



TOWN OF
VICTORIA PARK



Policy Committee Minutes – 22 April 2020



**WE'RE OPEN
VIC PARK**

Please be advised that an **Policy Committee** was held at **5:30 pm** on **Wednesday 22 April 2020** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Cr Brian Oliver – Presiding Member
24 April 2020

Table of contents

| Item | Page no |
|---|---------|
| 1 Declaration of opening | 3 |
| 2 Attendance..... | 4 |
| 2.1 Apologies..... | 5 |
| 2.2 Approved leave of absence..... | 6 |
| 3 Declarations of interest..... | 7 |
| 4 Confirmation of minutes..... | 8 |
| 5 Presentations..... | 9 |
| 6 Method of dealing with agenda business..... | 10 |
| 7 Reports..... | 12 |
| 7.1 Review of Policy 101 Working Groups and Project Teams - Appointment of and Policy 106 Taxi Vouchers for Community Members of Working Groups and Project Teams | 12 |
| 7.2 Adoption of Policy 308 Financial Hardship..... | 24 |
| 8 Motion of which previous notice has been given | 28 |
| 9 Meeting closed to the public | 28 |
| 9.1 Matters for which the meeting may be closed | 28 |
| 9.2 Public reading of resolutions which may be made public..... | 28 |
| 10 Closure | 29 |

1 Declaration of opening

Cr Brian Oliver opened the meeting at 05:31 pm.

2 Attendance

Mayor

Mayor Karen Vernon

Banksia Ward

Cr Claire Anderson
Cr Ronhhda Potter
Cr Luana Lisandro

Jarrah Ward

Cr Jesvin Karimi
Cr Brian Oliver (Presiding Member)
Deputy Mayor Bronwyn Ife

Chief Community Planner Chief Financial Officer

Ms Natalie Martin Goode
Mr Michael Cole

Manager Governance and Strategy

Ms Danielle Uniza

Secretary

Mr Liam O'Neill

2.1 Apologies

Jarrah Ward

Cr Vicki Potter

2.2 Absent

Banksia Ward

Cr Wilfred Hendriks

2.3 Approved leave of absence

Nil.

3 Declarations of interest

Nil.

4 Confirmation of minutes

COMMITTEE RESOLUTION:

Moved: Cr Bronwyn Ife

Seconded: Cr Jesvin Karimi

That the Policy Committee confirms the minutes of the Policy Committee held on 18 March 2020

CARRIED (6 - 0)

For: Mayor Karen Vernon, Cr Ronhhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil

5 Presentations

Nil.

6 Method of dealing with agenda business

COMMITTEE RESOLUTION:

Moved: Cr Brian Oliver

Seconded: Mayor Karen Vernon

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.

CARRIED (6 - 0)

For: Mayor Karen Vernon, Cr Ronhhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil

7 Reports

7.1 Review of Policy 101 Working Groups and Project Teams - Appointment of and Policy 106 Taxi Vouchers for Community Members of Working Groups and Project Teams

| | |
|----------------------------|--|
| Location | Town-wide |
| Reporting officer | Danielle Uniza |
| Responsible officer | Anthony Vuleta |
| Voting requirement | Simple majority |
| Attachments | <ol style="list-style-type: none">1. Policy 101 Working Groups and Project Teams (CURRENT) [7.1.1 - 3 pages]2. Policy 106 Taxi vouchers for community members of working groups and project teams (CURRENT) [7.1.2 - 2 pages]3. Policy 101 Council Advisory and Working Groups - Governance of [7.1.3 - 8 pages] |

Recommendation

That Council:

1. Rescinds Policy 101 Working Groups and Project Teams – Appointment of and Policy 106 – Taxi Vouchers for Community Members of Working Groups and Project Teams.
2. Adopts Policy 101 Governance of Council advisory and working groups.
3. Requests that the Chief Executive Officer provides a further report to Council to re-establish the Aboriginal Engagement Advisory Group and the Access and Inclusion Advisory Group in accordance with Policy 101 Governance of Council advisory and working groups.
4. Requests that the Chief Executive Officer, when providing a further report to Council regarding the Business Advisory Group and the Lathlain Precinct Zone 1 Community and Sport Club Facility Project Steering Group, ensures that both groups align with Policy 101 Governance of Council advisory and working groups.
5. Notes that the Design Review Panel, Public Art Advisory Group and the Urban Forest Strategy Implementation Working Group are operational groups that fall outside the scope of this policy.

Purpose

To present findings of a review conducted on the EM3 Working Groups and Project Teams – Appointment of and FIN10 – Taxi Vouchers for Community Members of Working Groups and Project Teams to Council for consideration.

In brief

- At its Ordinary Council Meeting held on 19 March 2019, Council resolved to request that Chief Executive Officer conduct a review of 'EM3 Working Groups and Project Teams – Appointment Of' policy and present a further report back to Council by July 2019.
- The 13 Council-established working groups and project teams were mostly disbanded in 2016.
- Since then, a few Town-supported advisory groups have emerged. These groups have been created outside of the EM3 Working Groups and Project Teams – Appointment Of' policy as they are intended to advise the administration. A few issues have emerged since the development of those groups.
- In response to these issues and as part of its Policy Review Workplan 2019/2020, Council resolved to request that both policies be reviewed and presented to the Policy Committee in April 2020, and to the Ordinary Council Meeting in May 2020.
- In conducting this review, the Town has looked at the history of working groups and project teams within the Town, current groups that fall within this remit, and has taken into account emerging issues in creating the proposed policy.

Background

1. Until 2016, there were 13 Council-established working groups and project teams, which were:
 - a. Arts Working Group
 - b. Business Life Working Group
 - c. Community Environmental Working Group
 - d. Community Safety Working Group
 - e. Culture and Local History Working Group
 - f. Disability Access Working Group
 - g. Edward Millen Site Working Group
 - h. Healthy Life Working Group
 - i. Integrated Movement and Transport Working Group
 - j. Rates Review Project Team
 - k. Higgins Park Masterplan Project Team
2. At an Ordinary Council meeting held in February 2016, Council resolved to disband all working groups and project teams, except for the Lathlain Precinct Redevelopment Project Team. The reason for this, as explained in the report, was due to the creation of four Council committees which were intended to *'enable elected members to focus on their strategic roles rather than being involved with operational matters which became the function of former working groups and project teams.'* The report further stated that *'although working groups and project teams contained community representation, engagement with the community will continue as a priority and be improved through the Evolve project...'*
3. Since most Council-established working groups and project teams were disbanded, a few Town-supported advisory groups have emerged over time. These groups were intended to provide advice to the administration and were endorsed by the Town's executive team. Membership of these groups include members of the community, elected members, staff and other relevant stakeholders.

4. Further information relating to the existing groups and project teams are as follows:

| Group | Membership | Purpose |
|--|---|---|
| <p>Lathlain Redevelopment Project Team</p> <p><i>*Council-appointed</i></p> <p>(Established in 2016; has not been re-established following 2019 election)</p> | <ul style="list-style-type: none"> • 4x elected members • Staff | <p>The purpose of Project Team is to contribute to the vibrant lifestyle of the Town by:</p> <ul style="list-style-type: none"> • Providing advice to Council on progress of the Lathlain Precinct Redevelopment • Providing advice to Council on upcoming milestones for the Lathlain Precinct Redevelopment • Assisting Council with project related stakeholder communications. |
| <p>Urban Forest Strategy Transition to Implementation Group</p> <p>(Disbanded and superseded by the Urban Forest Strategy Implementation Working Group)</p> | <ul style="list-style-type: none"> • Community members • Staff | <ul style="list-style-type: none"> • Formulate draft Implementation Action Plan utilizing ABCD principles • Contribute to discussion on potential budgetary impacts to implement UFS • Provide recommendations on the establishment of a UFS working group. |
| <p>Aboriginal Advisory Group</p> | <ul style="list-style-type: none"> • 1x elected member • Community members • Staff | <p>To provide strategic advice on the implementation of the Town's Reconciliation Action Plan (RAP).</p> |
| <p>Disability Access and Inclusion Group</p> | <ul style="list-style-type: none"> • Community members • Staff | <p>The purpose of this group is to establish a disability and seniors' network that is empowered to contribute commentary, and advice to the Town to improve its capacity as an accessibility and inclusive community.</p> |
| <p>Public Art Advisory Group</p> | <ul style="list-style-type: none"> • Community Groups • Staff | <p>The purpose of the Public Art Advisory Group is to provide advice to the Chief Community Planner and relevant officers on matters relating to the review, development, feedback and implementation of the:</p> <ul style="list-style-type: none"> • Public Art Strategy 2018-2032 (RECN7 Public Art Policy & Public Art Management Plan) • Percent for Art (Local Planning Policy 29 Public Art Private Developer Contribution & Developers Public Art Handbook) • Mural Arts (ENG 12 Graffiti Removal Management & Mural Arts Plan: Maintenance and Commissioning) |

| | | |
|---|--|--|
| <p>Design Review Panel</p> <p>(Replaced the disbanded Design Review Committee)</p> | <ul style="list-style-type: none"> • Design experts • Staff | <p>The purpose of the Panel is to provide advice and recommendations that improve the quality of development within the Town and results in excellent design outcomes for the community and the users of buildings, specifically in relation to:</p> <ul style="list-style-type: none"> • Proposals for buildings that are 3 or more storeys in height above natural ground level; or • Proposals for developments of a value exceeding \$2 million; or • Any relevant Scheme Amendment, Structure Plan, Policy, Precinct Plan, Local Development Plan or Design Guidelines, as determined by the Chief Community Planner (CCP) or Manager Development Services (MDS); or • Any other proposal as determined by the Chief Community Planner or Manager Development Services. |
| <p>Urban Forest Strategy Implementation Working Group</p> | <ul style="list-style-type: none"> • 6 x Community members • Staff | <p>The purpose of the Implementation Working Group is to advise, guide and collaborate with officers in the detailed operations of UFS implementation.</p> |

5. Aside from the above groups which were endorsed by the executive team, other more informal groups, comprised of community members and staff, also existed (e.g. the Supporting People with Basic Needs Group).
6. Upon Council's request, the Town has conducted a review of the above groups. While the intent behind the groups were reasonable, the review identified some issues in their operation:
 - a. Groups being created outside of Council policy
 - b. Inconsistent governance arrangements in how each group operated
 - c. Lack of Council oversight where strategic matters were being considered/ developed
 - d. No clear linkage between the work of each group to the formal decision-making framework
 - e. Inconsistent elected member membership
 - f. Some dissatisfaction from group members due to unclear roles and responsibilities
7. Having awareness of these issues, Council resolved to request that the Chief Executive Officer conduct a review of 'EM3 Working Groups and Project Teams – Appointment of' policy (the Policy) for the purpose of investigating options to improve community engagement in the decision-making process.
8. A Concept Forum topic was presented to elected members, in April 2019, for the purpose of discussing the operation of existing groups, as outlined in paragraphs 4 and 5, and to discuss learnings as outlined in paragraph 6. An outcome of this discussion was to conduct further research into best practice principles in the governance of Council working groups and project teams to be presented at a further Concept Forum.
9. In June 2019, at a second Concept Forum, further discussion was held with elected members to determine the governance of each group, and how the existing issues might be resolved, inclusive of reviewing the existing policy EM3 Working groups and project teams – appointment of. An outcome

from that Concept Forum was to defer the review of the policy until the development of a Community Charter which was intended to include principles relating to community governance.

- To formalise this deferral, Council, in determining its Policy Review Workplan 2019/2020, resolved to request that EM3 Working Groups and Project Teams – Appointment of and FIN10 – Taxi Vouchers for Community Members of Working Groups and Project Teams be reviewed and presented to the Policy Committee in April 2020, and to the Ordinary Council Meeting in May 2020.

Strategic alignment

| Civic Leadership | |
|---|---|
| Strategic outcome | Intended public value outcome or impact |
| CL09 - Appropriate devolution of decision-making and service provision to an empowered community. | The setting of an appropriate governance framework for Council-appointed advisory groups and project teams will enable the appropriate devolution of decision-making. |

Engagement

| Internal engagement | |
|-----------------------|---|
| Stakeholder | Comments |
| Elected members | Feedback was sought at two Concept Forums (in April 2019 and June 2019), and through the Councillor portal. |
| Operations | Discussions held regarding the operation of relevant groups. |
| Community development | Discussions held regarding the operation of relevant groups. |
| Planning | Feedback sought regarding the operation of relevant groups. |
| Place Planning | Feedback sought regarding the operation of relevant groups. |
| C-Suite and SMT | Feedback sought regarding the attached policy. |

Legal compliance

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

[Section 5.8 of the Local Government Act 1995](#)

Risk management consideration

| Risk and consequence | Consequence rating | Likelihood rating | Overall risk analysis | Mitigation and actions |
|--|--------------------|-------------------|-----------------------|--------------------------------------|
| Reputational A lack of clarity on the operation of advisory and working groups may result in dissatisfaction from members of that group. | High | Likely | High | The adoption of the proposed policy. |

Financial implications

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

Analysis

11. Both EM3 Working Groups and Project Teams – Appointment of and FIN10 – Taxi Vouchers for Community Members of Working Groups and Project Teams have been reviewed and are proposed for repeal to be replaced with Policy 101 Governance of advisory and working groups. This proposed policy has been drafted considering elected member and staff feedback, and with an aim to mitigate issues with the current structure, as identified in paragraph 6 above, by clarifying and expanding on provisions contained in the current policy.
12. The proposed policy consists of five sections. These sections are focused on ensuring appropriate Council approval and oversight, uniformity in governance and operation, and clarity in roles and responsibilities. The sections of the proposed policy are as follows:
 - a. Establishment
 - b. Membership
 - c. Remuneration
 - d. Operation
 - e. Reporting
13. Further to the above, sample recommendations and a terms of reference template have been included in the proposed policy (as Schedule A and B) to promote consistency and to simplify the process.

Establishment

14. The proposed policy requires that any advisory or working group be established by resolution of Council. As part of its establishment, Council is to set key parameters for the governance of the group, including: its policy and objective, membership and composition, length of term and the requirement to provide public notice. In the previous policy, although Council establishment was required, it did not specify the need for the parameters listed.

Membership

15. The membership provisions in the proposed policy largely use the principles in the existing policy, such as the number of available elected member positions and the requirement to publicly advertise community member vacancies (albeit this policy does not specify that it must be through a local newspaper). This policy, however, includes provisions relating to membership of staff (through appointment by the Chief Executive Officer) and their role in Council-established groups.
16. The Policy Committee may consider whether vacancies of 'community members' are restricted to members of the Town of Victoria Park Community or if this extends to subject matter experts (or if membership of those persons are restricted to formal committees of Council). The proposed policy presumes that 'community members' are restricted to the Town of Victoria Park community.

Remuneration

17. Provisions relating to remuneration is not included in the current policy. The reason for including this provision is due to discussion relating to the remuneration of existing, and now disbanded, community groups. In general, this policy stipulates that community members are not to be remunerated – however, they may be remunerated if explicitly resolved by Council, inclusive of the remuneration amount. Elected members and officers that are part of an advisory or working groups are not to be remunerated under any circumstance.

Operation

18. This section addresses clauses 4-8 of the current policy, although not all the information in those provisions have been included. In general, this section stipulates that groups are not to have any delegated authority, but are able to make decisions within the group setting to achieve their objective as set by Council, this is inclusive of setting meeting dates and developing a work plan.
19. The subsection 'terms of reference' (ToR) is intended to set a basic structure in which a group's ToR should be set. By not explicitly stating procedural requirements (as the current policy does), this policy seeks to provide some degree of autonomy in how a group is to operate, and empowers members of that group to develop their own ToR for Council's endorsement. This section is also intended to address other inclusions in the current policy, such as meeting frequency, administration and other such provisions.

Reporting

20. The existing policy includes a provision to circulate the '*action notes, including any attachments*' to members of Council through the Councillor Portal. Expanding on that, this policy now requires that the agenda and minutes of the group are made available on the Town's website to increase transparency, and that the minutes are received by Council to give it a formal link to the decision-making process.
21. The proposed policy allows Council to request that progress reports be provided, and/or the groups (or its members) be invited to present at an informal meeting of Council. Presentation at informal meetings may be requested by the Mayor, on behalf of elected members, to the Chief Executive Officer using the existing channels.

Next steps

22. Should Council resolve to adopt the new policy, it should consider the future of the existing groups, and whether such groups should be disbanded and re-established under the proposed policy.

23. To aid with this, further relevant information/comments are provided in relation to each existing group:

| Group | Comment |
|---|--|
| <p>Lathlain Redevelopment Project Team (LRPT)</p> <p><i>*Council-appointed</i></p> <p>(Established in 2016; has not been re-established following 2019 election)</p> | <p>This group was established in February 2016 under the current policy. Since the election of the new Council in 2019, the group has not been re-established nor new members been appointed.</p> <p>In line with a Council resolution at its February 2020 meeting, a Lathlain Precinct Zone 1 Community and Sport Club Facility Project Steering Group has been established by Council with a further report being sought from the CEO by June 2020. The creation of this group effectively replaces the Lathlain Redevelopment Project Team.</p> <p><u>Recommendation</u> As this group was not re-established and is effectively superseded by the establishment of the Lathlain Precinct Zone 1 Community and Sport Club Facility Project Steering Group, the LRPT is not recommended for re-establishment.</p> <p>When a further report is presented by the CEO on the Lathlain Precinct Zone 1 Community and Sport Club Facility Project Steering Group, Council consider this group within the scope of the policy and should be renamed from a 'steering group' to an 'advisory group'.</p> |
| <p>Urban Forest Strategy Transition to Implementation Group</p> <p>(Disbanded and superseded by the Urban Forest Strategy Implementation Working Group)</p> | <p>None. The group has already been disbanded.</p> |
| <p>Aboriginal Engagement Advisory Group</p> | <p>This group operated on an operational level engaging with the Town's Aboriginal community to deliver actions from Council-adopted Reconciliation Action Plan (RAP)</p> <p>The term of this group expires in 30 June 2020.</p> <p><u>Recommendation</u> The purpose of the group is to engage with the Town's Aboriginal community in delivering Council-adopted Reconciliation Action Plan (RAP). As the RAP is a strategic Council document, it is proposed that this group be re-established at the end of its term through the proposed policy.</p> |
| <p>Access and Inclusion Advisory Group</p> | <p>This group operated at an operational level. Advice from the group were considered by officers when implementing actions in the Disability Access and Inclusion Plan (DAIP) adopted by Council.</p> |

| | |
|--|---|
| | <p>The term of this group expires in 30 June 2020.</p> <p><u>Recommendation</u> As the purpose of the group is to advise Town officers in delivering Council-adopted DAIP which is a legislative requirement it is proposed that this group be re-established at the end of its term through the proposed policy.</p> <p>The purpose of the group is to provide advice in the delivery of the DAIP. As the DAIP is a strategic Council document, it is proposed that this group be re-established at the end of its term through the proposed policy.</p> |
| <p>Public Art Advisory Group</p> | <p>This group operates at an operational level. Their advice is considered by the Town to determine whether certain artwork should be approved. The approval of artwork is an administrative function of the Town. The term for this group expired in February 2019. Membership to this group required formal qualification and experience in public art.</p> <p>As its terms have expired in February 2019, the re-establishment of this group will need approval from the executive team.</p> <p><u>Recommendation</u> As this group does not operate on a strategic level, it should remain as an operational advisory group – not as a Council-established group. This group falls outside of the scope of the proposed policy.</p> |
| <p>Design Review Panel (Replaced the disbanded Design Review Committee)</p> | <p>This group operates at an operational level, where their advice is considered by Officers when determining applications or providing recommendations for consideration by Council or the Joint Development Assessment Panel (JDAP).</p> <p>Council was advised of the Town’s intent to create the group at its meeting held on 11 September 2018 when the Design Review Committee was disbanded as a Committee of the Council. At this time, Council resolved to allow the Chief Executive Officer to appoint members to the panel. The members were appointed through an EOI process, and their terms expire in September 2020.</p> <p><u>Recommendation</u> As this group does not operate on a strategic level, it should remain as an operational expert panel – not as a Council-established community group. This group falls outside of the scope of the proposed policy.</p> |

Urban Forest Strategy Working Group

This group operates at an operational level, and their advice, suggestions and detailed recommendations are considered by Officers when implementing the strategic actions defined in the UFS Implementation Action Plan.

This group was formed through an EOI process and the members were appointed on 12 December 2019, with the first meeting held on the 19 December 2019. The collaboratively derived Terms of Reference were endorsed by C-Suite on the 14 January 2020. The group has met 6 times between 19 December and 30 March (fortnightly frequency). The meeting frequency will revert to monthly once implementation process are established and the initial complement of implementation projects are detailed.

Implementation Working Group is appointed for the duration of 12 months, with an option to extend the term at the annual review.

The group has been instrumental in developing implementation procedures, suggesting methods and activities to achieve actions from the UFS Implementation action plan. This community input has been particularly significant given the infancy of the UFS implementation and the lack of established processes. The group has allowed navigation of this new ground to occur in collaboration with community representatives and has provided diverse insight and perspectives for consideration when developing implementation processes and projects.

Recommendation

As this group does not operate on a strategic level, it should remain as an operational advisory group – not as a Council-established group. This group falls outside of the scope of the proposed policy.

24. Resulting from recent resolutions of Council, there are other groups yet to be established such as the Business Advisory Group and the Lathlain Precinct Zone 1 Community and Sport Club Facility Project Steering Group. It is recommended that both these groups be formally established under the proposed policy.

Relevant documents

Not applicable.

Cr Claire Anderson joined the meeting at 5:35pm.

COMMITTEE DISCUSSION:

The committee queried the Department of Transport's Taxi Users Subsidy Scheme and how difficult it is to become part of this scheme. As this matter is no longer included in the revised policy, it is no longer relevant.

The committee discussed point five of the recommendation and what groups should be governed by this policy. It was noted that the Design Review Panel and Public Art Advisory Group provide specific advice in relation to development applications.

The committee considered the September 2019 resolution of Council to establish the Urban Forest Strategy Implementation Working Group (UFSIWG) and whether the proposed policy should apply to this group as a result.

The committee was advised that if the UFSIWG was brought under the policy, its current terms of reference would not be consistent with the policy.

The committee noted that references in the policy were incorrect and should be amended.

The committee discussed whether it was appropriate for only the Mayor to be able to request a presentation for elected members from a working group or advisory group.

AMENDMENT:

Moved: Mayor Karen Vernon

Seconder: Cr Jesvin Karimi

1. That the words "and the Urban Forest Strategy Implementation Working Group" be deleted from point 5.
2. That point 6 be inserted "That Council ratify the appointment of the members of the Urban Forest Strategy implementation working group and the terms of reference of the Urban Forest Strategy implementation working group until the end of their term on 31 December 2020"

CARRIED (7 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Ronhhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil

Reason:

That although the functions of the Urban Forest Strategy Implementation Working Group are operational, it is established by Council and it falls under the definition of working group within the Policy.

AMENDMENT:

Moved: Cr Brian Oliver

Seconder: Cr Luana Lisandro

That point 2 of the motion be replaced with:

2. Adopts Policy 101 Governance of Council advisory and working groups, inclusive of the following changes:

- (a) That references to 'clause 1(c)' be changed to 'clause 2(c)' and reference to clause 1(d) be changed to 2(d).
- (b) That clause 38 be amended to read: 'Where appropriate, Council may also request a group, or members thereof, to make a presentation at an informal Council meeting, including an elected member workshop or Concept Forum.'

CARRIED (7 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Ronhhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil

Reason:

To correct an error and to allow any elected member to request a presentation to a workshop or concept forum as per current practice.

COMMITTEE RESOLUTION:

Moved: Cr Brian Oliver

Seconded: Cr Jesvin Karimi

That Council:

1. Rescinds Policy 101 Working Groups and Project Teams – Appointment of and Policy 106 – Taxi Vouchers for Community Members of Working Groups and Project Teams.
2. Adopts Policy 101 Governance of Council advisory and working groups, inclusive of the following changes:
3. (a) That references to 'clause 1(c)' be changed to 'clause 2(c)' and reference to clause 1(d) be changed to 2(d).
4. (b) That clause 38 be amended to read: 'Where appropriate, Council may also request a group, or members thereof, to make a presentation at an informal Council meeting, including an elected member workshop or Concept Forum.'
5. Requests that the Chief Executive Officer provides a further report to Council to re-establish the Aboriginal Engagement Advisory Group and the Access and Inclusion Advisory Group in accordance with Policy 101 Governance of Council advisory and working groups.
6. Requests that the Chief Executive Officer, when providing a further report to Council regarding the Business Advisory Group and the Lathlain Precinct Zone 1 Community and Sport Club Facility Project Steering Group, ensures that both groups align with Policy 101 Governance of Council advisory and working groups.
7. Notes that the Design Review Panel and Public Art Advisory Group are operational groups that fall outside the scope of this policy.
8. That Council ratify the appointment of the members of the Urban Forest Strategy implementation working group and the terms of reference of the Urban Forest Strategy implementation working group until the end of their term on 31 December 2020.

CARRIED (7 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Ronhhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil

7.2 Adoption of Policy 308 Financial Hardship

| | |
|----------------------------|---|
| Location | Town-wide |
| Reporting officer | Liam O'Neill |
| Responsible officer | Michael Cole |
| Voting requirement | Absolute majority |
| Attachments | <ol style="list-style-type: none">1. Policy 308 Financial hardship v 6 [7.2.1 - 4 pages]2. Policy 303 Debt Collection (Policy 308 Amendments) [7.2.2 - 5 pages]3. Delegations amended by Financial Hardship Policy [7.2.3 - 6 pages] |

Recommendation

That the Policy Committee recommends that Council:

1. adopts Policy 308 Financial hardship at attachment 1;
2. adopts the amendments to Policy 303 Debt collection as at attachment 2;
3. adopts amended delegations to the Chief Executive Officer at attachment 3:
 - a. Defer, Grant Discounts, Waive or Write off Debts
 - b. Agreement as to Payment of Rates and Service Charges
 - c. Recovery of Rates and Service Charges
 - d. Recovery of Rates Debts – Require Lessee to Pay Rent
 - e. Recovery of Rates Debts – Actions to Take Possession of Land

Purpose

To consider the adoption of a financial hardship policy and make subsequent amendments to the debt collection policy and delegations to the CEO.

In brief

- Council resolved at its special meeting on 7 April 2020 to request the development of a financial hardship relief policy for ratepayers.
- A hardship relief policy has been prepared based upon the WALGA template.
- This policy will provide guidance to the Town in managing the process of payment agreements for rates and other debts where a debtor is able to demonstrate financial hardship.
- This policy, while brought forward as a result of the ongoing crisis, is considered valuable and is suggested to be an ongoing policy in order to assist when persons or businesses experience financial hardship.

Background

1. Under Policy 001 Policy management and development a policy response was identified as required due to a community need or expectation and as a result of a Council resolution.
2. Currently ratepayers who face difficulties making payments are offered to enter a payment arrangement plan.
3. The Western Australian Local Government Association (WALGA) prepared a financial hardship policy for Council's to consider adoption of for the duration of the COVID-19 crisis. This template policy has been used as a basis.

4. Council has adopted Policy 303 Debt collection which currently governs what occurs where a person or business remains in debt with the Town.
5. The Council has currently delegated to the Chief Executive Officer the ability to:
 6. Amend the rate record;
 7. Make agreements as to how rates and service charges are paid;
 8. Determine the due date for the payment of rates;
 9. Recover rates and service charges through courts;
 10. Recover rates and service charges via tenants rent;
 11. Recover rates and service charges through the taking of possession of land;

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. | Establishing a transparent process for addressing financial hardship with ratepayers will enable the Town to sustainably manage its finances during this turbulent period. |

| 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. | Recognising the difficulties businesses may be facing; this policy may assist businesses in surviving this difficult time. |

| Social | |
|---|---|
| Strategic outcome | Intended public value outcome or impact |
| S03 - An empowered community with a sense of pride, safety and belonging. | This policy is intended to assist the community in meeting costs during the state of emergency. |

Engagement

| Internal engagement | |
|---------------------|---------------------------------------|
| Stakeholder | Comments |
| Finance | Finance supports the proposed policy. |

Legal compliance

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

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

[Section 6.49 of the Local Government Act 1995](#)

[Section 6.55 of the Local Government Act 1995](#)

Risk management consideration

| Risk and consequence | Consequence rating | Likelihood rating | Overall risk analysis | Mitigation and actions |
|---|--------------------|-------------------|-----------------------|--|
| Financial To many ratepayers are in financial distress and unable to pay rates and service charges on time. | Major | Likely | High | Adoption of a policy that lends itself towards enabling payment plans over a longer period than one year. Consideration of individual circumstances and removal of costs and interest for payment by installment. |
| Financial Some ratepayers refuse to pay rates regardless of financial hardship. | Minor | Unlikely | Moderate | The Town has the ability to recover rates from tenants rent or the seizure of property from any ratepayers that, despite having financial capacity, choose not to pay. |

Financial implications

| | |
|------------------------------|---|
| Current budget impact | Sufficient funds exist within the annual budget to address this recommendation. |
| Future budget impact | <p>It is difficult to assess exactly how many ratepayers and debtors may experience financial hardship. However, payment plans will ensure all the potential rates and charges are collected. In the cases of severe financial hardship, the waiver of interest and payment plan fees will result in a reduction of revenue to the Town.</p> <p>The deferral of any rates and service charges due to further financial years will result in the carry forward of a receivable in the Town's budget. These however may be recovered from the property during a future sale or through the mechanisms provided in the <i>Local Government Act 1995</i>.</p> |

Analysis

12. The proposed policy is based upon the WALGA template financial hardship policy which was drawn up in response to COVID-19 with the intent of being a temporary policy. A policy on financial hardship in general is valuable. The Town has prepared the policy with the intent of being an ongoing policy.
13. The WALGA template policy was intended only in relation to rates and service charges. The Town proposes this instead cover all debts. This ensures the policy includes businesses which are commercial tenants. Businesses such as these may be closed by government direction. However, the businesses may have charges due for public building licenses or food business registrations. This will allow the Town to be flexible with these businesses depending on the length of any closure.
14. The policy has been refined to seek better definitions of financial hardship and serious financial hardship. For this the Town has looked to the policy adopted by the City of Kalgoorlie which provided

stronger definitions and relied on the Henderson Poverty Line as adjusted in order to determine serious financial hardship.

15. The policy allows the Town to consider waiving interest charges and fees such as the installment fee or payment plan fee where an applicant is demonstrating severe financial hardship. It is recommended the Council delegation is amended to clarify this.
16. The policy will halt debt collection processes while payment plans are arranged with debtors. Policy 303 Debt collection and relevant delegations are suggested for amendment to reflect this.
17. Following the adoption of this policy the Town will develop a management practice to commence the consideration of financial hardship claims by the time rates notices are issued for the 2020/2021 financial year.

Relevant documents

[Policy 303 Debt collection](#)

[Henderson Poverty Line](#)

COMMITTEE DISCUSSION:

The committee discussed the delegation to write off a debt and in particular if the debt was above \$5,000 it would be addressed through Council.

The committee discussed the use of the Henderson Poverty Line. Further information was requested to be provided in the report for the Agenda Briefing Forum, regarding if persons in receipt of the Job Seeker payment or other welfare payments would qualify for financial or serious financial hardship.

COMMITTEE RESOLUTION:

Moved: Cr Ronhhda Potter

Seconded: Mayor Karen Vernon

That the Policy Committee recommends that Council:

1. adopts Policy 308 Financial hardship at attachment 1;
2. adopts the amendments to Policy 303 Debt collection as at attachment 2;
3. adopts amended delegations to the Chief Executive Officer at attachment 3:
 - a. Defer, Grant Discounts, Waive or Write off Debts
 - b. Agreement as to Payment of Rates and Service Charges
 - c. Recovery of Rates and Service Charges
 - d. Recovery of Rates Debts – Require Lessee to Pay Rent
 - e. Recovery of Rates Debts – Actions to Take Possession of Land

CARRIED (7 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Ronhhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil

8 Motion of which previous notice has been given

Nil.

9 Meeting closed to the public

9.1 Matters for which the meeting may be closed

Nil.

9.2 Public reading of resolutions which may be made public

Nil.

10 Closure

There being no further business, Cr Brian Oliver closed the meeting at 7.02 pm.

I confirm these minutes to be true and accurate record of the proceedings of the Committee.

Signed:

Cr Brian
Oliver

Dated this:

Day of:

2020