



TOWN OF
VICTORIA PARK



Policy Committee Agenda – 23 May 2022



WE'RE OPEN
VIC PARK

Please be advised that a **Policy Committee** will be held at **5:30pm** on **Monday 23 May 2022** as an **electronic meeting**.

Mr Anthony Vuleta – Chief Executive Officer
19 May 2022

Table of contents

Item	Page no
1 Declaration of opening	3
2 Attendance.....	4
2.1 Apologies.....	4
2.2 Approved leave of absence.....	4
3 Declarations of interest.....	5
4 Confirmation of minutes.....	6
5 Presentations.....	6
6 Method of dealing with agenda business	6
7 Reports	7
7.1 Review of Policy 115 - Public art.....	7
7.2 Review of Policy 226 - Recreation reserves – hire.....	11
7.3 Review of Policy 405 - Events on parks and reserves – notification to local residents	14
7.4 Policy 223 - Fleet management light vehicles.....	17
7.5 Review of Policy 301 - Purchasing	22
8 Motion of which previous notice has been given.....	25
9 Meeting closed to the public	25
10 Closure	25

1 Declaration of opening

Acknowledgement of Country (by Presiding Member)

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

Ngany djerapiny Wadjak – Noongar boodja-k 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

Ms Karen Vernon

Banksia Ward

Deputy Mayor Claire Anderson

Cr Peter Devereux

Cr Wilfred Hendriks

Jarrah Ward

Cr Jesse Hamer

Cr Bronwyn Ife

Cr Jesvin Karimi (Presiding Member)

Cr Vicki Potter

Chief Executive Officer

Mr Anthony Vuleta

Chief Operations Officer

Ms Natalie Adams

A/Chief Financial Officer

Mr Luke Ellis

Chief Community Planner

Ms Natalie Martin Goode

Manager Governance & Strategy

Ms Bana Brajanovic

Manager Community

Mr Paul Gravett

Manager Technical Services

Mr John Wong

A/Manager Finance

Ms Grace Ursich

Coordinator Events, Arts and Funding

Ms Lisa Robertson

Secretary

Ms Natasha Horner

2.1 Apologies

2.2 Approved leave of absence

Jarrah Ward

Cr Luana Lisandro

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 28 March 2022.

5 Presentations

6 Method of dealing with agenda business

7 Reports

7.1 Review of Policy 115 - Public art

Location	Town-wide
Reporting officer	Coordinator Events, Arts and Funding
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. Policy-115- Public-art (1) [7.1.1 - 2 pages]2. 2021 REVIEW RECOMMENDATIONS Policy 115 Public Art marked up [7.1.2 - 3 pages]3. 2021 REVIEW RECOMMENDATIONS Policy 115 Public Art CLEAN [7.1.3 - 3 pages]

Recommendation

That the Policy Committee recommends that Council adopts the amended Policy 115 – Public art as attached.

Purpose

To review the content of Policy 115 – Public art (Policy 115).

In brief

- At its meeting of 21 April 2021, Council adopted a work plan to review several policies. Policy 115 was identified as one of the policies to be reviewed.
- Policy 115 relates to public art in the Town of Victoria Park.
- A review of the policy has been completed concluding that the scope of Policy 115 is still relevant and only minor amendments are proposed.

Background

1. Council adopted Policy 115 (previously RECN7) in 2019.
2. Council last reviewed Policy 115 on 21 April 2020, Council resolution 384/2020.
3. Council resolution 384/2020 of 21 April 2020 adopted a work plan to review the number of policies, and Policy 115 was identified to be completed in 2021/2022.
4. The policy's objective is to guide the Town's aspirations to be a leader of contemporary public arts and to further develop the cultural identity of Town of Victoria Park.
5. As part of that review, only minor amendments are proposed to Policy 115 and include:
 - a. Addition of definitions
 - b. Update of 'Related documents'
 - c. Update of 'Responsible officers' titles.

Strategic Alignment

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	Public art adds to the pride of place by adding vibrancy and aesthetic enhancement to public spaces while encouraging community conversations on topical issues.
S04 - A place where all people have an awareness and appreciation of arts, culture, education and heritage.	Visible public art in accessible spaces makes the community aware of arts and culture in their own neighborhood and appreciates its value to the overall community.

Engagement

Internal engagement	
Stakeholder	Comments
Urban Planning	Consulted with Urban Planning to discuss Percent for Art process pertaining to internal and external public art projects.

External engagement	
Stakeholder	Comments
Public Arts Advisory Group (PAAG)	Consultation was undertaken with PAAG members on potential improvements and clarifications to Policy 115 and received expertise on correct definitions.
Local Government Authorities – City of Perth, City of South Perth, City of Joondalup, City of Stirling, Town of Vincent, City of Subiaco, City of Fremantle.	Consulted with LGAs to benchmark Policy 115 and best practice pertaining to policy direction.

Legal compliance

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	A lack of clarity amongst Town of Victoria Park external stakeholders including property developers, local residents/businesses and independent artists applying for public art projects.	Minor	Likely	Medium	Low	Treat risk by adding policy definitions to Policy 115.
Environmental	Not applicable.					
Health and safety	Not applicable.					
Infrastructure/ ICT systems/ utilities	Not applicable.					
Legislative compliance	Not applicable.					
Reputation	A lack of clarity amongst Town of Victoria Park external stakeholders including property developers, local residents/businesses and independent artists applying for public art projects.	Moderate	Possible	Medium	Low	Treat risk by adding policy definitions to Policy 115.
Service delivery	Not applicable.					

Financial implications

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

Analysis

6. The scope of Policy 115 is still relevant. The inclusion of definitions was recommended by the PAAG to clarify the parameters of the policy to both internal and external stakeholders.
7. A minor amendment is requested to update the 'Responsible officer' title on the policy.
8. Update of list of Relevant Documents.

Clause	Proposed	Reason
Policy definitions	Public art, public realm and professional artist	Definitions required to ascertain what is/is not constituted as public art, who is permitted to undertake public works and where the public works must be located to meet the requirements of Policy 115.

Relevant documents

[Arts and Culture Plan](#)

[Public Art Management Plan](#)

[Mural Arts Plan](#)

[Developers Public Art Handbook](#)

[Public Arts Strategy](#)

[Local Planning Policy No. 29](#)

7.2 Review of Policy 226 - Recreation reserves – hire

Location	Town-wide
Reporting officer	Coordinator Events, Arts and Funding
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Policy-226- Recreation-reserves-hire [7.2.1 - 2 pages] 2. Policy 226 - Recreation reserves - hire marked up [7.2.2 - 2 pages] 3. Policy 226 - Recreation reserves - hire clean [7.2.3 - 2 pages]

Recommendation

That the Policy Committee recommends that Council adopts the amended Policy 226 – Recreation reserves - hire as attached.

Purpose

To review the content of Policy 226 – Recreation reserves - hire (Policy 226).

In brief

- At its meeting of 21 April 2021, Council adopted a work plan to review several policies. Policy 226 was identified as one of the policies to be reviewed.
- Policy 226 relates to the hire of recreation reserves in the Town of Victoria Park.
- Officers have reviewed Policy 226 and do not see any merit in making changes to the policy content. It is therefore presented to the committee for the recommendation to retain the policy in its current form.
- A minor amendment is requested to update the 'Responsible officer' title on the policy.

Background

1. Council adopted Policy 226 (RECN1) in 1994.
2. Council last reviewed Policy 226 on 20 August 2019, Council resolution 148/2019.
3. Council resolution 384/2020 of 21 April 2020 adopted a work plan to review the number of policies, and Policy 226 was identified to be completed in 2021/2022.
4. The policy's objective is to enable the hire of recreation reserves in the Town of Victoria Park.

Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	Ensuring that the parks and reserves in the Town of Victoria Park are well managed to allow for 'all' community use.

Engagement

Internal engagement

Stakeholder	Comments
Community Development Officer - Clubs, Events and Bookings	No reason for change.

Legal compliance

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not reinstating the current policy.	Minor	Likely	Medium	Low	TREAT risk by adopting existing policy with minor amendment.
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Not applicable.				Low	
Reputation	Not applicable.				Low	
Service delivery	Not applicable.				Medium	

Financial implications

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

Analysis

5. The scope of Policy 226 is still relevant. Therefore, no further changes are required to the content contained in the policy.
6. A minor amendment is requested to update the 'Responsible officer' title on the policy.

Relevant documents

[Local Government Property Law 2000](#)

7.3 Review of Policy 405 - Events on parks and reserves – notification to local residents

Location	Town-wide
Reporting officer	Coordinator Events, Arts and Funding
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Policy-405- Events-on-parks-and-reserves- Notification-to-local-residents (4) [7.3.1 - 2 pages] 2. Policy 405 Events on parks and reserves - Notification to local residents marked up [7.3.2 - 2 pages] 3. Policy 405 Events on parks and reserves - Notification to local residents clean [7.3.3 - 2 pages]

Recommendation

That the Policy Committee recommends that Council adopts the amended Policy 405 – Events on parks and reserves – notification to local residents as attached.

Purpose

To review the content of Policy 405 – Events on parks and reserves – notification to local residents (Policy 405).

In brief

- At its meeting of 21 April 2021, Council adopted a work plan to review several policies. Policy 405 was identified as one of the policies to be reviewed.
- Policy 405 applies in relation to events on parks and reserves.
- Officers have reviewed Policy 405 and do not see any merit in making changes to the policy content. It is therefore presented to the committee for the recommendation to retain the policy in its current form.
- A minor amendment is requested to update the 'Responsible officer' titles on the policy.

Background

1. Council adopted Policy 405 (RECN2) in 1995.
2. Council last reviewed Policy 405 on 20 August 2019, Council resolution 148/2019.
3. Council resolution 384/2020 of 21 April 2020 adopted a work plan to review the number of policies, and Policy 405 was identified to be completed in 2021/2022.
4. The policy's objective is to require the notification of nearby residents prior to events on parks and reserves.

Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact

EN05 - Appropriate and sustainable facilities for	Keeping facilities well maintained, modern, fit for
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everyone that are well built, well maintained and well managed.	purpose to allow for 'all' community use.
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Civic Leadership	
Strategic outcome	Intended public value outcome or impact

CL1 – Everyone receives appropriate information in the most efficient and effective way for them.	Ensure that people receive information in various ways at different times and that the content is easy to understand.
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Engagement

Internal engagement	
Stakeholder	Comments
Community Development Officer - Clubs, Events and Bookings.	No reason for change.

Legal compliance

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

Risk management consideration

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

Financial implications

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

Analysis

5. The scope of Policy 405 is still relevant. Therefore, no further changes are required to the content contained in the policy.
6. A minor amendment is requested to update the 'Responsible officer' title on the policy.

Relevant documents

Not applicable.

7.4 Policy 223 - Fleet management light vehicles

Location	Town wide
Reporting officer	Manager Technical Services
Responsible officer	Chief Operations Officer
Voting requirement	Simple Majority
Attachments	1. Policy-223- Fleet-management-light-vehicles [7.4.1 - 3 pages]

Recommendation

That the Policy Committee recommends that Council notes the officers' update provided for the implementation of policy 223 Fleet Management Light Vehicles as presented to the Policy Review Committee in May 2022.

Purpose

To provide an update on the effectiveness of the implementation of Policy 223 Fleet Management Light Vehicles for Council to note

In brief

- The Town's light fleet has further reduced to 43 during the 21/22 financial year which is nearing the 2021 target of 41 based on the then staff population
- Existing staff with private use continue to pay contribution rates in accordance with their contracts.
- The decision process for the provision of council vehicles for new staff commencing in financial year 2021/2022 was reviewed. I
- New employment contracts executed in 21/22 for staff with operational need of a Council car are paying a contribution rate aligned with the State Government's Senior Officer Vehicle schemes.

Background

1. Council on 15 June 2021 resolved the following based on the recommendations of the Policy Review Committee.
That Council:
 1. Notes in this report the effectiveness of Policy 223 Fleet Management Light Vehicles and the changes made to the management of the Town's light fleet resulting from the adoption of this policy on 16 June 2020.
 2. Requests the Chief Executive Officer to report to the Council by June 2022 on the effectiveness of Policy 223 for the financial year 2021/22, including the size of the reduction in the Town's light fleet and any targets for future reductions.
2. The current Policy 223, Fleet Management Light Vehicles, was adopted by Council in June 2020 as the operational guidance document for Fleet Management. It outlines the requirements of owning and maintaining the Town's fleet, including the purchasing and disposal methods required. The Fleet Management Practice that complements this policy documents all other operational matters about Fleet Management.

The Policy allows certain staff positions to have full private usage which enabled the Town to reduce its Fringe Benefits Tax liability.

Private usage staff contribution rates are aligned with the State Government vehicle usage rates as outlined in the Senior Officers Vehicle Scheme (SOVS).

The Town has been actively reducing its light fleet number. Use of vehicles to new staff is in line with the position’s responsibilities and work productivity requirements as determined by the Executive.

Strategic alignment

Environment	
Strategic Outcome	Intended public value or impact
CL05 - Innovative, empowered and responsible organisational culture with the right people in the right jobs.	Assist in offering tools to help the organisation employ the best staff for the job.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Ensure that the vehicles the Town uses are fit for purpose and offer the best value for money.

Engagement

Internal engagement	
Technical Services	No changes required for the policy
People and Culture	Supportive of maintaining the policy in its current form
Finance	No objections
C Suite	No objections
Policy Review Committee	Comments as per this report

External engagement	
Other LGs	Most of their contribution rates are less than the Town’s

Other engagement	
Stakeholder	Nil

Legal compliance

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Nil				Low	
Environmental	Nil				Medium	
Health and safety	Nil				Low	
Infrastructure/ ICT systems/ utilities	Nil				Medium	
Legislative compliance	Nil				Low	
Reputation	The Town may be subject to breach of contract and open to litigation if the Town's Current employment contracts and Enterprise Agreement (EA) conditions are affected	Moderate	Likely	High	Low	Any proposed amendments to the Policy to be cognisant of potential impacts to the Town's employment contract and EA conditions
Service delivery	Inequity between existing and new staff benefits relating to Fleet use	Moderate	Likely	High	Medium	Any proposed policy amendments should be cognisant of potential impacts to the Town's employment contracts, and be implemented over time as new staff are contracted to the Town or

unusual or
unique
individual
conditions
phased out
where possible

Financial implications

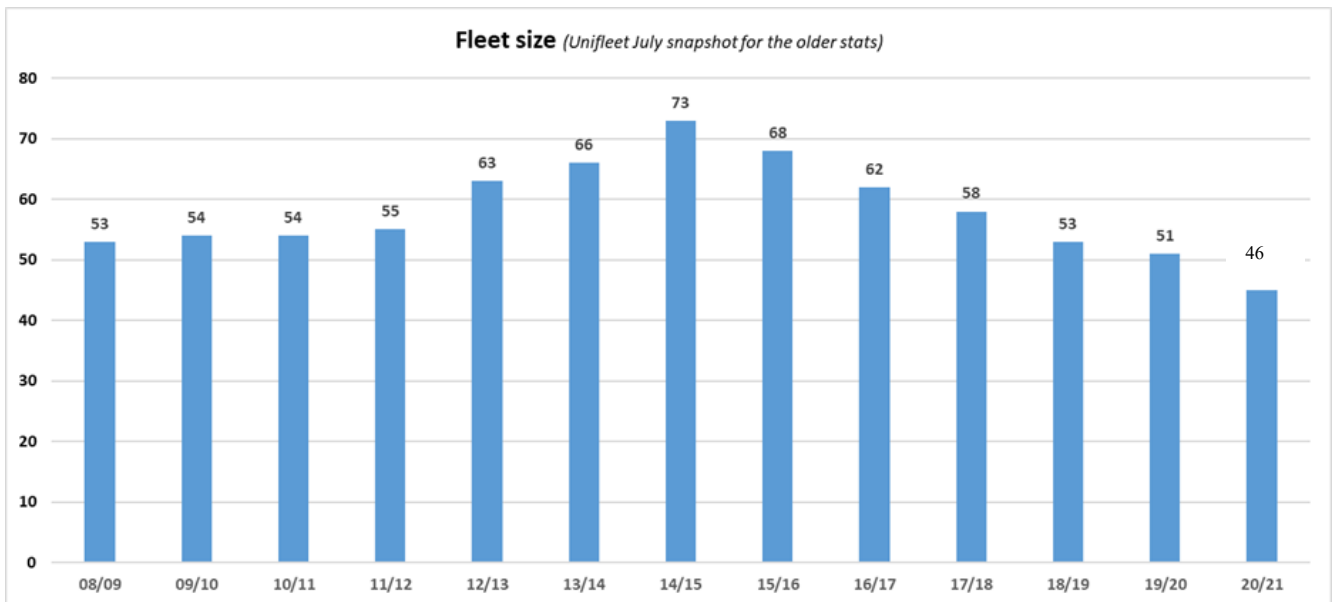
Current budget impact	Nil
Future budget impact	Reduction in fleet size and selection of vehicle types will contribute to reducing future maintenance and operational costs and fringe benefit tax.

Analysis

- The provision of updates on the implementation of this Policy's is intended to ensure that Council has oversight of the effectiveness of the policy in providing a cost effective management approach involving the Town's light fleet. Some of the more important fleet management considerations to be monitored include the ongoing review of the level of need for a fleet of motor vehicles essential to meet operational requirements to service the community. When used in conjunction with the Fleet Management Practice, it identifies the types of light vehicles that will be used and how they are chosen, as well as how they will be purchased and disposed of.
- The size of the light fleet has been reduced over the years to 43 in the 21/22 financial year from a total of 73 in the 14/15 financial year.

Functional Areas	Fleet size 2021	Fleet size 2022
Corporate Services (Parking, Rangers, etc)	13	13
Operations (Depot, etc)	18	17
Community Planning (Planning, Env Health, etc)	10	9
Dedicated pool cars	5	4
Total	46	43

- The fleet size of previous financial years is provided below for general comparison.



6. All new employment contracts established in 21/22 where there is an operational need for a Council car with private use have been executed with the same contribution rate applicable to state government senior officers.
7. The contribution rate for existing staff with private use of a council car are being re-negotiated to be aligned with the new policy rates over a 3 year period.
8. One of the pool vehicles that was approved for replacement in 21/22 financial year will be replaced by a small electric vehicle and will be delivered in the 22/23 financial year to assess the overall effectiveness and suitability of such vehicles in the Town's fleet.
9. The implementation of Policy 223 since adoption in June 2020 has been effective.
10. In general, the Policy 223 is considered to be effective for the management of the Town's light fleet.

Relevant documents

[Buy, lease and maintain a motor vehicle fleet | Western Australian Government \(www.wa.gov.au\)](https://www.wa.gov.au/government/policies/buy-lease-and-maintain-a-motor-vehicle-fleet)

7.5 Review of Policy 301 - Purchasing

Location	Town-wide
Reporting officer	Finance Manager
Responsible officer	Chief Financial Officer
Voting requirement	Simple majority
Attachments	Amended Purchasing Policy 301 1. Policy 301 Purchasing [7.5.1 - 6 pages]

Recommendation

That the Policy Committee recommends that Council adopts amended Policy 301 Purchasing as attached.

Purpose

To provide Council with an updated Purchasing policy to ensure compliance with legislation on 'Establishment of Panels of Pre-Qualified Suppliers'.

In brief

- An amended Policy 301 Purchasing has changes shown in red font updating the policy to be compliant with legislation on the establishment of Panels of Pre-qualified Suppliers.

Background

- Following a review of the purchasing policy it was identified that it did not include the requirements for establishing panels of pre-qualified suppliers which is outlined in Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*.
- A concept forum was held in December 2021 to discuss how to address triple bottom line sustainability through procurement and one of the outcomes sought was consideration to the current procurement policy. Amendments to the policy for the items discussed have not been included in this review as all staff involved have left the Town. A review needs to be undertaken of the work completed after the concept forum and then another amendment to this policy will be returned to Policy Committee at a later date. Since the concept forum there have been changes made internally to include sustainability criteria in our procurement plans.

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.	Ensures Councils Purchasing systems are compliant with legislation and best practice.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Maintaining effective and practical delegations ensures Council remains strategically focused.

CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	Ensures Council policy is compliant with legislative requirements.
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Legal compliance

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

[Policy 312 Transaction Card](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	N/A				Low	
Environmental	N/A				Medium	
Health and safety	N/A				Low	
Infrastructure/ ICT systems/ utilities	N/A				Medium	
Legislative compliance	Non-compliance with legislation could be picked up during the annual audit.	Moderate	Possible	Medium	Low	Treat risk by Council adopting an updated purchasing policy ensuring legislative compliance.
Reputation	N/A				Low	
Service delivery	N/A				Medium	

Financial implications

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

Analysis

- A review of Council Policy 301 Purchasing revealed required amendments regarding 'Establishment of Pre-Qualified Suppliers'.

Clause	Proposed	Reason
17	Add 'suppliers that'	Minor wording change.
18	Add 18.1 - 18.6	Major wording addition required for compliance with legislation.
15	Add 'All procurement...purchasing officer'.	New clause to ensure record keeping requirements are met.

Relevant documents

Not applicable.

8 Motion of which previous notice has been given

Nil.

9 Meeting closed to the public

Nil.

10 Closure