



TOWN OF
VICTORIA PARK



Policy Committee Agenda – 18 March 2020



**WE'RE OPEN
VIC PARK**

Please be advised that an **Policy Committee** will be held at **5:30 pm** on **Wednesday 18 March 2020** in **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Mr Anthony Vuleta – Chief Executive Officer
11 March 2020

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1 Declaration of opening

Acknowledgement of Country (by Presiding Member)

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

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

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

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

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

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

2 Attendance

Mayor	Mayor Karen Vernon
Banksia Ward	Cr Wilfred Hendriks Cr Claire Anderson Cr Ronhhda Potter Cr Luana Lisandro (pending appointment by Council on 17 March 2020)
Jarrah Ward	Cr Jesvin Karimi Cr Brian Oliver (Presiding Member) Cr Vicki Potter (Deputy Presiding Member) Deputy Mayor Bronwyn Ife
Chief Executive Officer	Mr Anthony Vuleta
Chief Community Planner	Ms Natalie Martin Goode
Chief Financial Officer	Mr Michael Cole
Manager Governance and Strategy	Ms Danielle Uniza
Manager People and Culture	Mr Graham Olson
Manager Community	Ms Alison Braun

Manager Business Services

Mr Luke Ellis

Secretary

Mr Liam O'Neill

2.1 Apologies

2.2 Approved leave of absence

3 Declarations of interest

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

Declaration of financial interests

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

Declaration of proximity interest

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

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

Declaration of interest affecting impartiality

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

4 Confirmation of minutes

Recommendation

That the Policy Committee confirms the minutes of the Policy Committee held on 19 February 2020.

5 Presentations

6 Method of dealing with agenda business

Recommendation

That Policy Committee in accordance with clause 58 of the *Meeting Procedures Local Law 2019* suspends clause 50 - Speaking twice of the *Meeting Procedures Local Law 2019* for the duration of the meeting.

7 Reports

7.1 Adoption of Policy 005 - Acting Chief Executive Officer

Location	Town-wide
Reporting officer	Graham Olson
Responsible officer	Anthony Vuleta
Voting requirement	Simple majority
Attachments	1. Policy 005 Acting Chief Executive Officer v 7 [7.1.1 - 3 pages]

Recommendation

{recommendation-start-do-not-remove}

That the Policy Committee recommends that Council adopts Policy 005 Acting Chief Executive Officer as attached.

{recommendation-end-do-not-remove}

Purpose

To prescribe the processes for the appointment of an Acting CEO in ordinary and extraordinary circumstances.

In brief

- The Chief Executive Officer has the delegation to determine acting arrangements for the filling of the CEO position when vacant for periods up to 3 months.
- The guidelines included in the delegation however are dependent to the availability of the Chief Executive Officer to make the decision as to the Chief Officer who will act in the role.
- A risk exists in these procedures regarding situations where the Chief Executive Officer is not only unavailable to perform his role but is also unavailable to decide on the acting arrangements.
- The attached Policy has been developed to address this risk and to provide guidelines for dealing with unexpected leave situations.

Background

1. Pursuant to Section 5.36 of the *Local Government Act 1995*, it is a requirement that the Council employ a person to be the CEO to enable the functions of the Local Government and the functions of the Council to be performed. The manner of the recruitment is prescribed in the *Local Government Act 1995 and the Local Government (Administration) Regulations Act 1996*.
2. Due to the passage of the *Local Government Legislation Amendment Act 2019*, section 5.39C was inserted into the *Local Government Act 1995*. This section requires each Council to adopt a policy that sets out the process to be followed by the local government in relation to the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.

3. Sub-Section 5.39 (1a) of the *Local Government Act 1995*, recognizes that an employee may act in the position of a CEO for a term not exceeding one year without a written contract for the position in which he or she is acting.
4. The Chief Executive Officer (CEO) is contractually entitled to certain leave conditions as outlined in his or her employment contract. Acting arrangement for the position of Chief Executive Officer for leave periods less than 3 months is at the discretion of the CEO in accordance with the relevant delegation (Delegation 1.1.29).
5. These arrangements however apply primarily to scheduled leave and do not cover procedures for dealing with unexpected leave, or the unexpected vacating of the position by the CEO. To maintain business continuity for the position of Chief Executive Officer procedures have been developed to address these vacancy situations and included in draft Policy 005 Acting Chief Executive Officer.
6. The proposed Policy 005 Acting Chief Executive Officer provides contingency arrangements for situation of unforeseen leave for the position of Chief Executive Officer.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL05 - Innovative, empowered and responsible organisational culture with the right people in the right jobs.	Adopting clear procedures for the filling of the CEO position will maintain continuity of Town administrative leadership.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Adopting clear procedures for the filling of the CEO position will maintain continuity of Town administrative decision making.

Engagement

Internal engagement	
Stakeholder	Comments
Governance & Leadership	Guidance on risk management concerns.
Elected Members	Feedback of proposed guidelines

Other engagement	
Stakeholder	Comments
WALGA	The Town engaged with WALGA and received advise on the forthcoming changes to the Local Government Act.
Other Local Governments (2)	The Town approached 2 other council and got feedback on related local government policies.

Legal compliance

[Section 5.36 of the Local Government Act 1995](#)

[Section 5.39\(1a\) of the Local Government Act 1995](#)

Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Reputational Negative public perception towards the Town should the position of CEO be vacant for any period.	Moderate	Likely	High	Council adopts an Acting CEO Policy
Compliance The Town is does not have an acting CEO policy as required.	Moderate	Unlikely	Moderate	Council adopts some form of an Acting CEO policy.
Service Interruption An unexpected vacancy in the office of CEO arises and there is no standing process to appoint an Acting CEO to convene a Council Meeting to fill the vacancy.	Catastrophic	Rare	Moderate	<p>Under section 5.5 of the Act, only the CEO may convene a Council meeting. If the office of CEO falls unexpectedly vacant, there is no way for the Council to met.</p> <p>By having a line of succession that is set out in policy, this situation is addressed.</p>

Financial implications

Current budget impact	Not applicable.
Future budget impact	Not applicable.

Analysis

7. The Town has procedures included in delegation 1.1.29 dealing with acting arrangements for the position of Chief Executive Officers when it becomes temporarily vacant due to approved leave arrangements. These delegations have been included in the proposed Policy 005.
8. As these delegated procedures do not provide for situations where the vacancy of the Chief Executive Officers position is unexpected, or the CEO is unavailable to decide on any acting arrangements, a risk was identified regarding continuity in leadership for the Town

9. WALGA were contacted regarding possible guidelines for dealing with unforeseen vacancies but could only advise that they were aware of 2 other councils that have Council policies for dealing with vacancies in the position of Chief Executive Officers. Both councils were contacted however their policies dealt only with the filling of the vacancy, not temporary acting arrangements.
10. The proposed policy contains 5 key sections:
 - a. CEO Leave Entitlements
 - b. Appointment of an Acting CEO – Expected leave periods under 3 months
 - c. Appointment of an Acting CEO – Leave periods in excess of 3 months but no more than 12 months
 - d. Appointment of an Acting CEO – Unexpected leave or vacancy
 - e. Salary and conditions of Acting CEO

CEO Leave Entitlements

11. This section recognizes that the CEO has certain contractual leave entitlements that would be accessed as required and approved as outlined in the contract. The filling of any vacancy would be determined by the CEO in accordance with delegation 1.1.29.

Appointment of an Acting CEO – Expected leave periods under 3 months

12. This section contains the details of delegation 1.1.29 and the requirement that acting arrangements are advised in writing.

Appointment of an Acting CEO – Leave periods in excess of 3 months but no more than 12 months

13. For periods in excess of 3 months there must be council approval for the acting arrangements to occur. The process is also subject to Section 5.40 (a) of the *Local Government Act 1995* that requires that employees are to be selected and promoted in accordance with the principles of merit and equity.
14. This section also addresses the requirement of *Local Government Legislation Amendment Act 2019*, section 5.39C that each Council adopt a policy that sets out the process to be followed by the local government in relation to the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.

Appointment of an Acting CEO – Unexpected leave or vacancy

15. This section deals with situations where the position of CEO may become vacant due to unforeseen circumstances. It provides for a process for the filling of the vacancy until such time as council can decide on any ongoing acting arrangements.

Salary and conditions of Acting CEO

16. This section provides guidance to the issue of the determination of remuneration for any acting arrangements until such time as council decides on any ongoing acting arrangements.
17. Current management practice provides remuneration at the rate of 80% of the substantive CEO's salary component for periods less than 5 weeks, and 90% of the substantive CEO's salary component for periods in excess of 5 weeks.

Relevant documents

'Not applicable'.

Further consideration

7.2 Adoption of Policy 022 - Elected Member Professional Development

Location	Town-wide
Reporting officer	Amy Noon
Responsible officer	Danielle Uniza
Voting requirement	Absolute majority
Attachments	<ol style="list-style-type: none">1. Policy 022 - Elected Member Professional Development Policy [7.2.1 - 6 pages]2. Amended policy - Policy 021 Fees, expenses and allowances - Elected members and independent committee [7.2.2 - 5 pages]

Recommendation

That the Policy Committee recommends that Council:

1. Adopts Policy 022 – Elected Member Professional Development, as attached, effective from 1 July 2020.
2. Repeals Policy 022 – Conference expenses – Elected members, effective 1 July 2020.
3. Adopts the amendments to Policy 021 – Fees, expenses and allowances – Elected members and ICMs, as attached, effective from 1 July 2020.
4. Requests the Chief Executive Officer to develop an Independent Committee Member Policy and report back to Council by September 2020.

Purpose

To adopt a policy relating to elected member professional development and consolidate similar existing policies.

In brief

- Following the *Local Government Legislation Amendment Act 2019* being passed by Western Australian Parliament, local governments are required to develop a policy relating to elected member professional development.
- The proposed Policy 022 – Elected Member Professional Development outlines the guidelines for participation and entitlements available to elected members for professional development, in accordance with relevant legislation. It also enables equity and accessibility to professional development opportunities for elected members to fulfil their role.
- The proposed policy covers key focus areas, delivery methods, expenses related to professional development and reporting requirements.
- The contents of the policy will be used to inform the development of the 2020/2021 annual budget if it is adopted by Council. Related policies would also then be amended/repealed.
- Information about professional development for independent committee members is proposed to be incorporated into a new policy, following the removal of professional development detail from Policy 021 – Fees, expenses and allowances – Elected members and ICMs.

Background

1. On 27 June 2019, the *Local Government Legislation Amendment Act 2019* was passed by the Western Australian Parliament, coming into effect on 6 July 2019.

2. Division 10 of the *Local Government Act 1995* came into operation on 9 August 2019, requiring local governments to develop a policy relating to elected member professional development.
3. At the December 2019 Ordinary Council Meeting, Council resolved to request the Chief Executive Officer to develop and present an Elected Member Professional Development Policy by March 2020.
4. The proposed scope and content of the policy was discussed at the January 2020 Concept Forum. At the meeting, elected members expressed that:
 - (a) it was preferred that key focus areas be included in the policy rather than specific professional development courses
 - (b) professional development should be the umbrella term that incorporates training and conferences
 - (c) group and individual professional development opportunities should continue to be made available to elected members
 - (d) an allowance of up to \$2,500 could be allocated to elected members for individual professional development each year
 - (e) the current conditions for approval were reasonable.
5. Feedback on skills gaps of individual elected members and Council as a whole was requested on the Councillor Portal in late January 2020.
6. The policy was then developed with this feedback in mind and placed on the Councillor Portal at the end of February 2020 to provide an opportunity for elected members to provide further feedback. No feedback was received.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Provisions within the policy provide the Town with guidance to assist with budgeting for elected member professional development. The need for interstate and international conferences to be approved through Council, including any cash allowances, provides an opportunity for finances to be managed transparently, elected members to have budget oversight and community benefits to be communicated.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The proposed policy enables objective decision-making through setting conditions of approval and budget allocations.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	Mandatory training and the continuing professional development of elected members is required under the <i>Local Government Act 1995</i> .

Engagement

Internal engagement

Stakeholder	Comments
Elected members	Feedback from elected members was received at the January 2020 Concept Forum. Feedback was also requested on the Councillor Portal in late January 2020 and late February 2020.

Other engagement

Other local governments	A desktop review of similar policies from other local governments was undertaken to inform the development of the policy. These examples were provided to elected members at the Concept Forum to assist with providing feedback.
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Legal compliance

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

[Division 10 of the Local Government Act 1995](#)

[Part 10 of the Local Government \(Administration\) Regulations 1996](#)

Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Compliance If the policy is not adopted, the Town is in breach of the <i>Local Government Act 1995</i> .	Minor	Unlikely	Low	Council adopt Policy 022 – Elected Member Professional Development.
Financial impact The absence of consistent financial guidance in relation to professional development may result in the budget being overspent.	Minor	Likely	Moderate	Policy 022 – Elected Member Professional Development includes an allocation for individual professional development to be used when considering requests.
Financial impact The absence of key focus areas for professional development may result in the budget being overspent.	Minor	Likely	Moderate	Policy 022 – Elected Member Professional Development includes key focus areas to be used when considering requests.

Financial implications

Current budget impact

Sufficient funds exist within the annual budget to address this recommendation.

Future budget impact

\$22,500 would be required for elected member individual professional development in the 2020/2021 annual budget, if Council adopt the proposed policy.

The following professional development allowances are offered at other local governments.

Local government	Amount per elected member
City of Albany	\$4,000
City of Kwinana	\$4,000
City of Melville	\$4,750
City of South Perth	\$5,000
Town of Cambridge	Mayor - \$5,000 Councillors - \$3,000

Budget will also be required for group professional development and travel expenses.

In the 2018/2019 financial year, approximately \$24,000 was spent on group professional development for elected members.

The total elected member professional development budget for the 2020/2021 will be determined as part of budget setting process.

Analysis

- Policy 022 – Elected Member Professional Development is proposed to outline the guidelines for participation and entitlements available to elected members for professional development, in accordance with the *Local Government Act 1995 and Local Government (Administration) Regulations 1996*. The proposed policy will also enable equity and accessibility to professional development opportunities to enable elected members to fulfil their role.
- The proposed policy covers key focus areas, delivery methods, expenses related to professional development and reporting.

Key focus areas

9. When announcing the requirements for elected member training, the Department of Local Government, Sport and Cultural Industries (DLGSCI) stated that in deciding the content of the policy, Council should consider any skill gaps among the Council as whole and the needs of individual Councillors.
10. At the January 2020 Concept Forum, Council expressed that their preference was for the policy to include broad key focus areas for professional development rather than including specific courses or conferences in the policy. Feedback was then provided on the Councillor Portal that skills gaps that could be included in the policy were effective decision making, meeting procedures, risk assessment, CEO performance review and KPI setting.
11. The DLGSCI outlines the role of an elected member [on their website](#). Themes from this snapshot have been included in the proposed focus areas as professional development opportunities are made available to elected members to enable them to fulfil their role.
12. Combining the feedback on skills gaps and the outline of the role of an elected member, the key focus areas that have been included in the proposed policy are:
 - (a) community leadership
 - (b) communication between the community and Council
 - (c) determining and reviewing policy
 - (d) planning for the future
 - (e) managing assets
 - (f) governing finances
 - (g) cultural optimisation
 - (h) effective decision-making
 - (i) meeting procedures
 - (j) risk oversight and assessment
 - (k) managing the performance of the Chief Executive Officer
 - (l) town planning practices
 - (m) Advocacy
13. All elected member professional development, regardless of delivery method, is to relate to the key focus areas. This is a condition for approval.

Delivery methods

14. Three delivery methods for professional development have been included in the policy – mandatory, individual and group.

Mandatory training

15. Mandatory training has been included to comply with the requirement for mandatory elected member training to be completed, pursuant to the regulation 35 of the Local Government (Administration) Regulations 1996.

Individual professional development

16. Individual professional development gives elected members access to professional development that focusses on their individual needs and skills gaps. The proposed policy outlines budget allocations, approval conditions and the process for organising and administering requests for professional development.

17. The reasons for the clauses are included in the table below.

Clause	Proposed	Reason
5	Council will allocate \$2,500 per elected member in the annual budget for the costs associated with individual professional development.	Setting an annual amount in the policy gives the Town guidance for the budget setting process. It also encourages equitable access to opportunities.
6	An elected member who wishes to attend individual professional development held intrastate must apply in writing to the Chief Executive Officer, setting out how it relates to the key focus areas and how it will assist the elected member in the discharge of their duties.	The need to apply in writing to the Chief Executive Officer is an existing clause in Policy 022 – Conference expenses – Elected members. Relating the request back to key focus areas helps to ensure that professional development relates to the role of an elected member and what Council considers to be priority skills or current gaps.
7	The Chief Executive Officer may determine any requests for individual professional development held intrastate, subject to their relevance to key focus areas and available budget.	Chief Executive Officer approval is an existing clause in Policy 022 – Conference expenses – Elected members. Relating the request back to key focus areas helps to ensure that professional development relates to the role of an elected member and what Council considers to be priority skills or current gaps. The need to specify requests being subject to available budget is due to the individual professional development allocation of \$2,500.
8	Elected members may nominate to attend interstate and overseas individual professional development through a notice of motion to Council. Authorisation is to be through a resolution of Council, subject to relevance to key focus areas and available budget.	The requirement for approval for interstate and overseas individual professional development to be approved by resolution of Council is an existing clause in Policy 022 – Conference expenses – Elected members. It is proposed that elected members request approval through a notice of motion to Council to make the process more efficient, with elected members including the information needed for Council to make an informed decision, straight to the Council agenda. The Town can then comment on the cost of attending, including whether there is available budget, as an officer comment.

9	Booking arrangements and payments for all individual professional development, including conference costs, official conference networking functions and meals and tours/inspections that are relevant to the interests of the Town, are to be made by the Chief Executive Officer.	This is an existing clause in Policy 022 – Conference expenses – Elected members.
10	The Chief Executive Officer is authorised to determine a substitute elected member to attend any professional development in lieu of the elected member approved, in the event that the approved elected member is unable to attend.	This is an existing clause in Policy 022 – Conference expenses – Elected members.
11	Where an elected member has an electoral term of less than three months to complete, such elected member shall be ineligible to attend professional development, unless it is determined by the Council that attendance by an elected member who is within three months of completion of their term of office would be of specific benefit to the Town, and approval is granted by resolution of Council.	This is an existing clause in Policy 022 – Conference expenses – Elected members.

Group professional development

18. Group professional development allows Council to consider and improve any skills gaps among the Council as a whole. The proposed policy outlines budget allocations, the process for requesting group professional development and approval conditions.

19. The reasons for the clauses are included in the table below.

Clause	Proposed	Reason
12	Group professional development opportunities are to be organised for Council as a whole.	As individual professional development is available for elected members to develop their own skills, group professional development is to be organised with all of Council in mind.
13	Council will allocate an amount in the annual budget for the costs associated with group professional development.	Council being able to set the budget for group professional development annually allows for consideration to be given to what training is needed and how much it will cost, prior to the budget being set. This may differ from year to year.
14	Elected member requests for group professional development will be sent by the Mayor, in writing to the Chief Executive	This clause encourages elected members to have a coordinated approach to requesting group professional development, with views of

	Officer, setting out how it relates to the key focus areas and how it will assist elected members in the discharge of their duties.	all elected members considered.
15	The Chief Executive Officer may determine any requests for group professional development, subject to their relevance to key focus areas and available budget.	This clause is consistent with the approval process for individual professional development requests.
16	Booking arrangements and payments for all group professional development are to be made by the Chief Executive Officer.	This clause is consistent with the process for individual professional development.
17	All efforts are to be made to schedule group professional development at a time when all elected members are available to participate.	Although it is usual practice for training to be organised when all elected members are available, this clause highlights the importance.

Expenses related to professional development

20. The proposed policy covers travel expenses, accommodation expenses, cash allowances for meals and incidentals, costs for accompanying persons and costs for accompanying carers.
21. These expenses are covered by existing Policy 022 – Conference expenses – Elected members. Feedback was received from elected members that they were largely satisfied with the relevant clauses however, some changes have been proposed to provide further clarity or improvements. These changes are outlined in the table below.

Clause	Proposed	Reason
19	Travel, accommodation and any cash allowances will be in addition to the annual professional development allowance of \$2,500.	<p>The \$2,500 allowance is a new entitlement that is being proposed by this policy. This clause provides clarity for elected members about what their allowance includes.</p> <p>If these costs were to be included in the allowance, an elected member may not be able to undertake all of the professional development they require to be able to successfully fulfil their role.</p>
25	Where in particular circumstances, elected members desire to travel intrastate or interstate by private motor vehicle, they will be reimbursed for actual accommodation costs which are receipted and vehicle costs in accordance with the local government kilometre allowance, up to an equivalent amount that would have been expended, had arrangements been made at the time of	<p>This clause is largely included in the existing policy. The additional words "at the time of request" have been added to outline when the cheapest form of air travel is to be determined. This will enable consistency.</p>

	request to travel by the cheapest form of air travel.	
31	Cash allowances for interstate and international professional development will be determined by Council resolution, at the time of considering the request to attend.	These allowances are currently determined by the Chief Executive Officer. As approval for interstate and international conferences must be given by Council, it is considered appropriate for Council to set the amount that they consider appropriate to be spent on meals and incidentals. This will also result in further transparency for the community.

Reporting

22. The *Local Government Act 1995* requires local governments to prepare a report each financial year on training completed by council members in that year. This must then be published on the local government's official website within one month after the end of the financial year.
23. A commitment to publishing any professional development undertaken by elected members as it occurs has been included in the proposed policy. This will increase transparency and demonstrate the ongoing commitment that Council has to developing and maintaining their ability to fulfill the roles in which they are elected.

Next steps

24. If this policy is adopted by Council, the contents will be used to inform the development of the 2020/2021 annual budget. As the budget for the current financial year has already been set, and some funds already spent, it would not be possible to deliver all commitments in this financial year.
25. With all of the content from Policy 022 – Conference expenses – Elected members then being captured by the proposed new policy, Policy 022 will be repealed.
26. Amendments would then be made to Policy 021 – Fees, expenses and allowances – Elected members and ICMs, to refer to the new policy for details relating to professional development expenses and allowances.
27. The recommendation for this report also includes a request for the Chief Executive Officer to develop an Independent Committee Member Policy. After removing professional development detail from Policy 021 – Fees, expenses and allowances – Elected members and ICMs, it became apparent the similar information for independent committee members would be best placed in a policy dedicated to the roles themselves. This would create one document that covers all processes, responsibilities and entitlements for the roles. This policy is proposed to include the process for appointment of independent committee members after there being no guidance for this process during the recent recruitment of the roles.

Relevant documents

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

[Departmental circular 8 2019 – Council member training and candidate induction](#)

[The role of a council member](#)

7.3 Adoption of Policy 024 - Event Attendance

Location	Town-wide
Reporting officer	Liam O'Neill
Responsible officer	Danielle Uniza
Voting requirement	Absolute majority
Attachments	1. Policy 024 Event attendance [7.3.1 - 4 pages]

Recommendation

That the Policy Committee recommends that Council adopts Policy 024 Event attendance, in accordance with section 5.90A of the *Local Government Act 1995* as attached.

Purpose

To adopt an event attendance policy as required under section 5.90A of the *Local Government Act 1995*.

In brief

- The *Local Government Act 1995* was amended in 2019 to require each Council to adopt an event attendance policy.
- An event attendance policy enables certain approved events to not be considered a gift, for the purpose of the conflict of interest provisions of the *Local Government Act 1995*, while still having to be declared on the gift register.
- A policy has been drafted based upon elected members feedback, consideration of departmental guidelines and versions adopted by other local governments.
- At this time, no events are recommended for pre-approval and, therefore, exemption from gift disclosure.

Background

1. At its meeting held on 17 December 2019, Council resolved to request that the Chief Executive Officer develop an event attendance policy to be presented to the Policy Committee at its March 2020 meeting. As it is a legislative requirement, this policy response aligns with section 6(a) of Policy 001 Policy management and development.
2. Due to the passage of the *Local Government Legislation Amendment Act 2019*, section 5.90A was inserted into the *Local Government Act 1995*. This section requires each Council to adopt an event attendance policy. When read in conjunction with section 5.62 of the Act, Council, through the adoption of an event attendance policy, can opt to pre-approve attendance to an event so that it may be excluded from disclosures of interest requirements that apply to 'gifts'.
3. The Department of Local Government, Sport and Cultural Industries released [Local Government Operational Guideline – Attendance at events guideline](#) (the Guidelines) on 20 December 2019 relating to an attendance at events policy. This guideline contains an example policy, along with further detail on what an 'event attendance policy' should be comprised of.

4. Elected members, via the Councillor Portal, were asked to complete a survey containing key elements of the Guidelines to aid the Town in understanding their general position on event attendance. Based on results of the survey and further research undertaken by the Town, a policy was drafted. This draft policy was placed on the Councillor Portal for further feedback.
5. In conducting its research, the Town looked at Councils in the inner-metropolitan area, as well as the cities of Stirling and Fremantle, whom have both adopted an event attendance policy prior to the publication of the Guidelines.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Adopting an appropriate event attendance policy will ensure accountable governance and objective decision-making by elected members and the CEO.

Engagement

Internal engagement	
Stakeholder	Comments
Elected members	4 elected members responded to the survey – all indicated that no event attendance should be pre-approved under the policy.

Other engagement	
Stakeholder	Comments
Department of Local Government Sport and Cultural Industries	The Town sought advice from the Department to clarify guidelines, and seek further views on appropriate policy settings to be contained within the Town's own policy.
WALGA	The Town sought advice from WALGA to clarify the guideline, and seek further views on appropriate policy settings to be contained within the Town's own policy.
Inner-City Local Governments	The Town has been in discussion with other inner-city local governments (Perth, South Perth, Vincent and Subiaco) in developing the proposed policy.

Legal compliance

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

[Section 5.90A of the Local Government Act 1995](#)

Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Compliance The Act required Council to have an event attendance policy.	Minor	Possible	Moderate	Council adopts an event attendance policy.
Reputation Council resolves to pre-approve an event, and the donor later has a decision before Council decision. Perceived bias may occur during that decision-making process.	Minor	Possible	Moderate	Council carefully considers any decision to pre-approve an event and ensures it is appropriate, and is of benefit to the local government and the community.

Financial implications

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

Analysis

6. The Town has combined feedback received from elected member (both during the initial survey stage and once the draft was placed on the Councillor Portal) and the Guidelines to draft the proposed Event Attendance Policy. The policy contains four key sections:
 - (a) The register of event attendance
 - (b) The pre-approval of events by Council
 - (c) Event invitations or tickets addressed to the Town
 - (d) Purchase of event tickets by the Town

The register of event attendance

7. A core focus of this policy is to ensure transparency in events attended by elected members in their civic capacity. To meet this, the Town proposes that an event attendance register be developed. This register will require elected members to disclose invitations received and events attended in their civic capacity – this can include anything from attendance to school assemblies to events held by key stakeholders in the Town. As part of the policy, elected members will be required to declare their attendance to events (as defined in the policy) within 10 days. This register will live-update and be published to the Town website. Should the policy be adopted, it is proposed that the register

commence from 1 May 2020 to allow the Town sufficient time to create the register and declaration system.

8. In line with the Act, it is to be noted that only events attended under the value of \$300, or less than \$300 within a 12-month period, will be recorded in this register. Event attendance that are valued at \$300 or more are required to be disclosed as a gift, and will be included in the Town's gift register.

The pre-approval of events by Council

9. The purpose of section 5.90 of the Act is to allow Council to remove the 'interest relating to a gift', where the event is pre-approved within the policy. Based upon elected member feedback, this policy does not recommend that any events be pre-approved at this time. However, should Council deem at a later stage that some events be pre-approved, this can be done by resolution of Council. The policy does not allow the retrospective approval of event attendance.
10. Although no events are recommended for pre-approval, section 5.68 of the Act allows Council to resolve to allow an elected member to participate in debate and vote on an item (despite a 'closely associated person' interest being declared) so long as the value of the event attended is not more than \$1000.
11. Despite any pre-approval, an event attended that is over \$300 in value must still be declared on the gift register.

Event invitations or tickets addressed to the Town

12. There are times when the Town (not a specific person or elected member) are provided with invitations or tickets. These are currently dealt with on an ad hoc basis. To allow for a consistent approach, this policy proposes that the allocation of those invitations/tickets should be determined by the Mayor in line with options included in the draft policy.

Purchase of event tickets by the Town

13. The policy allows the Chief Executive Officer to purchase tickets to an event where appropriate, and in line with section 11 of the proposed policy.

Next steps

14. Should Council resolve to adopt this policy, an events attendance register will be rolled out in 1 May 2020.

Relevant documents

[Local Government Operational Guideline – Attendance at events guideline](#)

7.4 Review of Policy 054 Access to reserve funds

Location	Town-wide
Reporting officer	Liam O'Neill
Responsible officer	Danielle Uniza
Voting requirement	Simple majority
Attachments	1. Policy 054 Access to reserve funds [7.4.1 - 1 page]

Recommendation

That the Policy Committee recommends that Council receives the review of Policy 054 Access to reserve funds as attached.

Purpose

To present findings of the review conducted on Policy 054 Access to reserve funds.

In brief

- Policy 054 was adopted by Council in April 2000 and has remained substantially unchanged since then.
- The policy requires an officer report be prepared where a notice of motion is seeking to make an expenditure from the reserve fund. This is current practice with all notices of motion received.

Background

1. At its meeting held on 17 September 2019, Council adopted a work plan to complete the review of a number of policies. Policy 054 Access to reserve funds was one of the policies identified for review.
2. Policy 054 was adopted by Council in April 2000 for the purpose of ensuring any elected members' notice of motion expending reserve funds received a council report prior to any decision being made. The stated reason for the policy being to ensure "Councillors [are] aware of any legal, financial and other relevant implications associated with accessing such funds before adopting such a motion."
3. While in 2000 the standing orders allowed the CEO to provide a report to Council on a notice of motion, an examination of the minutes of Council from this period show that a report against a notice of motion was uncommon.
4. Since then, the Town has changed its existing practice to ensure that an officer comment is provided in response to each notice of motion. This comment includes financial and legal implications, as well as a risk assessment of the potential decision.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Ensuring a continuous process of policy review demonstrates sound governance.

Engagement

Internal engagement

Stakeholder	Comments
Financial Services	Financial services have no concerns relating to this Policy.

Legal compliance

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

[Meeting Procedures Local Law 2019](#)

Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Financial Elected members decide to through a notice of motion to expend a significant amount of a reserve fund without receiving officer advice.	Major	Possible	High	The Town will continue to provide an officer comment against all notices of motion proposed by elected members.

Financial implications

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

Analysis

5. In conducting the review of this policy, the Town has considered it against the following criteria:
 - (a) How does this policy align with current practice?
 - (b) Is a policy the most effective way to meet the policy objective?
 - (c) Is the policy a "Strategic direction adopted by Council"?
6. The Town has additionally looked across the inner-city local governments (Perth, South Perth, Vincent and Subiaco) to see if any of those local governments have a similar policy in place. It was found that none of the Councils included in either policy, or their meeting procedures, the provisions within Policy 054.
7. The Town's current practice in the way notices of motion are responded to has changed significantly since the adoption of the policy in 2000 to present time. In 2000, it was uncommon for an officer

comment to be provided in response to any notices of motion. Resulting from the Town's review of officer report templates, the notice of motion template was revised to ensure that it included a requirement for an officer comment, and further comment on legal and financial implications, to ensure elected members have sufficient information to make a decision. In cases where the subject of the notice of motion is complex (not only those relating to the access of reserve funds), elected members typically ensure that their notice of motion includes a request for a further report to be provided by the Chief Executive Officer. As such, current practice, not only aligns with the policy, but exceeds it.

8. In examining the effectiveness of this policy, the Town has considered the process in which the policy is to be implemented. An elected member is required to submit any notice of motion within 3.5 working days of the meeting to the Mayor, in accordance with the Meeting Procedures Local Law. Where an elected members' notice of motion requests expenditure of reserve funds without seeking an officer report, the Mayor may advise the elected member that their notice of motion is non-compliant with the policy. In this process, the policy effectively achieves its objective.
9. It is worth noting, however, that the policy only extends to notices of motion and there are other ways in which an elected member can seek to expend from the reserve funds – e.g. an amendment or an alternate motion. In these circumstances, that motion, whilst accompanied by a reason provided by the elected member, will not include officer comment relating to its legal and financial implications.
10. Under Policy 001 Policy Management and Development policies are intended to provide "strategic direction adopted by Council." As this policy deals with the expenditure of reserve funds, it aligns with Council's setting of a strategic direction on how elected members may opt to deal with those funds.
11. In conducting its review, the Town deems that the policy aligns with current practice, is effective in its current form, and is in line with Council's role to set a strategic direction in relation to the expenditure of reserve funds. It is proposed that the policy remains as-is and is retained. That said, should future circumstances arise where the policy is not being adhered to in notices of motions' submitted by elected members, Council may consider amending the *Town of Victoria Park Meeting Procedures Local Law 2019* to further its enforceability during the course of a Council meeting by allowing such a notice of motion to be ruled as out of order.

Relevant documents

[Policy 054 Access to reserve funds](#)

[Meeting Procedures Local Law 2019](#)

7.5 Review of Policy 111 Commemorative Recognition

Location	Town-wide
Reporting officer	Ruth Schofield
Responsible officer	Alison Braun
Voting requirement	Simple majority
Attachments	1. Policy 111 Commemorative recognition [7.5.1 - 3 pages]

Recommendation

1. That the Policy Committee recommends that Council adopts amendments to Policy 111 Commemorative Recognition.

Purpose

That the Policy Committee recommends that Council adopts the amendments to Policy 111 Commemorative Recognition.

In brief

- In May 2019 Policy 111 Commemorative Recognition was agreed to be delivered to the April 2020 Ordinary Council Meeting.
- The purpose of the policy is to provide criteria to guide the administration of requests of commemorative recognition items on property invested in, managed or owned by the Town of Victoria Park.

Background

1. At the Ordinary Council Meeting held on 21 May 2019, Council resolved to adopt Policy 001 – Policy Management and Development and to request to the Chief Executive Officer conducts a review of full policy manual by June 2020, including renumbering GEN4 to 111 - Commemorative Recognition.
2. In March 2019, Cr Notice of Motion – *“That Council: Requests the CEO to investigate the viability of implementing a Memorial/Commemorative Tree Planting Program that:
Allows the public to make an application for a tree to be planted within the Town for commemorative or memorial purposes;
Aligns with the Urban Forest Strategy.
Requests the Chief Executive Officer to present a further report back to Council at its July 2019 Ordinary Council Meeting outlining:
The costs associated with implementing a Memorial/Commemorative Tree Planting Program;
The possibility of developing and implementing a Memorial/Commemorative Tree Planting Program by June 2020”.*
3. In response to questions and feedback on the report presented at the Agenda Briefing Forum on 2 July 2019, the need for a Commemorative Recognition policy to be developed before the implementation of a Commemorative Memorial Tree Planting Program was identified.
4. Research was undertaken of Councils across Australia who had Commemorative Recognition policies and guidelines with the view of establishing a robust policy with user friendly guidelines and application form.
5. The policy amendments aim to:
 - a. Clearly define small memorials including memorial trees

- b. Clearly define large memorials
- c. Establish simple criteria for each memorial category

Strategic alignment

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	Provide the community the opportunity to feel part of the collective memory of the Town by nominating persons/organisations/events for commemorative recognition.
S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	Provide the community with strong links to the history of the Town.

Engagement

Internal engagement	
Infrastructure Operations	Discussions have been undertaken in the development of the Policy review.
Property Development	Discussions have been undertaken in the development of the Policy review.

Legal compliance

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

Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Reputational persons nominated for commemoration must is not be deceased and poses a reputational risk after nominated.	Insignificant	Rare	Low	Maintaining policy recommendation that all persons nominated for commemoration must be deceased. Extensive research and approvals if council choose to acknowledge prior to deceased.

Financial implications

Current budget impact	There is no current budget impact.
Future budget	Future funding may be required if large memorials applications are received and

Analysis

1. In review of the current policy *111 Commemorative Recognition* it was identified that the policy provided insufficient criteria and guidance for the Town to make appropriate decisions relating to memorial requests received from the community.
2. Research was undertaken of Councils across Australia with Commemorative Recognition policies and guidelines to establish a policy with comprehensive guidelines and detailed application form.
3. An extensive internal consultation was conducted with service areas receiving community requests for memorials such as streets, rights-of-way and street furniture. As a result of the engagement and research the following was decided:
 - a) To clearly define and categorise the types of memorials covered in the policy
 - b) To clearly define the selection criteria for each category of memorial
 - c) To include memorial trees in the policy
 - d) That applications would be considered for inclusion into the Victoria Park Dictionary of Biography; [The Victoria Park Dictionary of Biography](#) is an online resource that aims to tell the stories of the individual citizens of the suburbs within the Town of Victoria Park. In the dictionary you will find interesting, concise and enlightening descriptions of the lives of significant and representative persons in the history of Victoria Park.
 - e) That the Policy and Standards for Geographic Naming in Western Australia (Landgate) would be taken into consideration
 - f) That the Australia/New Zealand Standard for Rural and Urban Addressing AS/NZS 4819:2011 would be taken into consideration
 - g) That the policy would avoid duplicating the memorial facilities and services provided by the Metropolitan Cemeteries Board
4. The policy covers all small and large memorials ensuring minimum criteria is met pending the memorial request.
5. Town Officers will present all Large memorial request that meet the outlined criteria in a report to Council making recommendations and seeking a decision.
6. Any cost associated with a request for commemorative recognition will be included in the Town's Schedule of Fees and Charges.
7. It is recommended other than under exceptional circumstances approved by Council, the subject of the memorial (i.e. person nominated) shall be deceased.
8. It is recommended that the Policy Committee recommends that Council adopts amendments to Policy 111 Commemorative Recognition.

Relevant documents

[Policies and Standards for Geographical Naming in Western Australia](#)
[West Australian Metropolitan Cemeteries Board](#)

7.6 Review of Policy 351 Parking Permits

Location	Town-wide
Reporting officer	Amadeus Rainbow
Responsible officer	Luke Ellis
Voting requirement	Absolute majority
Attachments	1. Policy 351 Parking permits with amendments (005) [7.6.1 - 10 pages]

Recommendation

1. That the Policy Committee recommends that Council adopts the amendments to Policy 351 Parking Permits as attached.
2. Request the CEO report to Council on recommendations for Permits for businesses without onsite parking to the June OCM.

Purpose

To recommend amendments to Policy 351 Parking Permits.

In brief

- On November 11 2019, Council resolved to review Policy 351 Parking Permits at the 16 March 2020 Policy Committee.
- This report recommends three (3) amendments:
 1. Aligning the policy with the State Planning Policy 7.3 Residential Design Codes (R Codes);
 2. Removing inequity in eligibility requirements; and
 3. Adding Event Permits for Burswood Peninsula.
- Based on Elected Member feedback at the Concept Forum held 24 February 2020 options for Permits for businesses without onsite parking will be presented to the June OCM.

Background

1. Policy 351 Parking Permits, provides residents with one or less parking bays on their property eligibility for a Permit to park longer than the signposted time-restriction on their street.
2. Council adopted this Policy on the 9 October 2012. Since adoption, the Town has issued 23 annual permits and declined 3 applications. The following table shows when these permits were issued and declined.

Table 1. Total Number of Permits

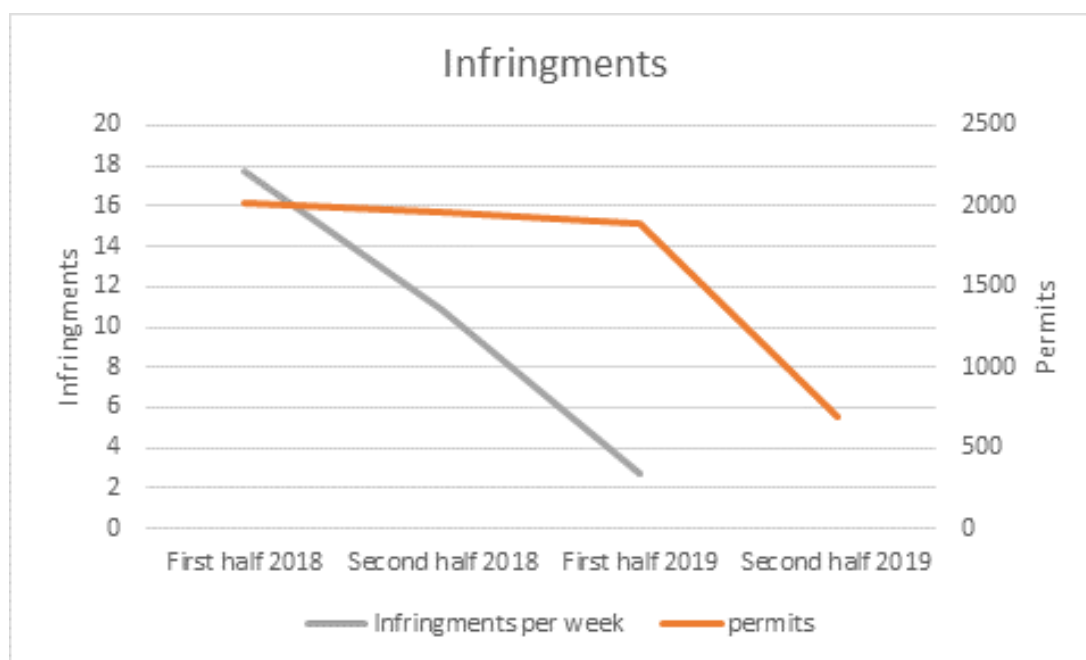
Financial Year	No. Permits Issued	No. Permit Applications Declined
2013-14	9	1
2014-15	0	2

2015-16	3	0
2016-17	5	0
2017-18	5	0
2018-19	1	0

Event Permits

3. In 2018-19 the Town implemented a temporary parking permit system to assist in the parking management of the Burswood Peninsula area to coincide with the opening of the new stadium.
4. This permit trial enabled the Town to monitor the impact of the new stadium on neighboring areas and develop parking management solutions.
5. Figure 1 shows;
 - (a) the issuing of the four rounds of permits,
 - (b) how the volume of permits has reduced over time and,
 - (c) that there was a steep reduction in permit related parking infringements issued as compliance improved.

Figure 1. Number of Permits and Infringements



6. The Town consulted with the Community in November 2019 the intent to either:
 - (a) Commit to a permanent permit system for the Burswood Peninsula area; or
 - (b) Wind-up the temporary permit system due to the improved parking compliance, as shown in the graph above.
7. To align with the Town's Permit Policy and the City of Perth's Permit system in East Perth, the engagement specifically outlined that a permanent permit parking solution will require:
 - (a) An annual fee payable by applicable residents

- (b)Permits limited to one specific vehicle per residence
- (c)Permits linked to specific streets within the Peninsula
- (d)Permits will only be valid/required on days were there are events at Optus Stadium

Strategic alignment

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	Maintain availability of the Town’s limited parking, to support commerce and tourism, by keeping the number of permits to a minimum.
EC02 - A clean, safe and accessible place to visit.	Maintain availability of the Town’s limited parking, for visitors, by keeping the number of permits to a minimum.

Environment	
Strategic outcome	Intended public value outcome or impact
EN02 - A safe, interconnected and well maintained transport network that makes it easy for everyone to get around.	Providing convenient parking for residents with limited private parking.
EN03 - A place with sustainable, safe and convenient transport options for everyone.	Maintaining the option for residents, with limited private parking, to use a private vehicle.

Engagement

Internal engagement	
Stakeholder	Comments
Street Improvement	Support amendments and additions
Customer Relations	Support amendments and additions
Urban Planning	Recommended alignment with R Codes
Place Planning	Support amendments and additions

External engagement	
Stakeholders	Business owners and residents in the Burswood Peninsular.
Period of engagement	29 November 2019 till 16 December 2019
Level of engagement	2. Consult
Methods of engagement	Online survey and written submissions

Advertising	Towns website and email notifications
Submission summary	13% responded, with 88 responses out of 670 Letters sent to Business owners and residents in the Burswood Peninsular.
Key findings	<ul style="list-style-type: none"> • 42% of respondents are in favour of a permanent permit parking system • 34% of respondents didn't support any of the three proposed options • 17% of respondents are in favour of the current minimal timed parking restrictions, with no permits • 7% of respondents are in favour of expanded timed parking restrictions, with no permits

Legal compliance

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

Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Compliance If changes requested by elected members are not made, the current policy may not be complied with.	Minor	Possible	Moderate	Amended policy that takes into account elected member feedback is adopted.
Reputational If changes requested by elected members are not made, the residents of Burswood Peninsula will lose trust in the Town	Moderate	Likely	High	The Town will keep the residents of the Burswood Peninsula informed on the process
Health If changes requested by elected members are not made, the amount of dangerous parking may increase Burswood Peninsula	Moderate	Possible	Moderate	The Town will maintain the Temporary Permit System in the Burswood Peninsula

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
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Future budget impact

The fee for Event Permits will be on a cost recovery basis, which is proposed to be \$30 per permit.

Based on the parking permit trial, the Town expects about 640 applications for Event Permits. This equates to about \$19,200, which has been included in the proposed budget for 2020-2021.

Analysis

8. Internal consultation found that this policy is effective at achieving its objective. Which is to keep permits to a minimum to enable equitable access to the Towns limited parking resources while supporting residents with limited parking on their property.
9. The Town recommends that this policy should align with the State Planning Policy 7.3 Residential Design Codes (R Codes). This will enable residents whose properties do not meet the minimum number of on-site parking bays required by the R Codes, to apply for a permit.
10. The following excerpt from the R Codes specifies the minimum on-site parking requirements:

Deemed-to-comply

Development satisfies the following deemed-to-comply requirements (C)

C3.1 The following minimum number of on-site car parking spaces is to be provided for each **single house, grouped dwelling** and **special purpose dwelling** comprising the following number of bedrooms:

Type of dwelling	Car parking spaces	
	Location A	Location B
1 bedroom dwelling	1	1
2 + bedroom dwelling	1	2
Aged persons' dwelling	1	1
Ancillary dwelling	nil	1

A = within:

- 800m of a train station on a **high frequency rail route**, measured in a straight line from the pedestrian entry to the train station platform to any part of a **lot**; or
- 250m of a **high frequency bus route**, measured in a straight line from along any part of the bus route to any part of a lot.

B = not within the distances outlined in A above.

- 11.
12. To align with the R Codes, the Town recommends:
 - (a) Reducing the eligibility of permits, to residents whose properties do not comply with R Codes; and
 - (b) Reducing the eligibility of residents to one permit.

13. The following table lists the recommended amendments:

Clause	Proposed	Reason
4. An eligible residential property	5. An eligible residential property,	Align with R Codes

with no onsite parking may apply for a maximum of two Residential Permits	which does not comply with the on-site parking requirements of the State Planning Policy 7.3 Residential Design Codes (R Codes), may apply for a maximum of one Residential Permit	
5. An eligible property with space for one onsite parking bay may apply for a maximum of one Residential Permit.	Delete Clause	Align with R Codes
6. Properties with 2 or more onsite parking bays are ineligible for a Residential Permit.	6. Properties are ineligible for a Residential Permit if: <ul style="list-style-type: none"> a. They comply with the on-site parking requirements of the State Planning Policy 7.3 Residential Design Codes (R Codes); or b. The development approval concedes less than the required number of on-site parking bays under the R Codes. 	Align with R Codes. Clause 6.b ensures that developers cannot request approval for developments with inadequate parking, and then apply for Residential Permits to make up for the shortage of parking in their development.
11. One application form can be submitted for up to 2 permits.	Delete Clause	Align with R Codes

14. Due to resident feedback, the Town also recommends removing in-equity in the Policy by deleting the following clauses:

- (a) 19. Residents of strata titled properties consisting of 4 or more individual dwellings are not eligible for a permit.
- (b) 20. Residents who move into the Town after the date that this Policy is adopted will not be eligible for a permit.

15. The following table lists the recommended amendments:

Clause	Proposed	Reason
19. Residents of strata titled properties consisting of 4 or more individual dwellings are not eligible for a permit.	Delete Clause	To maintain equity between all residents.
20. Residents who move into the Town after the date that this	Delete Clause	To maintain equity between all residents.

Policy is adopted will not be eligible for a permit.

Event Permits

16. Based on the external engagement, the Town recommends the following amendments, to implement a permanent Event Permit system for the Burswood Peninsula:

Clause	Proposed	Reason
Types of permits 1. Residential Permits 2. Transitional Permits	Types of permits 1. Residential Permits 2. Transitional Permits 3. Event Permits	<i>Consistent with the Town's other permits</i>
New Heading	Terms and conditions of Event permits	
New Subheading	Purpose	
New Clause	70. To provide residents and businesses with an exemption to access parking near their properties, on dates which are published on the Optus Stadium website, for events held at Optus Stadium.	<i>Consistent with the Town's other permits</i>
New Subheading	Maximum Number	
New Clause	71. An eligible residential or commercial address may apply for a maximum of one permit	<i>Consistent with the Town's other permits</i>
New Subheading	Application Process	
New Clause	72. To obtain an Event Permit the applicant must complete the required application form.	<i>Consistent with the Town's other permits</i>
New Clause	73. The application form will not be accepted without payment of the applicable fee.	<i>Consistent with the Town's other permits</i>
New Clause	74. Documents demonstrating that the applicant resides or is registered at the address stated in the application form, are required to be provided along with the application form.	<i>Consistent with the Town's other permits</i>

New Clause	75. A replacement or transfer form is required to be completed and submitted with the required documentation and fee before a replacement permit will be issued.	<i>Consistent with the Town's other permits</i>
New Subheading	Eligibility Criteria	
New Clause	76. The applicant must reside or be a registered business in the Burswood Peninsula, in Town of Victoria Park's local government area, and the indicated zone.	<i>All streets within the Burswood Peninsula residential area, are within 1km of Optus Stadium</i>
New Clause	77. Event Permits will not be issued to: a. Heavy or Long Vehicles, b. Caravans, c. Boats, d. Trailers, e. Taxi's, or f. Buses.	<i>Consistent with the Town's other permits</i>
New Subheading	Terms and Conditions	
New Clause	78. Each Event Permits is valid for one year.	<i>Consistent with the Town's other permits</i>
New Clause	79. Event Permits cannot be used in parking bays where time restrictions apply or where parking fees are payable.	
New Clause	80. Event Permits can only be used in the streets or areas as stated on the permit.	<i>Consistent with the Town's other permits</i>
New Clause	81. All Event Permits expire 12 months after the date of issue.	<i>Consistent with the Town's other permits</i>
New Clause	82. A permit does not guarantee the holder a parking bay.	<i>Consistent with the Town's other permits</i>
New Clause	83. Lost or stolen permits will be replaced on application subject to the payment of the applicable fee.	<i>Consistent with the Town's other permits</i>
New Clause	84. Permits must be displayed at	<i>Consistent with the Town's other</i>

	all times.	<i>permits</i>
New Clause	85. Each permit can only be used on the vehicle shown on the permit.	<i>Consistent with the Town's other permits</i>
New Clause	86. Permits will be revoked if misused, copied or sold to a third party	<i>Consistent with the Town's other permits</i>
New Subheading	Applicable Fees	
New Clause	87. The application fee as stated in the Town's Schedule of Fees and Charges is required to be paid before an application will be accepted.	<i>Consistent with the Town's other permits</i>
New Clause	88. The application fee will not be refunded for incomplete or unsuccessful applications.	<i>Consistent with the Town's other permits</i>
New Clause	89. The replacement or transfer fee as stated in the Town's Schedule of Fees and Charges is required to be paid before a replacement permit will be issued.	<i>Consistent with the Town's other permits</i>
New Clause	90. Refunds do not apply for unused permits	<i>Consistent with the Town's other permits</i>
New Subheading	Discretionary Authority	
New Clause	91. Notwithstanding any other provisions which restrict the number of Event Permits that may be issued, the Chief Executive Officer may approve the issue of additional Event Permits, to any resident or business, under such conditions as the Chief Executive Officer considers necessary.	<i>Consistent with the Town's other permits</i>

Relevant documents

Policy attached, with tracked changes

7.7 Minor review of the policies of Council

Location	Town-wide
Reporting officer	Liam O'Neill
Responsible officer	Danielle Uniza
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Policy 001 Policy management and development [7.7.1 - 3 pages] 2. Policy 007 Long service leave [7.7.2 - 1 page] 3. Policy 023 Provision of Information and Services - Elected Members [7.7.3 - 4 pages] 4. Policy 052 Recording and live streaming [7.7.4 - 2 pages] 5. Policy 112 Visual art [7.7.5 - 2 pages] 6. Policy 115 Public art [7.7.6 - 2 pages] 7. Policy 256 Mowing of street verges [7.7.7 - 2 pages] 8. Policy 402 Extended trading permit applications - Licenced premises [7.7.8 - 2 pages]

Recommendation

That the Policy Committee recommends that Council:

1. Endorses minor amendments, in line with Policy 001 Policy Management and Development, to the following:
 - a. Policy 001 Policy management and development
 - b. Policy 023 Provision of information and services – elected members
 - c. Policy 052 Audio and video recording and live streaming of Council meetings, Agenda Briefing Forums, committees and electors meetings (to become Policy 052 Recording and live streaming)
 - d. Policy 112 Visual art
 - e. Policy 115 Public art
 - f. Policy 256 Mowing of street verges
 - g. Policy 402 Extended trading permit applications – Licensed premises
 - h. ADM2 – Long Service Leave (to become Policy 007 Long service leave)
2. Requests that the Chief Executive Officer conducts a review of the following policies and provides further report back to Council as outlined below:
 - a. Policy 212 Graffiti removal management by July 2020 Ordinary Council Meeting
 - b. Policy 255 Street trees by July 2020 Ordinary Council Meeting
 - c. Policy 002 Appeals against Council policy by August 2020 Ordinary Council Meeting
 - d. Policy 023 Provision of information and services – Elected members by August 2020 Ordinary Council Meeting
 - e. Policy 201 Canvass awnings by September 2020 Ordinary Council Meeting
 - f. Policy 451 Transitional use by September 2020 Ordinary Council Meeting
 - g. Policy 011 Caretaker by October 2020 Ordinary Council Meeting
 - h. Policy 012 Street listing of owners and occupiers by October 2020 Ordinary Council Meeting
 - i. Policy 013 Electoral signs by October 2020 Ordinary Council Meeting
 - j. Policy 206 Temporary vehicle stands at building sites by November 2020 Ordinary Council Meeting

- k. Policy 224 Fences between Town property and adjoining property by November 2020 Ordinary Council Meeting
- l. Policy 254 Remnant native vegetation by November 2020 Ordinary Council Meeting
- m. Policy 204 Plant containers on commercial paved areas by December 2020 Ordinary Council Meeting
- n. Policy 209 Paving of verges in commercial paved areas by December 2020 Ordinary Council Meeting
- o. Policy 210 Free trade area by December 2020 Ordinary Council Meeting
- p. Policy 205 Vehicle crossovers by March 2021 Ordinary Council Meeting
- q. Policy 304 Disposal of disused equipment, machinery and other materials by March 2021 Ordinary Council Meeting
- r. Policy 207 Paths – Locations within road reserves by April 2021 Ordinary Council Meeting
- s. Policy 208 Street verges – reinstatement of lawns following works by April 2021 Ordinary Council Meeting
- t. Policy 202 Directional signs by May 2021 Ordinary Council Meeting; and
- u. Policy 203 Stormwater run-off containment by May 2021 Ordinary Council Meeting.

Purpose

To conduct a minor review of the policies of Council and set a policy review workplan for the 2020-2021 financial year.

In brief

- At its meeting held on 20 August 2019, Council resolved to conduct the first minor review of the Town's policy manual. During this process, Council requested the Chief Executive Officer to conduct a further review of 23 policies in the 2019-2020 financial year.
- In line with Policy 001 – Policy Management and Development, a minor review of the policy manual has been conducted. This '[entailed] a broad review of the content of each policy to allow for minor amendments, including changes to formatting, spelling and grammar, rewording of sections to increase clarity, standardisation of terms used, and the updating of references to relevant legislation and other documents. Any amendments arising from a policy review should not alter the purpose or objective of the policy'.
- As comprehensive minor review was undertaken in 2019, this review has resulted in significantly less changes than the prior year.
- During the minor review process, 21 policies have been identified for a full review.

Background

1. At its meeting held on 21 May 2019, Council resolved to adopt Policy 001 – Policy Management and Development and to request that the Chief Executive Officer conducts a review of the full policy manual. The first minor review was presented to Council on 20 August 2020. As a result of this minor review, Council requested 23 policies to undergo a further review in the 2019-2020 financial year.
2. In line with Policy 001 - Policy Management and Development, which requires a minor review to be undertaken annually, the Town has reviewed the full policy manual and is proposing minor changes to eight policies.

Strategic alignment

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

Engagement

Internal engagement	
Stakeholder	Comments
Managers and Service Area Leaders	Feedback was sought from Managers and Service Area Leaders to help identify policies that required minor review changes, and policies that required a more thorough review.

Legal compliance

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

Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Compliance Policies are not adhered to.	Moderate	Possible	Moderate	The Town is appropriately educated, and supported, to understand its responsibilities in relation to Council policies.

Financial implications

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

Analysis

- As comprehensive minor review was undertaken in 2019, there are significantly less changes proposed during this minor review than the prior year. In conducting the minor review, 21 policies have been identified for a full review. A workplan to conducted the review of those 21 policies in the 2020/2021 financial year has also been recommended.
- The following minor review changes are proposed below:

Policy	Proposed	Reason
Policy 001 Policy development and review	Amend policy review to minor policy review Amend policy manual to policies of Council	To provide clarification that the annual review of the policies of Council is a minor policy review. A formal policy manual is no longer maintained. Policy are instead separated individually on the website to increase accessibility.
Policy 023 Provision of Information and Services – Elected Members	Amend description of Concept Forum	Amended to align with Policy 051 in relation to information only items at Concept Forum.
Policy 052 Audio and video recording and live streaming of Council meetings, Agenda Briefing Forums, committees and electors meetings	Shorten title	This policy has the longest title of all the policies of Council. It is suggested that a much shorter title of “Recording and live streaming” be adopted.
Policy 112 Visual art	New clause	A clause is proposed to be inserted to clarify that the Town can acquire visual art in accordance with the Procurement Policy.
Policy 115 Public art	New clause	A clause is proposed to be inserted to clarify that the Town can acquire public art in accordance with the Procurement Policy.
Policy 256 Mowing of street verges	Amendment of typographical error	A typographical error was found in clause 3.
Policy 402 Extended trading permit applications – Licenced premises	Amendment of title	This policy references in clause 3 the Director Business Life. This position no longer exists. It is proposed to replace this with “Town”.
ADM2 – Long Service Leave	Reformatted	A scope and objective has been added, and the document has been reformatted.

5. The tracked changed version of policies with minor amendments are attached to this report.
6. The following policies are proposed for a full review in the next financial year.

Policy	OCM Consideration	Reason
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002 – Appeals against Council policy	August 2020	This policy does not appear to have changed since 1999, it is unknown at this time if an appeal has ever been submitted.
011 – Caretaker	October 2020	To ensure that best practice to a 'caretaker policy' is adopted, it is proposed that this policy be further reviewed. There is also a lack of clarity if this policy applies to both ordinary and extraordinary elections.
012 – Street listing of owners and occupiers	October 2020	Other than a clarification amendment in 2019, this policy has remained unchanged since 1999. The Town does not actually maintain records of occupiers of property, only a rates record. The right of elected members to access a copy of the electoral roll is set out in the Act and Regulations. This policy is recommended for further review to assess its relevance.
013 – Electoral signs	October 2020	This policy has been remained unchanged since 1994. Given some difficulties experienced at the previous ordinary election relating to electoral signs, it is proposed that a further review be considered to clarify and strengthen the policy.
023 – Provision of information and services – Elected members	August 2020	Due to issues raised by the executive and elected members regarding the policy, it is proposed that the policy be reviewed further.
201 – Canvass Awnings	September 2020	This policy has been unamended since 1994 when it would have been carried across from the City of Perth. A large amount of change has occurred in planning and building law since then. A review is recommended to enable reconsideration of this policy.
203 – Stormwater run off containment	May 2021	This policy was last properly reviewed in 2015 as such a new review is timely.
205 – Vehicle crossovers	March 2021	This policy was last properly reviewed in 2015 as such a new review is timely.
206 – Temporary vehicle	November 2020	Once a reviewed parking local law has been passed

stands at building sites		by the Town, it would be appropriate for the Town to review this policy for consistency.
210 – Free trade area	December 2020	This policy was last properly reviewed in 2015 as such a new review is timely.
212 – Graffiti removal management	July 2020	The Graffiti Vandalism Act 2016 was adopted after this policy was last amended. It is recommended that this policy be reviewed considering this.
224 – Fences between Town property and adjoining property	November 2020	Once a reviewed fencing local law has been passed by the Town it would be appropriate for the Town to review this policy for consistency.
254 – Remnant native vegetation	November 2020	This policy was last properly reviewed in 2015 as such a new review is timely.
255 – Street trees	July 2020	This policy has not been amended since the adoption of the Urban Forest Strategy.
304 – Disposal of disused equipment, machinery and other materials	March 2021	This is one of the last remaining finance policies that has not been reviewed in the last few years. As such it is recommended for review.
401 – Smoking restriction – Town property	December 2020	This policy was last properly reviewed in 2015 as such a new review is timely.
402 – Extended trading permit application – licensed premises	December 2020	This policy was last properly reviewed in 2015 as such a new review is timely.
403 – Management of noise emissions from events at Belmont Racecourse – Other than horse racing	April 2021	This policy was last properly reviewed in 2015 as such a new review is timely.
404 – Fireworks management	April 2021	This policy was last properly reviewed in 2015 as such a new review is timely.
406 – Temporary Food Businesses and Itinerant	March 2021	Council resolved that a review occur within 18 months of the introduction of the policy.

Food Vendors		
451 – Transitional use	September 2020	This policy was adopted as an interim measure three years ago. It is recommended that it be replaced as a local planning policy.

Relevant documents

Not applicable.

8 Motion of which previous notice has been given

9 Meeting closed to the public

9.1 Matters for which the meeting may be closed

9.2 Public reading of resolutions which may be made public

10 Closure