebrate and recognise local businesses who are changing their practices to be more environmentally friendly or kicking their sustainability goals.
 4. Electric vehicle workshop held 26 May.
 5. Partnered with Green Services to provide free energy advice and home audits to our community.
 6. Procured service with Climate Change Response to install an energy monitoring/quality management system for council buildings, which will result in energy and emissions savings long term.
 7. Establishment and approval of Terms of Reference and internal advisory group to oversee the implementation of the Climate Emergency Plan.
 8. Development of guidance document to assist with the below action:

Require the construction of future Council owned buildings and assets to meet either:

 - *A minimum 5 Star Green Star for New Buildings certification from the Green Building Council of Australia (GBCA) or equivalent, or*
 - *Demonstrate that all minimum requirements under the Green Star for New Buildings Positive category from the GBCA have been met, or*
 - *A minimum 5 Star NABERS Energy and Waste rating for the commercial office space.*
 9. Reviewed the Operational Agreement with Kensington Secondary School re: fire break management between the school and Kensington Bushland.
 10. Community planting days will be held: Sunday 3 July at Forward Reserve - Naidoc themed event; Sunday 31st July Kent St – National Tree Day event. As part of this, local businesses in the vicinity of

the locations will be engaged, such as through a 'my tree story' with business owners as means to promote.

11. The Town has developed a green building guidance document. This is with a view to integration into Town building project delivery process to ensure the targeted credits/requirements of the tools are considered and accommodated in project planning and delivery.
12. In terms of sustainability-based incentives for residents, the Town held an Autumn Seed Service for residents through the Grow It Local program.
28. As per the Council resolution, progress reports will be presented to Council on a quarterly basis, in October, February, April and July.

Relevant documents

[Corporate Business Plan](#)

[Economic Development Strategy 2018 – 2023](#)

[Urban Forest Strategy](#)

[Reconciliation Action Plan](#)

[Disability Access and Inclusion Plan](#)

[Climate Emergency Plan](#)

[Community Benefits Strategy](#)

Further consideration

13. The following information was requested at the Agenda Briefing Forum held on 5 July 2022.

Percentage breakdown of planting completed by contactors and by community

14. It is estimated that 15% of the planting in the Urban Forest Program is undertaken by the community. This includes planting through the Urban Forest @ Home sub-program and portions of the Urban Ecosystems sub-program, which is delivered via community planting days. In the context of the Perth Metropolitan area, Victoria Park's place in the Perth inner-east and a demographic profile suggesting a reasonably affluent, yet time-poor community, this is a good outcome. A large focus is placed on the quality of the public planting experience rather than just a measurement against a 'plants planted by the community' metric.

Specific learnings were gathered from other Local Government organisations when developing the Innovate Reconciliation Action Plan

15. The Town is currently in the process of developing an Innovate RAP. This has included engagement with the City of Fremantle regarding its approach to 26 January in particular. Staff from the City of Fremantle have briefed the Town's Mindeera Advisory Group on their approach and lessons learnt. Subsequently this information has been used to inform a refined approach regarding this topic and will also be used in the development of the Innovate RAP. As officers are still in the process of developing a new RAP, further examples of lessons learnt from other local government authorities will be considered as part of this process.

Acronym for Healthy Relationships Strategy Group

16. The acronym used to refer to the Healthy Relationships Strategy Group has been corrected.

Climate Emergency Plan Implementation Working Group Terms of Reference

17. The Climate Emergency Plan Implementation Working Group Terms of Reference have been included as an attachment to this report.

Green building guidance

18. The green building guidance has been included as an attachment to this report.

Funding from the Department of Planning, Lands and Heritage

19. The wording has been changed to clarify that DPLH received funding, not the Town.

Kent St sandpit project status update

20. The Kent St sandpit project status update has been changed.

Amazon employee's involvement with community planting day

21. The planting day was promoted through the Business e-newsletter, released by the Place Planning Support Officer.

11.3 Adoption of the Corporate Business Plan 2022-2027

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Absolute majority
Attachments	1. Draft Corporate Business Plan 2022-2027 [11.3.1 - 66 pages]

Recommendation

That Council:

1. Adopt the Corporate Business Plan 2022-2027, as at attachment one.
2. Request the Chief Executive Officer to present a further iteration of the plan by July 2023 containing:
 - (i) budgets against actions
 - (a) service performance measurement
 - (b) operational risk profiles
 - (c) service area workforce projections
 - (d) service area operating financial projections.

Purpose

To present the Corporate Business Plan 2022-2027 for adoption.

In brief

- The Town is required to have a Corporate Business Plan (CBP) under legislation.
- The current CBP becomes obsolete on 30 June 2022.
- A new Strategic Community Plan (SCP) was adopted by Council in April 2022.
- A new CBP has been developed that integrates the delivery of informing strategies, governance responsibilities and business improvement.
- Delays with adopting the SCP and reviewing informing strategies along with resourcing constraints related to resignations, staff leave and competing priorities have meant that not all content planned has been included. It is recommended that a further iteration of the plan be developed and presented to Council by February 2023.

Background

1. The Local Government Act 1995 and Local Government (Administration) Regulations 1996 require the Town to have a Corporate Business Plan.
2. The current CBP spans from 2017-2022 and becomes obsolete on 30 June 2022.
3. The new Strategic Community Plan 2022-2032 was adopted by Council in April 2022. The previous vision and mission remained unchanged and a new purpose, community priorities and Town objectives have been introduced. Each of these form the basis for which the CBP has been developed to achieve.
4. Adoption of the new SCP triggered a major review of the CBP. Council made a resolution in April 2022 to approve the delay for the presentation of the CBP. The text of that point of Council Resolution 76/2022 is provided below.

3. Approves the delay for the presentation of the Corporate Business Plan 2022-2027 to the July 2022 Ordinary Council Meeting.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Planning actions that will be delivered allows the Town to manage resources and sets the basis for reporting progress.
CL2 - Communication and engagement with the community.	The CBP communicates what the Town will do to achieve the priorities that allow the Town to create the vision for the future, as set out in the SCP.
CL3 - Accountability and good governance.	The CBP allows Council and the community to have oversight of the Town’s performance and how resources are managed to deliver outcomes.

Engagement

Internal engagement	
Stakeholder	Comments
C-Suite	Provided input into the plan for actions related to their areas.
Managers	
Service Area Leaders	
Subject-matter experts	
Elected members	
Elected members	<p>A workshop was held with elected members in March 2022 to get feedback on the proposed actions. Several items were suggested including:</p> <ul style="list-style-type: none"> • links to strategies and plans needing to be clear • actions needing to all be at a similar level of detail • the need to be clear on who is responsible for reporting on actions • action format needing to be simple to understand • the need to balance actions over multiple years. <p>Feedback in relation to specific actions was also provided.</p> <p>Actions and their presentation format were revised and provided to elected members for feedback in June 2022. Feedback was provided by one elected member to expand the intent of waste education programs and undertake them in multiple years. The action was amended to allow for broader focus however, the implementation of the program is only listed for 2022-23. Once a program is</p>

implemented, it will become a service delivery activity rather than an action for each year. This can be captured using a service key performance indicator.

Legal compliance

[Section 5.56 of the *Local Government Act 1995*.](#)

[Regulation 19DA of the *Local Government \(Administration\) Regulations 1996*.](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Failure to adopt a revised CBP will mean that the Town is not compliant with the requirement to make a corporate business plan for the district.	Moderate	Unlikely	Medium	Low	TREAT by adopting the proposed CBP.
Reputation	Failure to adopt a CBP could result in negative public perception as the community will not know how the Town is planning on achieving the priorities and objectives in the SCP over the next five years.	Minor	Unlikely	Low	Low	TREAT by adopting the proposed CBP or providing clear direction to enable a CBP to be adopted.
Service delivery	Failure to adopt a CBP could mean that clear direction	Moderate	Unlikely	Medium	Medium	TREAT by adopting the proposed CBP or

	through activities and goals is not set to enable the Town to achieve the priorities and objectives in the SCP.	providing clear direction to enable a CBP to be adopted.
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Financial implications

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

Analysis

5. The Corporate Business Plan 2022-2027 has been developed collaboratively across the Town and with elected member feedback, with a focus on integrating the delivery of informing strategies, governance responsibilities and business improvement.
6. While the majority of the plan is being presented to Council, some content remains outstanding. Delays with adopting the SCP and reviewing informing strategies along with resourcing constraints related to resignations, staff leave and competing priorities have meant that not all content planned has been included. The Town proposes to commit to including this information in a revised plan, presented to Council, by February 2023. The information to be included is:
 - a) budgets against actions
 - b) service performance measurement
 - c) operational risk profiles
 - d) service area workforce projections
 - e) service area operating financial projections.
7. The proposed plan is split into eight sections – introduction, actions, services, structure, partnerships, measuring performance, financial summary and sustainability ratios.

Introduction

8. The introduction provides context for the plan such as the Town’s strategic direction, what a CBP is, how the CBP should be used and details about the new program structure that relates to the actions planned for each financial year.

Actions

9. The actions section is the majority of the CBP. It sets out what will be done over the next five financial years for the Town to work towards achieving the community priorities and Town objectives in the Strategic Community Plan 2022-2032.
10. The format of the action plans was designed to show staff and elected members how actions align and contribute to achieving the strategic direction that will ultimately enable the Town to become a dynamic place for everyone. It communicates to the community how the Town’s efforts all link back to what they said the Town’s priorities should be for the future, as part of the SCP. It was also designed to

prompt those involved to consider whether actions needed to be introduced to progress a priority, based on the Town objectives.

11. For each action, details of what is expected, the date for completion, the responsible service area and related strategy or plan has been included. The estimated budget for each action will be included in the revised plan proposed to be presented to Council in February 2023.
12. The nature of proposed actions varies. In some cases they may seem quite detailed and at a low level while others are bundled into sub-programs that relate to the Town's informing strategies. The reason for the variation is that certain actions needed to be included in detail to demonstrate clearly how a Town objective would be achieved.
13. Some actions are also listed more than once across priorities. This is due to strategies and plans relating to more than one community priority, with a lot of what the Town does not occurring in isolation. The Town plans to set another level of actions as part of service area planning, to break down efforts further. This will inform the content for progress reporting to Council.

Services

14. Rather than replicating the current CBP format, it was decided to list all services provided to the community by the Town, rather than concentrating on the service area groups that the Town is organised in. The purpose of this was to communicate the services the community receives and provide a basis for better performance measurement and risk management related to service delivery. It is also hoped that the cross-functional focus on providing services to the community will further promote the Town's new adopted purpose of sustainably serving, empowering and connecting community.
15. This section prepares the Town for proposed changes to the *Local Government Act 1995*, where service plans are required to provide transparency about the functions delivered and what they cost. Although specific details of the changes are not yet known, there will be a need to change how the Town thinks about communicating service delivery.
16. In the revised plan proposed to be presented to Council by February 2023, key performance indicators will be set against each service to allow Council and the community to monitor performance of the Town. Operational risk profiles will also be developed for each service to help with aligning risk management to compliance and business improvement. This promotes a cross-functional approach to risk management where risk events are considered against the service provided rather than siloed in service areas.

Structure

17. The structure section shows how the Town is organised to deliver the actions and services previously listed in the plan.
18. Currently only the Town's organisation structure is included with a commitment to include workforce projections and financial projections in the revised plan proposed. These projections also link to the reviews of the Workforce Plan and Long-Term Financial Plan that are scheduled for completion in 2022-2023.

Partnerships

19. A new partnerships section is being proposed to give a brief overview of groups that the Town is part of resulting from memorandums of understanding. It shows how the Town is working with others to progress priorities beyond the Town's boundaries. This information is not currently centralised but

activities are reported annually to Council in December. Inclusion of this section not only informs the community of objectives and outcomes but also provides a shared understanding between Council and the Town about partnerships that need to be reported on annually.

Measuring performance

20. The proposed performance measurement section outlines how the Town plans on measuring, monitoring and reporting performance to senior management, Council and the community.
21. It details performance measurement related to community priorities, Town objectives, service performance and operational performance.
22. The intention of the increased focus on performance measurement is to enable data to be gathered that helps Council and the community have oversight of the operations of the Town. Rather than rely on the completion of actions to determine performance, performance measurement at each level will allow for indications of progress and decisions to be made based on data.
23. If the proposed plan is adopted, the Town plans to engage with elected members to use performance measurement information to refresh how the Town currently presents quarterly progress reports.

Financial summary and sustainability ratios

24. These sections are the same as the Town's current CBP with updated figures.
25. This information will need to be further amended once the review of the Town's Long-Term Financial Plan is completed.

Next steps

26. Following Council adoption, the plan will be graphically designed and made available.
27. The Town is currently procuring a strategy and corporate performance system that will allow for all actions and performance measurement to be monitored against the Town's strategic direction. This will assist with quarterly progress reporting to Council.
28. If supported by Council, a revised version of the plan that delivers on the commitments in the recommendation will be presented to Council by February 2023.

Relevant documents

[Strategic Community Plan 2022-2032](#)

[Integrated Planning and Reporting Framework and Guidelines](#)

[Corporate Business Plan 2017-2022](#)

Further consideration

29. A question asked by Vince Maxwell was taken on notice at the Agenda Briefing Forum. The question was "*Rather than just increasing rates, what is Council planning to do to address this runaway increase in operational expenditure?*" Annual reviews are undertaken as part of the budget process to see whether the Town can reduce operating expenditure each year while keeping the same service level for the community. In the 2022-2023 proposed operating budget, operating expenditure has reduced.
30. At the Agenda Briefing Forum, a question about whether the document could be made shorter was asked. Rather than remove content or actions, the Town will publish the plan in sections on the website

so readers can navigate straight to the section they need. The CBP does not get printed due to content changing annually at minimum. Internally, all information included in the plan that guides achievement towards the strategic direction or needs to be monitored to indicate performance will be loaded into and viewed in the Town's software program. There are also plans to review whether a performance dashboard can be reinstated on the Town's website to allow elected members and the community to have a more visual view of action progress and performance data.

31. A summary of the actions and services listed in the CBP can be developed as an extra communication tool.
32. Since the Agenda Briefing Forum, the target date for providing a further iteration of the plan has been extended. The recommendation has been changed from February 2023 to July 2023, and the content in the CBP has been updated. This is due to recruitment for the position responsible being unsuccessful and the process needing to be repeated, with no indication of whether the outcome will be better. All effort will be made to try and present a further plan before July 2023 if resourcing allows.
33. The extension of the timeframe will also allow for the further iteration to be informed by a review of the Long-Term Financial Plan. This will help with including budget figures against each action and will allow the Town to review whether actions are included for financial years 2023-2024 onwards, in line with financial planning. The financial summary and sustainability ratios will be updated to reflect any changes to the Long-Term Financial Plan at this point.
34. Details about the changes to integrated planning and reporting as a result of Act reforms should be known by the time a further iteration is presented to Council. It is possible that changes may even change the scope of what is presented. The Town will communicate any changes to Council if needed.

11.4 Review of the Local Government Property Local Law 2000 - public submission results

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Absolute majority
Attachments	Nil

Recommendation

That Council:

1. Considers that no submissions were received in relation to the review of the *Town of Victoria Park Local Government Property Local Law 2000*, in accordance with Section 3.16(3) of the *Local Government Act 1995*.
2. Acknowledges that a review of the local law was undertaken by the Town, in accordance with Section 3.16(1) of the *Local Government Act 1995*.
3. Requests the Chief Executive Officer to present an amendment local law by July 2023, in accordance with Section 3.12 of the *Local Government Act 1995*.
4. Requests the Chief Executive Officer to add an action to the Corporate Business Plan 2022-2023 to "Develop an amendment local law for the *Local Government Property Local Law 2000*."

Purpose

For Council to acknowledge that a review of the *Local Government Property Local Law 2000* was undertaken and request that an amendment local law be presented by July 2023.

In brief

- A review of the Local Government Property Local Law 2000 was undertaken by the Town.
- No submissions were received from the community during the public consultation period.
- Several issues and improvements were identified by staff during the review.
- The Town recommends that an amendment local law be prepared and presented to Council by July 2023.

Background

1. At the Ordinary Council Meeting on 12 April 2022, Council resolved:
That Council gives local public notice of its intent to review the Town of Victoria Park Local Government Property Local Law 2000 in accordance with section 3.16 of the Local Government Act 1995.
2. Local public notice was given and a public submission period occurred from 5 May to 19 June 2022.
3. Town employees were engaged during this period on whether there was a need for any amendments or improvements to the local law.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL3 - Accountability and good governance.	Reviewing and amending local laws enables them to suit the current environment.

Engagement

Internal engagement	
Stakeholder	Comments
C-Suite, Managers and Service Area Leaders	Suggestions for amendments were made that relate to the inclusion of drones and e-rideables.

External engagement	
Stakeholders	All community.
Period of engagement	5 May to 19 June 2022.
Level of engagement	2. Consult
Methods of engagement	Written submissions.
Advertising	<ul style="list-style-type: none"> Perth Now advertisement – 5 May 2022. Public noticeboards at administration building and library. Town website. Your Thoughts. Facebook – 5 May 2022.
Submission summary	No submissions were received.
Key findings	Nil.

Legal compliance

[Section 3.16 of the Local Government Act 1995.](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Failure to resolve that a review has taken place will mean the Town isn't compliant with the requirements of the <i>Local Government Act 1995</i> .	Insignificant	Rare	Low	Low	TREAT by resolving to acknowledge review.
Reputation	Not applicable.				Low	
Service delivery	Failure to initiate an amendment local law may mean that the local law doesn't suit the current environment.	Insignificant	Unlikely	Low	Medium	TREAT by resolving to request an amendment local law.

Financial implications

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

Analysis

- There were no submissions received from the community however, Town staff have identified potential amendments and improvements that could be made to the local law.
- It is recommended that an amendment local law be developed and presented to Council by July 2023. This timeframe will allow for the responsible service area to deliver what is required of a review, while

also enabling the completion of other commitments listed for the financial year in the proposed Corporate Business Plan.

Relevant documents

[Local Government Property Local Law 2000](#)

[Minutes from the Ordinary Council Meeting – 12 April 2022](#)

Further consideration

6. Since the Agenda Briefing Forum, recommendation number 1 was amended to include the word “consider” as per the *Local Government Act 1995* section 3.16(3).
7. Since the Agenda Briefing Forum, recommendation number 3 was amended to include the correct section of the *Local Government Act 1995* in relation to amending a local law (changed from section 3.16(4) to section 3.12).

11.5 Miller’s Crossing Communications and Advocacy

Location	Carlisle
Reporting officer	Coordinator Communications and Engagement
Responsible officer	Manager Stakeholder Relations
Voting requirement	Simple majority
Attachments	Nil

Recommendation

That Council accepts the progress regarding the actions taken to advocate to the Minister for Planning and the Member for Victoria Park for Miller’s Crossing to be reserved as “Parks and Recreation”.

Purpose

Outline the progress of advocacy efforts of the Town regarding Miller’s Crossing as per the 12 April 2022 OCM resolution of Council.

In brief

- Council resolved to undertake further advocacy efforts in relation to the retention of the Miller’s Crossing open space as park land at the OCM held on 21 April 2022, with a further report to be provided on the outcomes of these efforts by July 2022.
- The advocacy efforts relate to the Town’s consideration of Amendment 56 to TPS1, as further modified in accordance with the Minister for Planning’s decision to up-code the proposed residential density of the Miller’s crossing lots from R30 to R60.
- Since 9 May 2022 the Town has supported the Mayor and CEO to advocate for Miller’s Crossing to be reserved as “Parks and Recreation”.
- While the advocacy efforts to date have reached a high number of people, the response from the community has been minimal.

Background

1. Amendment No. 56 to Town Planning Scheme No. 1 (TPS1) relates to the land known as ‘Miller’s Crossing’ in Carlisle. This land is comprised of three lots being Lot 1003 (No. 7) Raleigh Street, Lot 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street.
2. The amendment also relates to one lot in East Victoria Park adjacent to John Bissett Reserve, which is used by the community and maintained by the Town as part of that reserve, being Lot 1002 (No. 2-8) Beatty Avenue.
3. Amendment 56 has been the subject of protracted considerations by the Western Australian Planning Commission (WAPC) in its roles both as advisory body to the Minister for Planning and landowner of the lots. The WAPC has indicated its intention to sell the Millers Crossing lots for residential development in the medium to longer term.
4. The decision by the Minister for Planning in August 2021 has required the Town to re-advertise and further modify Amendment 56 by increasing the proposed residential density of the Miller’s Crossing lots from R30 to R60.
5. At the 12 April 2022 OCM Council resolved the following:

“That Council:

1. Continues to support the original intention of Amendment No 56 for Lots 1003 and 1004 Raleigh Street, Carlisle and Lot 1005 Bishopsgate Street, Carlisle (known as Miller's Crossing) to be reserved as "Parks and Recreation";
2. Requests the Mayor and the Chief Executive Officer to advocate to the Minister for Planning and the Member for Victoria Park for Miller's Crossing to be reserved as "Parks and Recreation";
3. Requests the Chief Executive Officer to report to Council by July 2022 as to the progress of that advocacy.
4. Should the Minister for Planning determine to proceed with the Residential R60 zone currently proposed to also support the following modification:

A Local Development Plan is required to be adopted by the local government prior to the subdivision or development of the Residential R60 zoned land comprising Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street, Carlisle, that were formerly partly located within the Robert's Road 'Other Regional Road' reservation under the Perth Metropolitan Region Scheme. The Local Development Plan shall address issues of vehicular access, environmental sustainability, landscaping (including replacement of trees lost) , building setbacks and the retention and conservation of mature trees on and surrounding the land as part of any future development."

6. The reasoning provided for the above decision, which was an amendment to the Officers Recommendation, can be summarised as follows:

- Precedent set by a recent decision with respect to the City of Melville
- The original intent of Amendment 56 to confirm additional public open space
- A view that the local community has always supported and continues to support the site as becoming public open space
- The need to undertake further advocacy to rezone the site to Parks and Recreation.

7. Further background information can be found in the 14 April 2022 OCM report.

Strategic alignment

Civic Leadership	
Community priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	The local community feels well informed that their concerns have been genuinely considered by the Town's administration and Elected Members as part of the decision-making process.

Engagement

External engagement	
Stakeholders	Followers of the Town's Facebook and LinkedIn pages, subscribers to the Town's newsletter (eVIBE), and visitors to the Town's Your Thoughts engagement website.
Period of engagement	Advocacy has been ongoing since 9 May 2022.
Level of engagement	1. Inform

Methods of engagement	Advocacy efforts have utilised the Town’s social media channels, Your Thoughts website and Town e-newsletter (eVIBE).
Advertising	<p>The following communication and advertising tools have been used to drive the Town’s advocacy efforts.</p> <ul style="list-style-type: none"> • Mayor video filmed at Miller’s Crossing. • Letter template to Hannah Beazley MLA created and made available online. • Original Your Thoughts page detailing scheme amendment was updated to include latest info, video and letter template. • Mayor video shared to Town’s social media (Facebook and LinkedIn) • Mayor video boosted as a paid Facebook advert for two weeks (\$56) • 2x organic Facebook posts (9 May, 26 May) and 1x organic LinkedIn post (10 May). • Feature story in June edition of the Town’s e-newsletter (eVIBE) <p>All advertising has directed to the Town’s Your Thoughts project page for more information and to download the letter template.</p>
Submission summary	Not applicable - the primary call to action is for community members to send a letter in support of retaining Miller’s Crossing to the Member for Victoria Park using the template provided.
Key findings	<p>Despite significant reach, the Town’s advocacy efforts have resulted in little community action, with a relatively small amount of people following through to the Your Thoughts page and very few downloads of the letter template.</p> <p>The full communication and engagement statistics from the Town’s advocacy efforts to date are detailed below.</p> <p>Since 8 May 2022:</p> <p>Your Thoughts: 100 unique visitors, 112 total page visits, 18 letter template downloads, 3 Mayor video views</p> <p>2 x organic Facebook posts (combined totals): 4,901 people reached, 48 reactions, 7 comments, 8 shares, 80 link clicks</p> <p>Facebook advert: 4,703 people reached, 5 reactions, 1 comment, 1 share, 16 link clicks.</p> <p>Mayor video: 4,100 3-second views, 1,200 15-second views, 175 1-minute views</p> <p>LinkedIn: 759 people reached, 16 likes, 17 link clicks</p>

Feature in June eVIBE:
1,140 email opens, 26 link clicks

Other engagement

CEO/Mayor	On Friday 22 April 2022, Mayor and CEO met with Hannah Beazley MLA to discuss the advocacy campaign relating to Miller’s Crossing and request support in its implementation. The Local Member continues to engage with the Minister on this issue.
CEO/Mayor	A letter was sent via the Mayor to Minister for Planning regarding the Councils resolution to retain Millers Crossing.

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council’s risk appetite	Risk treatment option and rationale for actions
Financial	N/A	N/A	N/A	N/A	N/A	N/A
Environmental	N/A	N/A	N/A	N/A	N/A	N/A
Health and safety	N/A	N/A	N/A	N/A	N/A	N/A
Infrastructure/ ICT systems/ utilities	N/A	N/A	N/A	N/A	N/A	N/A
Legislative compliance	N/A	N/A	N/A	N/A	N/A	N/A
Reputation	N/A	N/A	N/A	N/A	N/A	N/A
Service delivery	N/A	N/A	N/A	N/A	N/A	N/A

Financial implications

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

Analysis

8. The Town's advocacy efforts since 9 May reached a large amount of people, with a total online reach of over 10,000 people and 175 full views of the Mayoral video. However, the Town's advocacy efforts did not effectively drive action, with low click throughs, minimal online discussion and only 17 downloads of the letter template.
9. The Town's intent is to report to Council at the August 2022 OCM following the finalisation of advocacy efforts. This report will include a resolution in relation to Amendment 56.

Relevant documents

Not applicable.

Further consideration

10. The following information was requested at the Agenda Briefing Forum held on 5 July 2022.

11. *Include information on approaches made in writing by the Mayor and Chief Executive Officer to the Minister for Planning.*

Information has been updated in the external engagement table of the report.

12. *Include information on the multiple meetings the Mayor and Chief Executive Officer made to the Member for Victoria Park.*

Information has been updated in the external engagement table of the report.

12 Chief Community Planner reports

12.1 Access and Inclusion Plan 2022 - 2027

Location	Town-wide
Reporting officer	Community Development Officer - Inclusion
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. DRAFT ACCESS AND INCLUSION PLAN 2022-2027 AB F.1 [12.1.1 - 35 pages]2. Engagement Report - Access & Inclusion Plan 2022-27 [12.1.2 - 7 pages]3. Project Management Framework [12.1.3 - 11 pages]4. Recruitment and Selection - Management Practice [12.1.4 - 6 pages]

Recommendation

That Council:

1. Approves the advertising of the Access and Inclusion Plan 2022-2027, as at attachment one, for public comment.
2. Requests the Chief Executive Officer to report the outcomes of the public comment period and present the proposed Access and Inclusion Plan 2022-2027 to the August 2022 Ordinary Council Meeting.

Purpose

To present Council with the draft Town of Victoria Park Access and Inclusion Plan 2022-27 and seek approval to release the plan for a public comment period.

In brief

- *The Disability Services Act 1993* (the Act) requires all local governments to develop and implement a Disability Access Inclusion Plan (DAIP) every five years.
- As the Town's current plan expires in June 2022, work has progressed on development of a new contemporary plan, encompassing the core requirements as outlined by the Department of Communities.
- Findings from the community and stakeholder engagement process undertaken during March – June 2022 have informed development of the new plan.
- The Town is now seeking approval from Council to release the plan for public comment prior to returning to Council for final endorsement.

Background

1. Members of the community, people living with disability, their families and carers have the same rights as other people to access services, facilities and programs. These rights are protected within International, National and State legislation which make it unlawful to discriminate against a person living with disability.

2. *The Disability Services Act 1993* (the Act) requires all local governments to develop and implement a Disability Access Inclusion Plan (DAIP) every five years.
3. The Town's current Disability Access and Inclusion Plan 2017-2022 is due to expire in June 2022.
4. In October 2021, the Town employed a fixed-term contract Social Policy Specialist to assist with review of the existing plan, and development of a new plan, as well as support review and development of four other social plans.
5. In November 2021, work progressed on understanding the current situation using desktop research of state and interstate access and inclusion plans, inclusion frameworks, better practice examples, and engagement with the Department of Communities. This information provided a solid platform for review of the existing plan and to help inform areas for improvement moving forward.
6. Between March and June 2022, community engagement was undertaken through a variety of channels with a board cross section of Victoria Park stakeholders. Engagement approaches were modified to navigate COVID-19 requirements. Findings from the engagement process are contained in Attachment 2 Access and Inclusion – Engagement Report.
7. The Town has achieved solid progress in a number of key outcome areas since 2017, reflected in the background engagement material, and captured within the new plan. Outcomes achieved are also communicated via Quarterly Reports to Council and community, and annually to the Department of Communities.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Developing a formal approach related to access and inclusion challenges allows the Town to effectively plan and manage resources and performance.
CL2 - Communication and engagement with the community.	Communicating with and seeking involvement from people and stakeholders with interests in improved access and inclusion is critical to improving outcomes and social change in this area.

Social	
Strategic outcome	Intended public value outcome or impact
S3 - Facilitating an inclusive community that celebrates diversity.	By developing and implementing an access and inclusion plan, this allows the Town to proactively facilitate inclusivity, and celebrate diversity in the local area, and lead by example more broadly.

Engagement

Internal engagement	
Stakeholder	Comments
ToVP Staff	Participation in all of staff engagement survey
Community Development	Participation in staff workshop and discussion on draft actions.
Events, Arts and Funding	
Library Services	
Place Planning	
People and Culture	
Stakeholder Relations	
Communications and Engagement	
Customer Service	
Street Improvement	
Environmental Health	
Technical Services	
Development Services	
Project Management Office	
Finance / Procurement	
Technical and Digital Strategy	
Records	
C-Suite	Participation in all of staff engagement survey
Elected Members	Participation in online engagement. Several Councilors are also members of the Access and Inclusion Advisory Group.

External engagement	
Stakeholders	<ol style="list-style-type: none"> 1. People living with disability, their families and carers 2. Representatives and advocates for people living with disability 3. Residents 4. Broad community 5. Not for profit sector 6. Community sector 7. Local Businesses 8. Access and Inclusion Advisory Group 9. School students
Period of engagement	March – June 2022
Level of engagement	3. Involve
Methods of engagement	<p>Due to COVID-19 protocols, community engagement approaches were modified to enhance safety and inclusion opportunities.</p> <ol style="list-style-type: none"> 1. Access and Inclusion Advisory Group workshops / online engagement 2. Your Thoughts Engagement Platform (with supplementary support offered to assist participation) <ol style="list-style-type: none"> a. Online survey, b. Ideas forum c. Tell Your Story 3. Hard copy survey 4. All of staff online survey 5. Staff engagement workshops 6. Follow up internal action and resource conversations 7. Primary school drawing and written exercise
Advertising	<ol style="list-style-type: none"> 1. E-Vibe Newsletter 2. Media releases 3. Town website 4. Your Thoughts page 5. Linked In 6. Local Newspaper public notice 7. Public notices on noticeboards in Admin Building and Library 8. Social Media 9. Direct emails to community networks and service providers 10. Direct email to reference groups 11. Local schools
Submission summary	See Attachment 2 Access and Inclusion – Engagement Report
Key findings	See Attachment 2 Access and Inclusion – Engagement Report for more details:

- a. Physical access had the largest response, featuring in more than 400 ideas.
- b. School aged children would like the Town to focus on making recreational community spaces and buildings more physically accessible.
- c. The community would like smaller scale events which celebrate and consider access and inclusion needs.
- d. The community would like increased employment opportunities for people living with disability, specifically in local businesses, and in frontline leadership positions in Local Government.
- e. Town to lead and support cultural change, by raising awareness and education particularly for more empathetic and non-judgmental work environments across the local area.
- f. Overall, 79% of survey responses indicated the level of access and inclusion for people living with disability in the Town was 'very good' or 'reasonable'.
- g. Through a ranking process, the community told us Outcome Areas 7 (Employment), 3 (Access to Information) and 2 (Access to Town Buildings and Facilities) are the highest priorities for action at this time.

Other engagement

Stakeholder	Comments
Department of Communities (Disability Services)	Confirmation of process requirements in the development of a new plan. Confirmation regarding future use of the seven key outcome areas. Please refer to Further Considerations regarding additional feedback provided by the Department.

Legal compliance

[Part 5 of the Disability Services Act 1993](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	N/A				Low	
Environmental	N/A				Medium	
Health and safety	N/A				Low	
Infrastructure/	N/A				Medium	

ICT systems/ utilities						
Legislative compliance	Not adopting a formal Access and Inclusion Plan means the Town is non-compliant with the <i>Disability Services Act 1993</i> .	Moderate	Likely	High	Low	TREAT risk by Approving release of the draft Access and Inclusion Plan 2022-27 for public comment.
Reputation	Not releasing the draft plan for public comment means there is a significant risk that stakeholders are unable to provide feedback which could lead to dissatisfaction with the Town and Council.	Moderate	Likely	High	Low	TREAT risk by Approving release of the draft Access and Inclusion Plan 2022-27 for public comment.
Service delivery	N/A				Medium	



Financial implications


Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	<p>Additional funds may be required in future budgets, however the amounts required will be determined via further investigation, aligned to proposed priority works.</p> <p>Future budget impacts will be considered by Council through the budget deliberation process prior to works / activities being endorsed and undertaken.</p>

Analysis

8. An access and inclusion plan are used by the Town of Victoria Park to:
 - a. Define priorities, processes, and short and long-term plans
 - b. Prioritise budget and resource allocations
 - c. Direct the shape of the Town in terms of land use, infrastructure, service and asset management, operations and planning
 - d. Direct workforce planning
 - e. Inform other key strategies and plans such as the Local Planning Strategy
 - f. Inform the Town's position on issues

- g. Provide context for staff reports to Council, communications and events
 - h. Collect and evaluate performance metrics
9. There are many groups in the community who experience accessibility and inclusion challenges, and therefore benefit from a formal approach. They include:
 - a. People living with disability and carers
 - b. Elderly people
 - c. Parents with infants, young children and prams
 - d. Aboriginal and Torres Strait Islander people
 - e. People with mental illness
 - f. People with physical impairments, injuries and disabilities
 - g. People from different cultural backgrounds
 - h. People who speak a primary language other than English
 - i. People with temporary injuries
 10. In recent years, there has been movement toward removing Disability from the title of Access and Inclusion Plans (AIPs). This reflects that plan priorities are relevant for people living with disability, as well as many other groups as outlined above.
 11. In light of this shift, it is proposed to name the new document, the Town of Victoria Park Access and Inclusion Plan 2022-27.
 12. The Town's Access and Inclusion Advisory Group have indicated support for this change, based on the above rationale.
 13. Based on community feedback and research findings, the draft Plan contains five goals, which subsequently integrate the core seven pillars as prescribed by the Department of Communities.
 14. The top three priority areas identified by stakeholders include 1) Employment; 2) Access to Information; 3) Access to Town Buildings and Facilities.

Goal	Descriptor	Outcome	Priority
Goal 1: Customer experience	Our community experiences social and cultural inclusion through Town of Victoria Park services and events, with quality access to information and customer service support.	1. Services and Events	
		2. Information	
		3. Quality Customer Services	
Goal 2: Physical access	Our community experience ease of access to all Town of Victoria Park buildings and facilities, through public open spaces and places in the community; with assets continually improved through the Town's annual Capital Works Program.	4. Buildings and Facilities	
Goal 3:	Everyone in our community can proactively participate in our local democracy by easily raising	5. Complaints	

Active Citizenship	issues and providing regular feedback which informs development of the Town's policy and services.	6. Public Consultation	
Goal 4: Employment	All community members have the opportunity to be employed at their local government, and to retain that employment through adequate support to do their job.	7. Employment	
Goal 5: Governance and Impact	The Town will monitor, measure and evaluate the outcomes of our work, sharing our collective progress regularly with our stakeholders in order to better understand the evolving opportunities and impacts related to access and inclusion within the Town.	All	

15. Proposed deliverables related to the above Goals and Outcome areas are included in the plan. These will form the nucleus of annual implementation plans.
16. The Town will continue to work internally and externally with key partners to ensure deliverables are achieved.
17. The draft Access and Inclusion Plan 2022-27 is now presented to Council for advertising for public comment for a three-week period. During this time, the Town will also seek feedback from the Department of Communities.
18. Upon integration of relevant feedback, the final Access and Inclusion Plan 2022-27 will be presented to Council for formal adoption.
19. The Town will have the plan graphically designed after final endorsement.

Relevant documents

[Town of Victoria Park Disability Access and Inclusion Plan 2017-2022](#)

Further consideration

20. The following information was requested at the Agenda Briefing Forum held on 5 July 2022.
21. *Include information on the number of times broader based references to access and inclusion in a social way, were part of the feedback.*
 - (a) 15 out of the 46 surveys received explicitly referenced gender equality, LGBTQIA+ and or Culturally and Linguistically Diverse (CaLD). Examples include:
 - "Inclusion and diversity is also LGBTQIA+, all ages, and CaLD"
 - "Inclusion - aim to go above and beyond, symbolism LGBTQIA+ flag or pronouns and aboriginal artwork"
 - "Language interpretation and information"
 - (b) Feedback also suggested equality more broadly has a fundamental role to play in the lives of people living with disability.
 - (c) Feedback from Access and Inclusion Advisory Group Chair, David Vosnacos reflected support for the proposed broader based references to access and inclusion as long as this was supported by the Department of Communities, and all outcome areas still relate to supporting and advocating for

people living with disability. Mr Vosnacos provided an additional suggestion that when the AIP is uploaded to the Town's website, that provision be made to ensure it easily searchable for people still referring to a DAIP.

22. A copy of the Town's Project Management Framework referred to in 12.1.3 of Attachment 12.1.1 has been attached to this report.
23. A copy of the Town's Recruitment Policy and Management Practice referred to in 4.1.3 of Attachment 12.1.1 has been attached to this report.
24. *Include information on the examples of best practice from desktop research.*
25. A follow up discussion with the Department for Communities (the Department) on Thursday 7 July 2022 regarding the Disability Services Act 1993, naming conventions, and best practice examples added further consideration regarding the topic:
 - (a) There is no requirement from the *Disability Services Act 1993* (the Act) or the Department to call a Plan either a Disability Access and Inclusion Plan (DAIP) or Access and Inclusion Plan (AIP) (or any other name), as long as the core principles of the seven outcome areas are addressed and addressing these outcomes areas related to people living with disability is a central feature of the plan.
 - (b) The Department does not endorse or dis-endorse DAIP / AIP's, moreover they provide feedback on the Plan and its alignment with the Act, and if it has followed the required engagement process. The endorsed Plan does however need to be lodged with the Department.
 - (c) Integration of Department's feedback is up to the individual LGA to consider and may or may not be included dependent upon the LGA's interpretation of this feedback, as well as alignment with stakeholder feedback / future intent.
 - (d) The Department advised that the Town's draft AIP "connects the seven Outcome areas with the goals and appears to cover these appropriately. It has a clear sense of accountability and implementation".
26. In regard to widening the scope to a more contemporary understanding and application of the terms 'access and inclusion' the Department advised:
 - (a) The Disability Services Act 1993 (amended 2004) is considered an older piece of legislation, which means it is open to interpretation. With such a broad intent it may be out of step with contemporary thinking regarding social inclusion and accessibility. It is anticipated that the Act will be reviewed at the end of 2022 to reflect contemporary thinking and approaches. There will be an opportunity for LGA's to participate in its review.
 - (b) There is some merit, and contemporary thinking, of combining access and inclusion elements more broadly (such as CaLD and LGBTQI+) as a means to achieve social change through a more systematic and integrated way.
 - (c) Messaging to community and stakeholders however regarding these changes and the reasons why the naming has changed (and that focus on disability will not be diminished) will be important to reduce any misunderstanding by stakeholders.
 - (d) The Plan itself is requested to reflect the needs and priorities of the community, in a contemporary sense, hence the ability to reflect this in its nature and naming conventions.
 - (e) As the public sector creates a large number of plans requiring implementation, this can make it difficult to achieve these successfully due to duplication and stretched resources. Combining several focus areas into one plan with a similar intent has merit, as long in this instance the disability Outcomes aspect is retained.

27. Feedback from the Department has identified a number of LGA's who could be considered as either better practice, and or to have adapted their naming conventions and integrated a broader inclusion approach. These include:
- (a) City of Wanneroo – Community Development Plan (2021/22 - 2025/26) – integration of their Access and Inclusion Plan (which includes CaLD), alongside Aged Friendly Plan, Early Childhood Plan and Youth Plan, in recognition of 'the connection between the priorities of different people within the community and that no one individual fits into or relates to just one cohort'. This approach reduces overlap to maximise focus and resourcing. The Reconciliation Action Plan and Regional Homelessness Plan still sit outside of the Community Development Plan.
 - (b) City of Stirling - AIP 2021-2025
 - (c) City of Joondalup – AIP 2021-20224
 - (d) City of Kalamunda – Inclusive Kalamunda: Social Inclusion Plan 2021- 2025
 - (e) Shire of Harvey - AIP 2021-2026
 - (f) Shire of Augusta Margaret River - AIP 2018-2022
28. Below is a list of LGA's that reference some aspect of LGBTQIA+ and or broader diversity in their plans and have renamed their plans to AIP's.
- (a) City of Mandurah - AIP 2021-2026
 - (b) City of Armadale – AIP 2021-2026
 - (c) Shire of Serpentine Jarrahdale - AIP 2018-2022
 - (d) Shire of Manjimup - 2018- 2023
 - (e) Shire of Exmouth - "Universal Access & Inclusion Plan"- 2022-2027
 - (f) Shire of Murray - 2018-2022
 - (g) Town of Peppermint Grove - 2017-2022

13 Chief Operations Officer reports

13.1 Archer Mint Street Stage 1 TVP/21/13

Location	Carlisle
Reporting officer	Strategic Projects Manager
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. CONFIDENTIAL REDACTED - Submission Schedule Archer Mint Revitalisation [13.1.1 - 3 pages]2. CONFIDENTIAL REDACTED - Archer Mint Stage 1 Tender Assessment Report [13.1.2 - 42 pages]

Recommendation

That Council awards the contract associated with RFT TVP/21/13 Archer Mint Revitalisation Stage 1 streetscape construction issued through Tenderlink, to Bos Civil Pty Ltd (ABN: [16 618 643 477]), with the terms and conditions as outlined in the contract for the lump sum price of \$1,903,120.380 (Ex-GST).

Purpose

For Council to accept the tender submitted by Bos Civil for the Archer Mint streetscape works between Bishopsgate Street and Planet Street as part of the Archer Mint Streetscape Improvement Program previously endorsed by Council.

In brief

- The Public Tender TVP/21/13 consists of civil and landscaping works between Raleigh and Mars Street at Carlisle. It forms part of the first of a four-stage project aiming to transform the existing Archer-Mint Street between Orrong Road and Albany Highway into a vibrant corridor.
- The Public Tender TVP/21/13 for stage 1 was published through Tenderlink on 12 March 2022 and closed on 12 April 2022.
- Suppliers were requested to provide a lump sum price for the stage 1 streetscape construction on Archer Mint Street.
- The Town received one submission from Bos Civil, which was deemed compliant for \$3,497,100 (Ex-GST).
- A budget of \$1,500,000 was included in the 2021/22 financial year and has been included as part of the proposed capital works listing for 2022/23.
- Insufficient funds in the Town's Budget 2021/22 required further negotiations with the preferred candidate to reduce the project scope and meet budget needs. Therefore, it is proposed to construct the road section between Bishopsgate Street and Planet Street including their respective intersections as part the present report and defer to 2023/24, Raleigh to Bishopsgate Street and Planet to Mars Street sections subject to the approval of future annual budgets.

Background

1. A street improvement plan for Archer Mint Street was prepared between Orrong Road and Albany Highway, which includes a concept design of the streetscape as well as a staging plan. The Plan recommended proceeding with the detailed design for Stage 1.
2. The Plan was subsequently endorsed by Council at the September 2020 meeting - Council Resolution (508/2020).
3. A detailed design for stage one between Raleigh and Mars Street was completed in December 2021 with a view to be constructed in FY 21/22.

Compliance criteria

4. Tender submissions must comply with the advice provided under the compliance criteria, as indicated in Section 6.12 of the tender documents.
5. The Town's procurement officer assessed all submissions for compliance against the compliance criteria.
6. The submission was deemed compliant.

Evaluation process

<p>Relevant experience</p> <p>In addition to your Referees provided in Section 6.3, please provide a brief overview of your experience relevant to this project, for example, civil work associated with undertaking retrofitted streetscape work in a commercial area and within a Distributor B Road environment. Please also provide a list of projects detailing the project name, the client, the project value, and the value of your contract as part of the overall project. Any previous experience with the nominated sub-contractors to be included with this information.</p> <p>Overview of your organisation List of Relevant Projects</p>	<p>Weighting 25%</p>
<p>Organisation capacity</p> <p>Please outline you organisation' capacity to undertake this work. Provide information such as;</p> <ul style="list-style-type: none">• Organisation Structure Chart• A brief introductory CV (one or two paragraphs) of key personnel• Role of key personnel in the project• Current committed Contracts• Nominated subcontractors• List of plants and equipment including:<ol style="list-style-type: none">a. Modelb. Makec. Capacityd. Year of Manufacture	<p>Weighting 10%</p>

<p>Demonstrated understanding</p> <p>Please provide;</p> <ol style="list-style-type: none"> 1. An overview of the methodology you will undertake to complete the works. 2. A Staging Plan of the works and how you propose that the street will remain open through the work and accessible to vehicles and pedestrians. 3. An indicative Construction Program (Gantt Chart) of the Works. 4. How you will manage communication with residents and shop owners and ensure that property access and suitable access to shops will be maintained. 	<p>Weighting 15%</p>
<p>Sustainability</p> <p>Sustainability in terms of Economic, Social, Environmental and Local Business Support is important to the Town of Victoria Park. Please provide an overview of your sustainable business practices that will be associated with this project including the following;</p> <ol style="list-style-type: none"> 1. How many Aboriginal employees or sub-contractors will be engaged under this contract? 2. How will the work create an economic benefit for the local community within the Town of Victoria Park? For example, what supplies, materials and sub-contractors will be sourced from within the Town of Victoria Park. Please make sure you complete the estimate of "Percentage of Content from within the Town of Victoria Park" contained within the Pricing Schedule. 3. Provide an overview of your Environmental Management System and outline what you believe are the key environmental management issues associated with this project. 4. Provide details of any other sustainability practices that you think are relevant to this project 	<p>Weighting 10%</p>
<p>Price Lump sum contract price</p>	<p>Weighting 40%</p>

Strategic alignment

Civic Leadership	
Community priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Engagement with an external agency to seek alternative funding sources to reduce impact on municipal funds related to construction cost.
Economic	
Community priority	Intended public value outcome or impact
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	Improving the public realm will provide a more comfortable and inviting experience for visitors to the center and improve the likelihood of

	businesses' coming out' onto the street and upgrading their shopfronts.
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Environment	
Community priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	The design includes an opportunity to increase our urban tree canopy along Archer and Mint Street in line with the Town's Urban Forest Strategy and Public Open Space Strategy.
EN6 - Improving how people get around the Town.	Creation of a slow-speed, pedestrian-focused precinct with shared spaces where various transport modes such as public transport, walking, and cycling can interact.

Social	
Community priority	Intended public value outcome or impact
S1 - Helping people feel safe.	The shared space design with raised intersections and adequate signs prioritizes pedestrians and cyclists over vehicles aiming to improve road safety.

Engagement

Internal engagement	
Stakeholder	Comments
Internal staff	Comments were included as part of the design process
Procurement	Procurement officer involved in the public tender process with the preparation of tender documentation and evaluation process.
Street Improvement	The Street Improvement Team provided technical advice and support throughout the project to inform the design.
Place Planning	The Place Planning team was actively engaged during the project to ensure alignment of the detailed design and tender documentation with the endorsed concept design.

Parking	The Parking team was consulted with support to the design.
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External engagement	
Stakeholder	Comments
Community	Residents, business owners, Elected Members were consulted during the design process.
Other engagement	Western Power, PTA, DOT (Department of Transport) and relevant utility service providers were consulted during the design process.
Methods of engagement	<ul style="list-style-type: none"> • One-on-one meetings with impacted business owners • On-site signage plan • Your Thoughts feedback site • Post cards drop to nearby residents and landowners • Regular updates via the Towns digital channels on the project • Engagement with PTA and Western Power to align with current operations and UGP programming • Development of a traffic management plan to maintain access and sequencing of the works to mitigate impact on pedestrian, parking, and bus operations

Legal compliance

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

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Failure to comply with financial requirements under the Act in relation to Procurement.	Moderate	Likely	Medium	Low	Treat- Go through a public tender.

Financial	Approval delay related to the grant Funding	Moderate	Possible	Medium	Low	Treat- Submission of the grant application as soon as possible and ongoing communication with the external funding body
Financial	Insufficient funds to deliver the project	Moderate	Likely	Medium	Low	Treat- Careful budget assessment throughout the lifecycle of the contract.
Environmental	Failure to comply with environmental requirements of the work.	Moderate	Possible	Medium	Low	Share- Review Contractor's construction methodology, risk and controls prior to work starting.
Health and safety	Potential injuries from works.	Moderate	Possible	Medium	Low	Share- Review Contractor's construction methodology, risk and controls prior to work starting.
Legislative compliance	Not applicable					
Reputation	Residential and business complaints during the works.	Moderate	Likely	Moderate	Low	Treat- Notify residents via the website social media and Letter-drop prior to construction start.
Service delivery	Project completion delay	Moderate	Possible	Medium	Low	Share- Continuous review of the construction program and identification of key project milestones.

Financial implications

Current budget impact	Sufficient funds do not sit in the 2022/23 annual budget which creates a variance of \$548,850 against the capital project. By accessing the LRCI funding a budget amendment for the variance will be proposed at August's ordinary council meeting for an increase in grant funds to be received to offset the increase in capital expense if the recommendation is supported.
Future budget impact	The remaining scope of Stage 1 is proposed to be included as part of the Long-Term Financial Year process for FY23/24.

Analysis

7. The assessment of the submissions was formally undertaken by a panel that included:
 - Strategic Projects Manager
 - Strategic Projects Manager
 - GIS and Assets Officer
8. The Town received one submission, which was deemed compliant.
9. The submission from BOS Civil was considered as value-for-money given the current competitive construction market and the perspective to deliver the key infrastructure of the Carlisle Town Centre within budget.
10. An evaluation of submission against the qualitative criteria was conducted as per the evaluation Plan.
11. The evaluation of the submission against the quantitative and qualitative criteria resulted in BOS Civil Pty Ltd being the recommended tenderer based on the following points:
 - (a) Previous experience on complex streetscape projects with the Town (Etwell Street Revitalisation project)
 - (b) Strong understanding of vehicles and traffic movement along Archer Mint with a detailed staging plan
 - (c) A reputable project team with sound experience in complex projects.
12. A financial evaluation against the draft budget was conducted:
 - A reputable project team with sound experience in complex projects.
 - The initial tenderer's submission price is \$3,497,100 (Ex- GST)
 - The draft budget FY 22/23 is insufficient, with \$1,500,000 available only.
 - An internal meeting with the Procurement officer, Strategic Projects Manager and evaluation panel members was held on 13/05/2022. Diverse options were investigated to reduce contract costs while maintaining "value for money" including price clarification on distinct items, change of road surface and staging.
 - A second meeting was organised at the Town with the preferred tenderer on 16/05/2022, resulting in the following actions:
 - Revised road section between Bishopgate and Planet Street including raised intersections slowing down traffic, new lighting, furniture, and wider footpaths enhancing the streetscape.
 - Road surface changes from paving to red asphalt at the intersections aligned with the endorsed concepts plan by the Council.
 - The revised submission from BOS Civil was received on 20/06/2022 at \$1,903,120.38 (Ex-GST) inclusive of a provisional sum of \$15,000 related to a potential price increase of furniture due supply chain disruption.

- To meet the total construction cost, an additional \$548,850.00 is required. It is proposed that funding will be acquired through:
 - *Local Road Infrastructure Program (LRCIP) Phase 3* - \$548,850.00
- In June 2022, The Town notified the Department of Infrastructure of the nomination of Archer Mint Stage 1 for the LRCIP Phase 3. The Department confirmed that the Town could nominate this project provided that a formal application was submitted by July 2022.
- The following table presents the outcomes of discussions with the Department of Infrastructure and negotiation with the recommended contractor.

Financial summary table	
Town of Victoria Park FY 2022/2023	
Draft Budget Archer Mint Stage 1	\$ 1,500,000.00
LRCIP Phase 3 (1)	\$ 548,850.00
Total budget	\$2,048,850.00
Construction stage 1	\$ 1,903,120.38
Western Power streetlighting works	\$ 134,140.00
Contingency (2)	\$ 11,589.62
Total expenditure	\$2,048,850.00

(1) Contract award is subject to successful grant funding application.

(2) Contingency is recommended for unforeseen activities during construction.

Next Steps

13. Once the contract is awarded, the Communication Plan will be updated, notifying the Community about the revised scope and providing regular construction updates related to project impacts in a timely manner.

Relevant documents

[Policy 301 – Purchasing](#)

Further consideration

14. The following information was requested at the Agenda Briefing Forum held on 5 July 2022.
15. *Amend error in the recommendation to show inclusive of provisional amount of \$15,000.*

The revised submission from BOS Civil was received on 20/06/2022 at \$1,903,120.38 (Ex-GST) inclusive of a provisional sum of \$15,000 related to a potential price increase of furniture due supply chain disruption.

16. *Amend error on page 47 to show Raleigh Street to Bishopsgate Street and Planet to Mars Street is to be deferred.*

Amendment completed in the sixth point of the Brief section.

17. *Include information on extra cost associated with extending works to include Planet Street to Mars Street.*

Following discussions with the preferred tenderer, the additional costs for this section would be around \$ 1.1 million to \$1.25 million (ex-GST).

13.2 Ceres Lane Reconstruction TVP/22/06

Location	Burswood
Reporting officer	Manager Infrastructure Operations
Responsible officer	Chief Operations Officer
Voting requirement	Absolute majority
Attachments	<ol style="list-style-type: none">1. CONFIDENTIAL REDACTED - RFT TVP 22-06 Ceres Lane Tender Assessment Report [13.2.1 - 18 pages]2. CONFIDENTIAL REDACTED - Ceres Lane updated prices and revised weighted scores [13.2.2 - 1 page]

Recommendation

That Council awards the contract associated with RFT TVP/22/06, to Delta Pty Ltd (ABN: 67 007 069 794), for the reconstruction of Ceres Lane, (Right of Way (ROW) 33), with the terms and conditions as outlined in the contract, for the lump sum price of \$614,900 (excluding GST).

Purpose

To seek the Council's endorsement to accept the offer made by Delta Pty Ltd for the reconstruction works proposed for Ceres Lane and to award contract TVP/22/06 to the same.

In brief

- TVP/22/06 Ceres Lane reconstruction was published through Tenderlink and the Town's website.
- Suppliers were requested to provide a lump sum cost for the supply and delivery of the reconstruction works for Ceres Lane.
- A budget of \$390,000 was included in the 2021/22 financial year and has been included as part of the proposed capital works listing for 2022/23. Between the proposed budget and the amount outlined in the proposed contract there is a variance of \$224,900.
- An evaluation of the tender submissions against the prescribed criteria has been completed. The original recommendation from the panel was to award the tender to MG Group, essentially based on the lower submitted price (qualitative scoring for the two tenderers being relatively close).
- However, the timeframe for acceptance of the tender needed to be extended from 12 July 2022 to 26 July 2022 to allow for time for Council authorisation. This placed it outside the deadline for acceptance of tenders. Following requests to confirm original tender pricing for this additional fortnight, both tenderers have come back with increased pricing based on unprecedented market and inflation movements. The movements for tender pricing have reversed the order of final prices between the tenderers, and Delta Pty Ltd is now the lowest price and represents the preferred tenderer.
- It is therefore recommended that Council accepts the submission made by Delta Pty Ltd and enters a contract to progress the reconstruction works.

Background

1. As part of the Town's program for rights-of-way, Ceres Lane has been identified for reconstruction in the 2021/22 financial year.

2. On Saturday, 26 March 2022, the Town called tenders from suitably qualified and experienced civil contractors to undertake the reconstruction of Ceres Lane.
3. The Town engaged the services of Core Business Australia Pty Ltd (CORE) to prepare the Request for Tender (RFT) documentation and compile the RFT. CORE ran the tender utilising CORE's Tenderlink Tender Portal.
4. Tenders were only able to be submitted electronically to CORE's secure Tenderlink Tender Portal at www.tenderlink.com/corebusiness.
5. The tender was automatically closed at 2:00pm WST, Tuesday 12 April 2022.
6. Two responses were received at the time of closing. None of the responses were assessed as non-compliant.
7. A public tender opening was held at 3.00pm WST on Tuesday, 12 April 2022 at the Town of Victoria Park Administration Building at 99 Shepperton Road. The meeting was attended by CORE's Managing Director who was authorised by the Town of Victoria Park's CEO to open tenders in accordance with Regulation 16 (3) (a) (ii) of the *Local Government (Functions and General) Regulation 1996*; also in attendance were the Town's Procurement Officer, two of the Town's Strategic Projects Manager, the Town's Depot Technical Officer, the Town's Street Operations Coordinator, the Town's Engineering Technical Officer and CORE's Project Support Officer.
8. No one from the public attended the opening. Tenders were opened from the electronic tender box by the issue of the tender box key by Tenderlink via email to CORE.

Compliance criteria

9. Tenders were assessed against the following compliance criteria:
 - (a) Compliance with completion of the Form of Tender
 - (b) Compliance with the Conditions of Tendering (the RFT)
 - (c) Compliance with the deviation from the RFT requirements
 - (d) Compliance with key personnel requirements of the request
 - (e) Compliance with Occupational Health and Safety requirements of the request
 - (f) Compliance with the Insurance requirements of the request
 - (g) Compliance with and completion of the Price Schedule
10. A tender requirement was that each respondent advised whether their response complied with the above compliance criteria. The CORE Project Support Officer must also confirm if each response did comply.
11. If the tenderer marked the box to say that their tender complied, they are assessed Compliant. If the assessment panel deemed that their response was in fact, compliant, they are given a further assessment of compliant. Each tender needed to achieve two assessments of compliance in order to progress to be assessed unless they are also given an assessment of Conditional.
12. Some aspects of the tender may not comply fully or may not comply at all but can be brought into compliance through a request for further information or clarification, in which case they are given the assessment of Conditional. If the assessment of Conditional was deemed to be minor enough, the response can still be progressed to the next stage of assessment.
13. Where the respondent has nominated a non-compliance or has been assessed as non-compliant, they will be given the rating of Non-compliant. If the respondent received two assessments of non-compliant against any one criteria, it will be set aside and assessed no further.
14. If a respondent has not answered the compliance question, they are given the assessment of 'Not Answered', and this automatically earns them a Non-compliant assessment from the panel and their response is set aside and assessed no further.

15. Compliance checks were completed by CORE prior to sending evaluation forms out to the voting members of the Evaluation Panel.
16. None of the responses was assessed as non-compliant.

Evaluation process

<p>Relevant experience</p> <p>i) Please provide a brief overview of your experience relevant to this project, for example, civil work associated with reconstructing urban roadways in confined locations.</p> <p>ii) Please also provide a list of projects detailing the project name, the client, the project value and the value of your contract as part of the overall project. Any previous experience with the nominated sub-contractors to be included with this information.</p>	<p>Weighting 25%</p>
<p>Organisation capability</p> <p>Please outline your organisation's capacity to undertake this work. Provide information such as:</p> <ol style="list-style-type: none"> 1. Organisation Structure Chart 2. A brief introductory CV (one or two paragraphs) of key personnel 3. Role of key personnel in the project 4. Location of the depot from which the project will be delivered. 5. List of plant and equipment, including model, make, capacity and year of manufacture 	<p>Weighting 10%</p>
<p>Methodology</p> <p>Please provide:</p> <ol style="list-style-type: none"> 1. An overview of the methodology you will undertake to complete the works. 2. A Staging Plan of the works and how you propose that the laneway will be accessible to vehicles and pedestrians over the period of the works. 3. An indicative Project Plan of the works. 4. How you will manage communication with residents and shop owners and ensure that property access and suitable access to shops will be maintained. 	<p>Weighting 15%</p>
<p>Sustainability</p> <p>Please provide an overview of your sustainable business practices that will be associated with this project, including the following:</p> <ol style="list-style-type: none"> 1. How many Aboriginal employees or sub-contractors will be engaged under this contract? 2. How will the work create an economic benefit for the local community within the Town of Victoria Park? For example, what supplies, materials and sub-contractors will be sourced from within the Town of Victoria Park. Please make sure you complete the estimate of "Percentage of Content from within the Town of Victoria Park" contained within the Pricing Schedule. 3. If you are using Sub-contractors, how will you ensure they are being paid in accordance with the agreed terms of payment? 4. Provide an overview of your Environmental Management System and outline what you believe are the key environmental management issues associated with this project. 5. Provide details of any other sustainability practices that you think are relevant to this project. 	<p>Weighting 10%</p>
<p>Price</p> <p>Respondents were required to complete a "Price Schedule" with the final basis of the tender being a schedule of rates. To this, indicative hours of each machine/personnel/activity were applied to come up with a total indicative cost of works</p>	<p>Weighting 40%</p>

Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN6 – Improving how people get around the Town	The reconstruction of the laneway will make the roadway suitable for residents to safely access their properties.

Engagement

Internal engagement	
Stakeholder	Comments
Procurement	Provided advice and acted as a probity advisor throughout the process.

Legal compliance

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

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable				Low	
Environmental	Not applicable				Medium	
Health and safety	Not applicable				Low	
Infrastructure/ ICT systems/ utilities					Medium	
Legislative compliance	Not applicable				Low	
Reputation	Not completing the ROW program in a timely manner may impact the Town's reputation.	Moderate	Possible	Medium	Low	Progress program through tender award

Service delivery	Not completing this project may result in a low standard laneway for use by the abutting developed properties	Moderate	Possible	Medium	Medium	Progress the project
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Financial implications

Current budget impact	Sufficient funds do not sit in the 2022/23 annual budget which creates a variance of \$224,900. A budget amendment for the variance will be proposed at August's ordinary council meeting for the funds to come out of the road renewal reserve if the recommendation is supported.
Future budget impact	Not applicable.

Analysis

17. The assessment of the submissions was formally undertaken by a panel that included:
 - Street Operations Coordinator
 - Senior Design Engineer
 - Strategic Projects Manager
 - Project Support Officer, Core Business Australia
18. The Town received two submissions. Both submissions were compliant.
19. The evaluation of the submissions against the quantitative and qualitative criteria was completed, and a full evaluation of the submissions is contained in the attached evaluation report. However, because it contains commercially sensitive information, it has been included as a confidential attachment.
20. The initial evaluation scored MG Group as the preferred tender. This was based on the lower price submitted, which resulted in it being weighted as the most advantageous. However, delays in tender evaluation processes and the need for Council authorisation meant that the acceptance of the tenders could not be made until the July round of Council meetings.
21. As formal approval for the tender could not be made until after the Council meeting of 19th July 2022, the deadline for the tender acceptance period (12th July 2022) was exceeded. Both tenderers were requested to confirm that they would maintain the tender prices as originally submitted until 26th July 2022 to allow for formal approval processes to take place; effectively requesting prices to remain fixed for the additional two weeks.
22. However, both tenderers have subsequently submitted prices in excess of the original tendered prices to cater for increased costs recently experienced for subcontract and material expenses. A summary of the changes to the tendered prices and weighted score rankings for both tenderers is included in the second confidential attachment.
23. With the changes made to the tendered prices by both tenderers, the order of (amended) pricing has now been reversed, so that the bid from Delta Pty Ltd now represents the cheaper price. Based on this lower price, the final evaluation between the two tenderers is now also reversed, so that Delta Pty Ltd is

now the preferred tenderer. It is also noted that the revised tender price is only around 3% higher than the original price submitted by MG Group.

24. Current market conditions (material delays, labour shortages etc.) appear to have resulted in a premium in the pricing of the tender, well in excess of the budget allowance. However, these market conditions are not expected to change soon. To progress the ROW program in a timely manner, it is, therefore, necessary to fund the shortfall in funding through the Road Renewal Reserve.
25. The necessary amendments to budgets regarding the use of the Road Renewal Reserve are identified in the budget section of the report, and Council endorsement of these changes is sought to allow for the award of the tender and completion of works in the 2022/23 financial year.

Relevant documents

[Policy 301 – Purchasing](#)

[Rights of Way Strategy as adopted by Council on 14 December 2021](#)

Further consideration

26. The following information was requested at the Agenda Briefing Forum held on 5 July 2022.
27. *Include information on what materials have contributed to the increased cost.*
28. The main construction cost increases identified in the tender submission are related to the supply of asphalt, road base material, concrete, labour for asphalt and kerbing laying. Unfortunately, the contractor cannot hold its submitted price due to global supply chain issues and resourcing shortages, with the risk of a price increase if the Town defers this project.
29. *Include information on whether it is possible to defer this project to the next financial year.*
30. It is possible but not recommended. There was a community expectation that it would have been built in FY 22; however, this was delayed. The Town did advise the community that it had been carried forward to FY 23 due to resourcing challenges and that it is scheduled to be completed this calendar year. A further delay risks reputational damage as this project was pushed up the list due to community perception about safety. Additionally, there is an expectation that the construction cost will continue to increase significantly due to the market's current labour and material shortages.
31. As noted in the analysis section, the need to confirm tender prices for the period beyond the tender acceptance deadline has resulted in a reversal of tender scores such that Delta Pty Ltd is now the preferred tenderer. This additional information on pricing was not able to be confirmed by the tenderers until well after the initial Agenda Briefing Forum item was presented.

13.3 Extension of Concrete and Kerbing Services CTVP/22/03

Location	Town-wide
Reporting officer	Project Officer
Responsible officer	Manager Infrastructure Operations
Voting requirement	Simple majority
Attachments	1. CONFIDENTIAL REDACTED - CTV P-22-03 Separable Portion 5 rates [13.3.1 - 3 pages]

Recommendation

That Council approves an acceptance of the inclusion of the optional Separable Portion number 5 within the scope of works for contract CTVP/22/03 (Asphaltech Pty Ltd ABN 26 064 520 869, for concrete and kerbing services), subject to approval of the 2022/23 financial year road renewal projects (for Miller Street, Berwick Street, Raleigh Street, Mars Street and Etwell Street); and also subject to the rates of supply of services based on the original tendered rates for the contract.

Purpose

To seek Council approval for the endorsement of the inclusion of optional Separable Portion number 5 to contract CTVP/22/03.

In brief

- As part of streamlining the tendering process for the road renewal program, the Town invited tenderers to submit bids for Separable Portions of project works related to concrete and kerbing services.
- Council approved the contract award to Asphaltech in December 2021 for Separable Portions 1 to 4 relating to several 2021/22 financial year road renewal projects.
- Separable Portion 5 work rates (related to the 2022/23 financial year projects) were included as an option to the tender, but the scope of project works, and budgeting processes were not sufficiently developed to allow for this option to be taken up at the time.
- With the finalisation of project works and subject to approval of the road renewal budgets for the 2022/23 financial year, the Council's endorsement to extend the contract through the acceptance of the optional Separable Portion number 5 is sought.

Background

1. In October 2021, the Town sought quotations for concrete and kerbing services through the WALGA eQuotes platform, covering five Separable Portions of work, with Separable Portion 5 being an optional scope (with rates only being sought).
2. Council considered the contract award in its meeting on 14 December 2021 (resolution 311/2021). It approved the award of Separable Portions 1 to 4 covering several road renewal projects listed for the 2021/22 financial year.
3. Separable Portion 5 (for the 2022/23 financial year road renewal projects) was not accepted at the time because the works had not been defined, and the budgetary processes for that financial year had not been sufficiently advanced.
4. The contract is still current (with defects liability periods yet to end under the existing Separable Portions), and this component of the contract is available to be pursued based on the contractual

scope of work (under section 2.2 of the contract). The Town, therefore, retains its ability to implement the option concerning Separable Portion 5 if required.

Strategic alignment

Civic Leadership	
Community priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Ensuring that project works are subjected to appropriate tendering and contractual guidelines.

Environment	
Community priority	Intended public value outcome or impact
EN5 - Providing facilities that are well-built and well-maintained.	To ensure that road renewal programs are maintained on a timely basis.

Engagement

Internal engagement	
Stakeholder	Comments
Technical Services	Exercise of option for Separable Portion 5 rates provides the best outcome.

Legal compliance

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

http://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/wa/consol_act/lga1995182/s3.57.html

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

http://classic.austlii.edu.au/au/legis/wa/consol_reg/lgagr1996474/

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not obtaining best value for money for scope of services.	Moderate	Possible	Moderate	Low	Treat. Award under existing contract which was subjected to tendering requirements. Alternative separation of these services infers disadvantaged

						bidding when considered in isolation.
Environmental	Not applicable					Medium
Health and safety	Not applicable					Low
Infrastructure/ ICT systems/ utilities	Not applicable					Medium
Legislative compliance	Noncompliance with tendering regulations.	Moderate	Possible	Moderate	Low	Treat. Consider endorsement of an option already allowed under contract, which has previously been subjected to tendering requirements.
Reputation	Not applicable					Low
Service delivery	Not applicable					Medium

Financial implications

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

Analysis

5. The contractor has indicated that it is willing to enter an extension for the 2022/23 financial year projects with the rates for Separable Portion 5 as tendered (as per confidential attachment).
6. From the point of view of meeting statutory regulations, the rates applicable for the services have already been subjected to the requisite tendering requirements. A contract variation is allowable under the *Local Government (Functions and General) Regulations 1996*, section 11 (2)(j). The acceptance of the option in relation to Separable Portion 5 is simply taking up the available contract option.
7. It is also noted that the contractor has a contract in place for the supply and laying of asphalt until December 2022 (engaged for a three-year period, with two one-yearly extensions under contract CTVP/19/21). This resulted from a tendering process in October 2019 (Council award at its meeting of 19 November 2019 under resolution 241/2019).

8. The Town may seek alternative tenders for the supply of concrete and kerbing services **only** (the option of tendering for the supply and laying of asphalt is effectively prohibited by the existing contract in place). However, any bids for this service (which represents the other main service involved with road renewal project works) will be placed at a disadvantage because of the relatively limited scope when only considering this in isolation.
9. While the final costs for the 2022/23 road renewal project have not been determined through engineering drawings and rate applications, the contract option relating to Separable Portion 5 does not specifically require this to be undertaken. These rates have however been considered in determining the works to be completed under the projects within the overall budget costs for 2022/23 (together with asphalt and other works as required).
10. It also makes sense for the two major aspects of road renewal project works (namely, asphalt supply and laying; and concrete and kerbing services) to fall under one contractor. This ensures that one contractor is responsible for scheduling the major aspects of works involving road renewal projects.
11. Based on these factors, it is considered that the best alternative for the engagement of concrete and kerbing services is to extend the existing contract CTVP/22/03 through the acceptance of Separable Portion 5 for the approved 2022/23 financial year road renewal projects. This specifically covers the road renewal projects for Miller St (Albany to Shepperton), Berwick St (Balmoral to Hill View), Raleigh St (Oats to Brigg), Mars St (President to Kew) and Etwell St (Riverview and Northampton roundabouts); with an overall total budget of around \$1.5 million to be approved for the *entire* project works in the 2022/23 financial year.
12. Council approval is therefore sought to engage the contractor through the exercise of the option for Separable Portion 5 under the existing contract.

Relevant documents

Not applicable.

14 Chief Financial Officer reports

14.1 Schedule of Accounts - May 2022

Location	Town-wide
Reporting officer	Financial Services Controller
Responsible officer	Finance Manager
Voting requirement	Simple majority
Attachments	1. Payment Summary - May 2022 [14.1.1 - 8 pages]

Recommendation

That Council:

1. Confirms the accounts for May 2022 as included in attachment 1, pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.
2. Confirms the direct lodgment of payroll payments to the personal bank accounts of employees, pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

Purpose

To present the payments made from the municipal fund for the month ended 31 May 2022.

In brief

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

Background

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

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

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

Fund	Reference	Amounts
Municipal Account		
Creditors – EFT Payments		\$6,070,517.14
Payroll		\$1,177,700.29
Bank Fees		\$10,799.45
Corporate Master Card		\$7,667.57
Cancelled EFTs		(\$5,500.00)
Total		\$7,261,184.45

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL2 – Communication and engagement with the community.	The monthly payment summary listing of all payments made by the Town during the reporting month from its municipal fund and trust fund provides transparency into the financial operations of the Town.
CL3 – Accountability and good governance.	The presentation of the payment listing to Council is a requirement of Regulation 13 of <i>Local Government (Financial Management) Regulation 1996</i> .

Legal compliance

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

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Misstatement or significant error in financial statements	Moderate	Unlikely	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and external audits.

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

Financial implications

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

Analysis

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

Relevant documents

[Procurement Policy](#)

14.2 Financial Statements - May 2022

Location	Town-wide
Reporting officer	Financial Services Controller
Responsible officer	Finance Manager
Voting requirement	Simple majority
Attachments	1. Financial Activity Statement Report - 31 May 2022 [14.2.1 - 48 pages]

Recommendation

That Council accepts the Financial Activity Statement Report – 31 May 2022, as attached.

Purpose

To present the statement of financial activity reporting on the revenue and expenditure for the period ended 31 May 2022.

In brief

- The financial activity statement report is presented for the month ending 31 May 2022.
- The report complies with the requirements of Regulation 34 (financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*.
- The financial information as shown in this report does not include a number of end-of-financial year adjustments that are still yet to occur, as well as the final approval by the Auditor. The figures stated should therefore not be taken as the Town's final financial position for the period ended 31 May 2022.

Background

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

Revenue

Operating revenue and non-operating revenue – material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$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.

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

Period variation

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

Primary reason(s)

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

End-of-year budget impact

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

Strategic alignment

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

Engagement

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

Legal compliance

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Misstatement or significant error in financial statements	Moderate	Unlikely	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed.

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

Financial implications

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

Analysis

- The Financial Activity Statement Report – 31 May 2022 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 May 2022 be accepted.

Relevant documents

[Amendments to the Local Government \(Financial Management and Audit\) Regulations 2022](#)

Further consideration

5. On the 17 of June 2022 amendments to the *Local Government (Financial Management and Audit) Regulations 2022* was gazetted which outlined that from 1 July 2022, a local government is required to present operating revenue or expenses by nature or type classification, in the monthly statement of financial activity by the local government. The relevant documents section of the report has been updated to include this.
6. The Financial Activity Statement Report – 31 May 2022 has been updated to include the nature or type presentation for operating revenue and expenses.

15 Committee Reports

Nil.

16 Applications for leave of absence

17 Motion of which previous notice has been given

Nil.

18 Questions from members without notice

18.1 Responses to questions from members without notice taken on notice at the Agenda Briefing Forum held on 5 July 2022

Mayor Karen Vernon

1. Can people refuse to have a tree on their verge?

Yes. Residents can object to tree planting on public land (i.e., Street verge). If a resident chooses to object to a location selected, they will be informed of Policy 255 Tree Management and can follow up by initiating the following process:

- Objections to tree planting are to be made in writing to the Town of Victoria Park at admin@vicpark.wa.gov.au
- These will be reviewed by the Parks Technical Officer, Place Leader Urban Forest and Manager Infrastructure Operations
- Written notice of the determination of the review will be sent to the resident
- No tree planting will occur while the objection is under review.

Cr Peter Devereux

1. When will the plan on a page for the Integrated Transport Plan be put on the website?

The plan on a page for the Integrated Transport Strategy will be uploaded to the Town's website prior to the August Ordinary Council Meeting.

18.2 Questions from members without notice

19 New business of an urgent nature introduced by decision of the meeting

20 Public question time

21 Public statement time

22 Meeting closed to the public

Nil.

23 Closure