



TOWN OF  
VICTORIA PARK



## Policy Committee Agenda – 26 October 2020

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**WE'RE OPEN  
VIC PARK**

Please be advised that an **Policy Committee** will be held at **5:30 pm** on **Monday 26 October 2020** via **Microsoft Teams** as an electronic meeting.

**Mr Anthony Vuleta – Chief Executive Officer**  
22 October 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-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

<b>Mayor</b>	Mayor Karen Vernon
<b>Banksia Ward</b>	Cr Wilfred Hendriks Cr Claire Anderson Cr Ronhhda Potter Cr Luana Lisandro
<b>Jarrah Ward</b>	Cr Jesvin Karimi Cr Brian Oliver (Presiding Member) Deputy Mayor Bronwyn Ife
<b>Chief Operations Officer</b>	Mr Ben Killigrew
<b>Chief Financial Officer</b>	Mr Michael Cole
<b>Manager Infrastructure Operations</b>	Mr Gregor Wilson
<b>Coordinator Parking and Rangers</b>	Mr Amadeus Rainbow
<b>Governance Advisor</b>	Mr Liam O'Neill
<b>Secretary</b>	Ms Amy Noon

### 2.1 Apologies

## 2.2 Approved leave of absence

Cr Vicki Potter (Deputy Presiding Member)

Jarrah Ward

## 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 21 September 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 Review of Policy 206 Temporary vehicle stands at building sites

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Amadeus Rainbow
<b>Responsible officer</b>	Michael Cole
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Policy 352 Temporary vehicle stands at building sites Final [7.1.1 - 4 pages]</li><li>2. Policy 206 Temporary vehicle stands at building sitesTrack Changes [EMVH] [7.1.2 - 5 pages]</li><li>3. Policy 206 Temporary vehicle stands at building sites - Current [7.1.3 - 2 pages]</li></ol>

#### Recommendation

That the Policy Committee recommends that Council, effective from the commencement of the Vehicle Management Local Law 2020:

1. Repeals existing Policy 206 Temporary Vehicle Stands at Building Sites as attachment 3
2. Adopts amended Policy 352 Temporary Vehicle Stands at Building Sites as attachment 1

#### Purpose

To review the existing Policy 206 Temporary Vehicle Stands at Building Sites.

#### In brief

- Policy 206 Temporary Vehicle Stands at Building Sites was last reviewed in August 2015.
- At its Policy Committee meeting of March 2020, it was resolved to request a review of 206 Temporary Vehicle Stands at Building Sites by October 2020. This is part of the broader timetable for review of policies in the 2020/2021 financial year.
- Policy 206 Temporary Vehicle Stands at Building Sites guides the principles to provide for the management of temporary vehicle stands at building sites.
- This report recommends a number of amendments:
  1. Removing inequity requirements,
  2. Adding permits
  3. Clear and concise signage to inform everyone on the parking conditions
  4. Allow enforcement for unauthorised usage

#### Background

1. At its meeting on 21 April 2020, Council adopted a work plan to complete the review of a number of policies. Policy 206 Temporary Vehicle Stands at Building Sites was one of the policies identified for review.
2. Temporary authorised work zones/vehicle stands adjacent to building sites may be provided as required for demolition and/or during the construction period for the delivery of materials to the site.

3. Written applications to be submitted 2 weeks prior to commencement of the work zone being required. Application to define the site, day of week and time of day
4. Temporary authorised work zones/vehicle stands can assist with keeping the road network free of conflicts and obstructions
5. From a safety point of view, it can prevent private vehicles being parked in close proximity to a building site, thus limiting interaction of unauthorised vehicles or persons adjacent to the site
6. Temporary work zone signage will be installed to allow enforcement.

## Strategic alignment

Environmental	
Strategic outcome	Intended public value outcome or impact
EN2 – A safe, interconnected and well-maintained transport network that makes it easy for everyone to get around.	Regulating and allowing the parking in front of building sites, reduces congestion and inconvenience to road users by helping keep the road networks clear.
EN5 – Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	Facilitating temporary delivery areas and drop off points helps allow for the appropriate materials to be accessed for building purposes, and increases the safety factor for workers and the general public.

## Engagement

Internal engagement	
Stakeholder	Comments
Compliance Officer	Review of policy and how it currently operates
Town Rangers	Reviewed policy, offered feedback on current practices
Ops staff	Analysis of how current policy operates and any pitfalls
Planning Officers	Approval of DRAFT policy

## Legal compliance

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

[Activities on Throughfares and Trading in Throughfares and Public Places Local Law 2000](#)

[Parking and Parking Facilities Local Law 2008](#)

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable					
Environmental	Material being incorrectly delivered onto verges/parks	Low	Possible	Low	Medium	Provide designated area
Health and safety	Failure to allow designated delivery areas causing traffic hazards	Medium	Possible	Medium	Low	Allow for designated delivery/short term storage area in appropriate hardstand location
Infrastructure/ ICT systems/ utilities	Not applicable					
Legislative compliance	Failure to update policy stops ability to enforce rules	Low	Likely	Medium	Low	Update policy to allow for enforcement
Reputation	Inconsistent application of rules	Low	Possible	Low	Low	Follow revised policy
Service delivery	Not applicable					

## Financial implications

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

## Analysis

7. Changes to the policy are set out in the below table.

Clause	Proposed	Reason
Policy Statement: Clauses 1 through to 16	Reworded in more detail	Allows for stronger enforcement of any breaches



New section: Signage to be implemented

Examples of standard signage

To provide an example of minimum signage requirement

8. The current policy's intent was to allow for temporary delivery and storage area for building/construction sites, to improve safety and minimize impeding the road network.
9. The policy has been reviewed for consistency of application against existing practice. Minor amendments have been made to clarify terminology and other requirements in providing conditions for Temporary Vehicle Stands at Building Sites, as outlined with the attached Policy 206 Temporary Vehicle Stands at Building Sites.
10. The Town has looked at how other local governments manage parking at building sites and found that the Town of Cambridge have a very similar policy in terms of conditions and signage requirements.

## Relevant documents

Not applicable.

## 7.2 Review of Policy 224 Fences Between Town Property and Adjoining Property

<b>Location</b>	<b>Town-wide</b>
<b>Reporting officer</b>	Gregor Wilson
<b>Responsible officer</b>	Ben Killigrew
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Policy 224 Fences between Town property and adjoining property Final [L5VO] [7.2.1 - 2 pages]</li><li>2. Policy 224 Fences between Town property and adjoining property - Track Changes [7.2.2 - 3 pages]</li><li>3. Policy 224 Fences between Town property and adjoining property - Current [7.2.3 - 2 pages]</li></ol>

### Recommendation

That the Policy Committee recommends that Council, effective from the commencement of the Fencing Local Law 2020:

Repeals existing Policy 224 Fences Between Town Property and Adjoining Property as attachment 3

Adopts amended Policy 224 Fences Between Property owned by the Town and Adjoining Property as attachment 1

### Purpose

To repeal existing Policy 224 Fences Between Town Property and Adjoining Property and present amended Policy 224 Fences Between Property owned by the Town and Adjoining Property to the Policy Committee for a recommendation for Council adoption.

### In brief

- Policy 224 Fences Between Town Property and Adjoining Property was last reviewed in August 2015
- At its Council meeting of April 2020, it was resolved to request a review of Policy 224 Fences Between Town Property and Adjoining Property by November 2020. This is part of the broader timetable for review of policies in the 2020/2021 financial year.
- Policy 224 Fences Between Town Property and Adjoining Property guides the principles that the Town will apply relating to contribution to the costs of fencing adjoining Town controlled land.

### Background

1. At its meeting on 21 April 2020 Council adopted a works plan to complete a review of a number of policies. Policy 224 Fences Between Town Property and Adjoining Property was one of the policies identified for review.

2. The Town has an extensive list of parks and sumps that are adjoined by privately owned residential and commercial properties.
3. Under certain criteria, and as a responsible neighbour, the Town may contribute up to 50% of the costs of dividing fences.
4. Drainage sumps have the potential to be filled with water, so maintaining the fence integrity in these locations potentially becomes a safety issue.
5. In the case of parkland, a missing fence may create illegal access to the park by vehicles potentially causing damage, so it may be in the Town's interest to contribute to the cost of fencing.
6. The Town receives multiple requests each year for contributions to adjoining fences on Parks and Sumps.
7. Local governments are not exempt from the requirements of the *Dividing Fences Act 1961* however crown land managed by the local government would be.

## 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.	Maintaining the integrity of boundary fences, keeps them to a standard, and restricts inappropriate access for safety, and limiting damage to parkland.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Well maintained fence networks help define park boundaries, stop unauthorized vehicle access and maintain the aesthetics of the sites.

## Engagement

Internal engagement	
Stakeholder	Comments
Engineering staff	Feedback on maintaining sump fences
Park Staff	Review document relating to Park boundary fencing issues
Planning Department	Approval of changes consistency with planning policies
Governance, and Land and Properties Officer	Review of policy wording

## Legal compliance

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

[Dividing Fences Act 1961](#)

## 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 adopting a fencing policy may lead to inconsistency in financial contributions for boundary fencing	Moderate	Likely	High	Low	Adopt a policy that clarifies council contributions,
Environmental	N/A					
Health and safety	Failure to protect residents from issues caused by missing fences	Moderate	Possible	Moderate	Low	Ensure fencing policy is followed.
Infrastructure/ ICT systems/ utilities	Failure to protect public open space and infrastructure	Moderate	Likely	Moderate	Medium	Ensure fences are replaced
Legislative compliance	N/A					
Reputation	Complaint over Town's handling of fencing requests	Low	Possible	Low	Low	Ensure policy is followed, and available on website
Service delivery	N/A					

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	Town needs to maintain current level of budget in parks and drainage sumps to deal with any future requests for contributions to fencing.

## Analysis

- The Town assessed the Dividing Fences Act as part of the research into this policy. The policy is consistent with our requirement under the Act.

9. The Town also sought comparison with other local government policies relating to fencing. Four councils were contacted, with the City of Stirling providing feedback. The City of Stirling indicated that they rarely pay a contribution to dividing fences, and follow guidelines from the Dividing Fences Act.
10. The policy has been reviewed for consistency of application against existing practice. Minor amendments have been made to clarify terminology and other requirements in providing for the Town's contributions to Fences Between Town Property and Adjoining Property, as outlined with the attached Policy 224 Fences Between Town Property and Adjoining Property.

## **Relevant documents**

[Policy 224 Fences Between Town Property and Adjoining Property](#)

[Western Australian Legislation - Dividing Fences Act 1961](#)

## 7.3 Review of Policy 254 Remnant Native Vegetation

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Gregor Wilson
<b>Responsible officer</b>	Ben Killigrew
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Policy 254 Remnant native vegetation - Track changes [7.3.1 - 2 pages]</li><li>2. Policy 254 Remnant native vegetation - Current [7.3.2 - 2 pages]</li><li>3. Policy 254 Remnant native vegetation final [U8R7] [7.3.3 - 2 pages]</li></ol>

### Recommendation

That the Policy Committee recommends that Council:

1. Repeals existing Policy 254 Remnant Native Vegetation as attachment 2
2. Adopts amended Policy 254 Remnant Native Vegetation as attachment 3

### Purpose

To repeal the existing Policy 254 Remnant Native Vegetation and present the amended Policy 254 on Remnant Native Vegetation to the Policy Committee for a recommendation for Council adoption.

### In brief

- Policy 254 Remnant Native Vegetation was last reviewed in August 2015.
- At its Council meeting of April 2020 it was resolved to request a review of Policy 254 Remnant Native Vegetation by November 2020. This is part of the broader timetable for review of policies in the 2020/2021 financial year.
- Policy 254 on Remnant Native Vegetation guides the principles that the Town will apply to provide for the management of remnant native vegetation on land under the control or management of the Town.

### Background

0. At its meeting on 21 April 2020 Council adopted a work plan to complete the review of a number of policies. Policy 254 Remnant Native Vegetation was one of the policies identified for review.
1. Remnant vegetation or bushland can be defined as those patches of native trees, grasses and shrubs still left. The vegetation can be any shape and size and can include all types of native vegetation communities.
2. Remnant vegetation can provide an area with a distinct character and a link to the past.
3. The Town of Victoria Park has largely been cleared for urbanisation and only contains two bushland reserves (Kensington Bushland and Hillview Bushland), with the remaining sites with indigenous flora largely consisting of individual trees or small stands on roadsides, parks (such George St Reserve and Harold Rossiter Reserve) and sumps.
4. The remaining vegetation is an asset to the Town of Victoria Park and need to be actively managed to retain their aesthetic, cultural, and ecological values.

5. The Town has a dedicated Team Leader Natural Areas as well as other staff and contractors who maintain these areas.

## Strategic alignment

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	Well maintained track networks and controlled weeds help allow for accessibility and reduced fire hazard.

Environment	
Strategic outcome	Intended public value outcome or impact
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Well preserved aesthetically pleasing bushland allows opportunities for passive recreation fauna habitat and education on the value of remnant vegetation.
EN07 - Increased vegetation and tree canopy.	Preservation of existing trees and revegetation works help preserve and increase vegetation within the Town and add to biodiversity.

## Engagement

Internal engagement	
Stakeholder	Comments
Parks staff	Provide information on current practices
Environmental Officer	Reviewed policy and provide feedback

## 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	Failing to fund required preservation works	Moderate	Likely	High	Low	Continue to appropriately fund parks maintenance

						budgets for remnant vegetation works
Environmental	Failing to properly maintain remnant vegetation	Moderate	Likely	High	Medium	Preserve remnant vegetation and contain weeds
Health and safety	Not applicable					
Infrastructure/ ICT systems/ utilities	Not applicable					
Legislative compliance	Not applicable					
Reputation	Public backlash due to vegetation degradation	High	Likely		Low	Preserve remnant vegetation
Service delivery	Failure to keep up with maintenance requirements	Moderate	Likely		Medium	Continue current level of maintenance works

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	The maintenance and preservation of the remnant bushland areas will continue to require maintenance funding in subsequent future budgets.

## Analysis

- The Town sought comparison with other local government policies relating to remnant native vegetation. Four councils were contacted, with the City of Stirling provided feedback. The City of Stirling manages its bushland guided by the City's Local Biodiversity Plan and Green Plan 2. They do not have a specific individual policy just relating to remnant native vegetation. The Town also obtained a copy of the Town of Kwinana's policy from their website. The policy is similar to the Town of Victoria Park's, with minor differences regarding Pytophthora control (dieback) and milling of removed timber.
- The policy has been reviewed for consistency of application against existing practice. Minor amendments have been made to clarify terminology and other requirements in providing for the preservation of remnant bushland, as outlined with the attached tracked changes version.

## Relevant documents

[Policy 254 Remnant Native Vegetation](#)



**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**