



TOWN OF
VICTORIA PARK

Agenda Briefing Forum Notes – 30 November 2021



WE'RE OPEN
VIC PARK

Please be advised that an **Agenda Briefing Forum** was held at **6:30 PM** on **Tuesday 30 November 2021** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Her Worship the Mayor Karen Vernon
3 December 2021

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1 About the Agenda Briefing Forum

The purpose of the Agenda Briefing Forum is to ask questions and seek clarity on the draft Ordinary Council Meeting agenda, in line with the Agenda Briefing, Concept Forum and Council Workshops Policy.

The meeting is open to all members of the public, except during the consideration of matters deemed confidential in line with the *Local Government Act 1995*.

Members of the public that are directly impacted by an item on the agenda may participate in the meeting through a deputation. A deputation is a presentation made by one individual or a group up to five people affected (adversely or favourably) by a matter on the agenda. Deputations may not exceed 10 minutes. A [Deputation Form](#) must be submitted to the Town no later than 24 hours prior to the meeting and is to be approved by the Chief Executive Officer.

All others may participate in the meeting during the allotted Public Participation Time. While it is not required, members of the public are encouraged to submit their questions and statements in advance by [email](#) or by completing the [Public Question/ Statement Form on the Town's website](#). Please note that questions and statements related to an agenda item will be considered first. All those dealing with matters of a general nature will be considered in the order in which they have been received.

For any questions regarding the Agenda Briefing Forum or any item presented in the draft agenda, please contact the Governance team at GovernanceVicPark@vicpark.wa.gov.au.

Disclaimer

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Any advice provided by an employee of the Town on the operation of written law, or the performance of a function by the Town, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Town. Any advice on a matter of law, or anything sought to be relied upon as representation by the Town, should be requested in writing.

Noting that the Agenda Briefing Forum is only for the purpose of seeking further information on the draft Ordinary Council Meeting Agenda, and does not constitute a decision-making forum, any person or entity who has an application or submission before the Town must not rely upon officer recommendations presented in the draft agenda. Written notice of the Council's decision, and any such accompanying conditions, will be provided to the relevant person or entity following the Ordinary Council Meeting.

2 Opening

Mayor Karen Vernon opened the meeting at 6.30pm.

Mayor Karen Vernon invited Deputy Mayor Claire Anderson to give the Acknowledgement of Country.

3 Acknowledgement of country

Acknowledgement of the traditional owners

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

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

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

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

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

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

4 Announcements from the Presiding Member

4.1 Purpose of the Agenda Briefing Forum

The purpose of this forum is to provide an opportunity for Elected Members to ask questions and obtain additional information on officer reports in the draft Ordinary Council Meeting agenda. It is not a decision-making forum, nor is it open for debate.

Members of the public that may be directly affected by an item on the agenda can make presentations, deputations, statements, and ask questions, prior to the matter being formally considered by Council at the next Ordinary Council Meeting.

4.2 Notice of recording and live-streaming

All participation in the meeting will be audio recorded and live-streamed on the Town's website. The live-stream will be archived and made available on the Town's website after the meeting.

4.3 Conduct of meeting

All those in attendance are expected to extend due courtesy and respect to the meeting by refraining from making any adverse or defamatory remarks regarding Council, the staff or any elected member. No one shall create a disturbance at a meeting by interrupting or interfering with the proceedings through expressing approval or dissent, by conversing, or by any other means.

All questions and statements made by members of the public are not to personalise any elected member or member of staff. Questions and statements are to be directed to the Presiding Member, who may choose to call upon an officer of the Town, or another elected member, to assist with responses.

4.4 Public participation time

There is an opportunity to ask questions and make statements at the beginning of the meeting. Public participation time will be held for 30 minutes. Any additional time must be by agreement from the meeting and will be in five-minute increments.

In line with the intended purpose of the Agenda Briefing Forum, questions and statements relating to an agenda item will be considered first. All others will be considered in the order in which they are received.

4.5 Questions taken on notice

Responses to questions taken on notice that relate to an agenda item will be presented in the officer report for the Ordinary Council Meeting agenda under the heading 'Further consideration'.

Responses to general matters taken on notice will be made available in the relevant Ordinary Council Meeting agenda under the section 'Responses to public questions taken on notice'.

5 Attendance

Mayor	Ms Karen Vernon
Banksia Ward	Deputy Mayor Claire Anderson Cr Peter Devereux Cr Wilfred Hendriks Cr Luana Lisandro
Jarraah Ward	Cr Jesse Hamer (joined at 7.39pm) Cr Jesvin Karimi Cr Vicki Potter
Chief Executive Officer	Mr Anthony Vuleta
Chief Operations Officer	Ms Natalie Adams
Chief Financial Officer	Mr Michael Cole
Chief Community Planner	Ms Natalie Martin Goode
Manager Development Services	Mr Robert Cruickshank (left at 8.37pm)
Manager Governance and Strategy	Ms Bana Brajanovic
Manager Technical Services	Mr John Wong
Secretary	Ms Mikayla Phillips
Public Liaison	Ms Natasha Horner
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5.1 Apologies

Banksia Ward	Cr Bronwyn Ife
Principal Traffic and Design Coordinator	Mr Frank Squadrito

5.2 Approved leave of absence

Nil.

6 Declarations of interest

Declaration of financial interest

Nil.

Declaration of proximity interest

Nil.

Declaration of interest affecting impartiality

Name/Position	Cr Luana Lisandro
Item No/Subject	12.2 - Business Grants - recommended recipients
Nature of interest	Impartiality
Extent of interest	I am friends with David Ashton.

Name/Position	Cr Vicki Potter
Item No/Subject	12.2 - Business Grants - recommended recipients
Nature of interest	Impartiality
Extent of interest	I served on council with David Ashton who is recommended for a grant.

Name/Position	Cr Jesvin Karimi
Item No/Subject	12.2 - Business Grants - recommended recipients
Nature of interest	Impartiality
Extent of interest	<p>The following applicants are known to me:</p> <ul style="list-style-type: none">• Urban Revolution- Jo Bussell• Ashton Property Group Pty Ltd ATF David Ashton Trust- David Ashton• Leonard Alto- Leonard Alto• Archer St Physiotherapy Centre- Patrick Renner• Himalayan Nepalese Restaurant and Cafe Vic Park- Bhairab Dhakal• Naja Business Consulting Services (Pivot in the Park)- Paul Rosair.

Name/Position	Cr Wilfred Hendriks
Item No/Subject	12.2 - Business Grants - recommended recipients
Nature of interest	Impartiality
Extent of interest	<p>I had a stall at last year's Health Expo and know:</p> <ul style="list-style-type: none">• Patrick Renner• David Ashton• Paul Rosair• Jo Bussell.

Name/Position	Mayor Karen Vernon
Item No/Subject	12.2 - Business Grants - recommended recipients
Nature of interest	Impartiality
Extent of interest	<p>Archer Street Physiotherapy (Vic Park Health Expo grant application) has provided physiotherapy services to me in the past. The owner Patrick Renner is a friend.</p> <p>The owner of Urban Revolution (Parklet/Recycling grant application) Jo Bussell is known to me and has worked with me on the Town's Business Advisory Group.</p>

Name/Position	Deputy Mayor Claire Anderson
Item No/Subject	12.2 - Business Grants - recommended recipients
Nature of interest	Impartiality
Extent of interest	<p>Three recipients are known to me:</p> <ul style="list-style-type: none"> • Archer Street Physiotherapy • David Ashton • Urban Revolution.

Name/Position	Cr Luana Lisandro
Item No/Subject	12.3 - Vic Park Funding Program - Arts Season 2022
Nature of interest	Impartiality
Extent of interest	I am friends with one of the recipients, Andy Williams, and have also attended events and/or functions by the Alexandra Theatre and the Victoria Park Community Centre Inc.

Name/Position	Cr Jesvin Karimi
Item No/Subject	12.3 - Vic Park Funding Program - Arts Season 2022
Nature of interest	Impartiality
Extent of interest	<p>The following applicants are known to me:</p> <ul style="list-style-type: none"> • Andy Williams • Vic Park Community Centre Inc • Greenbunch. <p>I have attended events at the Vic Park Community Centre and shop regularly at Greenbunch.</p>

Name/Position	Cr Jesse Hamer
Item No/Subject	12.3 - Vic Park Funding Program - Arts Season 2022
Nature of interest	Impartiality
Extent of interest	As a nominated candidate at the recent election I had some brief communications with Andy Williams.

Name/Position	Cr Vicki Potter
Item No/Subject	12.3 - Vic Park Funding Program - Arts Season 2022
Nature of interest	Impartiality
Extent of interest	I am acquainted with Andy Williams who is recommended for a grant on this item.

Name/Position	Cr Peter Devereux
Item No/Subject	12.3 - Vic Park Funding Program - Arts Season 2022
Nature of interest	Impartiality
Extent of interest	Andy Williams is known to me.

Name/Position	Mayor Karen Vernon
Item No/Subject	12.3 - Vic Park Funding Program - Arts Season 2022
Nature of interest	Impartiality
Extent of interest	I have attended meetings of the management and committees of the Alexandra Theatre, Victoria Park Community Centre. I have attended events by Alexandra Theatre, Victoria Park Community Centre, Curate Arts Inc, GLBTI Rights in Aging and Southern Districts Bands Inc.

Name/Position	Mayor Karen Vernon
Item No/Subject	13.1 - Petition of Electors, Upgrade Read Park Playground
Nature of interest	Impartiality
Extent of interest	I had a conversation by telephone and email with a local resident regarding the request for an upgrade to the playground at Read Park earlier this year and advised the resident to do a petition to Council. I believe this petitioner may be the resident I had discussions with.

Name/Position	Mayor Karen Vernon
Item No/Subject	13.2 - Bone St and Upton St Intersection Realignment
Nature of interest	Impartiality
Extent of interest	I had a meeting with the petitioner for the Bone St and Upton St Alignment to discuss his petition.

Name/Position	Cr Jesvin Karimi
Item No/Subject	13.2 - Bone St and Upton St Intersection Realignment
Nature of interest	Impartiality
Extent of interest	I have held discussions with Bone St and Upton St residents about this matter.

Name/Position	Cr Jesvin Karimi
Item No/Subject	13.4 - Consideration of Projects for LRCI Funding Phase 3
Nature of interest	Impartiality
Extent of interest	I have held discussions with the Vic Park Soccer Club and residents about the lighting at Harold Rossiter.

Name/Position	Mayor Karen Vernon
Item No/Subject	13.4 - Consideration of Projects for LRCI Funding Phase 3
Nature of interest	Impartiality
Extent of interest	I have attended meetings with the committee of the Victoria Park Soccer Club regarding their request for floodlighting upgrades at Harold Rossiter Park.

Name/Position	Cr Jesvin Karimi
Item No/Subject	13.6 - Rights of Way Strategy - Endorsement of future 10 Year Capital Works Program
Nature of interest	Impartiality
Extent of interest	I have held discussions with residents about their concerns around lighting and surface issues at several rights of way within the Town of Vic Park.

Name/Position	Cr Luana Lisandro
Item No/Subject	13.7 - Draft Kent St Sand Pit Design
Nature of interest	Impartiality
Extent of interest	I have had past discussions with Friends of Jirdarup Bushland in relation to the Kent St Sand Pit.

Name/Position	Mayor Karen Vernon
Item No/Subject	13.7 - Draft Kent St Sand Pit Design
Nature of interest	Impartiality
Extent of interest	I have had meetings and discussions with the Friends of Jirdarup Bushland about their interest in, and concerns about, the development of the draft Kent Street Sandpit Design.

Name/Position	Cr Peter Devereux
Item No/Subject	13.9 - TVP/21/08 - Lathlain Park Zone 1 EOI
Nature of interest	Impartiality
Extent of interest	Simon Mead is known to me. He called to express his interest in the new stadium as a community space as well as the other initiatives there.

7 Public participation time

Simon Mead, Lathlain

1. Made a statement on the amazing outdoor spaces but the lack of indoor spaces within Lathlain. He voiced his concerns regarding the lost opportunities with recent developments in the area.

Helen Brown, East Victoria Park

1. Congratulated the Council on their decision for the best practice restoration of the Kent Street Sand Pit. Made a statement regarding the Jirdarup Sand Pit and raised concerns regarding the bush forever boundary not being shown on all maps and legends.

2. Can the bush forever boundary be added on all of the maps on the Sand Pit concept design before it is sent out for community comment?

The Chief Operations Officer advised that it can be included in all maps and advised that this can be done before going out for community comment.

3. Made a statement expressing the Jirdarup groups wish to just have one path that runs in a direct line from the existing Etwell Street entrance to the top of the new ramp.

4. Can the Town review the need for the extra curved park near Etwell Street entrance and remove it from the concept design before it goes out for community consultation? Can the shorter path entrance that is difficult to see on the current concept plan be added in more detail to the concept design before being sent out for community consultation?

The Chief Operations Officer advised that there are two pathways that are more to the north part of the site. These take into account the comments received from the community, that is why both are shown in the concept plan. It is only concept at the current stage. The Town have taken into consideration accessibility and the community has asked for a more direct access to Harold Rossiter toilets. The intent is to provide this concept plan for community consultation, but the Town are taking into account the best way for preserving the bush forever site.

Mayor Vernon advised that whether the design would change before going out for community consultation would be something for Council to consider at OCM.

5. Can the second shorter path be more clearly shown in the design?

The Chief Operations officer advised that the Town can make that clear.

John Gleeson

1. There is \$165,00 going to the West Coast Eagles, what is that for?

The Chief Financial Officer advised that in the list of payments, there is a payment to Indian Pacific of \$165,000. This is in relation to the grant from the State Government for the development and construction of the scoreboard at Lathlain Park.

2. The State Government have paid for that and we have had it lieu and now have given it back to where it should be originally?

The Chief Financial Officer advised that there was some history with the old scoreboard. This money is for the installation of the new scoreboard as part of the grant application that the West Coast Eagles made to the State Government. The State Government paid the money to the Town on behalf of the West Coast Eagles.

Mayor Vernon advised that in some circumstances the grant funds are paid to the local government who then disperses it to the party when the work is done.

3. Are the West Coast Eagles are paying any rates or rent to the Town?

Mayor Vernon advised that they do not pay rent to the Town but they do pay rates. They commenced paying their rates last year.

4. When are we going to get the money from the sale of land at 355-357 Shepperton Road?

The Chief Financial Officer advised that there are some conditions of sale that have not been satisfied. Once satisfied, settlement will be completed. The Town has received the deposit which is with our solicitors.

5. Is it possible see any of this information?

Mayor Vernon advised that these documents were made available to Mr Gleeson and he did not want them.

Vince Maxwell

1. In relation to item 14.3, there is an amount described as a grant income for the Mirvac lighting replacement \$117,073, is this to do with lighting Mirvac are supposed to be maintaining, who is the grant from and is the Town contributing to it?

The Chief Operations Officer advised that is part of Local Roads and Community Infrastructure grant for the Mirvac lighting replacement Phase 1.

Mayor Vernon advised that the Commonwealth Government during Covid-19 created the Local Roads and Community Infrastructure Funding Program. The Town was asked to list the projects they had in the pipeline but had not been subject to budget approval. The Town was successful in receiving funding that would be made available to the Town for approximately \$250,000. The Town was then able to allocate one of the projects that was on the original list, the Town entered into a funding agreement and the funds were released to the Town. The replacement of street lighting within the Burswood Peninsula was one such project that fell within that project.

The Chief Executive Officer advised that the original lighting is under Mirvac's control to maintain.

2. Why should we be using government grants to fund a private company's responsibilities?

The Chief Executive Officer advised that the responsibility of Mirvac is to maintain infrastructure on the peninsula not to upgrade, improve or replace it, therefore this would not fall under that deed of agreement.

Mayor Vernon advised that Town officers informed elected members that the infrastructure was coming to the end of its useful life, and it had not been allocated in the budget. It was seen as an investment in the upgrade of aging infrastructure which should then decrease its maintenance costs once upgraded.

3. Has this money been spent?

Mayor Vernon advised that yes it has been.

4. Made a statement raising his concerns regarding Mirvac being able to hand over infrastructure that requires replacing.

5. Should an item be included to remove the \$312,000 from the parks budget and allocate it to the parks renewal reserve to reflect Council's decision to not incur this expenditure this year?

The Chief Financial Officer advised that the Town has not had time to consider the decision out of November OCM. The Town will conduct a mid-year budget review in January.

6. Can Council force that to happen next meeting?

Mayor Vernon advised that Council can make amendments to officer's recommendations.

7. Made a statement raising his concerns about the Town's value statement.

8. Are you going to remove integrity, honesty, accountability and transparency from the Town's value statement?

Mayor Vernon advised that there is a proposal as a result of a program of community consultation over the Strategic Community Plan's major review. Feedback was given and all the details of the feedback can be found in the report. The officer's recommendation will be debated at Ordinary Council Meeting.

8 Presentations

Nil.

9 Deputations

Belle Smithies and Stephen Pelosi (Town Planner, Rowe Group)

Made a deputation in support of the recommendation of item 12.1 Section 31 reconsideration - Local Development Plan for No. 384 (Lot 3) Berwick Street, East Victoria Park and offered Council the opportunity to ask any questions.

Questions and responses

Cr Wilfred Hendriks

1. Can you guarantee that the setback will eventuate?

Ms Smithies advised that the development application has been approved by the Joint Development Assessment Panel with a nil setback. The Local Development Plan is a guide for future developments that will happen on this site. It is important that the Local Development Plan is approved to future proof future developments on this site. The current development has been approved and can be constructed at a nil setback. The 2.5 metre setback will apply to future developments on this site.

Cr Luana Lisandro

1. At what point does a developer look at the total percentage of the lots sold, would they be developing lots or releasing lots?

Mr Pelosi advised that lots have been sold as land or home and land packages. He advised that if they do not proceed with the apartment complex it may revert to town houses or lots, this would trigger a new development plan. The Local Development Plan is not driving the development today, but he advised that a final decision has not been made on the building of the apartments.

Mayor Karen Vernon

1. Clause 14 relates to uniform fences, only Lots 10 and 19 are mentioned. Is there a reason Lot 9 is not mentioned as it abuts the public open space?

Ms Smithies advised that they are happy to extend that provision to Lot 9, if Council is inclined.

2. Would your preference be that no lots are mentioned and just mention all lots that abut public open space which you have two or would your preference be to include Lot 9-19?

Ms Smithies advised that they have spoken to administration regarding amending the brackets to read Lots 9-19.

3. Is there a reason fencing that abuts onto Edward Millen Reserve needs to be visually permeable fencing?

Ms Smithies advised that visually permeable fencing allows passive surveillance through reducing concealment, providing additional solar access, and making it a more inviting space.

4. What do you understand would be the height limit for abutting onto Edward Millen Reserve?

Ms Smithies advised that there is a development application governing the fencing height. Future development would be governed by an approved Local Development Plan which does not comment on height. Fencing heights are a civil matter or governed by local laws or policies. The standard height is 1.8 metres.

5. Does the fact that clause 15 of the amended Local Development Plan references Lots 10-19 needing to be visually permeable, does this mean fencing to Lot 9 will not be required to be visually permeable?

Ms Smithies advised that it would not be a requirement for Lot 9 to be permeable. They are happy to extend that visually permeable fencing to Lot 9 as well if Council deems it appropriate.

Mr Pelosi advised that there is existing fencing on the bushland side which is permeable.

6. What would your attitude be to fencing that abuts onto the Hill View bushland site being visually impermeable?

Ms Smithies advised that this is not something that they have considered as their priority is to ensure this Local Development Plan is approved. Visually permeable fencing is preferable.

Mr Pelosi advised that this is part of the development application process and does not need to be in the Local Development Plan.

7. If Lot 9 is not to be developed as an apartment complex and reverts to individual lot sales e.g town houses, would it then be your view that the front yards of those Town houses face Hill View bushland?

Mr Pelosi advised that he is not in a position to make a definite decision on that. There is some consideration to do with level differences, if reverted to townhouses he doubts there is any issues.

Cr Peter Devereux declared an interest in item 13.9 prior to the consideration of item 10.

10 Method of dealing with agenda business

Questions have been raised by elected members on the following items:

- 11.2 - Memorandum of Understanding update
- 12.1 - Section 31 reconsideration - Local Development Plan for No. 384 (Lot 3) Berwick Street, East Victoria Park
- 12.2 - Business Grants - recommended recipients
- 12.4 - Endorsement of Concept Plan and Preferred Option for Delivery of the Old Spaces, New Places Project No. 3
- 12.5 - Future of the Business Advisory Group
- 13.1 - Petition of Electors, Upgrade Read Park Playground
- 13.3 - Albany Highway Cycle Lanes (Parking Removal)
- 13.5 - Proposed Closure of Right of Way Bounded by Sussex Street, Albany Highway, Moorgate Street and Basinghall Street (ROW131)
- 13.6 - Rights of Way Strategy - Endorsement of future 10 Year Capital Works Program
- 13.9 - TVP/21/08 - Lathlain Park Zone 1 EOI

11 Chief Executive Officer reports

11.1 Council Resolutions Status Report

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. Outstanding Council Resolutions Report - November 2021 [11.1.1 - 23 pages]2. Completed Council Resolutions Report - November 2021 [11.1.2 - 10 pages]

Recommendation

That Council:

1. Notes the Outstanding Council Resolutions Report as shown in attachment 1; and
2. Notes the Completed Council Resolutions Report as shown in attachment 2.

Purpose

To present Council with the Council resolutions status reports.

In brief

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

Background

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

That Council:

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

a) Outstanding Items – all items outstanding; and

b) Completed Items – items completed since the previous months' report to be presented to each Ordinary Council Meeting, commencing October 2021.

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

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL01 – Everyone receives appropriate information in the most efficient and effective way for them	The reports provide elected members and the community with implementation/progress updates on Council resolutions.

Engagement

Internal engagement

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

Legal compliance

Not applicable.

Risk management consideration

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

Financial implications

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

Analysis

- The templates have been amended to remove the officer comment section. To replace this, a new list of statuses has been developed which will provide clarity on the progress of each item.

3. The Outstanding Council Resolutions Report details all outstanding items. A status update has been included by the relevant officer/s.
4. The Completed Council Resolutions Report details all Council resolutions that have been completed by officers from 28 October 2021 to 24 November 2021. A status update has been included by the relevant officer/s.
5. These reports will be provided to each Ordinary Council Meeting. The Completed Council Resolutions Report will only provide details of those resolutions completed since the previous report to Council.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

11.2 Memorandum of Understanding update

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Chief Executive Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. Town of Victoria Park and City of South Perth - Memorandum of Understanding [11.2.1 - 5 pages]2. Town of Victoria Park and Shire of Morawa - Memorandum of Understanding [11.2.2 - 3 pages]3. Inner-City Council's Group - Memorandum of Understanding [11.2.3 - 7 pages]4. South East Corridor Councils Alliance - Memorandum of Understanding [11.2.4 - 6 pages]5. Town of Victoria Park, City of Canning, City of South Perth and Curtin University - Memorandum of Un [11.2.5 - 7 pages]

Recommendation

That Council receives the annual Memorandum of Understanding update report relating to the following collaborations:

1. City of South Perth
2. Curtin University of Technology and Local Government Strategic Steering Committee
3. Shire of Morawa
4. Inner-City Councils Group
5. South East Corridor Councils Alliance.

Purpose

To provide Council an update relating to the Town's Memorandums of Understanding (MoU) and working relationships with the City of South Perth, Curtin University of Technology, Shire of Morawa, Inner-City Councils Group and South-East Corridor Councils Alliance.

In brief

- The Town has entered into a number of MoUs since 2016, with collaborative focus on key themes of information and resource sharing, improving effectiveness and efficiency of common service delivery and combined advocacy for key projects and issues.
- An update on the activities of the groups is provided to Council on an annual basis. The last report was received by Council on 15 December 2020.

Background

1. At the April 2016 Ordinary Council meeting, Council resolved to endorse the MoU between the Town of Victoria Park and the City of South Perth.

2. At the April 2017 Ordinary Council meeting, Council resolved to endorse the MoU between the Town of Victoria Park, City of South Perth, City of Canning and Curtin University of Technology for the purposes of exploring objectives for possible collaboration opportunities.
3. At the June 2018 Ordinary Council meeting, Council resolved to endorse the MoU between the Town of Victoria Park and the Shire of Morawa and requested the administration to produce an annual report on the effectiveness, adherence and outcomes of the working relationship.
4. At the February 2019 Ordinary Council meeting, Council resolved to support 'in principle' the MoU between the City of Perth, City of South Perth, City of Subiaco, City of Vincent and the Town of Victoria Park for the purpose of joint collaboration opportunities on strategic issues impacting local government. It further requested an annual report be presented to Council regarding the effectiveness, adherence (or any modifications to) and outcomes, relating to the terms of the MoU.
5. At the December 2020 Ordinary Council meeting, Council resolved to endorse the MoU between the City of Armadale, City of Canning, City of Gosnells and Town of Victoria Park to establish the South East Corridor Councils Alliance.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL01 – Everyone receives appropriate information in the most efficient and effective way for them	Timely reporting on outcomes and actions of collaborative working groups the Town has entered into agreements with.

Engagement

Internal engagement	
Stakeholder	Comments
Arts and Events	Arts and Events provided an update for this report.
Governance and Strategy	Governance and Strategy provided an update for this report.
Office of the CEO	Office of the CEO provided an update for this report.
Parking and Rangers	Parking and Rangers provided an update for this report.
People and Culture	People and Culture provided an update for this report.
Place Planning	Place Planning provided an update for this report.
Technical Services	Technical Services provided an update for this report.

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Not applicable.				Low	
Reputation	Negative public perception if the MoU's entered into by the Town don't yield any results.				Low	TREAT the risk through continued relationship fostering and engagement with all stakeholders.
Service delivery	Not applicable.				Medium	

Financial implications

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

Analysis

- An update on the activities of the groups is provided to Council on an annual basis. The last report was received by Council on 15 December 2020.
- The activities of the groups and any sub-groups since the last report are provided below.

City of South Perth

Rangers

- The City of South Perth and the Town of Victoria Park collaborated to construct a new Animal Care Facility (ACF) in South Perth, which officially opened 17 December 2014.

9. Since the beginning of 2020/21 financial year, the ACF housed 40 animals impounded by the Town of Victoria Park. On average, the impounded animals spent two days at the facility before being returned to their owner, rehomed or euthanized.
10. The ACF also stores deceased animals until their owners can be found. Since the beginning of 2020/21 financial year, the Town of Victoria Park stored no deceased animals at the facility.

Operations

11. The Town continues to provide three rounds of road sweeping services to the City of South Perth annually. The City has so far been satisfied with the services provided by the Town's highly skilled road sweeping crew who managed to gradually reduce the amount of time required for each sweeping round while maintaining a high quality service delivery. The Town has also been sharing a procurement related resource with the City, specifically in the area of tender evaluation. This arrangement provided a broader perspective of the various services offered by contractors.

Curtin University of Technology and Local Government Strategic Steering Committee

12. This group consists of Curtin University of Technology, Cities of Canning and South Perth and the Town of Victoria Park and meet bi-annually.
13. The objectives of the group are to work collaboratively in multiple areas to enhance the brand, objectives and outcomes of each organisation as leading innovators in their respective industries.
14. There have been several initiatives undertaken by the group ranging from research projects, collaboration in the technology space, the development of a reconciliation project and information sharing.
15. At its most recent meeting, the group discussed the renewal of the MoU as well as how the group can work collaboratively with their respective Reconciliation Action Plan initiatives.

Shire of Morawa

16. From 12 July to 5 September 2021, the Town seconded a Community Development Officer to the Shire of Morawa to assist with grant applications, NAIDOC Week, and other community building activities. The enterprise was beneficial to all parties with new work practices and levels of mutual understanding developed as a result.
17. On 23 September 2021 the Town's executive team met with the CEO of Morawa to discuss opportunities on how we could work together. These discussions are ongoing. Some of the initiatives being explored include secondment of an Environmental Health Officer, Grant preparation, joint training initiatives, development of a recreation plan, secondment of Road workers and financial systems support as well as the development of an intranet portal.
18. In October 2021, the Town shared Councillor induction resources with the Shire of Morawa to assist with the induction of their new elected members following the election.
19. On the 4 November the Chief Executive Officers of both Councils presented to the Local Government Industry on the initiative articulating the benefits and opportunities for collaboration beyond boundaries.

Inner City Councils Group

Mayor's and CEO's Working Group

20. The Mayors and CEOs from the inner-city councils have met twice this calendar year, with their next meeting scheduled for early December 2021. The group continues to focus on Homelessness initiatives, mentoring programs, Visit Perth website destination marketing portal, secondments, and joint infrastructure advocacy.

Infrastructure and Transport Working Group

21. In September 2021 the Inner-City Transport and Infrastructure Working Group developed a collaborative submission on the Draft State Infrastructure Strategy to provide a holistic inner-city local government perspective on the strategy and infrastructure issues facing the region.
22. The group continues to meet on a regular basis. Recently the group has been working to respond to changing electric mobility device regulations and respond to increasing demand from shared E-Scooter providers to operate in the inner-city region.

Planning, Economic Development and Culture Working Group

23. This group comprises the following sub-groups which meet regularly and report to the Planning, Economic Development & Culture Working Group:
 - a. Planning
 - b. Inner Perth Marketing Collective
 - c. Culture and Arts
 - d. Economic Development.
24. The Planning, Economic Development and Culture Working Group continues to meet every 3 months. In addition to reports from the sub-groups, regular meeting discussion topics include Metronet, projects with the Department of Planning, Lands and Heritage, Ministers planning reform agenda including Red Tape Reduction Workshops and South East Corridor Council Alliance (Planning and Economic Development) updates.

Planning

25. The Planning sub-group has continued to meet every 3 months. Regular topics of discussion include planning reforms proposed by the State Government, Development Assessment Panel decisions, and sharing information of how others may have dealt with a particular issue. The sub-group has identified the need and desire to collaboratively work together on projects.

Inner Perth Marketing Collective

26. The Inner Perth Marketing Collective continue to meet every few months to discuss collaborative marketing efforts for the inner city. Campaigns/blogs delivered in 2021 include:
 - a. Blogs on topics such as Lunar New Year, Easter and what to do during winter.
 - b. *Welcome to my Neighbourhood* video series, promoting local neighbourhoods via residents that live in the area.

Culture and Arts

27. The Inner-City Cultural Development Subgroup meets every 3-4 months with City of Perth, City of South Perth, City of Subiaco and City of Vincent to discuss and explore opportunities to work collaboratively, work collaboratively on matters of mutual interest to enhance the outcomes of each organisation and discuss strategic issues impacting local government. One of the key focus areas for 2021 was the collaboration on the 'Making Space for Culture', a project to identify demand and different ways of facilitating affordable creative maker spaces.

Economic Development

28. The Economic Development sub-group continue to meet every few months to discuss broad economic development issues affecting the inner-city local governments. These include the impact of COVID-19 on our business communities, measuring performance of our economies and collaborative projects we can implement. Currently, an inner-city speakers series is being planned with the aim of rolling it out at the start of 2022.

Corporate Services and Business Services Working Group

Human Resources Managers Group

29. The Human Resources Managers Group meet every few months to discuss and collaborate on broad areas of focus for the workforce. Key highlights of the group include:
- Inner City Council Mentoring Program – launch of 2nd year occurred
 - Collaboration on workforce management practice/policy development eg. Code of Conduct
 - Internal secondment policy development and internal advertising of roles
 - Coaching/mentoring of participants People and Culture teams to collaborate and share resources/ideas and tools on leadership development, coaching, culture etc.

Internal Audit Group

30. The Internal Audit Group meets every second month to discuss and collaborate on broad areas of focus for internal audit. The group will continue to explore opportunities to undertake joint internal audits.

South East Corridor Councils Alliance

Mayor's and CEO's Working Group

31. This group, known as SECCA, commenced meeting mid 2020, with their MoU officially signed on 21 April 2021.
32. The purpose of the group is to transform the South East Corridor by advancing social, economic and environmental sustainability through collective action. They agreed to work collaboratively on issues of mutual interest to enhance the outcomes of each organisation and explore opportunities to work together on strategic priorities.

Community Group

33. The Community Group continue to meet to progress development of a forum focusing on engagement with and enhanced understanding of culturally and linguistically diverse (CaLD) communities across boundaries.

Planning and Economic Development Group

34. The Planning and Economic Development Group continue to meet to discuss collaborative projects including Metronet and Simplified Trading Partnership Permits (STPP). Since the launch of the STPP, work has begun on the next collaborative project, supporting local businesses in the south east corridor.

Human Resources Group

35. In 2020 the Human Resources Group developed an integrated traineeship and apprenticeship program across all alliance councils. The implementation of the program was delayed due to Covid-19 however, it is intended to re-start this program in 2022.

Infrastructure and Environment Group

36. The Infrastructure and Environment Group has met on a monthly basis since its inception. The group is currently working to coordinate a regional response to several issues including sediment and pollution issues in drainage and waterways. They are also requesting further support for undergrounding of Power across the region via Western Power.

Relevant documents

Not applicable.

Questions and responses

Cr Devereux

1. Can I ask what is considered the basis of the 'mutual benefit' of the Memorandum of Understanding with Morawa?

The Chief Executive Officer advised that the Town have had staff members go up to Morawa who have enjoyed a difference in local governments, who have learnt and grown from their opportunities. There has been largely staff related mutual benefits. They have come back to the Town and presented to staff and at Local Government Professionals Conferences on some of the learnings.

2. Can I also ask if there has been consideration of coordination with the South East Corridor Councils Alliance Infrastructure and Environment Group related to linking work on urban forest and remnant bush to work towards tree and biodiversity corridors across member council areas?

The Chief Executive Officer advised that the group has only been established for the last year or so. The Town has compiled a combined document that went up to the State Government which resulted in additional funding pools for urban forest related projects. The Town have not specifically spoken about biodiversity corridors at this stage.

Mayor Vernon

1. Has the Town and City's executive teams met three times in the last 12 months as per clause 7 of the City of South Perth Memorandum of Understanding?

The Chief Executive Officer advised no.

2. When was the last time the Town and City's elected members met as per clause 8 of the City of South Perth Memorandum of Understanding?

The Chief Executive Officer advised 3-4 years ago.

3. According to clause 9 of the City of South Perth Memorandum of Understanding, the term of the is three years from execution, with a review to be conducted within six months of the end of the term. Since the term expired on 8 May 2019, and the officer's report does not mention any review or extension, have the parties agreed to extend the term and if so, when was that agreed and by whom?

The Chief Executive Officer advised that there has been no agreement to extend the term and the Town have not discussed that in the last few years.

4. If the parties have not formally extended the term, does the Town consider the City of South Perth Memorandum of Understanding should be renewed?

The Chief Executive Officer advised that it could be renewed in a form because there are continuing initiatives that are being shared and undertaken between the two organisations. This Memorandum of Understanding was developed on the back of the reform process however, since 2019/20 the Town have

started Memorandum of Understandings with other inner city groups that have overtaken the Town's individual Memorandum of Understanding with South Perth which probably makes the original Memorandum of Understanding redundant.

5. How many of the 40 animals were euthanised?

The Chief Financial Officer took the question on notice.

6. Based on the average time animals spent at the Animal Care Facility before being returned, rehomed or euthanised, does this mean the Town is rehoming or euthanising animals after only two days?

The Chief Financial Officer took the question on notice.

7. There is no reference to the Town using the South Perth Nursery where Jirdarup native seeds are being propagated. Is this not considered to fall under the Memorandum of Understanding?

The Chief Executive Officer advised that it should be included and is probably an oversight.

8. How many further agreements for specific activities or projects have been entered into in accordance with clause 6 of the Inner City Councils Group Memorandum of Understanding?

The Chief Executive Officer took the question on notice.

9. Did the parties agree on the strategy referred to in clause 7.1 of the Inner City Councils Group Memorandum of Understanding, and if so, please provide a copy of the strategy?

The Chief Executive Officer advised that one was agreed to, and a copy can be provided to elected members.

10. According to clause 8 of the Inner City Councils Group Memorandum of Understanding, the term will expire on 2 July 2022, does the Town intend to seek to renew or extend this Memorandum of Understanding in 2022?

The Chief Executive Officer advised that the Town would like to extend if possible because some of the work being done would gain benefits for the Town and broader regions.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Include information on how many of the 40 animals were euthanised.
2. Include the information on whether the Town is rehoming or euthanising animals after only two days.
3. Include information on how many further agreements for specific activities or projects have been entered into in accordance with clause 6 of the Inner City Councils Group Memorandum of Understanding.
4. Include information on the agreed strategy referred to in clause 7.1 of the Inner City Councils Group Memorandum of Understanding.

11.3 VicVision - Approval for draft strategic direction to be advertised for public comment

Location	Town-wide
Reporting officer	Corporate Strategy and Risk Advisor
Responsible officer	Chief Executive Officer
Voting requirement	Simple majority
Attachments	1. Proposed strategic direction [11.3.1 - 1 page] 2. Vic Vision engagement analysis [11.3.2 - 39 pages]

Recommendation

That Council:

1. Approves the advertising of the draft strategic direction for 2022-2034, as at attachment one, for public comment.
2. Requests the Chief Executive Officer to report the outcomes of the public comment period and present the proposed Strategic Community Plan 2022-2034 to the March 2022 Ordinary Council Meeting.

Purpose

To get approval to engage the community on the draft strategic direction for 2022-2034 that forms part of the proposed Strategic Community Plan 2022-2034.

In brief

- A Strategic Community Plan (SCP) outlines the expectations of the community. The strategic direction is a component of the plan that translates community aspirations into the vision, mission, values and objectives that a local government is guided by.
- The Town is due to complete a major review of its SCP. The VicVision project was established to do this.
- There were 880 instances of engagement by the community in the process of reviewing the Town's SCP. Town staff and elected members were also engaged.
- A new strategic direction, included at attachment one, is proposed to be advertised for public comment to give the community an opportunity to determine how well the Town and Council have interpreted the feedback provided during the VicVision community engagement process.

Background

1. A strategic direction is the main component of a SCP. It translates community aspirations into the vision, mission, values and objectives that a local government is guided by.
2. The SCP is the blueprint for the Town that outlines the vision, values, aspirations, priorities and service expectations of the community.
3. It is directly informed by the community and guides the efforts of the Council and Town administration. It references and drives the development of other plans and informing strategies such as the Corporate Business Plan, place plans, workforce plan, asset management plans, financial plans and issue-specific plans, to ensure that what is being delivered is what the community wants.
4. An SCP is legislatively required to be prepared as part of the [Integrated Planning and Reporting Framework](#).

5. The Town's first SCP was adopted by Council in June 2013. It covered the years of 2013-2028 and replaced the Plan for the Future 2011-2026, as required by changes to the *Local Government (Administration) Regulations 1996*.
 6. The first SCP included a vision, mission, values, planning and decision-making framework, strategic performance indicators broken down by program area, objectives, key projects and services, and some actions.
 7. In June 2017, a major review of the SCP was completed. This process was known as Evolve. It resulted in the Town's current [Strategic Community Plan 2017-2032](#).
 8. The current SCP includes a vision, mission, values, and strategic outcomes.
 9. A [minor review of the Strategic Community Plan 2017-2032](#) was completed in June 2019. This review resulted in minor updates and wording and grammatical changes. The absence of strategic initiatives to help guide the achievement of strategic outcomes was identified. These were later added to the Corporate Business Plan as part of the minor review in December 2019. The review also highlighted the lack of measures in the plan. It was decided that these would be revisited in the next major review.
 10. Since the Town's first SCP in 2013, community priorities have stayed consistent. Each minor review has focussed more on reviewing the structure and wording used to communicate and guide the delivery of community priorities.
 11. A major review of the Town's SCP is due in 2021. The VicVision project was established to do this.
 12. As part of a major review, regulations require that electors and ratepayers of its district are consulted when preparing modifications.
 13. Planning for VicVision began in May 2020 with a review of Evolve - the Town's last major SCP review process. The review focused on developing a project closure report by assessing whether the project met its objectives and identifying any lessons learned.
 14. Ways to improve the community engagement process were identified as:
 - a. making sure the process was easy to follow
 - b. designing community engagement based on the information needed to inform the major review
 - c. clearly outlining plans for engagement at the beginning of the process
 - d. ensuring community engagement outcomes meaningfully inform the outcomes of the major review that then inform decision-making
 - e. attempting to build trust and confidence with the community throughout the process
 - f. ensuring any proposed changes address public perception focus areas
 - g. ensuring people know how their input affected decisions
 - h. ensuring that any time commitment expected by the community is reasonable
 15. These findings informed the community engagement program that was designed.
 16. The review also highlighted the opportunity to improve the strategy itself. Some points raised were that:
 - a. strategic outcomes could be more goal-oriented
 - b. direction could be communicated clearer
 - c. statements could better reflect the priorities and objectives
 - d. outcomes could be balanced across all pillars
 - e. the number of vision and mission statements could be decreased to make them clearer
 - f. strategic outcome descriptions could be simplified to decrease repetition
 - g. strategic direction should include direction for all service areas
 - h. the strategic direction could be refined to better drive efforts and guide decision-making based on the clear priorities of the community
-

- i. strategy needs to be measurable
 - j. financial considerations could be greater
 - k. the strategy could feel more complete
 - l. content should be revisited and realigned to what the community wants
 - m. any completed outcomes should be removed
 - n. strategy needs to reflect the Town's demographics
 - o. vision could be enhanced with a mission and purpose.
17. The project team considered the findings and feedback and completed a desktop review of other local governments' strategic plans across Australia and New Zealand. With there being numerous ways to structure and communicate a strategic direction, the project team felt it would be beneficial to engage an experienced strategy consultant to inform the development of a strategic direction to guide culture and achieve results.
18. The Town saw benefits in simplifying and restructuring the Town's strategic direction to better guide the efforts of the organisation and demonstrate to the community that their voices are heard. An opportunity was identified to clearly align all administrative and operational work the Town does to community priorities. A decision was made to proceed with the intention of recommending that the structure of the strategic direction be refreshed. Community engagement then reflected this recommendation while also clearly being positioned as a major review of the current strategy.
19. The project team set out with the objective of completing a major review that resulted in a refreshed SCP that is functional, measurable, and genuinely informed by the community.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	Releasing the draft strategic direction for public comment allows people that have already participated in VicVision to determine how well the Town and Council have interpreted their feedback. It also allows the Town to consider any further comments before recommending the Strategic Community Plan 2022-2034 for adoption.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The public comment period will provide Council with the opportunity to further consider the views of the community before making their decision on whether to adopt the SCP recommended by the Town.

Engagement

Internal engagement	
Stakeholder	Comments
C-Suite, Managers and subject-matter experts	Using the engagement outcomes and dashboard, more than 30 staff from various service areas participated in two all-day workshops led by a strategy consultant to review the existing values, vision, and mission. A new purpose was also workshopped. Organisational objectives were explored to help with communicating and guiding the administration and operations of the Town

	against community priorities. The workshops were attended by three community members involved in the engagement process to increase confidence that the strategy would truly affect community wants and needs. These suggestions were provided to elected members to help with informing their workshops.
Elected members	Elected members participated in three workshops led by a strategy consultant to review the existing values, vision, and mission. A new purpose, community priorities and organisational objectives were also explored. Outcomes from those workshops were considered and elected members were engaged once again on the community priorities. Further changes were made and are incorporated into the strategic direction proposed.

External engagement																					
Stakeholders	Entire community, including visitors to the Town																				
Period of engagement	1 February 2021 – 15 May 2021																				
Level of engagement	3. Involve																				
Methods of engagement	<p>VicVision was designed to allow for people to decide their level of involvement with 'choose your own adventure' style options dependant on the community members' time and interest in shaping the future of the Town.</p> <p>The engagement program aligned with Policy 103 – Communications and Engagement which is founded on the IAP2 principles, spectrum, and core values. It was built to allow for engagement to reach the Involve level of the spectrum – To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.</p> <p>All participants were encouraged to familiarise themselves with the context and future trends information prior to being involved, to ensure they were well-informed prior to giving their views.</p> <table border="0"> <tr> <td>In person workshop</td> <td>16 participants</td> </tr> <tr> <td>Online workshop</td> <td>0 participants</td> </tr> <tr> <td>Workshop in a box (self-run workshops)</td> <td>41 participants over three separate groups</td> </tr> <tr> <td>Full survey</td> <td>137 responses</td> </tr> <tr> <td>Youth survey</td> <td>309 responses</td> </tr> <tr> <td>Pop-up survey at events</td> <td>259 responses</td> </tr> <tr> <td>Brainstormer - online and SMS</td> <td>58 ideas</td> </tr> <tr> <td>Participatory budgeting</td> <td>30 participants</td> </tr> <tr> <td>Voices of VicVision forum</td> <td>30 participants</td> </tr> <tr> <td>Total</td> <td>880 participants/responses</td> </tr> </table>	In person workshop	16 participants	Online workshop	0 participants	Workshop in a box (self-run workshops)	41 participants over three separate groups	Full survey	137 responses	Youth survey	309 responses	Pop-up survey at events	259 responses	Brainstormer - online and SMS	58 ideas	Participatory budgeting	30 participants	Voices of VicVision forum	30 participants	Total	880 participants/responses
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Brainstormer - online and SMS	58 ideas																				
Participatory budgeting	30 participants																				
Voices of VicVision forum	30 participants																				
Total	880 participants/responses																				

Advertising	<ul style="list-style-type: none"> • VIBE takeover – outrage marketing • 14,806 households, 1,500 distributed along the Albany Highway strip • Media release • Town website and Your Thoughts featured project • Digital paid advertising – Google ads and social media • Social media posts • e-newsletters • Video content • Email banner • Southern Gazette advertising • Posters and flyers at Town buildings • Flyers at Town events • Emails to key stakeholders and community groups • Bus shelter advertising • TV sliders at Town buildings • Magnets • Chalk wall on Albany Highway • Speeches by elected members at events and meetings <p>More information about communications tactics and results available in the VicVision engagement outcomes report.</p>
Submission summary	Not applicable. This report is for approval to proceed to a public submission period. If approved by Council, this information will be provided in March 2022.
Key findings	Key findings are detailed in the VicVision engagement analysis report, as at attachment two.

Legal compliance

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

[Regulation 19C of the Local Government \(Administration\) Regulations 1996](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Not applicable.				Low	
Reputation	Failure to provide the community with an opportunity to comment on the proposed strategic direction of the Town may result in the community feeling like they weren't given a chance to review how the Town and Council have interpreted the feedback given during VicVision.	Moderate	Unlikely	Medium	Low	TREAT risk by allowing the community the opportunity to provide comment on the proposed strategic direction.
Service delivery	Not applicable.				Medium	

Financial implications

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

Analysis

20. The proposed strategic direction is made up of a purpose, values, vision, mission, community priorities and organisational objectives.

21. This strategic direction will be used as a decision-making framework to guide the operations and services of the Town in line with community aspirations. The Town will focus on meeting the community priorities and organisational objectives to achieve the mission and reach the vision. Decisions will be made in line with the purpose of the Town and through the lens of the values.

Purpose

22. The purpose communicates why the Town of Victoria Park as an organisation exists.
23. Although section 3.1(1) of the *Local Government Act 1995* states that "The general function of a local government is to provide for the good government of persons in its district", the Town felt there was benefit in allowing the community to provide their views on why the Town exists. This can then be used to guide decisions and inspire employees through a common purpose that is informed by our community.
24. The top 10 themes of feedback received from the community are provided below. An expanded table is available in the engagement analysis report.

Themes	Mentions
Provision of services	87
Facilitating a sense of community	41
Improving safety	21
Planning for the future	20
Maintaining and improving amenities	17
Improving quality of life	17
Improving and maintaining infrastructure	14
Maintaining and improving the economy	14
Sustainability and environment	11
Governance and legislation	10

25. A workshop was held to engage staff in the process. The outcome was a recommendation that the Town's purpose is to *"responsibly serve, enable and inspire community."*
26. This reflects the community's view of the Town providing services and facilitating a sense of community. Responsibly was included to capture feedback around financial management, governance, and legislation. It also came out as a theme in engagement around the Town's values. Enabling the community attempted to communicate that the Town provides services and programs that enable people to have an improved quality of life such as community safety initiatives, environmental initiatives, town planning and community facilities. Common anecdotal feedback around supporting the community to suggest and introduce their own ideas was also considered.
27. A workshop was then held for elected members to consider all engagement outcomes. Elected members believed that the Town's purpose was to *"Sustainably serve, empower and connect community."*
28. The purpose of this statement was to express that everything done today affects future generations and every decision made should keep this in mind. It was also believed that while the Town's main purpose is to serve its community, it also plays a role in encouraging residents and ratepayers to play an active role in the community.

Values

29. Values are the unique thinking of the organisation that help drive behaviours.
30. The Town's current values are:
 (a) Proactive – We will look to cause positive things to happen rather than waiting to respond.

- (b) Integrity – We will be honest, accountable and transparent in how we do things.
- (c) Innovative – We will be courageous in introducing new ideas to meet community need and improve our services and projects.
- (d) Caring – We will display kindness and concern.

31. The community were asked whether they would change the values of the Town. Feedback on what could be added, removed, combined and defined is provided below.

Add			
Sustainable	10	Courageous	1
Inclusive	9	Community-centred	1
Considerate/Respectful / Thoughtful	6	Representative	1
Responsible/Accountable	5	Common sense	1
Listening	4	Commitment	1
Worldclass/Best in class	3	Accessible	1
Responsive	3	Service	1
Enabling/Empowering/ Encouraging	3	Leadership	1
Safe	3	Optimistic	1
Teamwork/Collaborative	3	Opportunistic	1
Equitable/Fair	2	Learning	1
Creative	2	Awareness	1
Honest/Transparent	2	Vibrant	1

Remove		Combine	
Innovative	7	Proactive and innovative	2
Proactive	6		
Integrity	4		
Caring	4		

Define	
Proactive	<ul style="list-style-type: none"> • We will look to cause positive and innovative things to happen rather than waiting to respond • Continuous improvement
Innovative	<ul style="list-style-type: none"> • Working with the community to develop new ideas
Caring	<ul style="list-style-type: none"> • Add a safety aspect • For all things - our environment, our people, and our way of life • Displaying kindness and concern is not the same as delivering it. Why does a municipal body need to be displaying kindness and concern?

32. At the staff workshop, staff reviewed the values against the engagement outcomes but also considered their own experiences and what they thought was unique about the culture of the Town. The following values were proposed:
- (a) Inclusive – Embracing diversity
 - (b) Caring – Showing consideration and kindness
 - (c) Proactive – Anticipating, planning and acting
 - (d) Connected – Creating value together
 - (e) Courageous – Being brave, honest and trusting
33. With these recommendations, the values of innovation and integrity were recommended for removal. This was due to innovation being seen more as an objective than a value that was also too like proactive. Integrity was considered to be managed by the Code of Conduct and something each employee must have regardless of whether it is a value.
34. Caring and proactive were recommended to be retained with adjustments to their definitions. Caring was seen by staff as a quality that sets the Town apart from the rest as staff genuinely care about each other and the community. Changes to the definition were proposed as displaying concern is sometimes not possible with all operations of the Town but it is possible to be considerate. Proactive was also considered as a value that staff should strive to achieve but changes to the definition were recommended to emphasise the need to anticipate, plan and then act rather than just cause positive things to happen.
35. Three new values were then recommended – inclusive, connected, and courageous. Inclusive was one of the values most mentioned by the community that staff also considered important. Connected was proposed to combine the themes of enabling, empowering, encouraging, teamwork and collaborative. Courageous was aligned to the theme of creative but could also replace innovative. Staff felt that they were regularly encouraged to try and do things differently but highlighting the need for everyone involved to be brave, honest and trusting was important.
36. Although sustainable was the most common theme, it was felt that the term was over-used and as a result, lacked meaning. It was difficult to determine whether the community was referring to environmental or financial sustainability. It was thought that sustainable was more appropriate as a community priority and/or organisational objective.
37. The theme of responsible/accountable also came out of the outcomes. It is important to point this out in terms of the proposed purpose, where staff recommended that the theme be lifted to the reason the Town exists rather than just a way of thinking.
38. Elected members then considered the values at their workshop. The outcome was the following:
- (a) Caring – Show empathy, consideration and kindness
 - (b) Courageous – Bold and innovative
 - (c) Inclusive – Embrace diversity
 - (d) Integrity – Be authentic
 - (e) Proactive – Anticipate, plan and act
39. These recommendations were made based on the feedback from the community and elected member views on the values that should guide staff and decision-making. Staff recommendations were available to inform elected member views and did influence some of the definitions.
40. These have since been changed to all consistently be written as nouns in the strategic direction proposed for public comment.
41. The need to be sustainable was recommended by elected members to be elevated to the purpose for why the Town exists to ensure that sustainability in terms of social, economic, environment and civic leadership was a requirement over the entire strategic direction.

Vision

42. A vision statement describes the long-term goal that the Town is aiming to achieve. It says what the future of the Town of Victoria Park looks like. It should be something that has not yet been achieved that requires the involvement of the community, elected members and staff to create. The statement itself should be simple, punchy, descriptive, and memorable.
43. The Town's current vision statement is:
- A dynamic place for everyone.*
We are Perth's most empowered and engaged community.
We are Perth's premier place for entertainment and entrepreneurship.
We lead in sustainability.
We put people first in urban design and safety.
We are inclusive and connected with a thriving community.
44. In 2019, the Town completed the minor review of the Strategic Community Plan 2017-2032. There were 608 respondents that participated in a community perception scorecard developed by an external party. Results of the survey were that 49% of respondents agreed with the Town's vision.
45. The community were asked whether they thought the vision was relevant as part of VicVision. 102 people thought it was (53%), 68 people thought it wasn't (35%) and 23 people were unsure (12%).
46. People had the opportunity to provide comment on the reason for their answer. Comments were only provided by people that didn't think the vision was relevant. Common themes were around not understanding what dynamic meant, not wanting the Town to be in a constant state of change, wanting some balance of calm amongst the vibrancy, and not wanting, needing or being able to cater to everyone. There were also comments about the vision not being clear enough to give any insight into the wants of the community and it not being clear how the vision could be achieved.
47. In the absence of any key result areas or measures, people were asked their thoughts on how the Town was tracking to achieve the five targeted vision statements by 2032 – the last year of the current SCP. These statements are those listed in italics at point 45. These results are available in the engagement analysis, as at attachment two however, there was no consensus on the status of achievement for any of the targeted statements. Comments provided suggest that people aren't aware of which Town responsibilities fall into each of the statements, with suggestions for improvement being repeated over each one.
48. To further inform the review of the vision, the community were asked how they see the Town today. The top 10 themes are provided below. An expanded table is available in the engagement analysis report.

Rank	Theme	Mentions
1	Vibrant and lively	320
2	Good/great	160
3	Sense of community	160
4	Inclusive and diverse	102
5	Safety and social issues (crime, homelessness, anti-social behaviour and substance abuse)	99
6	Well-connected	88
7	Growing and improving	86
8	Unique	45
9	Busy and chaotic	44
10	Peaceful place to live	43

49. The community were also asked how they wanted the Town to look and feel by 2033. The top 10 themes are provided below.

Rank	Theme	Mentions
1	Safer	34
2	Environmentally responsible	32
3	Greener	28
4	Easier to get around	25
5	More inclusive	14
6	More vibrant	14
7	A more diverse population	13
8	More family oriented	13
9	A retained sense of community	13
10	Thriving businesses	13

50. Staff felt that the vision should be reviewed to better reflect the outcomes of engagement and recommended “Community soul drives endless possibilities.” This statement was designed to pick up on the common theme of the community appreciating the sense of community and village atmosphere of the area. It also reflected the community’s desire to remain a town rather than become a city, as seen in the results of the 2019 poll. Results of engagement showed many similarities but also showed that because of the diverse range of demographics, people want their town to fit their own needs, values, and lifestyles. The inclusion of endless possibilities was to drive the Town administration and its community to be open-minded, consider all demographics and believe that nothing is impossible. The Town can become what its residents, ratepayers and visitors want it to be.
51. Elected members were asked whether the current vision should be kept. The majority supported keeping the vision.
52. It was agreed that the Town is a place for everyone and that changing it could communicate that this is no longer the case. It was considered whether there were better ways to communicate the overarching goal rather than dynamic. Dynamic was seen as appropriate when accompanied by a better definition of dynamic. Dynamic was seen as meaning:
- (a) progressive
 - (b) energetic, vibrant and exciting
 - (c) evolving and changing
 - (d) bold, innovative and creative.

Mission

53. A mission should be a statement that guides who the organisation needs to become in the short-term (four years) to be able to achieve the vision.
54. The Town’s current mission is four statements:

Social

To promote sustainable, connected, safe and diverse places for everyone.

Economic

To promote sustainable, diverse, resilient and prosperous places for everyone.

Environment

To promote sustainable, liveable, healthy and green places for everyone.

Civic leadership

To show leadership by communicating with, empowering and supporting people in the community.

55. To inform the review of the SCP, the community were asked how well the Town is tracking to achieve each of the four statements. These results are available in the engagement analysis.
56. When assessing the Town's mission statements at the staff workshop, it was determined that the current statements are modelled on quadruple bottom-line sustainability (financial, environmental, social and civic leadership), and serve to categorise the community's priorities in the next level of the strategic direction. There was also consideration to the community's feedback being both similar and sporadic when rating each statement. While it was clear that the Town has not yet achieved any of the mission statements or outcomes, there was no clarity as to whether the Town is on track, outcomes would be partially achieved or whether there was a risk that items wouldn't be achieved. This was considered as a reason to simplify communication.
57. It was believed that having one statement that drives the growth of the organisation would be beneficial, particularly if it was a short-term goal obviously linked to the community's vision. This also better integrates the SCP with the Corporate Business Plan (CBP) - the plan that outlines the services and projects delivered by the Town to achieve the SCP as the short-term goal is achievable within four years. The idea was that if the mission had been achieved in four years, the next phase would become the mission to achieve the vision, providing for continuous growth.
58. Staff recommended the mission of "Leaders at realising community potential." The idea was that to allow community soul to drive endless possibilities, the organisation needed to first position itself to realise the community's potential.
59. Elected members questioned whether a mission should focus on the organisation instead of the community. A discussion was had about the achievement of the community vision relying on the organisation focusing on progressing towards it.
60. The outcome from the elected member workshop was for the mission to be changed to "Leaders in unlocking potential."
61. The statement was considered to be clear and motivating. It was thought to apply to all members of the organisation without limiting them and a way to focus on evolving and changing to achieve the vision.

Community priorities

62. Community priorities communicate more specifically what needs to be done to achieve the community's vision.
63. The Town currently has 23 strategic outcomes. These are defined in the current SCP as "the things that will happen as a result of implementing the mission." Early in the planning for VicVision, it was determined that because the result of implementing the mission should be progress towards the vision, the outcomes needed to be reframed to better guide and direct the efforts of the Town. It was also thought that they could be simplified to be free from jargon and better communicate how they directly align to feedback from the community.
64. People did have the opportunity to let the Town know how well it was tracking to achieve each of the outcomes as part of VicVision. These results are available in the engagement analysis.
65. To inform what the Town should focus on to achieve the vision, much of the engagement focused on finding out what the community thought should be prioritised to be able to achieve what they wanted the Town to become in the future. The top 20 themes are below.

Theme	Mentions
Safety and security	165
Economic development	125
Transport	121
Urban design and development	115
Public areas and open space	110
Events	95
Community development	92
Trees and urban forest	74
Arts and culture	71
Waste and rubbish	64
Environment and sustainability	61
Asset management	59
Accessibility	54
Parking	52
Civic leadership and administration	37
Homelessness	34
Engagement and public participation	23
Health	22
Council finances	15
Education	13

66. At the Voices of VicVision Forum, the 30 participants were asked to rank the top 20 priorities. The table below shows the top 20 priorities and their ranking.

Forum rank	Priority
1	Trees and urban forest
2	Council finances
3	Public areas and open space
4	Waste and rubbish
5	Urban design and development
6	Asset management
7	Safety and security
8	Transport
9	Environment and sustainability
10	Engagement and public participation
11	Civic leadership and administration
12	Community development
13	Economic development
14	Events
15	Homelessness
16	Accessibility
17	Parking
18	Arts and culture
19	Health
20	Education

67. Considering feedback received from the community and the recommendation to alter the structure of the strategic direction to clearly state the priorities of the community, elected members were provided with the following priorities as a starting point.
- (a) Improving safety and security.
 - (b) Protecting the environment (including improving waste management).
 - (c) Increasing and improving public areas.
 - (d) Effectively managing Town assets.
 - (e) Improving how people get around the Town.
 - (f) Facilitating quality urban design and development outcomes.
 - (g) Supporting people to live their best life.
 - (h) Facilitating a strong economy.
 - (i) Improving access to arts, history, culture and education.
 - (j) Effectively managing the administration to achieve community priorities.
68. Elected members reviewed the suggestions at their workshop. The wording of some priorities was questioned. Further engagement then took place to allow for each elected member to have time to consider their own views and suggest changes.
69. With all engagement outcomes and views considered, the following priorities are recommended by the Town.
- (a) Helping people feel safe.
 - (b) Facilitating an inclusive community that celebrates diversity.
 - (c) Improving access to arts, history, culture and education.
 - (d) Collaborating to ensure everyone has a place to call home.
 - (e) Protecting and enhancing the natural environment.
 - (f) Facilitating the reduction of waste.
 - (g) Increasing and improving public open spaces.
 - (h) Providing facilities that are well-built and well-maintained.
 - (i) Enhancing and enabling livability through urban design and development.
 - (j) Improving how people get around the Town.
 - (k) Facilitating a strong economy.
 - (l) Effectively managing the organisation's resources and performance.

Organisational objectives

70. Civic leadership and administration were featured as a priority of the community. This is similar to the Town's current SCP where the civic leadership mission statement is underpinned by 10 strategic outcomes – the most of any part of the mission.
71. To be able to achieve the community's priorities, the organisation should have goals that it is trying to achieve internally to improve operations. This allows for the community's priorities to be considered across all services, projects and operations to make sure all aspects that make up delivery are planned and communicated.
72. While more relevant to the CBP, it was felt that these should be included in the SCP to inform the community what the administration is working towards, relevant to their wants and needs. The intention is for them to be used in a refreshed CBP to plan and identify corporate deliverables that deliver the first four years of the SCP.
73. Staff considered the organisational objectives at their workshop. The following were recommended to capture the desired state of all administrative operations of the Town in four years' time.
- (a) Equipped and empowered people.
 - (b) Engaged and empowered community.
 - (c) Innovative and streamlined governance.
 - (d) Fit-for-purpose, integrated systems.

- (e) Effective and agile operations.
 - (f) Financial confidence.
74. Elected members reviewed the suggestions at their workshop and collectively supported the following.
- (a) Innovative and empowered people.
 - (b) Engaged and empowered community.
 - (c) Streamlined, modern governance.
 - (d) Integrated, fit-for-purpose systems.
 - (e) Productive and agile operations.
 - (f) Financial sustainability.
75. The Town believes that the simplified strategic direction proposed for public comment is genuinely informed by the community and will assist with guiding the Town to function with purpose.

Next steps

76. If approved by Council, it is intended that the public comment period will begin on Monday 17 January and run for three weeks. This ensures that engagement doesn't take place over the holiday period.
77. People will be asked whether they support the proposed strategic direction and will be able to give comments for consideration.
78. Background information and community engagement results will be provided to all participants as simple graphics, whether they choose to participate online or by paper copy. A communications plan will be developed to promote the opportunity to provide feedback.
79. Outcomes of the public comment period are proposed to be presented to Council in March 2022, along with the full recommended Strategic Community Plan 2022-2034.

Relevant documents

[VicVision engagement outcomes report](#)

[VicVision engagement outcomes dashboard](#)

[Current strategic direction from Strategic Community Plan 2017-2032](#)

[Policy 103 – Communications and engagement](#)

There were no questions asked or presentations made in relation to this item.

12 Chief Community Planner reports

12.1 Section 31 reconsideration - Local Development Plan for No. 384 (Lot 3) Berwick Street, East Victoria Park

Location	East Victoria Park
Reporting officer	Manager Development Services
Responsible officer	Chief Community Planner
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. Pages from Ordinary- Council- Meeting- Minutes-12- October- 2021 [12.1.1 - 12 pages]2. Amended LDP [12.1.2 - 1 page]3. Amended LDP justification [12.1.3 - 5 pages]

Landowner	Berwick EVP Pty Ltd
Applicant	Rowe Group
Application date	27 July 2021
DA/BA or WAPC reference	5.2021.384.1
MRS zoning	Urban
TPS zoning	Residential
R-Code density	Residential R60
TPS precinct	Precinct P12 – East Victoria Park
Use class	Grouped Dwellings and Multiple Dwellings
Use permissibility	'P' (permitted) uses
Lot area	11,027m ²
Right-of-way (ROW)	N/A
Municipal heritage inventory	N/A
Residential character study area/weatherboard precinct	N/A

Surrounding development

Hillview Bushland to south-east; Edward Millen House and Park including associated buildings to the north-east; Carson Street School to the north-west. The residential development on the opposite side of Berwick Street is zoned Residential R20

Recommendation

That Council:

1. Pursuant to Section 31 of the *State Administrative Tribunal Act 2004*, reconsider its decision of 12 October 2021, and vary its decision by approving the amended Local Development Plan dated received 12 November 2021 submitted by Rowe Group Pty Ltd (DA Ref: 5.2021.384.1) for No. 384 (Lot 3) Berwick Street, East Victoria Park pursuant to Schedule 2, Part 6, clause 52(1)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Publish the adopted Local Development Plan on the Town's website in accordance with Schedule 2, Part 6, clause 55 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. Those persons who lodged a submission regarding the application be advised of Council's decision.
4. Request the Chief Executive Officer to advise the State Administrative Tribunal of Council's decision.

Purpose

For Council to reconsider its decision to refuse the Local Development Plan for the subject site.

In brief

- The Council at its meeting on 12 October 2021 resolved to refuse the Local Development Plan for the subject site.
- The applicant has subsequently lodged an application for review with the State Administrative Tribunal (SAT) and an amended plan increasing the setback to the boundary with the Hill View bushland.
- SAT have ordered the Council to reconsider its decision at its meeting on 14 December 2021.

Background

1. Most of the background to the item is contained in the previous report to the October Ordinary Council Meeting (see Attachment 1).
2. The Local Development Plan was considered at the Ordinary Council Meeting on 12 October 2021. Officers recommended that the plan be approved. Council resolved at its Ordinary Meeting on 12 October 2021 as follows:

That Council:

1. *Rejects the Local Development Plan submitted by Rowe Group Pty Ltd (DA Ref: 5.2021.384.1) at No. 384 (Lot 3) Berwick Street, East Victoria Park, pursuant to Schedule 2, Part 6, clause 52(1)(a) of the Planning and Development (Local Planning Schemes) Regulations 2015 due to the impact of the nil setback on the adjacent bushland.*
 2. *Advise those persons who lodged a submission regarding the application of Council's decision.*
3. The Minutes of the meeting record the reason for the Council's decision as being "due to the impact of the nil setback on the adjacent bushland."

Application summary

4. A Local Development Plan (LDP) is a mechanism to coordinate and assist in achieving better built form outcomes by linking lot design to future development. Decision makers are to give 'due regard' to an approved LDP when making decisions in respect to the development of land. Once approved, a LDP is valid for a duration of 10 years.
5. LDPs are used in limited situations to guide the design and development of small or constrained lots or to achieve design outcomes. In this case, the requirement to prepare a LDP was a condition of both the Scheme Amendment No. 78 and the subdivision approval.
6. The LDP submitted (see Attachment 1) addresses the following development matters:
 - Dwelling orientation;
 - Setbacks on ground and first floors to each common accessway and other boundaries;
 - Building height;
 - Fencing;
 - Pedestrian access;
 - Vehicle access and garage locations;
 - Outdoor living area locations;
 - Retention of established trees; and
 - Visitor bay locations.

Applicants submission

7. An overview of the applicant's submission in support of the original Local Development Plan (LDP) is contained in the previous report to the October Ordinary Council Meeting (see Attachment 1).
8. Taking into consideration the Council's previous concerns about the proposed setback to the Hill View bushland, an amended LDP has been submitted depicting the setback to the bushland being increased to a 2.5m minimum setback (previously a nil setback) - see amended LDP at Attachment 2.
9. In addition, the applicants have provided written justification in support of the amended LDP (see Attachment 3), which in summary requests Council to approve the revised LDP for the following reasons:
 - The LDP is an essential mechanism for the guiding of any future development at the subject site;
 - The LDP will manage the constraints of the subject site in relation to lot size, control of vehicle access and proximity to public open space;
 - The LDP will ensure the cohesive vision for development at the subject site is realised;
 - The LDP will set site-specific setbacks to the public open space adjoining the subject site, which in many cases will be greater than the deemed-to-comply setbacks under State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2 – Apartments;
 - The proposed setback to the Hill View Terrace Bushland provides adequate outdoor space whilst also maintaining an adequate developable area for Future Lot 9 of the subject site;
 - The proposed setback to the Hill View Terrace Bushland provides adequate separation between built form and vegetation to mitigate any impacts on the Bushland, particularly in conjunction with the 3.5m setback of the vegetation;
 - The proposed setback to the Hill View Terrace Bushland is appropriate given the differing setbacks stipulated by State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2 – Apartments; and
 - The revised LDP addresses the sole reason for refusal outlined by the Council of the Respondent as the proposed 2.5m boundary setback provides a sufficient and reasonable outcome."

Relevant planning framework

Legislation	<ul style="list-style-type: none"> • Planning and Development Act 2005 • Planning and Development (Local Planning Schemes) Regulations 2015 • Town Planning Scheme No. 1 • TPS1 Precinct Plan 12 – ‘East Victoria Park Precinct’
State Government policies, bulletins or guidelines	<ul style="list-style-type: none"> • Framework for Local Development Plans • Residential Design Codes Volume 1 • Residential Design Codes Volume 2
Local planning policies	<ul style="list-style-type: none"> • Local Planning Policy No. 25 – Streetscape • Local Planning Policy No. 39 – Tree Planting and Retention
Other	N/A

General matters to be considered

TPS precinct plan statements	<p>The following statements of intent contained within the precinct plan are relevant to consideration of the application.</p> <p><i>“Redevelopment shall be consistent with existing style, character and scale of dwellings throughout the precinct. New buildings shall be set back from all boundaries although variations reflecting existing character of development will be permitted. Buildings shall be set in landscaped surrounds and mature trees shall be preserved. Design guidelines will apply throughout the precinct and specific controls will be progressively introduced for pockets of identifiable character housing.</i></p> <p><i>While the effect of traffic should be minimised through appropriate design measures, all development shall face the street in the traditional manner.</i></p> <p><i>Priority will be given to ensuring new development, particularly infill and development at higher densities, does not result in the undue loss of privacy or amenity for existing residents.”</i></p>
Local planning policy objectives	<p>The following objectives of Local Planning Policy 25 ‘Streetscape’ are relevant in determining the application.</p> <ul style="list-style-type: none"> • “To preserve or enhance streetscape character, by ensuring that development is sensitive to the streetscape and in keeping with the established and desired character of the locality. • Development should reinforce desired built form characteristics for the locality and should ensure that the appearance of development is of high quality and contributes positively to the streetscape. • Sustainable designs and innovative designs are encouraged, however regard is still to be given to maintaining design compatibility with the existing and desired streetscape character.

	<ul style="list-style-type: none"> • All development is to promote safety and security for occupants and the community by having regard to Crime Prevention Through Environmental Design (CPTED) principles.”
Deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015	Not applicable
Urban forest strategy	Not applicable

Compliance assessment

10. Schedule 2, Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015 details the process for assessing and determining an LDP, including the following:

“51. Consideration of submissions –

The local government –

must consider all submissions in relation to a local development plan made to the local government within the period specified in a notice advertising a proposed local development plan; and

may consider submissions in relation to a local development plan made to the local government after that time; and

is to have due regard to the matters set out in clause 67(2) to the extent that, in the opinion of the local government, those matters are relevant to the development to which the plan relates.

52. Decision of local government

(1) Following consideration of a proposed local development plan, including any amendments made to the plan to address matters raised in submissions, the local government must –

- (a) approve the local development plan; or*
- (b) require the person who prepared the local development plan to –*
 - (i) modify the plan in the manner specified by the local government; and*
 - (ii) resubmit the modified plan to the local government for approval; or*
- (c) refuse to approve the plan.*

(1A) The local government must not approve a local development plan under subclause (1) if –

- (a) the local development plan amends or replaces a deemed-to-comply provision of the R-Codes; and*
- (b) under the R-Codes, the Commission’s approval is required for the local development plan; and*
- (c) the Commission has not approved the local development plan.*

- (2) *The local government is to be taken to have refused to approve a local development plan if the local government has not made a decision under subclause (1) –*
- (a) *if the plan was advertised – within the period of 60 days after the last day for making submissions specified in accordance with clause 50(5) or a longer period agreed between the local government and a person other than the local government who prepared the plan.*
- (b) *if the plan was not advertised – within the period of 60 days after the resolution not to advertise the plan was made by the local government or a longer period agreed between the local government and a person other than the local government who prepared the plan.*

54. Review

A person who prepared a local development plan may apply to the State Administrative Tribunal for a review, in accordance with the Planning and Development Act 2005 Part 14, of a decision by the local government not to approve the local development plan.”

11. As per the Residential Design Codes of WA (R-Codes), the development of land for residential purposes is to be in accordance with the requirements of the R-Codes. The R-Codes do, however, permit a Local Development Plan to amend or replace certain deemed-to-comply requirements of the R-Codes.

Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The Local Development Plan allows for different housing options and provides guidance regarding urban design outcomes.

Engagement

12. An overview of engagement on the original Local Development Plan (LDP) is contained in the previous report to the October Ordinary Council Meeting (see Attachment 1).
13. Engagement has not been undertaken on the amended LDP, nor is this necessary given the amended LDP only amends the previous LDP in one respect, which is an increase in a setback from that previously advertised.

Risk management considerations

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	Should Council reaffirm its previous decision and refuse the plan, a planning	Minor	Unlikely	Low	Low	Accept

	consultant will need to be engaged to defend the Council's decision as it would be contrary to the Officers recommendation.					
Environmental	Not applicable					
Health and safety	Not applicable					
Infrastructure/ ICT systems/ utilities	Not applicable					
Legislative compliance	Not applicable					
Reputation	Possible negative public perception, dependent upon the opinion of the individual	Minor	Unlikely	Low	Low	Treat by clearly documenting decision reasoning
Service delivery	Not applicable					

Financial implications

Current budget impact	Not applicable.
Future budget impact	If the applicant were to proceed with the SAT review following Council's decision, it will be necessary for a planning consultant to be engaged to defend the Council's decision as it is contrary to the Officers recommendation.

Analysis

14. An analysis of the original Local Development Plan (LDP) is contained in the previous report to the October Ordinary Council Meeting (see Attachment 1).
15. The amended LDP, now including a 2.5 metre minimum setback to the Hill View bushland, is supported, noting that Officers supported the original LDP with a nil setback to the Hill View bushland.
16. Notwithstanding the amended LDP prescribing a minimum 2.5m setback to the Hill View bushland, the development approved by the JDAP has a nil setback to the bushland, and therefore the development can be constructed with a nil setback regardless of the amended LDP requirement.
17. It is agreed that it is important that an LDP be approved for the site.

18. Technically, development of the site cannot proceed without an LDP being approved, as this is a condition of the JDAP's approval of the development application. However, a development approval has been issued for the site which already co-ordinates development, in which case to some extent approval of the LDP has little practical effect or impact, should development of the site occur consistent with the LDP.
19. The value of having an LDP approved is particularly to co-ordinate development of the site if one or more of the lots are not developed simultaneously as per the JDAP development approval.
20. Accordingly, it is recommended that Council approve the amended LDP.
21. Should Council have any reservations regarding the amended LDP, it is open to Council to approve the amended LDP subject to modifications, rather than refuse the amended LDP.

Questions and responses

Mayor Karen Vernon

1. Can Council consider approving an amendment to the Local Development Plan with a 3 metre setback to the bushland instead of the 2.5 metre being proposed by the developer?

The Manager Development Services advised that yes, it is open to Council to modify the Local Development Plan to increase the setback to 3 metres.

2. How likely would a Council recommendation to that extent be a matter of dispute with the developers as this has come to us as section 31 reconsideration?

The Manager Development Services advised that only the developer can answer that. He advised that from the comments tonight that he thinks the developers would be open to modifications to the plan that includes setbacks.

3. Based on the officer comment in paragraph 16 of the report does this mean that even if Council agrees to the amended Local Development Plan with a 2.5 metre setback to the bushland, the developer is not obliged to implement a 2.5 metre setback because the development approval has a nil setback?

The Manager Development Services advised that yes. If the developer proceeds with development of the site as per the current development approval, then the building may be built with a nil setback to the bushland, as there is a valid development approval in place to do so. If development of the site is not to be as per the development approval and is to be in some other future form, then the setback to the bushland prescribed in the Local Development Plan will apply, albeit a future development application could be submitted seeking approval to vary the setback.

4. In relation to the future budget impact of the matter proceeding in the State Administrative Tribunal, can the Town agree to abide by the outcome of the State Administrative Tribunal decision rather than engaging a planning consultant and being involved in the hearing?

The Manager Development Services advised that it is open to Council to do that but recommends that Council does not do that. It could be perceived that Council are not prepared to defend their decision or that Council's decision is not defensible. The Manager Development Services advised that he is concerned that it could tarnish the Council's reputation with the tribunal and there is a risk that costs could be awarded against the Council.

5. Clause 14 of the Local Development Plan refers to uniform fencing along the boundaries of all lots abutting public open space. Only Lots 10-19 are mentioned in brackets. Is this something that Council could do at the Council meeting?

The Manager Development Services advised that yes that is possible. By it being brought up this evening gives time for staff to consider it and the recommendation to Council may make that change.

6. Clause 15 of the Local Development Plan refers to the fencing on Lots 10 – 19 abutting public open space to be visually permeable fencing. What is the administration's view on whether fencing onto Edward Millen Park should be visually permeable?

The Manager Development Services advised that it is the administration's view the fencing facing Edward Millen Park should be visually permeable for the benefits the applicant indicated, passive surveillance, additional sunlight and a more general pleasant atmosphere.

7. If it was a different structure than currently approved, would you have a different view about the permeable fencing?

The Manager Development Services advised that the only possible time the Town would form a different view is dependent on what might be happening on the land, if there something not attractive on the lot the Town may form a different view.

8. Clause 15 of the Local Development Plan currently does not refer to Lot 9. Do you have a view whether Lot 9 should be included with regards to the visually permeable fencing should development on Lot 9 as currently approved under the development application not go ahead and therefore the amended Local Development Plan becomes the guiding document for future development?

The Manager Development Services advised that having visually permeable fencing on a private development looking over a public space would be a good outcome. He advised that he does take on board the applicants' decisions regarding levels and cross section and whether there would be any benefit to be gained in having permeable fencing due to the level differences.

9. Can the administration give consideration to visually permeable fencing on Lot 9 and provide advice to elected members?

The Manager Development Services took the question on notice.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Provide information on whether Lot 9 should have visually permeable fencing.

12.2 Business Grants - recommended recipients

Location	Town-wide
Reporting officer	A/Place Leader (Economic Development)
Responsible officer	Manager Place Planning
Voting requirement	Simple majority
Attachments	Nil

Recommendation

That Council endorses the following Business Grants applications for the 2021/22 financial year:

1. Archer St Physiotherapy Centre - \$10,000.00
2. SynGenis Pty Ltd - \$10,000.00
3. Happiness Co Foundation - \$10,000.00
4. Ashton Property Group Pty Ltd ATF David Ashton Trust - \$10,000.00
5. Naja Business Consulting Services (Pivot in the Park - \$9,320.00
6. West Coast Health & High Performance Pty Ltd - \$8,250.00
7. Eventum - \$6,650.00
8. Daniel Shore - \$6,000.00

Purpose

To provide Council with oversight of the Town's Business Grants 2021/22 applications and assessments for Council endorsement.

In brief

- The objective of Business Grants is to support projects, activities and programs developed by the local business community that will deliver a broader benefit to the Town of Victoria Park local economy.
- The maximum value of Business Grant is \$10,000 (inc. GST) per recipient. There is an overall budget of \$80,000 for Business Grants in 2021/22.
- Applications for Business Grants were accepted during one funding round. The funding round opened for applications at 9am on 29 September 2021 and closed at 4pm on 27 October 2021. The Business Grants were advertised on the Town's website, through flyers, the Biz e-newsletter and social media.
- Projects must be delivered within the financial year the funding is available and applicants cannot apply for multiple grants within the same category.
- The Town received 13 applications with a total request of \$116,366.00.
- A review of applications by the Town's Business Grant Assessment Panel concluded five applications requesting a total amount of \$46,146.00 did not meet the required criteria and have not been recommended for endorsement.
- A review of applications by the Town's Business Grant Assessment Panel concluded that eight of the grant applications sufficiently met the criteria and are recommended to be awarded a collective total of \$70,220.

Background

1. The Town acknowledges the significant role it plays in supporting the local business community through the provision of funding opportunities and the impact these opportunities can have within the community.
2. The Town aims to enhance the success and prosperity of the local business community while ensuring transparency of funding decisions and accountability of those parties receiving business grant funding.
3. Policy 117 Business Grants was adopted by Council at the August 2021 Ordinary Council Meeting (OCM).
4. The Town's Business Grants support projects, activities and initiatives developed by the local business community that will benefit a group of businesses, an industry sector, or the broader local economy.
5. There is one funding round with \$80,000 available for the 2021/22 financial year.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	The application and assessment process ensures that proposals are suitably planned, providing the basis for successful project delivery.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Funds are managed with full, accurate and timely disclosure of financial information relating to Council. Town grant funds are maximised by seeking the greatest possible benefit to the community within the available monetary resources.

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.	The projects proposed by the Business Grant applicants will collectively provide a strong contribution to the local economy.

Engagement

Internal engagement	
Stakeholder	Comments
Stakeholder Relations	Consultation relating to advertising and promotions.
Business Grants Assessment Panels	Consultation and panel evaluation.

External engagement	
Stakeholders	Business owners
Period of engagement	The grant round opened 29 September, at 9am and closed at 4pm 27 October.
Level of engagement	Inform
Methods of engagement	Town's website Town's social media and digital platforms – Facebook, Instagram, and Google Ads Town's Biz e-newsletters Flyers and brochures
Advertising	Town's website Town's social media and digital platforms – Facebook, Instagram, and Google Ads Town's Biz e-newsletters Flyers and brochures
Submission summary	Thirteen business grants applications were received.
Key findings	Eight submissions met the Town's criteria. Eight submissions are recommended for endorsement. Five submissions did not meet the Town's assessment criteria.

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Loss of funds if proposed projects are not delivered as agreed	Moderate	Unlikely	Low	Low	TREAT- Acquittal process to be well organised and communicated to all successful participants
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	

Infrastructure/ ICT systems/ utilities	Not applicable.					Medium
Legislative compliance	Not applicable.					Low
Reputation	Negative public perception towards the Town should applications not be funded.	Minor	Possible	Medium	Low	TREAT- Transparent approval process. Managed through an online grants platform, with applicants decided by a panel and endorsed by Council.
Service delivery	Not applicable.					Medium

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation. The budget allocation of Business Grants 2021/2022 was \$80,000.00.
Future budget impact	The amount allocated to business grants will be reviewed each year.

Analysis

6. Business Grants were widely promoted across various platforms, using a range of communication methods to reach target audiences. The Business Grant program opened for a period of four weeks commencing 29 September 2021 and closing 27 October 2021.
7. Funding was advertised on the platforms below:
 - a. Town's website
 - b. Town's social media and digital platforms – Facebook, Instagram, and Google Ads
 - c. Town's Biz e-newsletters
 - d. Flyers and brochures
8. Business Grants were accessible to businesses and business owners via the SmartyGrants application platform on the Town's website.

Business Grants Assessment

9. The Business Grants Assessment form was aligned with the Town's Policy 117 Business Grants with three questions each with a weighting as indicated in the table below. With three panel members scoring across the three criteria, the maximum possible score was 100.

10. The Town's internal Business Grants Assessment Panel consisted of the following Town officers:
 - a. Manager Place Planning
 - b. Community Project Officer, Place Planning
 - c. Coordinator Communications and Engagement

11. Applications were assessed individually and then reviewed with a formal panel meeting by the Town's Business Grants assessment members in line with Policy 117 Business Grants.

12. The Town's initial assessment questions included:
 - a. Eligibility
 - b. Conflict of interest
 - c. Applicant details
 - d. Project details
 - e. Assessment criteria questions as outlined in the table below.

13. The Town's assessment criteria questions included:

Assessment criteria questions	Weighting per question per panel member
<p>Criterion 1: The Proposed project, activity or program occurs within, or substantially benefits economic development outcomes within, the town of Victoria Park local government area.</p> <p>Question 1: How well does the application meet this criterion?</p>	(Weighting 20%)
<p>Criterion 2: The applicant can demonstrate the feasibility of the proposed project, activity or program and their capability to successfully deliver the proposed project, activity or program. The proposed project, activity or program is a discrete piece of work and is not, in the opinion of the Town of the Victoria Park, a standard operational expense.</p> <p>Question 2: How well does the application meet this criterion?</p>	(Weighting 20%)
<p>Criterion 3: The proposed project, activity or program will deliver at least one substantial broad benefit to the local economy</p> <p>Including:</p> <ul style="list-style-type: none"> • Substantial improvements to the amenity of the public realm that will attract visitors to the area; • Substantial activation of underutilized or vacant spaces that will attract visitors or investment to the area; 	(Weighting 60%)

<ul style="list-style-type: none"> • Provide a unique and visible retail or service offering that will attract visitors to the Town of Victoria Park; • Foster networking and collaboration between local businesses; • Provide unique regionally significant promotion. Development or investment for the Town of Victoria Park's local economy; or • Foster innovation industries or innovative business practices in the Town of Victoria Park's local economy. <p>Question 3: How well does the application meet this criterion?</p>	
	Total weighting for three questions = 100% Average score is out of 100.

14. The Business Grant program attracted 13 applications, with a total requested amount of \$116,366.00.
15. Five applications requesting a total amount of \$46,146.00 did not meet the required criteria and have not been recommended for endorsement.
16. It is recommended that Council endorse the following applications.
17. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Archer St Physiotherapy Centre	<p>Vic Park Health Expo 2022</p> <p>A community-based health expo and exhibition of stalls, entertainment, activities, and attractions; highlighting all allied health, medical, fitness, wellness and health food businesses that operate within the Town of Victoria Park.</p> <p>Local community members can peruse stalls, converse with business owners, and participate in activities, where they can learn all about the goods and services that these health-related businesses have to offer to the community.</p>	93	\$10,000.00

Panel Assessment:

- Strong and well written application for an event that delivers a broad economic benefit.
- The proposed Health Expo has proven in the past to bring local health professional businesses together with a platform to promote services offered.
- Thorough project planning steps, marketing plan and timeline were provided which increases confidence that funding will be used for a successful outcome.

The panel recommends project funding of \$10,000.00.

18. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
SynGenis Pty Ltd	<p>Biotech trails in Tech Park</p> <p>An open day walk tour linking a variety of biotechnology/medical technology businesses in Bentley Technology Park. In addition, a variety of other service providers will have trade stalls at each of the walk tour stops.</p> <p>The aim of the walk tour is to increase research and industry engagement with the participating businesses as well as displaying the available capabilities in Tech Park.</p> <p>By targeting businesses, universities, and research institutes outside of the Town of Victoria Park the aim is to attract them into Tech Park by building strong collaborations and networks during the event.</p>	91	\$10,000.00

Panel Assessment:

- Great concept that promotes a lesser-known area of the Town and that will deliver multiple economic outcomes.
- Well written application that covered all the criteria and includes risks and budget breakdown for the project.

The panel recommends project funding of \$10,000.00.

19. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Happiness Co Foundation	<p>Vic Parks New Year's Mind & Body Activation</p> <p>The small businesses within the Wellness Collective are looking to make an even greater contribution to the community of Victoria Park by coming together to hold an open day, providing activations to help encourage healthy minds and bodies in a fun, welcoming environment.</p> <p>Catering for 2000+ kids, teens and adults, the activation will welcome all to come to Read Park for yoga, HITT, ice baths, breath work and smoothies or coffee from Java or Sonder.</p> <p>Mental health workshops will occur within the Wellness Collective building, as well as tours through the Mind Body Lounge.</p>	83	\$10,000.00

Panel Assessment:

- Activation will include multiple Town businesses and educate the community on services available in the local area.
- Clear budget breakdown was provided, and the applicant has experience in hosting similar expos and conferences.
- The proposal to use Read Park for the expo is a good idea as the park is underutilised.

The panel recommends project funding of \$10,000.00.

20. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Ashton Property Group Pty Ltd ATF David Ashton Trust	<p>Business Accessibility Guide</p> <p>The creation of a tool that local businesses could use to assist them to become more accessible to people with disabilities.</p> <p>This would involve the development of a manual outlining various measures they could implement, a checklist to help them implement the measures and training in disability awareness. It would be custom designed to address knowledge gaps, biases, and misconceptions in serving people with disability and removing barriers to people with disability from spending money with their business.</p>	80	\$10,000.00

Panel Assessment:

- The project has the potential to have great benefit for many businesses across the Town.
- The proposed project will likely increase accessibility in the Town with the benefits of inclusion, improved public amenities, foster networking and collaboration through workshops. It also encourages business to work with the Town and be innovative with inclusive solutions in their service provision.
- It is recommended the applicant works with the Town on the scope of the project to endure it tickets requirements in the Disability Access and Inclusion Plan.

The panel recommends project funding of \$10,000.00.

21. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Naja Business Consulting Services (Pivot in the Park)	<p>Local Business Development, Improvement and Training</p> <p>Conducting training seminars into grant writing, accessing government and other funding, and navigating government</p>	77	\$9,320.00

planning and approval processes.

To conduct seminars and provide insights for businesses into how to access and apply to obtain government and industry funding and approvals.

Seminars will be held at Pivot in the Park offices in Victoria Park or via Zoom/Teams, by NAJA Principal and Associates, for local businesses to guide them through the grant writing and application processes, explain how to navigate government approvals and develop key business strategies to access funding.

This is planned to be done by working through successful case studies and providing the steps necessary, insights and inspiration, as well as identifying customised grant sources for attendees.

Panel Assessment:

- Project provides opportunities to upskill local businesses for local economic benefit.
- Projects provides a clear assessment of risks and budget.
- Proposal is different to any workshops the Town currently runs. Training for grant applications that are beyond funding provided by the Town and includes training for businesses wishing to access other funding opportunities.

The panel recommends project funding of \$9,320.00.

22. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
West Coast Health & High Performance Pty Ltd	Vic Park Workforce Wellness Program Vic Park Workforce Wellness Program is about supporting local businesses to support their staff in their health & wellbeing. Having the right health and wellbeing strategy has the power to improve employee engagement, lower your absence rates and increase productivity.	68	\$8,250

Health Screening provides 2 options of screening for 50 people. Options would include day to day functional movement, body composition scans, nutritional assessment, hearing assessments & mental health assessments.

Education will be offered to encourage participants to make healthier lifestyle changes. This includes weekly community run educational and practical sessions (e.g., healthy life choices, nutrition, mindfulness, fitness & strength).

Panel Assessment:

- Panel acknowledged the broader economic benefit to businesses of a program that supports health and wellbeing in employees. A program that engages with local businesses to provide these services is supported.
-
- The panel noted that the program should cap participants in the program to five people per business. This would ensure the 50 spots available to local employees could be shared across several businesses.

The panel recommends project funding of \$8,250.

23. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score total (out of 80)	Requested Funding
Eventum	<p>Cloud Based Solutions for Business Workshops</p> <p>Prepare and develop workshops (four in total) that will allow local businesses to identify cloud solutions that will make their businesses more efficient. These workshops will be free. Local participants after attending the course can book a complimentary 1 to 1 meeting at the Victoria Park office to ask questions and develop strategies to be more innovative and efficient in their business. The meetings will be planned for after office hours to allow business owners to attend after work.</p>	66	\$6,650

Panel Assessment:

- A good initiative to build the local business capacity and potentially upskill and enhance the efficiency of local business operations.
- The applicant has clearly identified project risks and how these can be mitigated. The project is strategic and will benefit Vic Park businesses.
- The program would contribute to networking between local businesses, development of the Town's local economy through upskilling local businesses, and foster innovate business practices.

The panel recommends project funding of \$6,650.

24. Funding recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Daniel Shore	Networking Events for residents in Victoria Park A once-a-month networking event advertised to local Victoria Park residents, as well as business owners within the Town of Victoria Park. The idea is to support connecting business owners and employers to residents/prospective employees.	56	\$10,000.00

Panel Assessment:

- Good concept, with funding to be provided for the purchase of food and non-alcoholic beverages. Any alcoholic beverages will need to be purchases by attendees.
- The desire for networking has been expressed by businesses in a variety of forums and this proposal clearly meets that demand.
- Funding to be pro rata-ed based on the project's completion by the end of the 2021/22 FY (ie \$6,000 provided for 6 months of events).

The panel recommends project funding of \$6,000.

Business Grants Unsuccessful Applications:

25. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Empire Global Enterprises Pty Ltd	<p>Promoting cheesemaking</p> <p>I run the small Italian cheese factory at the Hawaiian shopping center, and since I started, my goal was to offer the local customer of our shop the real authentic taste of the product from my origin.</p> <p>I always found big difficulties to let customers understand how different my products are compared to the others in the market.</p> <p>That's why I've started to plan a marketing strategy based on organising events in restaurants and local markets, inviting people from hospitality to show them the original know-how and the different taste of our artisanal products.</p>	33	\$10,000.00

Panel Assessment:

- The application does not articulate what the requested funds would be needed for and there is missing information.
- Even with the missing information, it seems that this project would only benefit the single business.

26. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Urban Revolution	<p>Recycling Station and Herb Garden Parklet with Seating</p> <p>An additional space on the west side of the Vic Park strip for a lovely place to sit. Combines as a place for locals to deposit various hard to recycle everyday products.</p> <p>Grow herbs in deep soiled containers for</p>	67	\$10,000.00

local restaurants and businesses, locals that surround the outside of the parklet and assist with noise cancellation from traffic. Add an arbor structure over the top of the parklet with deciduous plants and vine crops.

Place to talk to on how to grow food and demonstrate some urban methods of composting. Bike parking space with lock water stations.

Panel Assessment:

- While the Panel deemed the concept to be good, there is a lack of information to feel confident awarding funds at this time. The lack of information includes a breakdown of costing and technical design-based detail.
- This project will be more appropriate for a place grant when detail can be worked through with a longer period. Place Leaders will work with the applicant and support them through a Place Grant process.

27. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Leonard Alto	<p>ALT advertising Signage Delivery and re-open on weekend</p> <p>I was planning to put ALT signage on the Billboard located at Vicinity mall at Victoria Park, along with Woolworths, Liquorland and the new Park Medical.</p> <p>This will be helpful to ALT because it will be facing Shepperton Road and it will help advertise ALT as the signage will be seen by drivers and locals.</p> <p>ALT also wants to be part of advertising and become an event sponsor for Vic Park’s local events. ALT is planning to have a delivery by a mini scooter or electric bike which will be an incredibly effective way for upselling and creating new jobs.</p>	28	\$8,146.00

Panel Assessment:

- This project benefits only a single business.
- The requested items are considered to be a standard operating expense.

28. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Himalayan Nepalese Restaurant and Cafe Vic Park	<p>To renovate outside and inside</p> <p>Since, we have been operating for 11 years already with the same interior and exterior designs, we would like to add more authenticity to our restaurant by adding an improved outside patio seating area along with a more interactive and modern front counter space. We are looking to have a typical Nepali design for both the inside and outside space to allow our customers to dine in comfort. We strongly believe that this implementation will allow for an increase in the public eye since we are at the intersection and corner of Albany hwy.</p>	38	\$10,000.00

Panel Assessment:

- The provision of chairs and tables was considered to be a general business expense that would largely only benefit a single business. There were no broad benefits to other businesses or the wider economy.

29. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Proposed project	Panel score average (out of 100)	Requested Funding
Little Ying Thai Restaurant	<p>Venue Vibe and Lucky draw</p> <p>Lift the atmosphere inside and the outdoor area of the restaurant by changing some settings and shopfronts signage.</p> <p>Lucky draw promotions during Christmas and New Year periods.</p>	35	\$8,000.00

Panel Assessment:

- An update to shopfront signage and the businesses existing outdoor area was considered to be a general business expense that would largely only benefit a single business.
- Lucky draw will only attract customers to a single business versus benefitting a greater number of businesses.

30. Based on this assessment the Town recommends that eight of the 13 Business Grants received are approved at a total amount of \$70,220.

Relevant documents

Not applicable.

Questions and responses

Cr Jesse Hamer

1. Can the grant applications be shared with elected members?

The Chief Community Planner advised that what the Town can share is a summary of the application. Legal advice was that it is not appropriate to share the whole application.

2. The funds that were used or made available for these business grants, do they get audited or in the following year do they get mentioned what the costs were actually as to what they were proposed for?

The Chief Community Planner advised that yes at the end of the grant process they are required to provide the Town an acquittal. Businesses are required to provide an overview of the project they have completed, as well as provide all receipts as proof of expenditure for funding provided.

Cr Wilfred Hendriks

1. The Archer Street Physiotherapy ran a health expo last year and the same this year, is this something the Town has to fund every year?

Mayor Vernon advised that it would depend on the business and whether the Town would have to fund the event would come down to Council.

Mayor Karen Vernon

1. Happiness Co is recommended for a \$10,000 grant. The project is described as an "Open Day" which essentially appears to be a promotion of the paid services primarily of this business, and possibly a couple of others in the same building, why is this not considered as a standard operating expense of Happiness Co?

The Chief Community Planner advised that the policy relating to business grants does actually include a definition, it says 'standard operating expenses are expenses that are core to the basic operation of a business and not directly related to delivering a unique project, activity or program.' This event is not core to the basic operations of Happiness Co and is relating to a unique project.

2. Given the applicant suggests 2,000+ people would be involved, how can that be accommodated in Read Park?

The Chief Community Planner advised that the estimate of the applicant will be over the course of the event, not all at one time. Town staff will work with the applicant to make sure they the appropriate event management plans in place.

3. Ashton Property Group is recommended for a \$10,000 grant. Will the Business Accessibility Guide be provided to local businesses free of charge or will it be a product that is sold/licensed for a fee?

The Chief Community Planner advised that it is proposed to be free of charge.

4. How does this application meet criteria three and what score did it receive for criteria three?

The Chief Community Planner advised that the project fosters networking and collaboration between local businesses and fosters innovative industries or innovative business practices in the Town of Victoria Park's local economy. The project involves training sessions with business owners which fosters networking. The project encourages business owners to adopt innovative accessibility principles into their business.

The Chief Community Planner took the second part of the question on notice.

5. Naja Business Consulting is recommended for a \$9,320 grant. What is the grant going towards, cost of presenters or costs of materials?

The Chief Community Planner advised that the grant is for the preparation, advertising, catering and conducting which includes the presenters of the seminars.

6. Why is there catering when these workshops are online?

The Chief Community Planner took the question on notice.

7. How many training sessions are to be provided and how many people will be able to access the sessions?

The Chief Community Planner advised that four sessions will be provided. Six to eight businesses will be able to attend per session to allow for personalised service and advice.

8. Are the four sessions run individually or part of a series so only six to eight business will be able to attend?

The Chief Community Planner took the question on notice.

9. Will these sessions be limited to local businesses and how can the Town be assured it will only be for local businesses?

The Chief Community Planner advised that the sessions are aimed at local businesses and it can be enforced by a condition in the letter of agreement that the program only be made available to local businesses. It will be the job of the applicant to make sure registration includes appropriate fields required for identifying the businesses are local.

10. Will these training sessions be provided for free?

The Chief Community Planner advised that yes, they will be free.

11. Grant writing workshops, how does this application meet criteria three given they are online and what score did it receive for criteria three?

The Chief Community Planner advised that the workshop involves grant writing, but also provides information and an introduction into government and other funding sources as well as advice in navigating government planning and approval processes. The combination of these elements into one workshop was deemed unique by the panel. The application meets criteria three in the following ways; foster networking and collaboration between local businesses, provide unique, regionally significant promotion, development or investment for the Town of Victoria Park's local economy and foster innovation industries or innovative business practices.

The Chief Community Planner took the second part of the question on notice.

12. What evidence does the Town's administration rely on that a grant writing workshop is unique and required for businesses in the Town of Victoria Park.

The Chief Community Planner took the question on notice.

13. West Coast Health and High Performance is recommended for a \$8,250 grant. Is this program being provided for free to businesses?

The Chief Community Planner advised that yes, it is.

14. How can the Town be assured it will only be accessed by local businesses, would it by the letter of agreement?

The Chief Community Planner advised that is correct.

15. Why is this not a standard operating expense of the business, given this program appears to fall within business as usual for this company?

The Chief Community Planner advised the core business of West Coast Health and High Performance is not about supporting the health and wellbeing of local business staff. The project is a unique concept that would not be provided to businesses without the grant funding.

16. How does this application meet criteria three and what score did it receive for three?

The application meets criteria three in the following ways; it fosters networking and collaboration between local businesses, the applicant would be collaborating with other businesses to deliver the program, but also be meeting and working with the businesses that are provided access to the program.

The Chief Community Planner took the second part of the question on notice.

17. What is the evidence the Town administration relied on to come to the conclusion that this type of business is not part of their usual business for this company, in terms of looking after the mental health and welfare of people who work in the business?

The Chief Community Planner took the question on notice.

18. Eventum is recommended for a \$6,650 grant. How many businesses will be able to access these workshops?

The Chief Community Planner advised that there was no cap on the number of businesses. The applicant has advised that between 8-10 businesses can attend. There will be four workshops. If demand is overwhelming the applicant has advised they can book a larger venue.

Chief Executive Officer, Mr Anthony Vuleta and Manager Governance and Strategy, Ms Bana Brajanovic left the meeting at 8.07pm.

19. Why is this not a standard operating expense of the business, given this program appears to fall within some of the services that are business as usual for this company?

The Chief Community Planner advised that the core business of Eventum is not providing cloud solution workshops to the business community. They are using their expertise to deliver a unique project that would not be provided to businesses without the grant funding.

20. How does this application meet criteria three and what score did it receive on three?

The application meets criteria three in the following ways:

- Foster networking and collaboration between local businesses
- Foster innovation industries or innovative business practices in the Town of Victoria Park's local economy.

The Chief Community Planner took the second part of the question on notice.

21. Daniel Shore is recommended for a \$6,000 grant, who is Daniel Shore, what business does he run?

The Chief Community Planner advised that he is a lawyer in the Town and has a registered ABN.

Chief Executive Officer, Mr Anthony Vuleta and Manager Governance and Strategy, Ms Bana Brajanovic left the meeting at 8.07pm.

22. How does this application meet criteria two and what score did it receive on two?

The Chief Community Planner advised that the applicant has identified risks, budget and key steps. The applicant has outlined the experience he has in running similar networking events.

The Chief Community Planner took the second part of the question on notice.

23. Why does the project description say it is for residents and business owners?

The Chief Community Planner advised that the project is designed to connect business owners/employers to residents and prospective employees.

24. Why is \$1,000 for food and drinks for an unknown number of people to consume on one occasion per month considered to be an acceptable business grant?

The Chief Community Planner advised that the applicant will need to provide receipts and attendance numbers for all networking events as part of the acquittal process. If the money has not been spent, they will need to provide a reimbursement to the Town.

25. How does this application meet criteria three and what score did it receive on three?

The Chief Community Planner advised that the application meets criteria three in the following ways:

- Foster networking and collaboration between local businesses
- Foster innovation industries or innovative business practices in the Town of Victoria Park's local economy.

The Chief Community Planner took the second part of the question on notice.

26. How do the grant applications mentioned in 1, 3, 4 and 5 above differ from the Town simply procuring those businesses to provide such workshops/projects direct to the business community?

The Chief Community Planner advised that the Town don't and don't need to. The concept behind the business grants this financial year is to support projects developed by the local business community that benefit a group of businesses, an industry sector or the broader local economy. All the projects that are recommended do this.

Cr Peter Devereux

1. Is there a time that criteria for grants is reviewed and adapted based on past experience and how often this happens?

The Chief Community Planner advised that the Town tweak the grants criteria every year based on feedback from applicants and staff.

Mayor Vernon advised that this is the first time Council has dealt with business grants.

2. As the criteria are tweaked, does that come to Council or is it just tweaked by the administration?

The Chief Community Planner advised that it is just tweaked by the administration internally.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Provide information on what score Ashton Property Group received for criteria three.
2. Provide information on why there is catering for Naja Business Consulting when the seminars are online.
3. Provide information on whether the four Naja Business Consulting sessions are being run individually or part of a series.
4. Provide information on what score Grant Writing Workshop received for criteria three.

5. Provide information on what evidence the Town's administration rely on that a grant writing workshop is unique and required for businesses in the Town of Victoria Park.
6. Provide information on what score West Coast Health and High Performance received for criteria three.
7. Provide information on what evidence the Town administration relied on to come to the conclusion that looking after the mental health and welfare of people who work in the business is not part of West Coast Health and High Performance's usual business.
8. Provide information on what score Eventum received for criteria three.
9. Provide information on what score Daniel Shore received for criteria two and three.

12.3 Vic Park Funding Program - Arts Season 2022

Location	Town-wide
Reporting officer	Arts Development Officer
Responsible officer	Chief Community Planner
Voting requirement	Simple majority
Attachments	1. ATTACHMENT 1 Art Season Grants 2022 Evaluation Summaries ABF [12.3.1 - 13 pages]

Recommendation

That Council endorses the following Arts Season 2022 grant applications:

1. Bernard Taylor - \$6,000
2. Friends of AbMusic - \$5,000
3. Andy Williams - \$4,950
4. Curate Arts Incorporated - \$5,000
5. Victoria Park Community Centre Inc. - \$6,439
6. ACEconnect - \$4,000
7. Creative Soul Sessions - \$3,320
8. Alexandra Theatre - \$5,400

Purpose

To provide Council with oversight of the Town's Arts Season 2022 grant applications and assessments for Council endorsement.

In brief

- The annual Town of Victoria Park Arts Season is held throughout the month of April and celebrates local creatives, artists, and innovators.
- The Town's Arts Season Funding program increases opportunities for local collaboration and partnership between the Town, local creatives, arts organisations, and community to enhance achievement of the Town's strategic objectives.
- The 2022 Arts Season grants program opened 15 October 2021 and closed 1 November 2021.
- The Town received thirteen grant applications with a total request of \$72,586.
- A review of applications by the Town's Arts Season Assessment Panel concluded that eight grants sufficiently met the criteria and are recommended for Council endorsement with a total funding request of \$40,109.

Background

1. The Town acknowledges the significant role it plays in supporting the community through the provision of funding opportunities and the impact these opportunities can have within the community.
2. The Town aims to enhance the success and prosperity of the local community while ensuring transparency of funding decisions and accountability of those parties receiving community grant funding.
3. At the December 2019 Ordinary Council Meeting, item 14.5 Policy 114 Community Funding was adopted by Council (with subsequent amendments).

4. To improve efficiency and transparency in December 2019, Town officers reviewed all funding round practices and procedures delivered by the Town. This review initiated a project to procure a funding platform to manage the Town's funding.
5. In March 2020, the Town procured the online grant funding platform SmartyGrants. The implementation of this platform aims to improve the Town's governance, increase transparency, and improve efficiency within Town processes in relation to funding.
6. Further to the adoption of Policy 114 Community Funding at the December 2019 Ordinary Council Meeting, Council resolved that the Chief Executive Officer investigate:
 - a. The establishment of a panel for the assessment of applications for community funding to commence in July 2020; and
 - b. Future decision on community funding being reported to Council.
7. At the July 2020 Ordinary Council Meeting, Council endorsed the CEO to establish a panel of no less than three members to assess all eligible applications received. The panel will assess applications against the requirements and assessment criteria and present a report to council for endorsement.
8. In making a recommendation to Council the Community Funding Assessment Panel (CFAP) will provide the following information to ensure Council can make accurate timely and transparent decisions:
 - a. Details of all applications include title, project scope, amount of assistance applied for (ex GST), evaluation and score.
 - b. Information provided will be inclusive of successful, unsuccessful and ineligible applications.
9. To ensure that the CFAP continues to be fit-for-purpose and remains meaningfully engaged, membership for the panel positions were recruited via direct approach to ensure the appropriate skills, knowledge and experience could be applied to the assessment process.

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.	Funds are managed with full, accurate and timely disclosure of financial information relating to Council. Town grant funds are maximised by seeking the greatest possible benefit to the community within the available monetary resources.
CL09 - Appropriate devolution of decision-making and service provision to an empowered community.	The program enables community groups and other organisations to provide services to the local community.

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	To support organisations that provide programs, services and events that will positively influence the health and wellbeing of the community.
S03 - An empowered community with a sense of pride, safety and belonging.	Empowered local service providers who are supported by the Town to deliver services and initiatives that provide a sense of pride, safety and belonging within the community.

S04 - A place where all people have an awareness and appreciation of arts, culture, education and heritage.	To support local organisations and individuals to deliver services and initiatives that encourage and awareness of arts, culture, education, and heritage.
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Engagement

Internal engagement

Stakeholder	Arts Season Funding Assessment Panel
Engagement	Consultation and management of grant administration. Consultation and Panel evaluation

External engagement

Stakeholders	All Community
Period of engagement	The 2022 Arts Season grants program opened on 15 October 2021 and closed on 1 November 2021.
Level of engagement	1. Inform
Methods of engagement	Town's website Town's social media platforms – Facebook and the Town's e-newsletters Direct email Grants workshop
Advertising	Town website Town's social media platforms – Facebook and Town's e-newsletters Digital Marketing Direct email
Submission summary	Thirteen Arts Season 2022 grant submissions were received.
Key findings	Eight submissions are recommended for endorsement as Arts Season grants. Five submissions are not recommended for Council endorsement.

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Loss of funds if successful programs/events are cancelled or do not deliver on intended purpose	Moderate	Unlikely	Low	Low	TREAT - Acquittal process to be well organised and communicated to all successful participants.
Environmental	Not applicable					
Health and safety	Not applicable					
Infrastructure/ ICT systems/ utilities	Not applicable					
Legislative compliance	Not applicable					
Reputation	Negative public perception towards the Town should applications not be funded	Minor	Possible	Medium	Low	TREAT - Transparent approval process. Managed by an online funding platform and council endorsed Town funding panel.
Service delivery	Not applicable				Medium	

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation. The budget allocation for Arts Season 2022 was \$50,000 (inclusive of grant funding, marketing & promotions, and in-house programming).
Future budget impact	Not applicable – funds will be expended this financial year.

Analysis

10. The Arts Season grants were promoted across various platforms to reach target audiences.

11. The Arts Season grants were accessible to the community via the SmartyGrants application platform on the Town's website.
12. The Town delivered a free grant writing workshop to the community on 14 July 2021. The workshop provided the community with information on the following:
 - a. an introduction to grants, including what they are, information on where to find them and an explanation of eligibility and assessment criteria
 - b. the process of best-practice project planning to prepare for grant success
 - c. information on how to address grant criteria
 - d. an explanation of the grant writing approach; what are assessors looking for and how do you give them what they need?
 - e. answers to specific grant writing questions the attendees may have.

Arts Season 2022 Grants

13. The Arts Season grants application form was aligned with the Town's Arts and Culture Plan outcomes.
14. The Town's internal Arts Season Funding Assessment Panel consisted of Town officers:
 - a. Manager Community
 - b. Arts Development Officer
 - c. Events Officer
 - d. Senior Place Leader (Strategic Planning)
15. Applications were assessed individually and then reviewed with a formal panel meeting by the Town's Arts Season panel members in line with Policy 114 Community Funding and the criteria outlined for the Arts Season funding program.
16. The Town's initial assessment questions are as follows:
 - a. Eligibility
 - b. Applicant details (organisation, auspice arrangements etc.)
 - c. Project details (brief description, risks, locations, dates etc.)
 - d. Assessment criteria questions
17. The Town's assessment criteria questions are as follows:

Assessment criteria questions	Weighting per question per panel member
Question 1 Describe how your proposed Arts Season project provides a quality arts and cultural experience for the Vic Park Community.	(Weighting 40%)
Question 2 How does your Arts Season project provide learning outcomes, spark creativity or innovation, encourage dialogue on social issues, aid in wellbeing and/or provide aesthetic enhancement to a space.	(Weighting 25%)
Question 3 How does your project contribute to audiences having an awareness and appreciation of arts, culture, education and/or heritage?	(Weighting 25%)

Question 4 Tell us about your experience managing similar projects.	(Weighting 10%)
	Total weighting for four questions = 100%

18. The Arts Grant funding attracted thirteen applications, with a total requested of \$72,586.
19. It is recommended Council endorse eight of the thirteen applications for a requested funding total of \$40,109.
20. Evaluation summaries related to all Art Season grant applications, recommended and not recommended, is provided in Attachment 1.
21. The Town recommends the following tabled applications for endorsement by Council:

Art Grant Funding Recommendations

Applicants:	Project	Amount
Bernard Taylor	Open Windows	\$6,000.00
Djinda Boodja of Abmusic Aboriginal Corporation	Piano & Paint	\$5,000.00
Andy Williams*	Vic Park Film Festival (VFFF)	\$4,950.00
Curate Arts Incorporated	Shadow Puppet Opera & Workshop	\$5,000.00
Victoria Park Community Centre Incorporated	Know Thy Neighbour Part 3	\$6,439.00
ACEconnect	How Did We Get Here?	\$4,000.00
Creative Soul Sessions	Let's Get Arty	\$3,320.00
Alexandra Theatre*	Dick and Percy	\$5,400.00
Total		\$40,109.00

22. *Please note: Funding for these projects is dependent on the Alexandra Theatre completing required building works to meet occupancy conditions, endorsed by the Town, by 1 February 2022 as advised by the Town of Victoria Park Principal Environmental Health Officer and Building Services.
23. The Town does not recommend the following tabled applications for endorsement by Council:

Arts Grants Funding Not Recommended

Applicants:	Project	Amount
GLBTI Rights In Ageing Inc.	Vic Park Cabaret & Vic Park Literacy Lunch	\$3,830.00
Eclipse Design Solutions	Connect Lives Through Life Drawing	\$8,500.00
Southern Districts Bands Inc	Goggles and Friends' Great Big Awesome Family Concert	\$5,147.00
Greenbunch	Claude Street Studio	\$5,000.00
Boogie Image	Perth Underground Film Festival (PUFF)	\$10,000.00
Total		\$32,477.00

24. An amount of \$9,891 is remaining from the proposed \$50,000 which will be used by the Town Arts Development Officer to supplement curation of Town Led Arts Season activities in order to round out the overall program, for marketing and promotion of Arts Season and production of the Arts Season program.

Relevant documents

[Policy 114 Community Funding](#)

There were no questions asked or presentations made in relation to this item.

12.4 Endorsement of Concept Plan and Preferred Option for Delivery of the Old Spaces, New Places Project No. 3

Location	Victoria Park
Reporting officers	Place Leader (Strategic Planning)
Responsible officer	Manager Place Planning
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. OSNP3 Final Concept Plan and Perspectives [12.4.1 - 13 pages] 2. Minutes of Ordinary Council Meeting dated 15 June 2021 (Notice of Motion) [12.4.2 - 5 pages] 3. Revised OSNP3 Cost Options further to Notice of Motion of 15 June 2021 [12.4.3 - 8 pages] 4. OSNP3 Concept Plan Initial Costings (High-Med-Low) - March 2021 [12.4.4 - 9 pages] 5. OSNP3 Preliminary Concept Plan [12.4.5 - 6 pages] 6. OSNP3 Community Engagement Summary Report - June 2021 [12.4.6 - 73 pages] 7. Minutes of Ordinary Council Meeting dated 15 December 2020 [12.4.7 - 20 pages] 8. Revised Cost Option Multi-Criteria Analysis [12.4.8 - 26 pages]

Recommendation

That Council:

1. Endorse the Concept Plan for the Town's Old Spaces, New Places #3 project at the intersection of Albany Highway with Rushton Street and Mackie Street, Victoria Park (as contained in attachment 1).
2. Receive the proposed options for delivery of the Concept Plan with estimated delivery budgets of \$500,000, \$1,000,000 and \$2,000,000, as requested in the Notice of Motion resolved by Council at its Ordinary Meeting held on 21 June 2021 (as contained in attachment 2).
3. Endorse Scenario A, with an estimated budget of \$2,000,000, as the preferred cost option for delivery of the Concept Plan, to progress to detailed design stage of the Old Spaces, New Places #3 project (as contained in attachment 3).
4. Withhold from prescribing an allocation of funds at this time and instead support inclusion of Scenario A as the preferred Old Spaces New Places #3 project in the Long-Term Financial Plan (LTFP) to identify budget at a future date to be determined by Council.
5. Endorse the reallocation and design of the existing car carrier bays on Rushton Street to provide a minimum of seven car parking bays after business hours and on weekends for use by the general public, to be implemented any time prior to or upon completion of the future delivery of the Concept Plan.

Purpose

To consider the revised Old Spaces New Places #3 (OSNP3) concept options in accordance with the Notice of Motion dated 15 June 2021 and determine a preferred concept design for delivery of the project at a future stage.

In brief

- Old Spaces, New Places (OSNP) is a program targeting locations within the Town that can be renewed and upgraded for greater community use and benefit.
- A Council resolution on 15 December 2020 confirmed location 3, the intersection of Albany Highway with Mackie Street and Rushton Street, as the chosen location for OSNP3 to progress to concept development stage.
- A Concept Plan has been developed following two rounds of community engagement to ensure that it reflects the communities' vision for the place.
- The Town has completed its review of the revised Concept Plan options for the OSNP3 project in accordance with the estimated delivery budgets prescribed in the Notice of Motion dated 15 June 2021.
- It is recommended that Council endorse the Concept Plan and Scenario A as the preferred option for its delivery with an estimated budget of \$2 million, with the project's progression to detailed design stage and listing within the Town's Long-Term Financial Plan (LTFP) to be determined by Council at a future date.

Background

0. Old Spaces, New Places (OSNP) is a program targeting locations within the Town that can be renewed and upgraded for greater community use and benefit. This program was developed following a Council resolution (13 December 2016) to investigate alternative options for the use of laneways and intersections along Albany Highway and was later broadened by the Town to include public realm improvements for any urban areas in the Town that could demonstrate community benefit from an intervention. The previous two projects delivered under the OSNP program are:
 - a. OSNP No. 1: ROW 52, East Victoria Park (construction completed)
 - b. OSNP No. 2: Etwell Street Local Centre Revitalisation, East Victoria Park (construction currently underway).
1. This is the third project to be progressed as part of the OSNP program and is located along the western end of Albany Highway within Victoria Park. This project capitalises on the emerging investment in businesses in this area and has included:
 - a. Confirmation of the location of the public realm improvement from a shortlist of locations which included:
 - i. Location 1 – The intersection of Leonard Street and Albany Highway, which interfaces with the entry to the Victoria Park Central shopping centre;
 - ii. Location 2 – The intersection of Albany Highway with Harvey Street and McMaster Street, which interfaces with Memorial Gardens; and
 - iii. Location 3 – The intersection of Albany Highway with Mackie Street and Rushton Street, which serves as a transition/entry point into the heart of the Victoria Park commercial, hospitality and retail precinct.
 - b. Preparation of a design concept for a public realm improvement and new urban space for the chosen location that can transition to detailed design and construction.
 - c. A detailed public engagement program to guide the concept development.

2. OSNP3 is aligned with the actions contained in the Town's adopted Public Open Space Strategy (POSS), Urban Forest Strategy (UFS) and the Victoria Park Place Plan (Vol 7). The POSS and the UFS identify the need for public realm improvements to Albany Highway that promote active transport modes, increased greening and tree canopy, tourism and recreation opportunities, local employment and street activation. The Victoria Park Place Plan specifically identifies the OSNP3 project in the 2020 and 2021 financial year. The project has also been identified as 'Revive' and 'Thrive' initiatives contained in the 'Restart Vic Park' COVID-19 Response Strategy, which aim to support investment and reactivation of the local economy and support social connection and interaction.
3. Local community group, The Vic Park Collective, has prepared the 'Streets Ahead Action Plan – Albany Highway Urban Public Spaces Victoria Park & East Victoria Park | 2019 – 2022' (Streets Ahead) to advocate for incremental improvements to Albany Highway, Victoria Park and East Victoria Park, including the delivery of public realm improvements and/or new urban spaces at key intersections along Albany Highway. The action plan was informed by a high level of community engagement and includes a series of Quick Wins, Short and Medium Term Actions to achieve a vision for the Vic Park portion of Albany Highway, coined the 'Vic Park High Street'. Whilst not an adopted strategy of the Town of Victoria Park, the Town has been actively progressing and considering a broad range of the actions advocated by Streets Ahead as part its third OSNP project.
4. In 2020, the Town engaged Hatch Roberts Day to facilitate community engagement activities that would determine a location for the next OSNP project and prepare a Concept Plan for a public realm improvement. The engagement sought community input to identify the attributes and features of the public realm to prioritise in the creation of a new urban space at three pre-determined locations within the Town. The activities included stakeholder interviews, a community survey, onsite tour and community walkshop (walking workshop). These led to the establishment of community-driven visions, guiding place principles and place possibilities (high level conceptual ideas) (refer attachments 5 & 6).
5. The visions, guiding place principles and place possibilities were then presented back to the broader community for feedback as part of an online survey in October 2020, which also asked respondents to select their preferred location to proceed to concept design stage.
6. The OSNP3 location was selected as it represents a significant opportunity to capitalise upon the already successful hub of active frontages and vibrant day and night hospitality and retail uses. It also has the significant benefit of serving as an entry point to the Town of Victoria Park and raising the attraction and destination value of the western end of Albany Highway (refer attachment 7 – OCM Minutes 15 December 2020).
7. The final concept plan and vision for the OSNP3 site (refer attachment 1) is for a shared space that ultimately provides opportunities for alfresco dining, greening and increased tree canopy and improved safety and accessibility for pedestrians, cyclists and people of all ages and abilities.
8. Three cost options (refer Attachment 4) were then prepared showcasing how the Town could ultimately proceed to detailed design and improve public amenity at various costs, which were discussed at the May 2021 Concept Forum, with an initial officer level view of progressing formal consideration of the concept plan to the June 2021 Ordinary Council Meeting for endorsement.
9. The Council, at its Ordinary Meeting held on 15 June 2021, passed a resolution to deliver three revised concept options with estimated delivery budgets of \$500,000, \$1,000,000 and \$2,000,000 (refer Attachment 2). It was intended the revised "possibility-based" approach to costing would ensure Council can deliver on infrastructure projects whilst being more sympathetic to rates expenditure.
10. Three alternative design concepts aligned to Council's budgetary limits have now been subsequently developed (refer Attachment 3) and are herein presented to Council for determination of a preferred concept to proceed to detailed design, with its future timing and funding to be determined by Council as part of the Town's Long Term Financial Plan (LTFP) and annual budgeting processes.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	A robust and comprehensive engagement program has informed the vision and place principles for the project. The outcome of this process has been used to guide the concept design phase and inform the analysis of each cost option.
CL03 - Well thought out and managed projects that are delivered successfully.	An extensive stakeholder engagement process has informed the vision, place principles and concept plan for the OSNP3 location. The preparation of alternative design outcomes and cost options will allow Council to give consideration to the financial implications of each option and the capacity to fund and deliver each option.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Preparation of various cost options with interchangeable elements will enable Council to make informed decision in future detailed design and planning for future funding.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Providing opportunity for the Elected Members to determine how to respond to the community vision.
CL09 - Appropriate devolution of decision-making and service provision to an empowered community.	The direct engagement between Town staff, Elected Members and community has provided an opportunity for positive exchanges, sharing of ideas, understanding and trust development.

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.	Improvements to the Albany Highway public realm will increase its attraction as a destination, encouraging locals and visitors to socialise and enjoy local goods and services on offer from surrounding businesses. The improvement at the western end of Albany Highway will also serve as an entry statement into the Town of Victoria Park, providing a sense of arrival into the heart of the Victoria Park retail, commercial and hospitality precinct.

EC02 - A clean, safe and accessible place to visit.	Safety, cleanliness and accessibility from both a crime/antisocial behaviour (CPTED principles) and a universal access perspective are key aspects embedded at concept design phase for the project.
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Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The upgrade of the public realm will increase its amenity and destination attraction to the benefit of the surrounding community. This may serve as a catalyst, encouraging landowners to consider investment and optimisation of their land. The preferred concept will set the Town's standard and expectations for future upgrades.
EN03 - A place with sustainable, safe and convenient transport options for everyone.	Community engagement outcomes have identified traffic calming and improvements to pedestrian safety and accessibility as key priority. The preferred concept will need to respond to this.
EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	Urban greening and increased tree canopy have been identified as key improvements across all shortlisted locations, as reflected in the community driven place principles that have been used to guide the concept design. Each cost options responds differently to this outcome and should be taken into consideration in Council's decision making.
EN07 - Increased vegetation and tree canopy.	

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	The community has been involved as part of a codesign process to inform the vision and place principles for the location. The preferred concept should reflect the collaborative design process to empower the local community and result in a sense of ownership and pride in the future direction and quality of their place. Should it proceed to detailed design and construction it will create a safe place for community exchange, socialisation and activity.

S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	Arts, culture and heritage featured prominently in the community's vision which is reflected to various degrees within the cost options. This needs to be taken into consideration in Council's decision making of its preferred option.
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Engagement

11. A preliminary concept plan (refer attachment 5) was prepared in January 2020 based on all community feedback, and the vision, place principles and place possibilities developed during the previous stage of the project in collaboration with the community (refer attachment 6 – Community Engagement Summary Report), as endorsed by Council at the December 2020 Ordinary Council Meeting. Targeted engagement was then undertaken with local traders who have a direct frontage to the proposed public space in February 2021, which informed further revisions to the concept to arrive at a draft concept plan that was subject to community-wide engagement during April to May 2021. These stages of engagement occurred prior to the Council's request to undertake costings for the finalised concept plan (low, medium and high cost scenarios), and later June 2021 Council resolution to present revised concept delivery options based on \$0.5 million, \$1 million and \$2 million estimated delivery budgets.

Internal engagement - Preliminary Concept Plan	
Urban Design	<ul style="list-style-type: none"> • Consider relocation of the stage to allow it to be used more easily during events. • Graphic in paving is great, but do not want to see an Elizabeth Quay style of pattern here. • Consider pushing the road (Albany Highway) to one side and creating a larger public space on one side than the other? This would create an area that would be used for events etc. even when there is no road closure in place.
Engineering	<ul style="list-style-type: none"> • Concern about the John Hughes car carriers and their ability to move through the space. • Safety of people moving through the space. • Cycling – design will need to accommodate recommendations of the Town's Bike Plan 2018 as Albany Hwy is a top 5 initiative. • Pedestrian Priority Zone (PPZ) – GTA state this area is suitable for a PPZ based on Hay St, however that is a mid-block treatment whereas this is a 4-way intersection so may not be comparable. PPZ principles can be used but speed limit reductions to be achieved through the road environment, not signage.
Place Management	Consider including a secondary set of bollards for smaller events and street closure. These would be used to close off Albany Highway to Rushton and Mackie St.

External engagement - Preliminary Concept Plan (targeted engagement)

Stakeholders	Local business traders directly impacted by the proposed concept plan
Period of engagement	11 February 2021 – 23 February 2021
Level of engagement	3. Involve
Methods of engagement	One on one interviews with business operators (in person and over the phone) Online survey for those who couldn't meet in person Your thoughts project page
Advertising	<ul style="list-style-type: none">• Direct emails to businesses• In person discussions• Information pack left for businesses who were not present on-site during site visits.• Facebook Message to businesses who had no email address and were not present on-site during site visits.
Submission summary	14 in person interviews 2 survey responses
Key findings	The key concerns were as follows: <ul style="list-style-type: none">• Concern about parking loss and its impact on businesses• Support for the increase to greening, alfresco dining space and improvements to the space overall• Concern about the construction period and its impact on businesses• Concern about the perceived night time safety levels of Mackie Street and what more the plan could do to address this.

External engagement - Draft Concept Plan (community-wide engagement)

Stakeholders	Local businesses Local community
Period of engagement	19 April 2021 – 3 May 2021
Level of engagement	3. Involve
Methods of engagement	<ul style="list-style-type: none">• Your Thoughts information page• Online survey
Advertising	<ul style="list-style-type: none">• Southern Gazette Ad - 22 April 2021• Information sent to local schools for inclusion in school newsletters• Direct email to affected businesses• Pamphlet drop to all businesses and residents within a 200m walkable catchment• Facebook posts – 2 May 2021 (individual post), 3 May 2021 (weekly wrap up), 24 April 2021 (individual post), 19 April 2021 (individual post)

	<ul style="list-style-type: none"> • Instagram and Facebook stories • TV Slider • Business e-Newsletter - 21 April 2021 • Advertised on Localised (online business platform)
Submission summary	<ul style="list-style-type: none"> • 17 Submissions • 4 did not support the concept plan overall • 13 did support the concept plan overall
Key findings	<ul style="list-style-type: none"> • The main area of concern raised in the responses was parking and traffic impacts. In particular, the potential impact of removing parking bays and closing the intersection would have on residential side streets. Narrowing the road and creating a car-free space were the least liked elements of the plan. • It should be noted it is only intended the intersection be closed for events, with the main purpose of the concept design to slow vehicle traffic and improve the pedestrian environment by creating a shared space. The potential for the car carrier bays to be used by the public outside of operating hours would offset the loss of bays and help alleviate concerns related to parking. • Overall, the support for traffic calming, prioritizing pedestrians over vehicles, providing a more enjoyable outdoor dining experience and added vibrancy was significant. The most prevalent outcome being support for increased tree planting and rain gardens. • 80% of respondents believed the concept plan clearly reflected the ideas gathered from the community during previous engagement, noting the plan included paved roads, greening, additional outdoor space and walkways and alfresco dining - that would all enhance community interaction. • Importantly, the lack of acknowledgment of first people's history was recognised and the concept plan therefore provides opportunity to include cultural recognition.

Internal engagement - Draft Concept Plan

Engineering	<p>Engineering team have worked with the consultants to review the project and proposed swept paths for car carriers and parking modifications on Rushton Street.</p> <p>Further consideration will need to be given to buses turning into and out of Mackie Street at detailed design stage to ensure that they have sufficient width. The design team will need to engage with PTA to see what minimum width can be accommodated.</p>
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Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Potential cost escalations if the project scope and budget is not clearly defined.	Minor	Likely	High	Low	Treat – Council to endorse the preferred design outcome and consider the associated costs within the LTFP.
	Not having the capacity to fund the project.					Treat - consider the preferred cost option as a future capital budget requirement in the context of the LTFP – timing of later stages is then considered as a result of future capacity.
Environmental	Nil	Nil	Nil	Nil	Medium	Nil
Health and safety	Nil	Nil	Nil	Nil	Low	Nil
Infrastructure/ ICT systems/ utilities	Nil	Nil	Nil	Nil	Medium	Nil
Legislative compliance	Nil	Nil	Nil	Nil	Low	Nil
Reputation	Delayed Implementation while Council pursues other priorities.	Moderate	Possible	Medium	Low	Treat risk by incorporating the preferred concept into the LTFP so as to inform detailed design and identify appropriate timing for construction.
Reputation	Not meeting community expectations of the community-led vision.	Moderate	Possible	Medium	Low	Treat – Council to endorse preferred concept design in accordance with the MCA in order to

						guide future detailed design and construction stages. Project team can also work with the contractors at later stages to identify savings within scope that don't impact project outcomes.
Service delivery	Setting an adverse precedent for public realm works along Albany Highway that may conflict with the public realm design standards to be developed as part of the later stages of the Albany Highway Precinct Structure Plan project.	Minor	Possible	Medium	Medium	Treat risk by ensuring detailed design is undertaken in close collaboration with Town staff responsible for leading the Albany Highway Precinct Structure Plan project.

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	<p>The endorsement of the concept plan for OSNP3 and its transition to detailed design (and potentially construction) phase, will inform the Long-Term Financial Plan and Council will be able to determine when the next stage proceeds as part of future budget processes. The Victoria Park Place Plan will include the timing of these stages once established.</p> <p>To facilitate future stages it is proposed that funding will be acquired through:</p> <ul style="list-style-type: none"> • Reserve Funds - Future Projects (in a future year that is consistent with the Town's ability to afford and resource the future work). • Obtaining a loan to fund the project or a portion of the project. • Future Urban Forest and Pedestrian Infrastructure budgets (where possible). • Investigation and application for potential arts, place activation and/or public infrastructure grants that may be available to the Town. <p>The delivery of the project will lower the immediate asset liability for the project area but will also result in an increase in maintenance costs associated with maintaining this space within future operating budgets. These life cycle costs will be investigated and then documented in the LTFP during the detailed design phase.</p>

Should the recommended option be endorsed, the upgraded space will also present the Town with the opportunity to facilitate events that may lead to small revenue generation potential.

Investment in the public realm in this portion of Albany Highway is likely to contribute to the potential for future development in the immediate surrounds which would have a positive impact on rates growth.

Analysis

Concept Plan Development and Engagement Outcomes

12. Given the changing nature of Albany Highway, it can be understood that friction between the needs of people and vehicles will always present a challenge. Albany Highway has over the years become more of a High Street environment functioning as a gathering space for people and less of a highway functioning as a thoroughfare for vehicles. As a result, the Town is attempting to reorder the hierarchy of our streets to move vehicles onto Shepperton Road and support people in their use of Albany Highway. This concept design is a physical representation of that change and puts people and their comfort at the forefront of decision making where possible
13. The concept plan has generally been well received and supported by the community. This is perhaps a result of the strong level of engagement throughout the location selection phase, place possibilities plan development and business feedback on the first iteration of the concept plan. The process has been truly collaborative and whilst some concerns exist, most people engaged throughout the concept plan development phase supported the concept plan. It is noted that only a small number of feedback surveys were received as part of the final concept plan engagement phase, which is seen as a level of affirmation from the community that they feel that they have had sufficient input and their ideas have been heard.
14. The primary concern of those businesses and community members who did not support the concept plan or those who had some concerns with the concept plan was the reduction in parking bays. The preliminary concept plan proposed a loss of 17 parking bays which was then revised down to 13 bays in the draft concept plan following community-wide engagement.
15. It is proposed to offset the 13-car bay loss by re-allocating the car carrier bays provided on Rushton Street. Discussions with the John Hughes Car Dealership identified the car carrier bays are not used after business hours or on weekends and in-principle support was obtained to use the bays for public car parking outside operating hours. A total of 7 bays could be accommodated within the car carrier bays which would significantly offset the proposed parking bay loss. A total loss of five car parking bays is considered reasonable and the additional bays provided in Rushton Street are within a reasonable walkable catchment to the businesses in the area. The concept plan also proposes an increase in bicycle parking infrastructure, which would encourage the use of active modes of transport.
16. Throughout the course of developing the concept plan it became evident that there is a need to consider the impact of car carriers associated with the John Hughes Car Dealership on the concept plan. The John Hughes Car Dealership reports that approximately 30 car carriers would access their site a day. The Town has provided loading bays (dimensioned and line-marked to accommodate car carriers) on Rushton Street (two bays, being a total of 50 metres in length) and Twickenham Street (one bay being a total of 25 metres in length). It is not known when these loading bays were created. Car carriers will also use the car parking bays on Teddington Road when available and require access to the traffic lights at Teddington Road to safely exit onto Shepperton Road.

17. Town officers have attempted to work within the constraints of historic decisions to accommodate the car carriers that pass through the site each day. The only viable option while car carriers use public roads to load and unload vehicles is to maintain this status quo and modify the design. Modifications to the design include more robust materials being used on road surfaces, changing the height of (or removing) the suspended lighting over the car carrier swept path, and widening the road carriageway to allow for the large vehicles to move through. This contrasts with the Town's commitment to put people first in urban design and the overall intent of the project but does respond to the unique needs of the businesses in the area.
18. Consultation with the Town's statutory planning staff indicates that under current planning requirements the parking of any vehicles associated with a motor vehicle sales premises are required to be accommodated on-site, including the loading/unloading of car carriers. Use of a public road for these activities is contrary to these requirements. It is possible for car carriers to load and unload on the John Hughes site with modifications to the current driveways and carriageway through the site, however this would require the willingness of the business to do so and/or Council removing the loading bays to encourage this change to occur. The John Hughes Car Dealership has not indicated an appetite to make such changes.
19. Detailed technical analysis was undertaken to address the above matters, including the engagement of a transport consultant to undertake swept path analysis of large vehicles (buses and car carriers) turning at the intersection, with investigation of potential options for relocated car carrier bay locations and movement patterns within and surrounding the John Hughes Car Dealership site. Following this testing, the concept plan was revised to accommodate large vehicle turning movements on the western corner of Rushton Street and Albany Highway, consistent with existing car carrier movement patterns.
20. Notwithstanding the above technical analysis, further detailed technical investigations will be required as part of any detailed design stage to precisely determine the ultimate paving and roadway widths, and the speed, safety and feasibility of traffic and pedestrian movement patterns though and around the site. Accordingly, there is not considered to be significant value in expending any further resources undertaking additional investigations/modelling until after Council has endorsed the proposed Concept Plan and the project has progressed to detailed design stage.
21. Being a Concept Plan, it is not intended to be a finalised technical blueprint for construction, and will be subject to further refinement, technical analysis and investigation during the proposed detailed design stage.

Proposed removal of existing 'wombat' pedestrian crossing

22. Concerns have also been raised by Elected Members in relation to the Concept Plan's proposed removal of the existing raised 'wombat' pedestrian crossing on Albany Highway, located adjacent to the John Hughes Car Dealership and Dutch Trading Co. The primary concern raised was in relation to the loss/impact that the crossing's removal may have on nearby schools that use the crossing and if there was potential for the crossing to be replaced/relocated further along Albany Highway, closer to Victoria Park Primary School.
23. In response, Town officers engaged and met directly with the principal of Victoria Park Primary School to ascertain the impacts that the removal of the existing wombat crossing may have. During this meeting it was expressed that very few students used the crossing, as the vast majority of students/parents walking to the school were in the residential area of Victoria Park and so were already travelling along the southern side of Albany Highway and/or using side streets to access the school. Shepperton Road, and the intervening commercial area between it and Albany Highway were also raised as significant existing barriers that did not promote walking to the school from the north side of Albany Highway via the existing pedestrian crossing.

24. The Town's Engineering staff have also advised that the original intent and purpose of the wombat crossing (and the basis upon which it was approved by Main Roads) were several night-time pedestrian/road safety incidents and high pedestrian counts associated with patrons of the nightclub formerly located at the current Dutch Trading Co. Premises.
25. Any potential relocation of the crossing closer to Victoria Park Primary School (at cost to the Town) was considered highly unlikely to receive Main Roads approval, as the pedestrian numbers at this location (further from the hub of commercial/hospitality activities located at the Albany Highway/Rushton Street/Mackie Street intersection) would be significantly below the relevant threshold and would also represent a potential safety issue, being in close proximity to the signalised intersection of Teddington Road and Shepperton Road.
26. Given the intent and vision of the Concept Plan is to create a unified, shared space that is conducive to safe pedestrian crossings at various points and significantly reduced vehicle speeds, the proposed removal of the existing wombat crossing has been maintained as part of the Concept Plan. Its retention was explored, however it was considered to undermine the creation of a shared space that prioritises pedestrian movement, by continuing to formalise and signal the segregation of pedestrian movement to a single crossing point to vehicles. Retention of the crossing would potentially also lead to confusion/uncertainty amongst various road users, and lead to potential safety/mode conflict issues.

Options for delivery of Concept Plan

27. Three cost options (refer Attachment 4) were prepared that provide the basis for detailed design and improved public amenity at various costs. The original cost options, as discussed in the May 2021 Concept Forum, provided a consistent response to the design objectives informed by the community consultation and extensive pre-existing urban design analysis. These options explored a range of public realm design outcomes with varying specifications and interchangeable elements.
28. The costs associated with delivery of these options (which were presented at the May 2021 Concept Forum) were estimated as follows, noting that the Town initially expected the cost to be in the vicinity of \$2 million:
 - Low level option - \$1.34 million
 - Medium level option - \$2.30 million
 - High level option - \$3.58 million.

Revised Options for delivery of Concept Plan

29. Following the 15 June 2021 Notice of Motion, three revised design concepts (refer Attachment 3) aligned to the budgetary limits of \$500,000, \$1,000,000 and \$2,000,000 have been developed by ASPECT Studios, with the following key distinguishing features:
 - a. Scenario A (\$2M): High Level option which retains many of the original concept features, including a raised road surface, urban stone replacement paving, catenary lighting, custom street furniture and rain gardens with mature 500L tree stock.
 - b. Scenario B (\$1M): A Medium Level option which removes high-cost items, such as replacing catenary lighting with feature projection lighting, retaining existing brick paving while still delivering rain gardens and a shared road surface, smaller 200L tree stock and paired back street furniture.
 - c. Scenario C (\$0.5M): A Lower Level option which significantly reduces spend on all elements with existing paving retained, no feature lighting or artwork, no rain gardens, and no raised road surface. The option instead provides a painted feature to the existing road surface, additional tree planting (100L tree stock) and off-the-shelf street furniture.

Assessment of Concept Plan delivery Options

30. To better assess and understand the design implications of the revised cost options the consultant has carried out a multi-criteria analysis (MCA) (independent of the project team) to determine how each option performs in terms of achieving the vision for the site. The assessment criteria were developed in accordance with Infrastructure Australia guidance, namely:

- Consistent and transparent application of criteria to each scenario;
- Robust, defensible and clearly distinguishable assessment criteria;
- Inclusion of criteria, measures and weightings to rank and compare options;
- Sensitivity testing by changing agreed weightings to test robustness.

31. The criteria and weightings were developed in consultation with Town staff prior to the consultant undertaking the assessment. Criteria focused on the Place Vision and Pillars developed with the community, balanced with cost, deliverability and maintenance considerations. The 13 Assessment Criteria developed and utilised for the OSNP3 assessment were:

1	Cost to Town	Construction cost of option and impact to Town budget
2	Business Benefit	Extent to which option creates additional functional trading areas, adds 'kerb appeal' and extends activation into evening hours in line with business trading hours, thereby improving business performance
3	Disruptiveness	Likely complexity of works and resulting severity of disruption during construction period
4	Aesthetic Quality	Quality of soft landscaping and hardscape achieved and alignment to expressed community preferences in terms of coverage, tree sizes and visual cohesiveness
5	Environmental Performance	Amount of additional tree and understorey planting, likely microclimate effect and water quality improvement achieved by option, as expressed by community as a priority
6	Pedestrian Comfort	Amount of added pedestrian space, improvements to ease and safety of crossing and utility of new amenities provided (e.g. seating, bike racks) which improve comfort at all hours
7	Vehicle Impact	Extent to which option achieves intended vehicle movement outcomes i.e. slowing and sharing of space while maintaining adequate through-movement and parking
8	Event Capacity	Degree to which the option has the capacity to accommodate independent events and activation, supporting community vitality
9	Visitation and Buzz	Option is marketable and attracts visitation, is not likely to generate opposition or controversy thereby providing positive PR for Town

10	Cultural Contribution	Option strengthens cultural narratives and heritage interpretation through inclusion of artwork and storytelling
11	Maintenance and Durability	Likely cost and complexity of ongoing maintenance and long-term durability of Option
12	Future Proofing	Extent to which the option is flexible by design and can readily respond to opportunities as they emerge over time
13	Achievement of Vision	Option meets overarching objective of project to create significant Entrance to Victoria Park

32. The three cost option Scenarios were assessed for their performance against each of the selection criteria and given a score on a scale from 1 (low performance) to 5 (high performance). A relevant weighting of either High (score - 5), Medium (score - 3) or Low (score -1) was then applied to each of the criteria scores to arrive at an overall score for each of the concept plan delivery options in terms of the priorities they address from both the Town's and community's perspectives. A copy of the MCA is attached for Council's review and consideration (refer Attachment 8).
33. The MCA revealed the following weighted scores:
- Scenario A – 131 (33 out of 45 unweighted)
 - Scenario B – 124 (32 out of 45 unweighted)
 - Scenario C – 92 (24 out of 45 unweighted)
34. Scenario A and B were clearly distinguished from Scenario C in terms of performance. Out of all scenarios, Scenario A (high level) prevailed as the highest-scoring option (with and without weighting) even when accounting for greater cost.
35. Scenario A reflects the greatest benefit to businesses, aesthetic quality, environmental performance, pedestrian comfort, vehicle impact, event capacity, visitation and buzz, cultural contribution and overall alignment to the project vision as expressed by the local community.
36. Scenario A's performance over Scenario B was however marginal, with B achieving comparably high scores across a range of criteria including environmental performance, event capacity and vehicle impact, while also benefitting from potentially lower ongoing costs.
37. Scenario C performed poorly, primarily due to its inability to achieve the community vision. It provides only marginal improvements to pedestrian priority and comfort, limited opportunity for cultural contribution owing to a lack of customised amenity in lighting and artwork; and a low environmental performance given the lack of rain gardens, limited landscaping and small trees.
38. Scenario C did however outperform the other options in terms of providing opportunity for future proofing, given the limited intervention to changing road widths, limited disruptions to existing business and a 75% cost saving.

Officer consideration of Concept Plan delivery options

39. The officer recommendation is consistent with that of the consultant's urban design review in that Scenario A (\$2 million) is the preferred cost option for the site. Whilst this option performed poorly in terms of its disruptiveness, due to road surface replacement and need for paving replacement around storefronts, the overall long-term benefit to business and its capacity to deliver a high-quality public space (aesthetically, culturally and environmentally) is considered to significantly outweigh its alternatives.

40. Furthermore, Scenario A reflects a significant cost saving relative to the initial high-level cost option (of \$3.8 million) developed previously, whilst maintaining most of the concept plan's core design elements.
41. The key changes made in Scenario A (\$2 million) in comparison to the original high-level option (\$3.8 million) are summarised below:
- Concrete seating reduced from 164m to 120m.
 - Cost of artwork reduced to \$30k.
 - Extent of Catenary Lighting reduced to 300m (previously 440m).
 - Road surface changed to Interlocking pavers (previously cobble stone).
 - Kerbing changed to in-situ concrete (previously granite).
 - Road Paving to match new verge paving - similar colour to create pedestrianised environment.
42. Whilst Scenario B delivers many of the same functional elements to A, it is evident that the advantage of Scenario A over Scenario B relates primarily to its aesthetic quality and alignment to the broader community vision. A summary of the key aesthetic differences with Scenario B are:
- New verge and road paving to match existing red brick.
 - Concrete seats removed, proprietary furniture used.
 - Cost of Artwork reduced to \$10k.
 - Catenary Lighting removed, Gobo lighting used.
 - Extent of earthworks and demolition reduced.
 - 200L trees (as opposed to 500L trees in Scenario A).
 - Extent of electrical and stormwater service upgrades reduced.
43. Council's preferred design outcome could set a standard for future changes and upgrades to key areas on Albany Highway. It is important for Council to consider the evolving long-term vision for Albany Highway as identified through the Town's strategic community vision, planning reform framework and the Albany Highway Precinct Structure Planning process.
44. To date it is clear the community has expressed a strong desire to significantly improve pedestrian amenity along Albany Highway. The OSNP3 project provides the Town with an opportunity to deliver a high-quality and meaningful response to community concerns and aspirations for Albany Highway.
45. While Scenario B performed relatively well, it has the potential to lower the perception of improvement and change as it offers less visually prominent seating and lighting features and the retention of existing paving does not address existing cracking, instability or safety issues. New paving may not match in colour with some variation expected (dark or lighter red). Ultimately Scenario B will not significantly enhance the aesthetic quality of the location, reducing the opportunity to provide a landmark statement as the entry to Victoria Park.
46. Scenario A (\$2M) has been designed to reflect the concept plan which sets a clear vision for the site. As the preferred cost option, it will guide future detailed design, costing and construction phases which can be appropriately staged and managed to reduce impacts on local businesses.
47. The process to prepare a possibility-based approach to the cost options has been a meaningful one in that it highlighted how costs could be reduced without detrimentally impacting the vision. It also provided an opportunity to understand the impact that a lower effort/cost response could have on community pride, the Town's reputation, and the reputation of Victoria Park Town Centre as an emerging activity centre in Perth.

48. It is therefore recommended 'Scenario A' be endorsed as the preferred option to provide a greater level of accuracy about the extent of works and costs involved in the project and allocate \$2,000,000 in the Long-Term Financial Plan (LTFP) to be determined in a future year that is consistent with the Town's ability to afford and resource the future work.

Relevant documents

[Infrastructure Australia Assessment Framework \(2018\)](#)

[Volume 7 – Victoria Park Place Plan](#)

[Town of Victoria Park Public Open Space Strategy](#)

[Streets Ahead Action Plan \(Vic Park Collective\)](#)

[Restart Vic Park COVID-19 Response Strategy](#)

[VicVision](#)

[Old Spaces New Places #3 Your Thoughts](#)

Questions and responses

Cr Jesse Hamer

1. Are bollards included in all three options?

The Chief Community Planner advised that manual bollards are included in the high and medium cost options (A and B) but are excluded from the low cost option.

2. The extra availability of parking which would be shared with car transport John Hughes, is there anything else on the other side of Albany Highway towards Berwick Street?

The Chief Community Planner took the question on notice.

Cr Peter Devereux

1. Has there been a consideration for cycling through the new space?

2. The Chief Community Planner advised that yes there has been consideration of cycling but not necessarily a cycling path. The focus of old spaces, new places is to slow traffic to make it safer for cyclists.

Mayor Karen Vernon

1. What impact could the Albany Highway Precinct Structure Plan have on this project?

The Chief Community Planner advised that she does not consider there will be any impact. The Albany Highway Precinct Structure Plan will accommodate the preferred concept Council chooses.

2. Should this project be deferred until after the Albany Highway Precinct Structure Plan is completed to ensure complete alignment between precinct planning and project delivery?

The Chief Community Planner advised that it is not necessary as the Albany Highway Precinct Structure Plan will be informed by this piece of work along with some strategic projects that align.

3. The 'Future Budget Impacts' notes increased maintenance costs of this project and that the lifecycle costs will be investigated and documented in the Long-Term Financial Plan during the detailed design phase. Should the lifecycle costs of new infrastructure and maintenance be considered before committing to the concept plan?

The Chief Community Planner advised that it is the Town's preference not to be done at concept stage. It is in the detailed design stage that specific materials, lighting, landscaping will be determined which will inform rates of repair/maintenance and likely replacement costs. It is cost effective to determine these future costs after a preferred concept has been selected rather than undertaking this level of analysis for three concepts.

4. Given the officers are not recommending a budget allocation at this time but rather place funds in the Long-Term Financial Plan (point 4), is it necessary to include the words withhold from prescribing an allocation of funds at this time and it just reads allocate funding in the Long-Term Financial Plan?

The Chief Community Planner advised that would be appropriate.

5. The 'Internal Engagement with Engineering' and paragraphs 17 – 22 of the officer's report refer to the use of car carriers by John Hughes and buses along Mackie Street. Paragraph 21 indicates that further detailed technical investigation will be required to determine road widths etc, all of which are currently key features of the concept plan requested to be endorsed, does the Town intend to allow car carriers to still be able to use this intersection?

The Chief Community Planner advised that yes that is correct, unless John Hughes modifies their operation, which the Town will continue to discuss with them, or there is an appropriate future where the Town may compel the car carriers to load onsite, this can only be done by a planning application or removal of the on street car carrier bays.

6. With the current concept plan with the narrowing of the road, will car carriers still be able to use this intersection?

The Chief Community Planner advised that yes, it is proposed that they are still able to use the intersection.

7. Can car carriers be permanently diverted from using this intersection?

The Chief Community Planner advised that they could, but it is the administration's recommendation to work with John Hughes during the detailed design phase.

8. Can the detailed technical investigation required on this issue, that has the potential to impact on the final design, be undertaken in advance of endorsing the concept plan?

The Chief Community Planner advised that yes it could be however, it would be preferable to undertake the analysis on one concept option rather than on three.

10. Does that place the Town at a risk that if we wait to do it until after we endorsed an option that we one, have created an expectation that it is a plan we are going to deliver, only to find out that the detailed technical investigations says we can't deliver it in that way and secondly, does it put us at risk that we have gone forward with the project without completing the investigations necessary to know that the final concept design recommended for endorsement is the right design for the area?

The Chief Community Planner advised that yes you can do those investigations at this stage, it is just recommended that the Town does those afterwards. It is usual to do detailed costings at the detailed design stage.

11. Given the acknowledged need to consult with the Public Transport Authority to understand the widths needed for buses traversing Mackie St, how long is this process of consultation likely to take?

The Chief Community Planner advised around three weeks.

12. What impact could changes in the turning widths for buses have on not only the design but the costs?

The Chief Community Planner advised that cost implications associated to bus turning patterns is not expected to have major cost implications. It would result in kerb location modifications, minor modifications to material quantities and refinements to landscaping, furniture and lighting locations.

13. Can the design team engage with the Public Transit Authority before putting the final design to Council for endorsement?

The Chief Community Planner advised that yes, but it is not recommended as being necessary. The Town's traffic consultants contacted the Public Transport Authority to outline the proposed project and confirm the existing bus route and any future planned modifications to the bus route. The Public Transport Authority has no objection to the proposed project and are ready to provide further input during the detailed design stage.

14. In the concept plan (12.4.1) the narrowing of Albany Highway next to Rushton Street, will this cause an obstruction of view for vehicles turning onto Albany Highway from Rushton Street?

The Chief Community Planner advised that she does that believe that to be the case. Narrowing the roadway will provide more space for alfresco space, landscaping, furniture, lighting, wayfinding and allow it to be designed in a way that does obstruct the view of drivers in vehicles.

15. Is there anything that can be done to improve line of sight for vehicles?

The Chief Community Planner advised that safety is the Town's primary concern and will not recommend anything that compromises vehicle or pedestrian safety.

The Chief Community Planner took the question on notice.

16. Given the key findings of community consultation were the narrowing of the road and moving to car-free were the least liked elements of the plan, what is the justification for the narrowing of the road and the car-free spaces?

The Chief Community Planner advised that the design intent established in the earlier report to Council to determine the preferred location for OSNP3, as well as key informing documents such as the Public Open Space Strategy, Streets Ahead Action Plan and more recently the draft Transport Strategy seeks to create a slower environment for vehicles, a safe environment for pedestrians and cyclists, and improved trading area for businesses. A key design move to achieve this is narrowing the road and creating a space which feels more shared between the various users. It is not proposed for this space to be 'car-free' except potentially during special event periods.

17. In paragraph 34 of the officer's report, the multi criteria assessment revealed only one point difference between option A at \$2m and option B at \$1m. Can a detailed breakdown of how the extra \$1m for option A will be spent?

The Chief Community Planner advised that this information is detailed in attachment 3 however, the Town can look to provide this information in more a simplified way.

18. The Town, at the moment, is constructing cycle lanes on Albany Highway from the Bus Transfer Station to Mackie Street. What happens to those with the ingress of the sides of the pavements being pushed into the road? How will cyclists navigate the road in that spot?

The Chief Community Planner advised that it is acknowledged that the cycle path is proposed to stop where this location is. There are proposed treatments for the traffic to slow both via visual and physical queues.

The Chief Executive Officer advised that there are existing transitioning zones on Albany Highway. Albany Highway is not an appropriate width to cater for everything.

Cr Jesse Hamer

1. If the key findings from the 17 submissions found that they had a problem with the lack of parking, is that an issue going forward with other submissions, is there any point them even talking to us?

The Chief Community Planner advised that the Town take on board what public submissions say but they are not determinative. The submission will not always be 100% aligned with what staff recommend but the Town do give them due regard.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Provide information on whether there will be extra parking on the other side of Albany Highway towards Berwick Street.
2. Provide information on whether there is anything that can be done to improve line of sight for vehicles.
3. Provide information how the extra \$1m for option A is to be spent.

12.5 Future of the Business Advisory Group

Location	Town-wide
Reporting officer	Place Leader (Economic Development)
Responsible officer	Manager Place Planning
Voting requirement	Simple majority
Attachments	Nil

Recommendation	
That Council notes the Officer’s comments regarding future consultation and engagement with the business community.	

Purpose

To consider the proposed alternate methods of engaging with the business community following the expiration of the Business Advisory Group (BAG).

In brief

- Council resolved to establish a Business Advisory Group (BAG) on the 18 February 2020 Ordinary Council Meeting (OCM).
- An expression of interest process was undertaken, and the BAG held its first meeting on 14 October 2020.
- The group’s term expired on 16 October 2021.

Background

1. Council resolved to establish a BAG on the 18 February 2020 OCM.
2. Staff recommended the postponement of the formation of the BAG on the 19 May 2020 OCM. This recommendation was based on the impact of the COVID-19 pandemic on the business community and their ability to participate in the BAG. Council resolved to continue with an expression of interest process and the preparation of draft terms of reference.
3. The expression of interest process was undertaken during June 2020 to establish the BAG.
4. Staff recommended eight businesses comprise the BAG. At the 18 August 2020 OCM Council determined it wanted the 23 eligible applicants included in the group.
5. The BAG held its first meeting on 14 October 2020. Three meetings in total were held throughout the term of the group. The BAG’s term expired on 16 October 2021.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	The business community can engage and provide feedback to the Town across a variety of projects and in a variety of ways. They can also provide informal feedback to the Place Leader that is

	responsible for managing their place.
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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.	Businesses know they can engage with the Town simply and inform the planning of the Economic Development sub programs as well as other initiatives that have a local economic impact.

Engagement

External engagement	
Stakeholders	Former Business Advisory Group members (23 in total)
Period of engagement	From 19 October 2021 to 29 October 2021
Level of engagement	Consult
Methods of engagement	YourThoughts survey
Advertising	Email
Submission summary	Five responses received: <ul style="list-style-type: none"> - Four respondents stated they thought the BAG should continue to exist. - One supported it being restructured into something else.
Key findings	The majority of respondents stated the BAG was not what they expected, however they found it valuable to be a part of the group.

Legal compliance

Not applicable.

Risk management consideration

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

ICT systems/ utilities							
Legislative compliance						Low	
Reputation	Businesses are not engaged in a timely manner due to not enough BAG meetings in a year.	Minor	Possible	Medium	Low		TREAT by not renewing the BAG and continuing engagement listed in the Officer recommendation.
Reputation	The Town is considered to not be supporting its business community by disbanding the BAG.	Minor	Possible	Medium	Low		TREAT by continuing to develop the Business Communications Sub-Program and Business Events and Training Sub-Program to ensure timely information and feedback opportunities are provided to the business community via variety of mediums. TREAT by ensuring Place Leaders are continuing to regularly engage with their local business community informally.
Service delivery						Medium	

Financial implications

Current budget impact

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

Analysis

6. Three meetings were held through the term of the BAG.
7. There was never full attendance at any of the three meetings, with decreasing attendance throughout the term of the group. Attendance dropped from 20 businesses in the first meeting, to 16 in the second and 11 in the third.
8. It is proposed that the BAG ceases to continue in the future, and other forums are used to engage and consult with businesses. These include:
 - a. A networking event (to be made annual pending the success of the first event) to capture feedback on proposed initiatives for the 2022/23 Economic Development Program which includes:
 - i. Destination Marketing Sub-Program;
 - ii. Business Grant Sub-Program;
 - iii. Business event and Training Sub-Program;
 - iv. Invest Vic park Sub-Program;
 - v. Business Communications Sub-Program; and
 - vi. Red Tape Reduction Sub-Program.
 - b. Monthly business 'drop-in' sessions, allowing the business community to book a time slot to chat to the Place Leader (Economic Development) with any queries they have. This drop-in session would be in addition to the ability to liaise with the Place Leader responsible for managing the place where the business resides.
9. This approach has several benefits:
 - a) It allows the business community to inform the Economic Development program of works before it is delivered. This allows for efficient planning and for businesses to see where their feedback has been incorporated.
 - b) The proposed event will satisfy the business community's desire for more networking opportunities.
 - c) The monthly drop-in sessions provide more flexibility for the business community. They can pick a session to attend when they have the time and topics to discuss. The sessions are also more frequent, providing more opportunities to engage with the Town throughout the year, that are less time intensive for both businesses and Town staff.
 - d) It provides greater capacity for the Place Leader (Economic Development) to deliver the Economic Development Program. The BAG meetings were highly time intensive to organise and run.
10. It is not possible to deliver both the above recommended approach and continue to deliver the BAG.
11. It is recommended that Council notes the alternative approach to future consultation and engagement with the business community.

Relevant documents

[Policy 101 Governance of Council Advisory and Working Groups](#)

Questions and responses

Deputy Mayor Claire Anderson

1. The report mentioned that the Business Advisory Group meetings were highly time intensive to organise and run those three meetings held throughout the term of the group. How much staff time was allocated?

The Chief Community Planner advised that it took approximately 60 hours to coordinate the Business Advisory Group. This includes Council reports, expression of interest and terms of reference processes, agendas, minutes, preparing presentations, conducting the meetings and uploading content to Your Thoughts. This does not include the additional staff time in other areas to prepare content and present, this is just the Place Leader.

2. If the six alternative forums used to engage and consult with businesses were to proceed, plus the once per year networking event and the potential monthly drop-in sessions for businesses, how much time would staff be allocating for the above events/forums?

The Chief Community Planner advised that the networking event would be designed as a forum to gather feedback on the six sub-programs that make up the entire economic development program of the Town. Monthly drop-in sessions would take about 2.5 hours for the Place Leader to prepare for and then deliver each month.

3. How much time would be required for the six alternative forums held throughout the year?

The Chief Community Planner took the question on notice.

4. In determining the effectiveness of the Business Advisory Group, were the members given the opportunity to give feedback on their experience?

The Chief Community Planner advised that yes they were, there was a survey and five completed the survey.

5. Do elected members have the opportunity to read that survey?

The Chief Community Planner advised that yes, the survey would be provided.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Provide information on how much time would be required for the six forums held throughout the year.
2. Provide information on the survey conducted.

Mayor Karen Vernon adjourned the meeting at 8.37pm for 10 minutes.

Manager Development Services, Mr Robert Cruikshank left the meeting at 8.37pm.

Mayor Karen Vernon resumed the meeting at 8.51pm.

13 Chief Operations Officer reports

13.1 Petition of Electors, Upgrade Read Park Playground

Location	Victoria Park
Reporting officer	Manager Infrastructure Operations
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	1. D 21 83110 Petition of Electors - Upgrade Read Park [13.1.1 - 4 pages]

Recommendation

1. That Council receives the report in response to the petition from residents requesting Upgrade Read Park with a playground suitable for 1–5-year-old children.
2. That Council considers the request to upgrade the playground as part of the 5-year Capital Works Program.

Purpose

For Council to receive the report in response to the petition and consider the request as part of the budget process.

In brief

- The Council was presented a petition on the 12 October 2021 Ordinary Council Meeting requesting a playground suitable for 1–5-year-old children at the Read Park site.
- Currently, there is an adult Senior Sports Equipment area and an existing children's playground.
- Both units are in average condition and getting towards the end of their usable life.
- Consideration of their replacement should be given in upcoming budgets.

Background

1. The petition presented to Council on 12 October 2021 reads -

We the undersigned, all being electors of the Town of Victoria Park do respectfully request that Council:

"Upgrade Read Park with a playground suitable for 1–5-year-old children".

The reasons for the request are:

"There are many other local residents with young children who could also benefit from the upgrade. There is currently a degraded seniors exercise course, and an outdated playground with a slide so high and without any safe barrier protection The space itself is set up well with wide open grass areas and good tree cover, a vibrant café community garden and toilet block (which could also do with a bit of an upgrade) -a new playground with good shade cover would be the perfect addition to a better utilized and visited Park."

2. Read Park is located on Albany Highway on the corner of Salford Street. The site has a playground as well as Senior Sports Equipment for exercising.
3. The Park is home to the community garden, Arms Memorial as well as having an ablution block.
4. Typically, playgrounds have a 10 – 15-year lifespan depending on construction type, usage, and condition audits.
5. The current playground was installed in 2008 and is coming to the end of its operational life.
6. The Senior Sports Equipment is having shade sails fitted this financial year. The equipment was installed in 2009. The children's playground is shaded for most of the day by large trees, and it is not suggested additional shade sails would be required.
7. As part of playground renewal, it is standard practice to consult the community through the "your thoughts" platform to see what types of equipment, age group and requirements are desired for any playground renewal at a specific site. The residents on the petition can be encouraged to provide their feedback to the "your thoughts" platform should the Council approve funds for the playground renewal.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	By consulting with the public, we can deliver infrastructure that will be fit for purpose.

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	Providing appropriate public infrastructure available for the widest demographic.

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.	Using quality infrastructure in well utilized locations.

Engagement

Internal engagement	
Stakeholder	Comments
Parks staff	Feedback on playground types and maintenance required.
Finance	Assist with procurement requirements.
Stakeholder Relations	Assist with setting up your thoughts survey.

External engagement	
Stakeholders	Residents and nearby businesses to Read Park if funding is approved.
Period of engagement	Minimum of two weeks.
Level of engagement	3. Involve
Methods of engagement	Your thoughts survey.
Advertising	Town website, posters, social media.
Submission summary	Not applicable until a survey is carried out.
Key findings	Not Applicable.

Legal compliance

Not applicable

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not funding replacement of playground.	Moderate	Likely	High	Low	TREAT risk by allowing funding for the renewal of playground in future budget.
Environmental	N/A				Medium	
Health and safety	Playground falls into state of disrepair causing injuries.	Moderate	Likely	High	Low	TREAT risk by regular playground audits and replacement of playground in appropriate timeframe.
Infrastructure/ ICT systems/ utilities	N/A				Medium	
Legislative compliance	N/A				Low	

Reputation	Failure to address residents request resulting in complaints.	Moderate	Likely	High	Low	TREAT risk by allowing funding in future budget for playground renewal.
Service delivery	Playground becomes unusable due to deterioration.	Moderate	Possible	Medium	Medium	TREAT risk by carrying out regular playground audits.

Financial implications

Current budget impact	Not applicable.
Future budget impact	To be included as part of 5-year Capital Works Program.

Analysis

8. The playground and Senior Sports Equipment Read Park are still serviceable but in average condition. As they were installed in 2009 and 2008, they are getting towards the end of their usable life. The Senior Sports Equipment has a lot of wooden components which require more maintenance and replacement as they age.
9. Both the Senior Sports Equipment and playground at Read Park should be considered for renewal in the next two years. It is estimated that the funds required would be in the \$180,000 to \$220,000 range to replace both as part of the renewal program.

Relevant documents

Not applicable.

Questions and responses

Deputy Mayor Claire Anderson

1. Can you explain the process the staff will undergo to implement universal design guidelines for the play space and equipment?

The Chief Operations Officer advised that the Town reverse scope the brief. The Town go out and get community thoughts via the Your Thoughts website. The easiest way is to make sure that the budget will cover the expenses.

Further consideration to be added to the Ordinary Council Meeting agenda

Nil.

13.2 Bone St and Upton St Intersection Realignment

Location	St James
Reporting officer	Acting Traffic Engineer
Responsible officer	Manager Technical Services
Voting requirement	Simple majority
Attachments	Intersection of Bone St and Upton St Preliminary Concept

Recommendation

That Council:

1. Receives the report in response to the petition from residents regarding the intersection of Bone St and Upton St received by Council at the October 2021 Ordinary Council Meeting.
2. Requests the Chief Executive Officer to incorporate the intersection upgrade (civil works) into the scheduled Bone St road reseal (2025/26 financial year).

Purpose

The purpose of this report is to present the Town's response to the petition received by Council at the October 2021 OCM.

In brief

- The petition received by Council at the October 2021 OCM requested the upgrade and realignment of the intersection of Bone St and Upton St. The purpose of the upgrade seeks to improve road safety and amenity.
- The Town has undertaken a traffic safety assessment at the intersection. It was found that the proposed road modification works are not considered a priority when compared to many other intersections in the Town.
- It has been determined that the most cost-effective way to undertake the proposed civil works is to have them done in conjunction with the already scheduled road reseal works.
- Once the civil works are completed, the Urban Forest Strategy (UFS) planting and associated works can be undertaken.

Background

1. In March 2020, a Bone St resident met with the Town's Place Leader for St James to discuss opportunities at the intersection.
2. The Town then produced a concept design which reduced the size of the intersection in order to improve alignment and increase planting area.
3. In December 2020, the concept was presented to the UFS Implementation Working Group as a community project proposal. The project received favorable feedback however, it was decided that UFS funding should not be used for the road modification component of the project.
4. Following a review by the Strategic Asset Advisory Group (SAAG), the planting component was included in the 2021/22 UFS budget. The road modification component was submitted in the proposed capital works budget for 2021/22.

5. The road modification component of the project was subsequently omitted from the final 2021/22 capital works budget during the participatory budget modelling stage.
6. In October 2021, the Town received a petition which states the following:

To the Councillors of the Town of the Town of Victoria Park.

We the undersigned, being electors of the Town of Victoria Park wish to register our support and request that you initiate a program to upgrade the intersection of Bone St and Upton St, St James.

Objects.

1. *For the Town of Victoria Park to budget and provide funds, for road, reserve and do all the works.*
2. *Realign corner to a 90* entry into Bone St to make it a safer intersection.*
3. *Remove approx. 75% of bitumen apron of corner and convert to natural bush and Urban Forrest.*
4. *Greening of intersection and reduce heat sink effect.*

Reason for the Request.

1. *To beautify the suburb and make St James a sought after area for families to buy and build in a quality neighbourhood.*
2. *To improve the name of the suburb and counter the effect of its bad name caused by the high numbers of poorly maintained Homeswest properties.*
3. *To reduce the speed of vehicles using Bone St as a 'rat run' shortcut.*

Urban Forrest.

1. *Reduce heat sink effect from large open bitumen area of street.*
2. *Planting of garden space with native scrubs and incorporating benches, water fountain, Aboriginal artwork and lighting.*
3. *Extra tree coverage under Urban Forrest Strategy.*

Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN02 - A safe, interconnected and well-maintained transport network that makes it easy for everyone to get around.	An improved intersection layout that promotes safer driving and improved pedestrian connectivity.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	The opportunity to create green space within St James allowing passive recreation.
EN07 - Increased vegetation and tree canopy.	The reduction of road pavement in order to plant more street trees.

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	Improving the safety and sense of community amongst residents living on Bone St and Upton St.

Engagement

Internal engagement	
Place Planning	Managed concept design.

Street Improvement	Provided concept design input.
SAAG	Approved works for budgeting review.

External engagement	
UFS Working Group	Supported project for UFS funding (planting component).
Resident	Raised initial issues and potential opportunities.

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	The project does not go ahead in 2025/26 due to budget constraints.	Moderate	Likely	High	Low	This is considered part of the budgeting process that funding allocation is based on priority.
Environmental	NA				Medium	
Health and safety	NA				Low	
Infrastructure/ ICT systems/ utilities	NA				Medium	
Legislative compliance	NA				Low	
Reputation	Negative community reaction if the project is delayed till 2025/26.	Moderate	Possible	Medium	Low	It can be justified that the project will be more cost-effective by delaying the project.
Service delivery	NA				Medium	

Financial implications

Current budget impact	Sufficient funds do not exist within the annual budget to undertake the works this financial year.
Future budget impact	It is proposed that funding be acquired through: <ul style="list-style-type: none">• Future capital works budgeting process for the 2025/26 FY – \$45,000• Urban Forest Strategy (UFS) budget – \$30,000.

Analysis

7. The petition requests upgrade works to the intersection of Bone St and Upton St. The current intersection contains an unusual layout due to the intersecting angle of the two streets. The Town's preliminary concept design involves realigning the intersection to a more typical layout. This would reduce the amount of existing road pavement which could then be used for planting. Additionally, pedestrian crossing lengths would be reduced which would improve connectivity. It is proposed to split the project into two components being civil works and UFS planting.
8. The Town has undertaken an assessment of this intersection using the Council endorsed Traffic Warrant System to determine the level of intervention required. The warrant system has denoted this section as a site with low safety and amenity concerns. This is due to low average traffic speed and no recorded crash history. A review of traffic volumes showed that Bone St generates minimal through traffic which indicates 'rat running' is not an issue.
9. As the project is not considered a road safety priority. It is proposed to undertake the proposed civil works in conjunction with the already scheduled road reseal works. The Bone St reseal is currently scheduled to take place in the 2025/26 financial year. This is considered the most cost-effective way forward as the removal of new pavement would be avoided. Overall, a better project outcome would be achieved as the project would be seamlessly integrated into the street. It should be noted that alternatively, if the project was to be brought forward, this may result in other planned works having to be reprioritised.
10. The Town's UFS team will continue to work with the community to collaborate on the planting design and associated works.

Relevant documents

Not applicable.

Questions and responses

Cr Wilfred Hendriks

1. In regards to the concept in the attachments, were the residents consulted?

The Chief Operations Officer advised that plan was put together by staff not residents.

2. Is it possible that the road can be shifted to the left to keep a bigger public open space on the right hand side?

The Manager Technical Services advised that this is one of the options that the Town can consider, the other option is to have a medium to provide a better definition and to have a safer pedestrian access.

3. Is it possible to make the intersection more square rather than curved?

The Manager Technical Services advised that is the main intention, so rather than having a straight medium item it will be skewed to make it more of a right angle.

4. So what we are seeing is not the right design?

The Manager Technical Services advised that the Town have the ability to provide a more detailed design once the Town have the feedback including Main Roads feedback.

5. So before a final design comes out, Council will get to see that?

The Manager Technical Services advised that the Town do not normally present the design again to Council however, if the final design looks very different to what officers originally proposed it may be brought back to Council.

6. Are there any options for the intersection upgrade to come back to Council?

The Manager Technical Services advised that yes, the Town can do that. The options are to provide the final design through the Councillor Portal or a concept forum.

Cr Jesvin Karimi

1. This was an item that came up to do Urban Forest Strategy planning to allow the Town to plant more trees, there was some work needed to be done on the road. It was put to Council via budget deliberations and it was decided to move it off the budget for various reasons, is this not the same issue we are dealing with now?

Mayor Vernon advised that it was not her recollection that the intersection alignment was solely an Urban Forest Strategy proposal. The residents have a concern about the safety in that road and they came up with the proposal with more open space.

The Chief Operations Officer advised that your recollection is correct, the Urban Forest Strategy was driving the timing. It was the Town's recommendation to hold it over until Bone Street was sealed so that there were no redundant works.

Cr Luana Lisandro

1. Was there any consideration for making this intersection a cul-de-sac at this stage?

The Chief Operations Officer took the question on notice.

2. Would the process be surveyed to the residents?

The Chief Operations Officer took the question on notice.

The Chief Executive Officer advised that the Town does not recommend creating a cul-de-sac as it just pushes traffic onto other streets.

3. What streets in the Town have been created into a cul-de-sac in the last five years?

The Manager Technical Services advised that the Town have not created any cul-de-sacs in the last five years.

4. Has there ever been any road counters on Bone Street and Upton Street? If so, when they were last down and what was the count and were they measuring speed?

The Manager Technical Services advised that the Town did investigate the number of accidents on Upton or Bone Street and there were minimal.

The Manager Technical Services took the question on notice.

5. Is it safe to assume that no counts have been done?

The Chief Executive Officer advised that counts were done in July 2017 with 80 vehicles a day on Bone Street and 271 on Upton Street.

6. Did they measure speed?

The Chief Executive Officer advised that yes, every traffic count the Town records speed information.

7. Can the details of the count and speeds be included in Ordinary Council Meeting report?

Mayor Vernon took the question on notice.

Cr Jesse Hamer

1. Is it currently a stop sign or give way?

The Manager Technical Services advised that it is currently not controlled by any signs. As part of the review, if the Town did install a medium island the Town would also install a give way line or stop on control line. Main Roads would not normally support a stop on control line.

Cr Luana Lisandro

1. Is it safe to assume that Main Roads are removing stop signs and moving towards give way signs?

The Manager Technical Services advised that with a lot of the older intersections that is what Main Roads is recommending, unless there is significant road safety issues.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Provide information on whether there has been any consideration for making this intersection a cul-de-sac at this stage.

2. Provide information on whether residents would be surveyed about the process.

3. Provide information on the last time road counters have been used on Bone Street and Upton Street, the results of the count and whether speed was measured.

13.3 Albany Highway Cycle Lanes (Parking Removal)

Location	Albany Hwy, Victoria Park
Reporting officer	Acting Traffic Engineer
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. E 10569-9 PARKING SIGNS [13.3.1 - 1 page] 2. E 10569-10 PARKING SIGNS [13.3.2 - 1 page]

Recommendation
That Council approves the removal of 16 on-street parking bays along Albany Hwy between Oswald St and Rushton St. This is required to facilitate new on-street cycle lanes by reallocating underused road space.

Purpose

This report seeks Council approval to implement new parking arrangements as part of the Albany Hwy Cycle Lanes project.

In brief

- The Albany Hwy Cycle Lanes project provides cycling facilities between Oswald St and Rushton St. As part of the project, a reduction in on-street parking bays is required.
- During preliminary investigations, parking surveys indicated a reduction in parking would have minimal impact. However, the Town has undertaken several initiatives to mitigate any impacts of reduced parking.
- The Town’s consultation with businesses showed overall support.
- This project was funded by the Local Roads and Community Infrastructure Program (LRCI).

Background

1. The civil works, signs and line marking for this project have been completed. For the proposed parking removal, Council is required to formally approve these changes.

Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN03 - A place with sustainable, safe and convenient transport options for everyone.	Better use of road space for safer active travel use.

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	Supporting the growth of active travel use.

Engagement

Internal engagement

Place Planning	Helped with consultation and grant application.
Parking	Provided parking input and support for the project.
Street Improvement	Internal design reviews.

External engagement

Stakeholders	Victoria Park Primary School and business owners who front the project.
Period of engagement	November 2020 – February 2021
Level of engagement	4. Collaborate
Methods of engagement	The Town met with the majority of stakeholders who front the project. The engagement with stakeholders was recorded using submission forms.
Advertising	This project was not advertised to the public as consultation targeted stakeholders who front the project.
Submission summary	11 submissions received, 9 supported, 2 did not wish to state a position.
Key findings	Overall support for the project.

Other engagement

Main Roads WA	Provided approval for proposed signs and line marking changes.
Public Transport Agency	Provided support for changes to bus bay line marking.

Legal compliance

Not applicable.

Risk management consideration

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

Environmental	N/A				Medium	
Health and safety	Vehicles parking in new cycle lane.	Moderate	Likely	High	Low	Remove parking.
Infrastructure/ ICT systems/ utilities	N/A				Medium	
Legislative compliance	N/A				Low	
Reputation	Negative reaction to uncompleted project.	Moderate	Possible	Medium	Low	Remove parking and complete project.
Service delivery	N/A				Medium	

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	A review of existing parking machine revenue found any loss of revenue would be negligible. This is equated to low occupancy and substantial use of free ticketing at these locations.

Analysis

2. The project includes 410m of dedicated cycle lanes, including a 60m section of protected cycle lane where it is proposed to remove a traffic lane. This requires a net reduction of 12 parking bays over the project length.
3. It's been identified that the parking proposed to be removed had an average occupancy of less than 20% during daylight hours. The existing parking to be retained has an average occupancy of less than 35%. Thus parking impacts are expected to be minimal, and it's deemed that existing road space could be better allocated. Furthermore, there is still significantly underutilised parking on side streets such as Asquith St, Twickenham Rd and Teddington Rd. To mitigate any impact caused by a reduction in parking, the Town has undertaken the following:
 - Remarked existing bays on side streets to increase delineation;
 - Modified loading zone times on Twickenham Rd and Rushton St to provide more flexible use;
 - Construction of four new indented car bays;

- Held discussions with City Subaru regarding converting three existing loading bays into general parking. At this stage City Subaru has not requested the Town make any changes to these bays. It's likely that this will be looked at 6 months post project completion.
4. The Town met with the majority of stakeholders to discuss the project. Overall support for the project was positive, and this included John Hughes Group, who is the majority stakeholder for this section of Albany Hwy.
 5. This project met funding criteria for the Local Roads and Community Infrastructure Program (LRCI). Which resulted in the project being fully funded by the LRCI. This program supports local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Relevant documents

Not applicable.

Questions and responses

Cr Peter Devereux

1. Can I ask how this section of bike path will connect more broadly with the joint bike plan with Town of South Perth and with plans for the rest of Albany Highway?

The Chief Operations Officer advised that the Transport Strategy identifies Albany Highway as a local connection in the Long-Term Cycle Network. The Albany Highway Precinct Structure Plan provides more detailed public realm designs that considers cycling as one of the critical modes of transport. There is also more information in the Public Open Space Strategy and the Vic Park Collectives Streets Ahead Action Plan which coordinate to connect more broadly.

Cr Vicki Potter

1. Just looking at the engagement, a large part of the time was school holidays. What kind of engagement has there been with schools, was there any engagement with the school board or school P&C?

The Chief Operations Officer advised that there was engagement done with the Victoria Park Primary School.

The Chief Operations Officer took on notice the second part of question.

2. Was there any consideration given to any discussions given to the broader school community especially parents with small children?

The Chief Operations Officer took the question on notice.

Further consideration to be added to the Ordinary Council Meeting agenda

1. Provide information on whether the Victoria Park Primary School Board and P&C were consulted.
2. Provide information on whether there was any consideration given to discussions with the broader school community, especially parents with small children.

13.4 Consideration of Projects for LRCI Funding Phase 3

Location	Town-wide
Reporting officer	Manager Infrastructure Operations
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Attachment 1 - Eligibility criteria LRCI guidelines [13.4.1 - 30 pages] 2. Attachment 2 - LRCI Multi criteria - weighted [13.4.2 - 1 page] 3. Attachment 3 - Elected Member MCA Survey results [13.4.3 - 12 pages] 4. Attachment 4 - LRCI Project Ranking Results [13.4.4 - 1 page]

Recommendation

That Council:

1. Approve the Harold Rossiter Park floodlight upgrade to be funded by the LRCI grant program (Phase 3).
2. Approve any remaining funds from the LRCI grant program to be allocated to the upgrade of Right of Way 130 (bounded by Oats Street, Shepperton Road, Milford Street and Swansea Street East).
3. Acknowledges that the Town has a current CSRFF grant application in for Harold Rossiter Park lighting, and if the grant is successful, \$130,000 less funding for this project will be required through the LRCI grant program funds.

Purpose

For Council to determine the allocation of Local Road and Community Infrastructure (LRCI) Phase 3 Grant funding from the Federal Government.

In brief

- The LRCI grant program was initiated by the Federal Government and is now in its third phase. The objectives of the program are to:
 - *“provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of COVID-19; and*
 - *deliver benefits to communities, such as improved road safety, accessibility and visual amenity.”*
- The Town was apportioned \$548,000 in Phase 3 of the LRCI grant program.
- The Town identified a range of projects that might be eligible for LRCI funding, while also being sufficiently progressed to be implemented within the grant timeframes.
- These projects were further refined with projects not able to be resourced and/or requiring additional municipal funding (not identified in the Long-Term Financial Plan) eliminated from further consideration.
- The Town recommends that Council approve allocating the LRCI Phase 3 funding to an upgrade of the floodlighting to Harold Rossiter Park.

Background

1. The LRCI grant program was initiated by the Federal Government to “stimulate additional infrastructure construction activity in local communities across Australia to assist communities to manage the economic impacts of COVID-19”.

2. The grant program is now in its third phase and the objectives of the program are to:
 - a. "provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of COVID-19; and
 - b. deliver benefits to communities, such as improved road safety, accessibility and visual amenity."
3. The following works are being (or have already been) undertaken with funding support from Phase 1 and Phase 2 of the LRCI program:
 - a. Albany Highway cycle lanes
 - b. Street lighting upgrades
 - c. JA Lee Changeroom upgrades
 - d. Etwell Street Local Centre Revitalisation Project.
4. The Town identified the following projects as being eligible for the LRCI grant program (the eligibility criteria is contained in attachment 1):
 - a. Archer Street and Mint Street Streetscape Upgrade (contribution to unfunded elements)
 - b. Edward Millen Park (changing places toilet or stethoscope play element)
 - c. Harold Rossiter Park flood lighting upgrade
 - d. Burswood Peninsula Wayfinding - Stage 1
 - e. Old Spaces New Places No.3 - Western Gateway (Albany/Rushton/Mackie)
 - f. Asset renewal projects identified in the Town's Asset Management Plans such as:
 - i. ROW 130 upgrade; and
 - ii. ROW 84B upgrade.
 - g. Electric Vehicle Charging Stations
5. Of these projects only the following three projects can be delivered within the resourcing capability of the Town and without requiring a further contribution from municipal funds.
 - a. Harold Rossiter Park flood lighting upgrade.
 - b. ROW 130 Upgrade; and
 - c. ROW 84B Upgrade.
6. These final projects were assessed against a multi criterion assessment. The criterion and associated weighting are contained in attachment 2.

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.	The Town has undertaken a careful analysis of its future projects to understand what is capable of being delivered and then outlined this process of analysis in a transparent manner (via this report).

Engagement

Internal engagement

Stakeholder	Comments
SAAG	The Strategic Asset Advisory Group worked collaboratively to identify potential projects that might be funded by the LRCI grant; developed the multi-criteria tool and then undertook the assessment.

Legal compliance

Not Applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Council decides to proceed with a different project(s) than recommended by Administration.	Severe	Possible	High	Low	TREAT risk by Considering the preferred project in the context of the LTFP and clearly communicating other projects that might be affected by the redirection of funds or funding sources that might cover the expansion of expenditure.
Environmental	Nil				Medium	
Health and safety	Nil				Low	
Infrastructure/ ICT systems/ utilities	Nil				Medium	
Legislative compliance	Nil				Low	
Reputation	Nil				Low	

Service delivery	Council decides to proceed with a different project(s) than recommended by Administration.	Severe	Possible	High	Medium	TREAT risk by considering the resources that are required to deliver the preferred project of Council and any impact that might be had on service delivery or other projects of the Town.
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Financial implications

Current budget impact	All the projects eligible for LRCI funding that were assessed by the Town are currently unfunded. Therefore, they have no immediate impact on the current budget.
Future budget impact	<ul style="list-style-type: none"> . The future budget impact of eligible projects is listed below (the proposed project is bolded): <ul style="list-style-type: none"> a. Archer Street and Mint Street Streetscape Upgrade (\$5.6 million) b. Edward Millen Park <ul style="list-style-type: none"> i. changing places toilet (\$637,000); or ii. stethoscope play element (\$630,000) c. Harold Rossiter Park flood lighting upgrade (\$390,000). d. Burswood Peninsula Wayfinding - Stage 1 (unknown and subject of completion of detailed design in 2021/22) e. Old Spaces New Places No.3 - Western Gateway (Albany/Rushton/Mackie) (either \$500,000, \$1,000,000, or \$2,000,000 dependent on Council decision) f. Asset renewal projects identified in the Town's Asset Management Plans such as: <ul style="list-style-type: none"> i. ROW130 upgrade (\$219,816); and ii. ROW 84B upgrade (\$209,621) g. Electric Vehicle Charging Stations (unknown quantity and cost)

Analysis

7. The Town considered the following projects for LRCI funding:
 - a. Archer Street and Mint Street Streetscape Upgrade:
 - i. Consideration of allocating the funding to the unfunded elements of Archer Street and Mint Street (Stages 2, 3 and 4);
 - ii. Would be in addition to the \$830,000 received from the Department of Transport (Western Australian Bicycle Network Grant) for the design and construction of protected bicycle lanes across all stages (2, 3, and 4) and makes up roughly 70% of the corridor length of the project;
 - iii. This would leave approximately \$4,222,000 to be funded by the Town;
 - iv. This would leave approximately \$4,222,000 to be funded by the Town;
 - v. Detailed Designs for Stages 2, 3 and 4 are still to be prepared;

- b. Edward Millen Park (funds would allow for delivery of the following additional that have been de-scoped from original design):
 - i. Changing Places toilet (included in scope at reduced size) at a cost of \$637,000;
 - ii. Play equipment (including feature stethoscope) at a cost of \$630,000; and
- c. Harold Rossiter Floodlights (funds would contribute to the required municipal funds to deliver the project)
 - i. Estimated project cost \$390,000.00.
 - ii. \$130,000.00 of Club Night Lights Program funding has been applied for and the outcome of the Town's application is not expected until early 2022.
 - iii. If the Town is successful with the grant application the Town will be required to provide \$260,000.00 of municipal funds to complete the project.
 - iv. If the Town is not successful with the grant application the Town will be required to provide \$390,000.00 of municipal funds to complete the project.
 - v. The Harold Rossiter floodlight project amount of \$390,000.00 has been listed for consideration in the draft 2022/23 Annual Budget. This was requested in September OCM 2021.
 - vi. Eight floodlight poles will be installed, four floodlight poles per pitch.
 - vii. Provide 100LUX LED floodlighting to both soccer pitches at Harold Rossiter Park; and
 - viii. Provide low lux level community lighting that provides sufficient lighting for walking and low intensity activity in the evening.
- d. Burswood Peninsula Wayfinding:
 - i. The Town, in collaboration with major stakeholders completed a Wayfinding Plan for the Burswood Peninsula in the 2020 and 2021 financial year. This plan provides the higher-level framework for signage across the entire Peninsula.
 - ii. An amount of \$40,000 has been allocated to detailed design for the first stage in the 2020/21 annual budget. The completion of detailed design over the coming months will provide an indication of estimated costs, which are currently not known.
 - iii. The objective of this project is to transform the Albany, Rushton and Mackie Street intersection into a more pedestrian friendly space in support of the local economy, public health, and future growth and development of the area.
 - iv. Scope of works depends on Councils pending decision on a preferred option, which includes:
 - v. Option A - \$2,000,000 cost option (not including detailed design)
 - vi. Option B - \$1,000,000 cost option (not including detailed design)
 - vii. Option C - \$500,000 cost option (not including detailed design)
 - viii. Concept designs for these options are completed with detailed design and then construction pending.
- e. Asset renewal projects - the funds would allow the delivery of the Town's asset management program with one or a combination of the listed projects:
 - i. ROW130 upgrade: located between Shepperton Road, somerset Street and Gerard Street (\$219,816); and

- ii. ROW 84B upgrade: bounded by Anglesea Street, Maude Street, Gerard Street and Blair Athol Street (\$209,621).
8. Of these projects only the following three projects can be delivered within the resourcing capability of the Town and without requiring a further contribution from municipal funds.
 - a. Harold Rossiter Park flood lighting upgrade.
 - b. ROW 130 Upgrade; and
 - c. ROW 84B Upgrade.
9. These final projects were assessed against a multi criteria assessment in order to arrive at a recommendation. The criteria were developed based on:
 - a. The current Strategic Community plan objectives
 - b. Current Council budget themes and narratives
 - c. Project readiness criteria
 - d. LRCI guideline criteria
 - e. Long term sustainability criteria.
10. The criteria were weighted based on Council feedback received via the Elected Member portal. A copy of the survey results is contained in attachment 3. The LRCI multi-criteria showing the weighted criteria from this feedback is contained in attachment 2.
11. The Town recommends using the LRCI funding to deliver the Harold Rossiter Floodlighting upgrade. Should there be funds remaining from LRCI funding apportioned to the Town then it is recommended that those funds be used to upgrade Right of Way 130.
12. Although the Town has recommended an upgrade to the Harold Rossiter Floodlighting, the other above projects are still eligible under the LRCI funding guidelines. The Town also applied all eligible projects to the multi-criteria assessment and the subsequent results are contained in attachment 4. If Council were to prefer the funding be used on one of the projects that were removed from consideration (7a, b, d, and e above), they could resolve to re-direct the funds but would need to consider this decision in the context of the Long-Term Financial Plan, and the resourcing implications to service the project (expansion of resourcing or reallocation of resourcing from another project).
13. Should Council determine to proceed with Administration's recommendation or a different project or combination of projects (choosing from the list above) the Town would then:
 - a. Consider any future financial and/or resourcing considerations and make the necessary arrangements/modifications, alerting elected members of any potential risks;
 - b. Undertake any necessary next steps with the Federal Government in order to access those funds;
 - c. Plan the chosen project (any make necessary adjustments to other projects) to ensure delivery occurs before deadlines outlined in the LRCI grant guidelines (December 2023).

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

13.5 Proposed Closure of Right of Way Bounded by Sussex Street, Albany Highway, Moorgate Street and Basinghall Street (ROW131)

Location	East Victoria Park
Reporting officer	Land and Properties Project Officer
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Attachment 1 - Aerial Image of ROW 131 [13.5.1 - 1 page] 2. Attachment 2 - Sketch of ROW 131 [13.5.2 - 1 page] 3. Attachment 3 - Palina Nominees Pty Ltd Consultation Letter ROW 131 [13.5.3 - 1 page] 4. Attachment 4 - Oahu Management Pty Ltd Consultation Letter ROW 131 [13.5.4 - 1 page] 5. Attachment 5 - Water Corporation Consultation Letter ROW 131 [13.5.5 - 1 page] 6. Attachment 6 - Water Corporation Response Letter ROW 131 [13.5.6 - 1 page] 7. Attachment 7 - Original Certificate of Title for ROW 131 [13.5.7 - 1 page] 8. Attachment 8 - Probate Search ROW 131 [13.5.8 - 1 page]

Recommendation

That Council:

1. Subject to the provision by Oahu Management Pty Ltd of an indemnity to the Town in accordance with the report, notice be given to seek public submissions on a proposal to close by acquisition and amalgamate approximately 181.2 m² portion of right of way (ROW 131), pursuant to section 52(1)(b) and section 87 of the *Land Administration Act 1997*, and regulation 6 of the *Land Administration Regulations 1998* into adjacent Lot 103 on Diagram 64697; and
2. Should no submissions be received, pursuant to section 52(1)(b) and section 87 of the *Land Administration Act 1997*, and regulation 6 of the *Land Administration Regulations 1998* resolve to request the Minister for Lands to close and amalgamate ROW 131 into adjacent Lot 103 on Diagram 64697.
3. Indemnifies the Minister for Lands against any claim for compensation that may arise, pursuant to section 56(4) of the *Land Administration Act 1997*.

Recommendation-end-do-not-remove}

Purpose

The Town is seeking a resolution from Council pursuant to section 52(1)(b) of the *Land Administration Act 1997* to progress a formal request to the Minister for Lands for the closure by acquisition of ROW 131 (being a portion of Lot 66 on Plan 1954) and subsequent amalgamation pursuant to section 87 of the *Land Administration Act 1997* into adjacent Lot 103 on Diagram 64697.

In brief

- Iffla Wade (Commercial Law Firm) on behalf of Oahu Management Pty Ltd, has written to the Town requesting that the Right of Way bounded by Sussex Street, Albany Highway, Moorgate Street and Basinghall Street, be closed and disposed of to Oahu Management Pty Ltd (the Applicant).

Background

1. ROW 131 is a portion of Lot 66 on Plan 1954. It is 3.0 metres wide and 39.4 metres long. It runs parallel to Albany Highway bounded by Sussex Street, Moorgate Street and Basinghall Street (please refer to attachments 1 and 2). The registered proprietor of ROW 131 is recorded at Landgate as James Robert Johnston, of Perth, on Certificate of Title Volume 145 Folio 40, dated 25 February 1898.
2. The Applicant wishes to amalgamate ROW 131 into the adjoining Lot 103. ROW 131 is currently part of a constructed car park within the 'Park Centre' shopping centre precinct. The 'Park Centre' has recently been upgraded. The Applicant wished to amalgamate ROW 131 into Lot 103 to consolidate their land holding. The Applicant states they have been in possession of ROW 131 and have been maintaining it since the Applicant became the owner of Lot 103 in 1996, some 25 years ago.
3. ROW 131 was not created to grant a right of way to #779, Lot 1 Albany Highway (Priceline Pharmacy). The Town has no requirement to retain ROW 131 for access purposes.
4. The Applicant states they intend to continue using the land comprising of ROW 131 for parking and traffic circulation purposes.
5. The Town has issued preliminary notifications to all adjoining property owners and public utility authorities affected by the potential closure and disposal of ROW 131 as part of its due diligence process (please refer to attachments 3, 4 and 5). It is good practice to consult with all adjoining property owners and public utility authorities prior to Council considering the proposal, and then re-present the matter for Council consideration in the event that the subsequent formal public consultation period attracts submissions.
6. Two properties adjoin ROW 131. Preliminary notifications have been sent to the owners to consult them and invite comments on the proposal. No response has been received at the time of preparing this report.
7. The Water Corporation is the only public utility authority affected by the proposal. The Water Corporation has confirmed no objection to the proposal (please refer to attachment 6). The Water Corporation advises there is an existing asset (sewer main) in ROW 131 that will require protection by way of a 3m wide easement located centrally over the main. A deed of agreement will be lodged against the title at Landgate in the form of an easement. The Applicant (subject to acquiring ROW 131) will be required to pay for the deed's preparation and the easement's registration.
8. A probate search to trace the proprietorship of ROW 131 did not reveal any record of an application for a grant of probate/administration being made in the estate of James Robert Johnston (please refer to attachments 7 and 8).
9. The Town has not expended any funds on ROW 131 over the last 25 years. The Applicant has recently resurfaced ROW 131 and the surrounding area without any contribution from the Town.
10. If ROW 131 is closed as proposed, it will become unallocated Crown Land owned by the State of Western Australia under the care control and management of the Department of Planning Lands and Heritage (DPLH). In the event of the closure of ROW 131, the amalgamation and sale of the land to the Applicant will be the responsibility of the Applicant and DPLH.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	Ensure that the closure is carried out according to the requirements of the <i>Land Administration Act 1997</i> and associated Regulations.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The Town recognises that it is responsible for the administration and, where required, application and enforcement of a number of laws under the <i>Land Administration Act 1997</i> .

Engagement

Internal engagement	
Street Improvement	No objections
Place Planning	No objections
Property Development and Leasing	The closure of the right of way by acquisition and subsequent amalgamation of Crown Land into the adjoining land will assist Oahu Management Pty Ltd to consolidate their land holding.

External engagement	
Stakeholders	Service authorities, adjoining landowners
Period of engagement	Two weeks
Level of engagement	Consult
Methods of engagement	Written engagement
Advertising	Proposed closure will be advertised for no less than 30 days.
Submission summary	A further report will be presented to the Council only if submissions are received.
Key findings	Not applicable

Legal compliance

11. A local government may request the Minister for Lands to close a right of way by acquiring the land as Crown Land where the land is deemed a private road or designated for a public purpose on a plan of survey pursuant to Section 52 of the *Land Administration Act 1997*. Following the acquisition, a local government may then request the Minister for Lands to convey that Crown Land in fee simple to the adjoining landowner and amalgamate that parcel with the adjoining land.

[Section 52 of the Land Administration Act 1997](#)

[Section 87 of the Land Administration Act 1997](#)

[Regulation 6 of the Land Administration Regulations 1998](#)

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	Minister for Lands requiring compensation from the Town under the terms of the indemnity required by the Minister.	Moderate	Possible	Low	Low	TREAT risk by requiring Oahu Management Pty Ltd to provide the Town with indemnity.
Environmental	Not applicable.					
Health and safety	Property remains privately owned by a deceased estate. The land may no longer be maintained by Oahu Management Pty Ltd and fall into a state of disrepair.	Moderate	Possible	Medium	Low	TREAT risk by continuing the closure by acquisition process and amalgamation of the subject ROW.
Infrastructure/ ICT systems/ utilities	Not applicable.					
Legislative compliance	The Minister for Lands (WA) is ultimately responsible for determining requests for the closure by acquisition of roads and amalgamation of unallocated Crown Land. It is possible that the Minister may decide to refuse the request notwithstanding	Moderate	Possible	Medium	Low	TREAT risk by providing the required information as per Regulation 6 of the Land Administration Regulations 1998 (WA) and sufficient justification for the road closure and amalgamation request.

	the Council's resolution.					
Reputation	Objection to closure of ROW and adverse publicity.	Moderate	Possible	Medium	Low	TREAT risk by undertaking additional precautionary consultations ensuring compliance with legislative requirements.
Service delivery	Not applicable.					

Financial implications

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

Analysis

12. Private ROWs are roads set out on a plan of subdivision of privately owned land which have not been dedicated for public use. They are pertinent only to those lots on the plan which abut onto the private road by providing owners with an implied right of way unless additional rights have been granted by a registered easement. Currently, there are no adjoining properties (aside from the Applicant's Lot 103 on Diagram 64697) with such implied rights to ROW 131.
13. ROW 131 is within the Applicant's constructed car park, and no objection has been received from adjoining owners to the proposal to close ROW 131. It is recommended that the applicant's request to amalgamate into Lot 103 Albany Highway be formally advertised and that if no objection is received, the Minister be requested to proceed with the proposed closure and amalgamation.
14. All costs, including the purchase price for the closed right of way, preparation of a Deposited Plan, document preparation, lodgment fees, registration of an easement and any other statutory fees, are payable by Oahu Management Pty Ltd. These costs are yet to be determined.
15. The Town is required to provide the Minister for Lands with an indemnity against any claim for compensation that may arise, pursuant to section 56(4) of the *Land Administration Act 1997*.
16. It is recommended that approval to request the Minister for Land to proceed with the land action is subject to Oahu Pty Ltd providing a deed of indemnity to the satisfaction of the Town for any claim by the Minister against the Town, as well as costs, expenses or losses reasonably incurred by the Town in progressing this matter. The deed of indemnity will be drafted by the Town's lawyers at the cost of Oahu Management Pty Ltd.

17. It is noted that portions of ROW which formed part of the land in certificate of title 145/40 (Plan 1954), have been successfully closed under section 297A of the *Local Government (Miscellaneous Provisions) Act 1960*. One example of this is shown in Government Gazette dated 28 November 1980 and in a handwritten entry on the second page of certificate of title 145/40, which states "Application C652080. The fee of the portion of the R.O.W. closed by Gaz 29:11:80 and included in Lot 101 on Diagram 51245 is now included in Vol 1656 fol 344. Registered 9 November 1983 at 11:27 o'clock".

Relevant documents

Not applicable.

Questions and responses

Cr Jesse Hamer

1. Just clarifying that the Town won't be receiving any funds for this property if it is reclaimed or probated?

The Chief Operations Officer advised that is correct, the Town would not receive any funds.

Further consideration to be added to the Ordinary Council Meeting agenda

Nil.

13.6 Rights of Way Strategy - Endorsement of future 10 Year Capital Works Program

Location	Town-wide
Reporting officer	Engineering Officer
Responsible officer	Manager Technical Services
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. DRAFT 10 YEAR CAPITAL WORKS PROGRAMME FOR UNSEALED RIGHTS OF WAY - 2021 - 2031 Dec 2021 [13.6.1 - 1 page] 2. DRAFT 10 YEAR RIGHTS OF WAY LIGHTING CAPITAL WORKS PROGRAM - Dec 2021 [13.6.2 - 1 page] 3. DRAFT RIGHTS OF WAY MANAGEMENT STRATEGY 2021 - UNDER REVIEW [13.6.3 - 26 pages]

Recommendation

That Council endorse the 10 year works program associated with the upgrade of unsealed Rights of Way and the inclusion of a separate lighting program.

Purpose

Endorsement of a 10 Year Rights of Way Capital Works Program which establishes a priority of works for future financial years.

In brief

- At the Ordinary Council Meeting held on the 21 September 2021, Council resolved (Resolution No 207/2021) the following;

“That Council endorses an extension of time for the Town to present findings on a review of the Rights of Way (ROW) Strategy and an updated 10 Year ROW Capital Works Program from September 2021 to December 2021; which is required due to the potential major nature of the item to be presented falling within the “caretaker” period of the October 2021 Council elections and potential financial decision to fund future projects”

- Prior to Council’s decision on 21 September 2021, a previous resolution (119/2021) required staff to provide an updated presentation to Elected Members regarding the progress of the Rights of Way Strategy on 28 September 2021, which was actioned accordingly.
- The initiation of this strategy and a subsequent investigation followed on from a Councilor motion in June 2021 to consider issues related to lighting in Rouse Lane.
- The Strategy document has been developed to ensure the process is transparent and provide Council with a better understanding of the methodology being used to prioritise Right of Way projects in the Town.
- To ultimately support the Capital Works Program moving forward, staff have also prepared a draft Rights of Way Management Strategy document, which will be finalised in the new year. These concerns were raised at the Concept Forum on 28 September 2021.

Background

1. The ROW program focuses on sealing Rights of Way that are currently gravel/dirt roads and progressively installing lighting in those ROW's that have known crime and safety issues.
2. In September 2003, Council adopted a programme of works to upgrade those ROW's that were to remain open, and at the time, 50 Rights of Way were identified for significant improvements.
3. The Town has progressively been upgrading unsealed ROW's for many years now. However, the inclusion of lighting has only been a significant consideration since early 2010. Historically, ownership of lighting in Rights of Way has been the responsibility of the Local Government rather than Western Power due to their under-width status and not being dedicated public roads.
4. As infill developments continue to increase in the Town, there is an expectation that ROW's which serve as an access function should ideally be sealed and drained adequately to meet current standards. This is supported by the Towns Local Planning Scheme No 1.
5. Currently, 21 unsealed Rights of Way sections have been identified for major improvements.
6. The majority of Rights of Way in the Town are currently privately owned, and staff from the Properties and Leasing Business Unit have commenced a separate process to ultimately convert all Rights of Way to public roads where possible. This is likely to be a lengthy process given the need to undertake probate or ASIC related searches.
7. According to internal records, via the Towns GIS Mapping tool, the Town has 151 sections of ROW's on our register.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	Projects are prioritised based on a process that is clear and transparent to all stakeholders. Additionally, they are delivered on time/on budget with minimal disruption to property owners abutting the ROW during construction.

Environment	
Strategic outcome	Intended public value outcome or impact
EN02 - A safe, interconnected and well maintained transport network that makes it easy for everyone to get around.	To ensure Right of Way assets are maintained in acceptable condition and continue to function as alternative roadway access for those residents/business owners who are located directly adjacent.

Engagement

Internal engagement	
Elected Members	<p>The outcome of the presentation made to elected members included various issues as summarised below:</p> <ul style="list-style-type: none"> • Need for a Management Strategy to supplement the Capital Works Program

- Alignment with Strategy Document which needs to be prepared
- Document process issues regarding deceased estates/ownership issues
- Legal (Heads of Power) – Position of the Town to acquire ROW's
- Naming of ROW's and community engagement
- Consistency of construction along ROW's in the Town
- Planning requirements associated with finished floor levels
- Possibility of consolidating a 10 year construction period to 5 years
- Consideration Surface treatments – E.g. Permeable Paving
- Criteria – want other criteria but 83% happy with weighted MCA
- Does it fit best practice for environmental sustainability.

Other engagement

Stakeholder	Comments
Property and Leasing	Management Practice Supporting Rights of Way Strategy being worked on. The workload in the department is high and additional resources are required to assist the Street Improvement Team.
Asset Planning	Information on the approved ROW projects will need to be presented to the Strategic Assets Advisory Group (SAAG) for endorsement as part of the 5 year Capital Works Program. Right of Way Projects could be considered for LRCI funding.

Legal compliance

8. Dedication of private Rights of Ways to public roads requires Ministers for Lands approval under the *Land Administration Act 1997*.

[Section 56 of the *Land Administration Act 1997*](#)

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	Significant expenditure will be required in future years to fund ROW projects which have not been recognised in the LTFP.	<i>Moderate</i>	<i>Almost certain</i>	<i>High</i>	<i>Low</i>	TREAT – Provide certainty by adopting a works program so that projects can be embedded into future budgets.
Environmental	N/A				Medium	

Health and safety	N/A				Low	
Infrastructure/ ICT systems/ utilities	Current GIS database on ROW's requires updating to ensure information is current and accurate.	Minor	Possible	Low	Medium	TREAT – Technical staff to review and provide feedback to Asset Planning Service Area to update the database.
Legislative compliance	Most Rights of Way in the Town are privately owned. The Town has reduced legislative powers in relation to enforcement of parking regulations.	Minor	Almost certain	Medium	Low	ACCEPT – Properties and leasing team investigating numerous Rights of Way for potential road dedication.
Reputation	Expectation by the community that once the 10 year Capital Works Program is adopted, priority will not change.	Minor	Almost certain	Medium	Low	ACCEPT – Council decision.
Service delivery	External design support may be required to have shelf ready design projects for future years.	Minor	Almost certain	Medium	Medium	TREAT – Engage external consultants as required depending on internal resources.

Financial implications

Current budget impact	<p>Sufficient funds exist within the current 2021/22 annual budget for two unsealed Rights of Way projects to be constructed this financial year. Project details are below.</p> <p>ROW 46 – A budget of \$240,000 has been allocated to this project - Currently in the construction phase.</p> <p>ROW 33 Ceres Lane – A budget of \$390,000 has been allocated to this project - Currently in the procurement phase.</p>
Future budget impact	<p>The total draft budget to deliver the 10 Year Works Program is approximately 3.9 million dollars and this strategy will guide the infrastructure capital funding priority in the Long-Term Financial Plan. This includes the program to upgrade unsealed Rights of Way and the lighting program.</p>

Analysis

9. In order to prioritise the list of unsealed Rights of Way in the Town, Technical staff have used a multi-criteria assessment with the following parameters and weightings:
 - a. Length Criteria – 20%. This is considered important due to the need for passing opportunities.
 - b. The number of properties abutting the ROW – 25%. Generally the higher the number of properties abutting the ROW, the higher likelihood of development opportunities.
 - c. The number of vehicular access points – 35%. This is the highest weighting given the higher traffic movement and level of service for property owners. Safety also considered high priority given the conflicts from garages or carports.
 - d. General condition – 15% - This relates to the existing surface treatment. Compacted gravel that is evenly spread and well graded is considered a good riding surface and areas of soft soils, overgrown vegetation or uneven topography is considered poor from an accessibility perspective.
 - e. Crime and Safety Statistics – 5% - Lowest weighting value considered in this category as all unsealed ROW's will have lighting installed as part of the project.
10. The prioritisation of lighting projects in already sealed ROW's will only focus on Crime Statistics received by the WA Police as the main factor for assessment. Findings show that crime statistics are higher in ROW's where commercial activity is higher such as those along the Albany Highway Corridor.
11. In anticipation of the pending approval of the Rights of Way Capital Works Program, Technical Staff have provided the list of future upgrades to the Asset Planning team for inclusion in the Town wide 5 Year Capital Works Program.
12. Other criteria has been considered such as sustainability, however this can be subjective as all ROW's could be considered for permeable paving as a surface treatment and the use of recycled material as a base course in road construction could be used in the various scenarios. Furthermore, planting of vegetation would be restricted to those Rights of Way which are greater than >6m due to space limitations. Unfortunately, none of the priority ROW projects meet this criteria. Constructability was also another criteria reviewed, however only adds to the complexity of the MCA exercise and would unlikely make a significant difference to the scoring.
13. The future budget impact of endorsing the 10 Year Capital Works Program (Lighting Program + Unsealed Rights of Way Program) is estimated at 3.9 million dollars. Further information on the preliminary budget workings is attached. Please note that over the last 18 months, contractor pricing and material availability has been increasing due to the labor shortage. Furthermore, the estimates don't include CPI or operational costs.
14. Internally, technical staff are required to undertake a minor review of the priority every 12 months and a major review every 5 years to ensure any updates are captured and if necessary, make adjustments. This is a critical process as continued property development along Rights of Way can have a significant impact on the function and character of the laneway which could influence other design outcomes. This may include ceding of land as part of subdivision, closures and amalgamations, funding allocated by developers to undertake civil works and other legal matters affecting Rights of Way in the Town.

Relevant documents

[LPP7 - Development and Vehicle Access to Properties Abutting Rights of Way](#)

[Draft Liveable Neighbourhoods 2015](#)

[WAPC Planning Bulletin 33/2017](#)

Questions and responses

Cr Jesvin Karimi

1. Given that the Town has received a petition, albeit with issues, seeking that lighting be installed as a matter of urgency to Rouse Lane, what considerations have led to Rouse Lane being listed for works in 2029/30?

The Chief Operations Officer advised that crime statistics are what is used to prioritise the lighting. There are other Rights of Way that have higher crime statistics that will be sealed before Rouse Lane.

2. How many residential properties exist on Rouse Lane, including those that may not have an address noting Rouse Lane, however use Rouse Lane as their main entry and exit point to access their properties, both vehicular and pedestrian access?

The Chief Operations Officer advised that there are currently 51 properties plus a church directly abutting Rouse Lane. The number of properties that are taking access for ingress/egress purposes onto Rouse Lane is approximately 31.

Cr Luana Lisandro

1. What is the development capacity down Rouse Lane for future development?

The Chief Operations Officer advised there is a possibility for having multiple dwellings on a single lot and there are some large properties, but the Town are not aware of how many potential dwellings there could be off Rouse Lane.

Further consideration to be added to the Ordinary Council Meeting agenda

Nil.

13.7 Draft Kent St Sand Pit Design

Location	Town-wide
Reporting officer	Environmental Officer
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. Kent St Sand Pit Site Investigations Outcomes Summary [13.7.1 - 3 pages]2. Kent St Sand Pit Opinion of Probable Cost [13.7.2 - 1 page]3. Kent Street Sand Pit Concept Design November 2021 [13.7.3 - 2 pages]

Recommendation

That Council:

1. Receives the draft Kent St Sand Pit concept design.
2. Approves that the reviewed concept design be released for community consultation in January 2022.

Purpose

To seek approval for the reviewed Kent St Sand Pit design to be released for community consultation in January 2022.

In brief

- In February 2021 Council approved the development of a Kent St Sand Pit Concept Plan.
- The Kent St Sand Pit Concept Options' first draft was developed and presented to Council at the 15 June OCM.
- At the June OCM Council requested that the Administration undertake some site surveys and a geotechnical report, and also seek advice on restoration and revegetation of banksia woodland.
- The outcome of the surveys and expert advice sought have informed the draft design.
- The draft design is presented to Council, and the Administration requests that Council approve the release of the draft Kent St Sand Pit design for community consultation.

Background

1. In December 2020 Council received the Opportunities and Considerations (O&C) Report for Kent St and Pit. Remaining within the boundaries of the current planning framework (Parks and Recreation Reserve) and following the direction set by previous recommendations and decisions about the site, this report provided information on design options for rehabilitation of the site to inform future site planning.
2. Building on this O&C report, at its meeting of 15 December 2020, Council approved - amongst other items - the development of a concept plan for Kent St Sand Pit
3. The Town sought feedback from the community regarding how they would like the Kent St Sand Pit to be used. The informing staff and community survey and workshop feedback indicated a greater appetite to use the site for revegetation and for passive recreational and cultural purposes.
4. Building on this community feedback, the first draft Kent St Sand Pit Concept Options were developed and presented to Council at the 15 June 2021 OCM. These options were categorised into Bronze, Silver and Gold options. These options had revegetation at their core but escalated in the level of infrastructure proposed in each higher level option.

5. On 15 June OCM Council made the resolutions below:

Requests the Chief Executive Officer to:

- a) undertake detailed site surveys of the flora, fauna, water mains connections, stormwater and groundwater capacity, and obtain a geotechnical report;*
- b) consider whether to hold discussions or obtain advice from the WA Department of Biodiversity Conservation and Attractions, Water Corporation, SERCUL or any other professional advisers, and if so, to undertake those discussions or obtain that advice before September 2021;*
- c) seek advice and promote discussion with Curtin University and the Town's Mindeera Advisory Group in relation to the Kent St Sand Pit site, around culturally appropriate revegetation, and creation of a natural learning space for Noongar culture.*
- d) list for consideration in the 2021/22 budget sufficient funds to undertake the surveys and report referred to in 2(a), and any advice referred to in 2(b).*

- 6. The Town then embarked on several site investigations and stakeholder and agency consultations in accordance with the above Council resolution.
- 7. The outcome of the detailed site surveys and the geotechnical reports can be found in the attachments to this report (Site Investigations Outcomes Summary) and in the Minutes of the 21 September 2021 OCM (Kent St Sand Pit Concept Options – Response to Council).
- 8. The Town also sought advice from various agencies, seeking their expertise regarding any potential issues with the proposed design elements being integrated into the site or any broader considerations of which the Town should be aware. The feedback received has been outlined in the 'Other Engagement' section.
- 9. The Town has been engaging with Curtin University - which included elder Professor Simon Forrest and Professor Dixon - and the Town's Mindeera Advisory Group concerning the Kent St Sand Pit around appropriate revegetation and creation of a natural learning space for Noongar culture. The summarised learnings from respective parties are outlined below.
- 10. The Town then embarked on several site investigations and stakeholder and agency consultations in accordance with the above Council resolution.
 - a. Simon Forrest:
 - i. Pathways are suitable for community access.
 - ii. The revegetation proposed is supported. There is a need to ensure that this revegetation blends with Kensington Bushland rather than two distinct areas.
 - iii. Ensure that the perimeter embankments have a more gentle, natural look.
 - iv. Remove all fencing to the site. This will let the land breathe.
 - v. Allow access and open interaction with the bush.
 - vi. Make the site's design reflective of Noongar culture, i.e. with a view to "Cultural Restoration". This could include the integration of:
 - 1st. the six Noongar seasons referenced in the design
 - 2nd. culturally significant fauna in symbolism
 - 3rd. yarning circles (circles for learning). If located and designed with elders, yarning circles for knowledge exchange would be more culturally appropriate than, for instance, an amphitheatre. A small shelter could integrate with the yarning circle, but the shelter itself should not be the focal point.
 - vii. Curtin University worked with elders to find the Noongar energy spot that became the Yarning circle site. The yarning circle should be centred around the Noongar energy spot. Simon offered help to locate this appropriately.

b. Kingsley Dixon:

- i. Could plant pecans and almonds on the verges to create a fast-growing food source for Black Cockatoos.
- ii. The focus should be restoration rather than revegetation, as a Banksia woodland can be restored (which should be the aim as this is the shared vision of the Traditional Owner's).
- iii. Understory – this is where the biodiversity is in Banksia woodland. There are challenges such as those associated with seed propagation capability, but the Town can partner with Curtin University and others to generate a best practice restoration effort.

c. Mindeera Advisory Group:

- i. Mindeera Advisory Group visited the site in September and met with Town officers on 11 August and 3 November 2021. The Group was supportive of the learnings provided by Professor Forrest and Professor Dixon, as well as the latest indicative or concept design attached to this report.

11. Based on the feedback received and the survey findings at the 21 September OCM, the following resolution was passed:

1. *Receives the reported outcomes for 15 June 2021 Ordinary Council Meeting resolutions.*
2. *Requests the Chief Executive Officer to seek further input from Professor Kingsley Dixon and/or Curtin University, the Mindeera Advisory Group and the Friends of Jirdarup Bushland into the draft design for the Bronze Option presented to Council on 15 June 2021 to inform any adjustments to the draft design.*
3. *Approves the Administration to adjust the draft design for the Bronze Option in accordance with the survey findings and feedback received, to create a best practice restoration effort with a focus on:*
 1. *ecological restoration of the banksia woodland and development of the understory;*
 2. *Noongar cultural restoration and considerations.*
4. *Requests that the reviewed design for the Bronze Option be presented to Council by the December 2021 Ordinary Council Meeting.*

12. The Administration has subsequently developed an indicative adjusted draft design (concept design) for the Kent St Sand Pit. See the Analysis section of this report for details.

Strategic alignment

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.	The conversion of the site to public open space for recreational and cultural purposes, with revegetation being the prime focus, would not only protect and enhance the adjacent precious remnant Kensington Bushland but also potentially create an excellent amenity for the Town's community and visitors from the wider community.
EN07 - Increased vegetation and tree canopy.	Given the size of the site, the revegetation of Kent St Sand Pit would contribute significantly to the Town's canopy cover.

Engagement

Internal engagement

Stakeholder	Comments
Staff	Representatives from Parks, Place Planning, Engineering, Natural Areas and Environment were included in a working group to oversee the development of the Kent St Sand Pit Opportunities and Considerations Report and the Concept Plan.
	8 March - 22 March 2021 – all staff were invited to provide feedback via the Your Thoughts survey on what they would like to see included in future planning for the Kent St Sand Pit.
	24 April 2021 – 15 staff were engaged in a workshop to explore future use options for the Kent St Sand Pit.
Elected members	<p>25 May Concept Forum</p> <p>Elected Members raised considerations such as:</p> <ul style="list-style-type: none"> • Greater proportion of site revegetation relative to passive recreation space. • Universal access for all of the proposed entry points. • Path materiality. • Site surveys to feed into the design (e.g. flora and fauna surveys, geotechnical) and eventual on-ground implementation (e.g. appropriateness of plant types within certain areas of the site relative to prevailing site conditions, potential competition with other species etc.). <p>NOTE: This feedback was considered within the broader community consultation feedback regarding the initial draft concepts proposed.</p> <p>26 October Concept Forum</p> <p>Elected Members raised the following considerations (corresponding response from the Administration also provided):</p> <ul style="list-style-type: none"> • Provide a design and cost estimate of the accessibility of entry for all <p>Administration response: An additional universal access entry point has been proposed for the corner of Baron-Hay Crt and Kent St. The combined cost of the universal access ramps is estimated at \$585,000 (see Opinion of Probable Cost attached to this report).</p> <ul style="list-style-type: none"> • Look into the possibility of filter water drink fountain <p>Administration response: According to the Utility Providers Code of Practice for Western Australia (March 2019), the depth to which Drinking and Non-Drinking Water piping needs to be sunk is between 600mm and 750mm. Given that the excavation depth is not significant and we can plumb water mains into a connection point on Kent St, installing a water fountain on site is feasible.</p> <ul style="list-style-type: none"> • Talk to the City of Wanneroo regarding their issues with antisocial behaviour,

dumping, fires and having to corner off parts of their reserves for biodiversity reasons.

Administration response:

The Conservation Officer at the City of Wanneroo indicated that there had been a few problematic parks and reserves without fencing that have been regularly vandalised. As a result, the City has erected signage, and the sites are regularly monitored through Ranger and Parks patrols.

However, other sites that have passive surveillance and some level of ownership of the community (i.e. Friends groups) have thrived.

In general, the City prefers to use conservation fencing around revegetation areas, particularly where they are adjacent to high traffic areas, schools and easy access from the general public. The City use of conservation fencing helps to assist the success of the rehabilitation, resulting in the persistence of higher biological values and efficient use of financial and other resources. Conservation fencing also assists in ensuring that the rehabilitation is not trampled by passive recreation users (walkers, dogs, bikes) and allows the vegetation to establish more successfully. Our experience is that areas adjacent to paths and public areas are often subject to illegal dumping and unauthorised access when they are not fenced. This often results in the loss of vegetation and a reduction in fauna habitat.

It is the view of the Town of Victoria Park Administration that we should retain a perimeter fence at least during the establishment period of revegetation. Beyond that, given the polarising views, the Town will need to consult with respective parties further to reach a definitive stance on fencing at the site.

External engagement	
Stakeholders	The whole of the Town community.
Period of engagement	8 March - 22 March 2021 – community survey 24 March 2021 – a community workshop
Level of engagement	4. Collaborate
Methods of engagement	Community survey, community workshop, Concept Forum.
Advertising	Newspaper advertisement, Town website, posters, social media.
Submission summary	132 submissions were received. For a summary of the submissions, please see the attachment to this report.
Key findings	From March community engagement: 74 of the 132 submitters voted 'revegetation' as the most important thing to be included within the Kent St Sand Pit area; 18 for 'walking trails'; 15 for 'places to play'; 10 for 'universal access'; 12 for 'gathering spaces'.

13. Following the 15 June 2021 OCM resolution of Council, the Town contacted each of the following organisations, inviting commentary on whether they foresaw any issues with the proposed design elements being integrated into the site, or any broader considerations that the Town should be cognisant of.

Other engagement	
Stakeholder	Comments
Mindeera Advisory Group	See paragraph 9, above.
Department of Primary Industries and Regional Development	The South Perth office of the Department of Primary Industries and Regional Development (DPIRD) is located next to the Kent Street Sand Pit (Tip Site) as well as the Kensington Bushland. DPIRD supports the revegetation planned for the area and the development of walking trails to match that in Kensington Bushland.
Department of Water and Environmental Regulation	<p>Based on the information provided, the majority of the design components would be consistent with the restrictions on use, noting that any ground disturbing works would have to be undertaken/managed in accordance with the Town's site management plan (SMP). I also note that more intensive use of the site places greater importance on adhering to the general provisions of the SMP, such as maintaining the site cover, and inspections to assess the cover and remove any asbestos-containing material that may become visible due to erosion.</p> <p>The proposed construction of a 'Central structure acting as educational space' may require an assessment for landfill gas risk, as noted in the restrictions on use:</p> <p><i>Due to the presence of buried waste beneath the site generating landfill gas (such as carbon dioxide) the construction of buildings with enclosed spaces or large areas of impermeable surfaces (such as asphalt car parks or sporting courts) is not permitted without further assessment of landfill gas.</i></p> <p>The Town should also be aware of the referral requirements under section 58(6) of the CS Act that require a 'responsible authority' to seek and consider the advice of the CEO of DWER as to the suitability of the land for development prior to granting approval 'under a scheme' for any proposed development of that land. Given the preliminary nature of the proposal, please note that this written feedback is not purporting to be formal advice provided by a delegate of the CEO under section 58(6).</p> <p>It is recommended that finalised plans are provided to DWER for comment in due course.</p>
Curtin University	Professor Kingsley Dixon (John Curtin Distinguished Professor - who specialises in ecological restoration (particularly restoration of Banksia Jarrah woodlands) – has suggested that restoration of Banksia woodlands be a focus for the site, and fast growing plants, (such as macadamia and pecan trees) be integrated into the site (e.g. verges) to provide a food source for Black Cockatoos.

Water Corporation	Water Corporation informed the Town that there is a possibility of a water mains connection (e.g. for irrigation or drinking fountains) on the corner of Kent Street and Etwell Street. If desired, the Town simply needs to apply for a service connection.
Department of Biodiversity, Conservation and Attractions	No comment.
CSIRO	No comment.
Birdlife Australia	No comment.
Kaarakin	No comment.
South East Regional Centre for Urban Landcare (SERCUL)	No comment.

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	As the land is owned by the Town under a 999-year lease and was gifted to provide financial endowment, there is the potential for loss of alternative revenue and other social benefits as a result of not exploring options outside of the current Parks and Recreation Zoning.	Major	Possible	High	Medium	Seek the preference of the Town's community in terms of potential revenue generation and social outcome opportunities to offset a portion of the rates revenue.
Financial	Precedent for the State Government to take back endowment land as they required.	Major	Possible	High	Medium	Liaison and negotiation with State and Federal Government regarding future plans for the site.
Environmental	Not applicable.					
Health and	Not applicable.					

Safety	
Infrastructure/ICT Systems/ Utilities	Not applicable.
Legislative Compliance	Not applicable.
Reputation	Not applicable.

Financial implications

Current budget impact	<p>Sufficient funds exist within the annual budget to address this recommendation.</p> <p>Pending approval of the future concept, detailed design phase will be undertaken.</p> <p>In preparation for future revegetation efforts, seed collection will start during 2021/22. After discussions with our seed collection contractors Tranen and other nurseries representatives, it is anticipated that at least two-fold increase in current collections to set up a Best Practice Restoration Model. The Town's Natural Areas team has indicated that funds will be derived from the following cost codes:</p> <table style="margin-left: 20px;"> <tr> <td>2021 Seed collecting Kensington</td> <td>\$9900 = W444 Drainage Maintenance</td> </tr> <tr> <td>Hillview Restoration</td> <td>\$990 = W561 Hillview Maintenance</td> </tr> <tr> <td>UFS seed collection</td> <td>\$990 = W4345 UFS</td> </tr> <tr> <td>Seed management fee</td> <td>\$200 = W4345 UFS</td> </tr> </table>	2021 Seed collecting Kensington	\$9900 = W444 Drainage Maintenance	Hillview Restoration	\$990 = W561 Hillview Maintenance	UFS seed collection	\$990 = W4345 UFS	Seed management fee	\$200 = W4345 UFS
2021 Seed collecting Kensington	\$9900 = W444 Drainage Maintenance								
Hillview Restoration	\$990 = W561 Hillview Maintenance								
UFS seed collection	\$990 = W4345 UFS								
Seed management fee	\$200 = W4345 UFS								
Future budget impact	<p>Pending Council endorsement of the design, funding for construction works will be required.</p> <p>Preliminary estimates are that the works will cost \$1.578M (see Opinion of Probable Cost attached to this report).</p> <p>The construction cost may be able to be supplemented through grant funding (e.g. Lotterywest).</p> <p>The second round of seed collection in 2022/23 will be funded by the Natural Areas Maintenance budget. This will also encompass annual propagation research and development, estimated at \$5,000/year.</p>								

Analysis

14. The below (paragraph 15 and 16) responds in accordance with the Council 21 September OCM resolutions:
15. Seek further input from Professor Kingsley Dixon and/or Curtin University, the Mindeera Advisory Group and the Friends of Jirdarup Bushland into the draft design for the Bronze Option presented to Council on 15 June 2021 to inform any adjustments to the draft design.

- a. Professor Simon Forrest
 - i. Since September, the Town been working closely with Professor Forrest to map the energy spots on the site. These energy spots have determined the potential location(s) for a yarning space on the site.
 - ii. NOTE: The energy mapping of the site is almost complete. The exact proposed location of the yarning space will be informed by the finalised map. At this stage, the location of the yarning space is indicative, based on the energy mapping completed at the time of writing this report.
- b. Mindeera Advisory Group
 - i. Mindeera Advisory Group visited the site in September and were met by Town officers on 11 August and 3 November 2021. The Group were supportive of the learnings from Professor Forrest and Professor Dixon (see paragraph 9), as well as the latest indicative design attached to this report.
- c. Friends of Jirdarup Bushland
 - i. The Town met with the Friends of Jirdarup Bushland on 7 (with attendance with Professor Dixon) and 25 October 2021.
 - ii. The Town met with the Friends of Jirdarup Bushland on 7 (with attendance with Professor Dixon) and 25 October 2021.

Consideration	Response
Exclude Bush Forever site from redevelopment "proper" on plans	<p>This delineation of Bush Forever will be included in a site context overview that will be released with the draft design. The Administration is also happy to include on a subsequent iteration of the design.</p> <p>Re: exclusion of Bush Forever from development, the Administration is aware that universal site access (such as at the corner of Kent St and Baron-Hay Cr) is an important consideration, but we need to balance this against minimizing disturbance to the bushland.</p> <p>For instance, the Administration believes that the alignment of the abovementioned access can be altered to run off Kent St, avoiding the Bush Forever fringe. This will be considered a subsequent iteration of the draft design.</p>
<p>Include connection from existing Kensington Bushland to Sandpit – i.e. linkage from track near bird waterer to new Sandpit (NE/SW orientation) - with a path location that does not have a lasting impact on existing bush forever site flora and fauna AND takes into account design criteria such as accessibility requirements.</p> <p>FoJB would like raised boardwalks to be considered to minimise impact on bushland and existing grade (approx. 65m of ramp required to get down to grade and maintain accessibility).</p>	<p>Emerge to review options for footings that offer minimal disturbance and note use of low-impact materials to the bushland. e.g. material used in pathways in Hillview Bushland. This will be considered in detail at the Detailed Design phase.</p>
Fire access – width of paths to comply with emergency requirements.	<p>Agreed. Will ensure this consideration is integrated in the Detailed Design phase.</p>

<p>Show full map (full Jirdarup Bushland Precinct) for overall context and for community feedback.</p>	<p>Agreed. Can include map of surrounding precinct with documents to be released for community consultation.</p>
<p>Infill around the batters – still trying to see how to marry the two aspirations together - may be better to reduce the grade of the batters (will sacrifice existing vegetation). Need to review in conjunction with nesting site location. May need further vegetation and bee eater surveys dependent on the timeframe for their breeding. Rainbow bee-eater nesting sites are not confirmed but their presence has been. This is the right period to do the survey for the nesting sites; even if only to exclude areas that they won't use.</p>	<p>Town of Victoria Park to review with Kingsley Dixon for potential areas to smooth batters.</p> <p>Response from Professor Dixon: It is possible but maybe we can walk the site or, see an aerial with the areas of significant veg and batter overlay. I'm sure there can be compromise with retaining some steep batters while others of less value are reduced in grade.</p>
<p>Perimeter fencing still being discussed but the FoJB have a concern with the motorbikes accessing the bushland. FoJB also wish to try and deter goat tracks. Perimeter fencing may still be used but internal fencing may be removed.</p>	<p>Town of Victoria Park to check with Professor Forrest and Professor Dixon re: the fencing and clarify their thoughts for conservation purposes.</p> <p>Response from Professor Forrest: Perimeter fencing of some sort could still be needed to deter entry to the site by motorbikes and vehicles.</p> <p>Response from Professor Dixon: Doubt trail bikes would be an issue in this inner urban area. if no evidence why not trial no fencing and instead intensify the planting. Internal space should be open and available for viewing without fencing.</p> <p>Administration response: Based on the above and the commentary from City of Wanneroo, it is the view of the Town of Victoria Park Administration that we should retain a perimeter fence, at least during the establishment period of revegetation. Beyond that, given the polarising views, the Town will need to consult with respective parties further to reach a definitive stance on fencing at the site.</p>
<p>FoJB ok to remove the fencing between the Bushland and Sandpit (perhaps retain initially with a staged and planned removal after an establishment period).</p>	<p>Agreed.</p>
<p>Additional design elements such as the limestone boulders to be retained and relocated within the Sandpit</p>	<p>To consider inclusion at the Detailed Design phase.</p>
<p>Restoration requirements and Indigenous input should inform the landscaping considerations in a secondary step.</p>	<p>Agreed. The Town has been liaising with Mindeera Advisory Group and Professor Forrest on design elements.</p>
<p>Should the mounding locations be informed by the Indigenous' energy spots' and contribute to the restoration requirements?</p>	<p>Agreed. The location of the energy spots – and therefore indicative location of the yarning space – has informed the proposed mounding.</p>

	<p>Response from Professor Dixon: Some undulation might be ok subject to overall site landscape – banksia woodland is generally very subdued with gentle rises and falls over some distance.</p> <p>The mounding proposed is gentle, at most a rise of 500mm.</p>
<p>Should the Restoration Plan include digging mammals (e.g. bandicoots, bettongs, potoroos and bilbies) for soil improvement?</p>	<p>Response from Professor Dixon:</p> <p>STAGE 1: revegetation and reinstatement of the appropriate species.</p> <p>STAGE 2: investigate with great caution reintroduction of mammals. Need to be mindful that contained animals without predators will tend to over-use a site.</p>

16. Approves the Administration to adjust the draft design for the Bronze Option in accordance with the survey findings and feedback received, to create a best practice restoration effort with a focus on:
1. ecological restoration of the banksia woodland and development of the understory;
 2. Noongar cultural restoration and considerations
- a. Draft Design for Kent St Sand Pit - Based on the survey results and consultations, below are the major elements incorporated into the draft design for Kent St Sand Pit:
- i. Focus on revegetation and restoration of the site.
 - ii. Universal accessibility - ramp access (including connection to Kensington Bushland)
 - iii. Universal accessibility primary perimeter path and secondary connecting pathway. This allows access to the visitors whilst minimising the volume of impermeable surfaces.
 - iv. Reviewed the path to ensure that this avoids the priority flora species *Dodonaea hackettiana* that were found in part of the site near Baron-Hay Court;
 - v. Earth mounding to create interest
 - vi. Protection of Rainbow Bee-eater nesting sites*.
 - vii. Ensure that the perimeter embankments have a more gentle undulation;
 - viii. Consider no fencing within the site (no conservation-style fencing).
 - ix. Interpretive signage and wayfinding
 - x. Boot cleaning station
 - xi. Incorporation of Noongar cultural considerations i.e. with a view to "Cultural Restoration". This includes the integration a yarning space on the site. Other elements include signage on the site (e.g. potentially the six Noongar seasons and culturally significant fauna referenced**).
- * The Town will liaise with Curtin University to undertake further analysis of batters and nesting sites. The outcomes of this will be reflected in a further iteration of the design.
- ** This will be explored further as part of the subsequent Detailed Design phase of the project.
17. The draft design itself can be found as an attachment to this report. See Kent St Sand Pit Concept Design November 2021.
18. The draft design itself can be found as an attachment to this report. See Kent St Sand Pit Concept Design November 2021.
19. The Administration requests that Council approve the release of the draft Kent St Sand Pit design (concept design) for community consultation from January 2022.

Relevant documents

Nil.

There were no questions asked or presentations made in relation to this item.

13.8 Grant for Lathlain Park 2

Location	Lathlain
Reporting officer	Strategic Projects Manager
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	1. CD G 907 Att D - Letter of Offer [13.8.1 - 2 pages] 2. CD G 907 Final Draft Funding Agreement [13.8.2 - 57 pages]

Recommendation

That Council:

1. Accepts the \$4,000,000 (plus GST) funding contribution from the Federal Government to progress the Lathlain Park Redevelopment Precinct Zone 1 project.
2. Authorises the Chief Executive Officer to execute all necessary documentation to formalise the \$4,000,000 (plus GST) funding contribution from the Federal Government.

Purpose

For the Council to accept the grant funding of \$4m (plus GST) from the Federal Government and allow the Chief Executive Officer to execute the Funding Agreement to facilitate the Town to progress the redevelopment of the Lathlain Park Redevelopment Precinct Zone 1.

In brief

- The Town has been in constant dialogue with the Federal Government regarding this Funding Agreement over the last year, where the Town was required to confirm a minimum brief for deliverables.
- The Funding Agreement for \$4m (plus GST) is ready for signing now that Council has adopted a baseline model.
- The Funding Agreement is a standard agreement relating to the project's deliverables, timing and reporting, which requires formal execution by the Chief Executive Officer.
- The initial tranche will be distributed upon 30% completion of the project as certified by the Town's appointed Quantity Surveyor. Broadly this will include demolition of the existing structures and the commencement of the construction of the new facility.
- The funding contribution is a significant investment in the redevelopment of the Perth Football Club.

Background

1. Perth Football Club has been the primary occupant and lessee on this site since its initial development in 1958. The development has now reached the end of its useful and economic life.
2. In March 2020, the Council endorsed the Zone 1 project mandate due to the existing facilities dilapidated nature and assisted in the advocacy to secure additional funds required to complete the development.

3. The mandated Zone 1 project scope, according to the 2020 business case, is intended to deliver a redeveloped Perth Football Club grandstand, football operations infrastructure, parking and suitable space for legible movement within and between other zones within the Lathlain Park Precinct. Additionally, community uses will be delivered as part of work, ensuring a fitting interface to the community.
4. In June 2020, the Council endorsed the initiation of an Advisory Group with an agreed term of references to oversee and provide development guidance over the mandated scope of works.
5. In November 2020, the Council resolved to list Zone 1 for consideration in the Long-Term Financial Plan, nominating an indicative amount of \$5m. This was done to strengthen the advocacy for external funding.
6. Throughout 2021, the Town has been in constant dialogue with the Department of Infrastructure, Transport, Regional Development and Communications from the Federal Government with regards to the commitment of \$4m for the redevelopment of the Perth Football Club. It was noted that before a Funding Agreement can be finalised, a baseline scope of works needs to be agreed upon and a broad methodology.
7. At the August OCM, the elected members endorsed a baseline model for the redevelopment, which included 800 grandstand seating, three changerooms, function rooms and football operations infrastructure, including coaches boxes.
8. Additionally, funding contributions have been secured from the State Government (\$4m), West Coast Eagles (\$1m), and the Town has committed \$5m in the Long-Term Financial Plan

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	The community has been engaged significantly as part of the broader Lathlain Precinct, including during the Lathlain Park Management Plan process.
CL03 - Well thought out and managed projects that are delivered successfully.	Zone 1 is the final piece of the Lathlain Park Redevelopment Precincts puzzle.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	External funding will contribute to the development, and the required Town funding is captured in the Long-Term Financial Plan, distributed over successive financial years. The projects focus is on multi-use community spaces that are sustainably viable.

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.	The development will replace an obsolete, dilapidated, high Maintenance, no longer fit for purpose structure and provide accommodation that will support community groups and broader activation of the locality.

EC02 - A clean, safe and accessible place to visit.	The existing aged, dilapidated and obsolete structure is not DAIP compliant. A new structure will address universal access.
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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.	The project will deliver a sustainable built form outcome ensuring a sustainable business model for the PFC, the Town, for the benefit of the community.

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	Once constructed, the facility will provide a safer and more inviting space as conceptualised by the community, creating a sense of community pride within the space.
S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	Once constructed, the facility will provide a more inclusive space for the community providing awareness around arts, culture, education and heritage.

Engagement

Internal engagement

Stakeholder	Comments
Finance	Provided advice on budget considerations

Other engagement

Stakeholder	Comments
Department of Infrastructure, Transport, Regional Development and Communications from the Federal Government	Ongoing dialogue to confirm scope and milestones.

Legal compliance

Not applicable.

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not accepting this funding may result in the redevelopment not proceeding	Moderate	Unlikely	Low	Low	Accept the Funding
Environmental	Not accepting the funding will halt progress on removing a dilapidated building with hazardous material	Moderate	Moderate	Low	Low	Accepting the funding will ensure material is removed.
Health and safety	Continuation of the status quo will lead to the building being potentially unsafe.	Moderate	Moderate	Low	Low	Accepting the funding will allow the Town to resolve the potential health and safety concern
Infrastructure/ ICT systems/ utilities	N/A				Medium	
Legislative compliance	N/A				Low	
Reputation	The Town is unable to secure the funds to deliver Zone 1.	Moderate	Moderate	Low	Low	Accepting the funding will ensure the delivery of Zone 1.
Service delivery	N/A				Medium	

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Funding for this project is listed for consideration in the 2021/22 annual budget and revised Long-Term Financial Plan.

Analysis

9. The Funding Agreement provided is standard and is in favour of the Town with a clear, structured reporting framework.
10. The \$4m (plus GST) will contribute towards the delivery of the LPRP Zone 1 redevelopment, including the demolition of the existing facility, grandstand seating, community spaces and football club operations.
11. Currently, an EOI process is being completed to obtain further funding partners leveraged of this funding. The timeframes outlined in this Funding Agreement account for this process.
12. It is acknowledged that the endorsed baseline model is the minimum delivery requirement for the Funding Agreement, with the potential for an increased scope of delivery to be realised if additional funding partners join the project.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

13.9 TVP/21/08 - Lathlain Park Zone 1 EOI

Location	Lathlain
Reporting officer	Strategic Projects Manager
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. CONFIDENTIAL - Cura In Home Submission [13.9.1 - 5 pages]2. CONFIDENTIAL - Wirrpanda Submission [13.9.2 - 10 pages]3. EOI TV P-21-08 - Lathlain Park Zone 1 [13.9.3 - 18 pages]4. CONFIDENTIAL - EOI TV P-21-08 Lathlain Park Zone 1 - Evaluation Report [13.9.4 - 15 pages]5. CONFIDENTIAL - Appendix A - Evaluation Criteria Guide [13.9.5 - 4 pages]6. CONFIDENTIAL - Appendix B - Evaluation Matrix Qualitative Assessment [13.9.6 - 1 page]7. CONFIDENTIAL - Appendix B - Evaluation Matrix Compliance Assessment [13.9.7 - 1 page]

Recommendation

That Council accepts the submission and shortlists Wirrpanda Foundation to progress to the negotiation stage of a tenure arrangement to be a part of the Lathlain Park Redevelopment Precinct Zone 1 as a result of the Expression of Interest process EOI TVP/21/08 run to ascertain third party interest and exploring further funding options.

Purpose

Endorsement is being sought to progress Wirrpanda Foundation to the negotiation stage to be a funding contributor and future tenant of the Lathlain Park Redevelopment Precinct Zone 1.

In brief

- An Expression of Interest (EOI) TVP/21/08 Lathlain Park Zone 1 was advertised on 16 October 2021 in accordance with local government regulations.
- The EOI submission deadline closed at 2pm on Monday 8 November 2021.
- The EOI was released in response to the August Council Resolution to explore third party interest and to advocate for further funding.
- The Town received two submissions. Both were deemed to be compliant.
- A thorough evaluation of the EOI submissions against the prescribed qualitative criteria has been completed, and it is recommended that Council accepts the submission made by the Wirrpanda Foundation and allow the Town to enter into negotiations with the Wirrpanda Foundation to refine the scope of involvement and level of funding required.
- It is proposed as a part of this negotiation period, a series of workshops are to be held with the key stakeholders and a cross-section of the Town's officers to ensure the final proposal aligns with the Town's Strategic Community goals.

Background

0. In March 2020, Council endorsed a project mandate for Zone 1 of the Lathlain Park Redevelopment Precinct.
1. At the August 2021 OCM, a number of resolutions were proposed for the Lathlain Park Redevelopment Precinct Zone 1. The following points relate to alternative motion 192/2021.
2. The elected members endorsed the proposed Visions and Aspirations for the Lathlain Park redevelopment Precinct Zone 1, endorsed the development of four high-level concept design options.
3. The elected members requested that a report be presented back to the December 2021 OCM to consider project briefs to inform the development of Concept Design Options 2, 3 and 4.
4. The elected members endorsed a replacement model concept as Option 1. This was based on a high-level concept drawing and had quantity surveyor input which indicated that it could be built within the current budget.
5. Further, the Council resolved that whilst 'ground zero' for Concept Design Option 1 had been achieved, it was recognised that the additional options be explored to future proof the facility and explore opportunities for third parties who may wish to be involved in the new facility.
6. As a result, the alternate resolution was moved whereby the elected members requested that third party interest be explored as well as advocate for additional external funding.
7. Finally, the elected members requested as a part of the alternative motion that by the April 2022 OCM, four concept design options will be presented, funding options to deliver each of the four concept design options, outcomes of third party interest for involvement in the new facility and a recommended management model.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	Council is committed to ensuring the community are engaged appropriately for significant projects.
CL03 - Well thought out and managed projects that are delivered successfully.	The project will be delivered through the use of the Town's Project Management Framework to ensure accountable and transparent project delivery for the community.

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.	The development will replace an obsolete, dilapidated, high maintenance, no longer fit for purpose structure and provide accommodation that will support community groups and broader activation of the locality.

Environment	
Strategic outcome	Intended public value outcome or impact
EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well	The project will deliver a sustainable built form outcome ensuring a sustainable business model for

managed.	the Perth Football Club, the Town, for the benefit of the community.
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Social	
Strategic outcome	Intended public value outcome or impact
S02 - An informed and knowledgeable community.	Community to be appropriately informed throughout the development process and during operation of the facility.

Engagement

Internal engagement	
Stakeholder	Comments
Communications	Were involved in the creation of the EOI document
Place Planning	Provided locality strategic advice and assisted in the evaluation.
Community	Vetted the document and assisted in the evaluation
Procurement	Assisted in the development of the EOI document and provided advice and acted as a probity advisor throughout the process.

Legal compliance

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

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not endorsing the proposed proponent to the negotiation phase could jeopardise getting the ultimate commercial outcome.	Moderate	Likely	High	Low	TREAT risk by endorsing proposed proponent to the negotiation phase.
Environmental	N/A				N/A	

Health and safety	N/A					N/A
Infrastructure/ ICT systems/ utilities	N/A					N/A
Legislative compliance	N/A					N/A
Reputation	Negative public perception towards the Town may result if the facility does not have a strong community focus.	Moderate	Unlikely	Low	Low	Treat risk by endorsing proponent to the negotiation phase.
Service delivery	N/A					N/A

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	There is a potential for funding to be received from a third party; however this will be unknown until further negotiation is completed.

Analysis

8. In September 2021, it was proposed to the Lathlain Park Advisory Group that an Expression of Interest process be run to best understand the real interest in the Lathlain Park Redevelopment Precinct Zone 1 as there was some informal interest.
9. With input from the Lathlain Park Advisory Group, key stakeholders and the Town's officers, including the procurement team, the Expression of Interest document was drafted.
10. Once final feedback was received from the Lathlain Park Advisory Group, the Expression of Interest document EOI TVP/21/08 was released via Tenderlink and advertised in the West Australian Newspaper on Saturday 16 October 2021, as well as on the Town's website and public notice boards.
11. To help promote the release, the communications team posted information and links to the document on social media platforms, including LinkedIn and Facebook.
12. The Expressions of Interest closed on Monday 8 November 2021. The assessment of the Expression of Interest was formally undertaken by an Evaluation Panel that included:
 - Strategic Projects Manager
 - Manager Community
 - Place Leader – Strategic Planning.
13. Fifteen proponents downloaded the EOI documentation from Tenderlink.

14. The Town received two submissions, one from the Wirrpanda Foundation and the second from Dutch Aged Care (t/a Cura – In Home Care), and both were deemed compliant with the compliance criteria set out in the EOI document.
15. Wirrpanda Foundation's head office currently sits adjacent to the future redevelopment and provide education, employment and business opportunities for Aboriginal and Torres Strait Islander people.
16. Due to the large growth of their programs, they are looking to extend their existing services and expand through partnering with other organisations to deliver additional services.
17. The services that Wirrpanda Foundation are proposing include an art centre, youth hub and a medical centre; however, a final offering would need to be workshopped and ensured that it is aligned with the Town's Community Strategy and locality specific needs in accordance with the Social Infrastructure Strategy.
18. Wirrpanda Foundation has confirmed that their consortium is willing to contribute significant funding to the project with a view that further funding can be obtained through their networks.
19. Cura in Home Care is a not-for-profit In-home Community care provider that supports elderly clients in the Perth metropolitan area, currently servicing approximately 80 clients.
20. Cura in Home Care is seeking approximately 300sqm of office space plus additional flexible space for meetings and amenities.
21. Cura in Home Care have proposed some commercial terms; however, further significant negotiation would be required to clarify this.
22. Submissions were assessed against the following qualitative criteria:

Evaluation Criteria	
<p>Relevant Experience</p> <p>Describe your experience in completing /supplying similar requirements. Respondents must, as a minimum, address the following information in an attachment and label it "Relevant Experience":</p> <ul style="list-style-type: none"> i) Demonstration of past experience in operating a business exhibiting examples of desired outcomes; ii) Provide scope of the respondent's involvement including details of outcomes. <p>(Response to be indicatively no longer than Two pages)</p>	20%
<p>Business Overview</p> <p>Respondents to provide an overview of the proposed project, including:</p> <ul style="list-style-type: none"> i) Description of the proposed business including name, structure and purpose; ii) Complimentary uses with the immediate businesses including the Perth Football Club, West Coast Eagles and Wirrpanda Foundation; 	20%

<p>Below won't be assessed but is required:</p> <ul style="list-style-type: none"> iii) Number of patrons; iv) Size/Layout of area to be occupied; v) Parking requirements; vi) Likely timeframes for requiring occupation of the tenancy; vii) Likely requested occupancy term for future lease/tenure agreement. viii) Number of Staff that will be working at the new facility (Response to be indicatively no longer than 2 pages) 	
<p>Current Financial Capability</p> <ul style="list-style-type: none"> i) Financial position and organisation's ability to pay lease fees and applicable outgoings across the term of the lease/tenure; ii) Audited accounts from the last two years. 	20%
<p>Community benefits</p> <p>Respondents should detail the community benefits of their proposed project, including information on:</p> <ul style="list-style-type: none"> i) What will be the impact both positive and negative on the surrounding residents; ii) How Desirables Outcomes as per Part 1 of this EOI document can be achieved; iii) Organisation's vision and mission alignment; and iv) Demonstrated understanding of the Project requirements. (Response to be indicatively no longer than two (2) pages) 	20%
<p>Ability to Contribute financially Respondents to indicate their ability to contribute financially to the capital cost of the development.</p>	20%
Total	100%

The evaluation of the submissions against the qualitative criteria resulted in the ranking as shown below:

Respondent	Ranking
Wirrpanda Foundation	1
Cura in Home Care	2

23. The Evaluation Report (Attachment 4), Evaluation Matrix (Attachment 6) and excerpt of submissions (Attachments 1 & 2) are attached for full consideration. These documents contain commercially sensitive information and, as such, are confidential attachments.
24. Noting the above and the attached Evaluation Report (Attachment 4) and Matrix (Attachment 6), it is recommended that the Wirrpanda Foundation be shortlisted as a result of the EOI TVP/21/08 and progress to the negotiation stage of a tenure arrangement.
25. If shortlisted, it is proposed that a series of workshops be facilitated with the key stakeholders and a cross-section of the Town's officers to ensure that the final proposal aligns with the Town's key strategic community goals.
26. Upon endorsement, it is envisaged that these workshops are to be held across December and January, with a final proposal ready for February 2022 OCM.
27. Additionally, assuming a final proposal is ready for February 2022 OCM, at the same meeting, the final briefs for the additional three concept plan options will be presented for consideration and endorsement.
28. The Architects will develop the additional concept plans based on the endorsed briefs and informed by community engagement with a view to being presented to the April 2022 OCM for endorsement.

Relevant documents

[Council Purchasing Policy 301](#)

Questions and responses

Cr Peter Devereux

1. Is it clear what activities the Wirrpanda Foundation is suggesting that will actively plan for and provide a positive interface and access as well as community benefit with the broader community?

The Chief Operations Officer advised that the Wirrpanda Foundation have listed a range of uses and activities that they see within the outcome. This needs to be further refined and defined to ensure it aligns with the vision of the redevelopment. It is proposed this will be achieved through a series of workshops.

2. Will the Town plan within the development to have any independent Council spaces and facilities for community interaction and benefit?

The Chief Operations Officer advised that within the vision of the redevelopment, it is envisaged that there will be a number of multipurpose spaces available to the community. These spaces may have multiple uses with a number of different entities.

3. How do we find those other possibilities now that express of interests has closed?

The Chief Operations Officer advised that it is envisioned through the workshop that the Town will work through those options and come back in February with that brief.

4. Is that with the Wirrpanda Foundation options only?

The Chief Operations Officer advised that is correct.

Cr Luana Lisandro

1. In relation to the workshops and the negotiations, will there be considerations for non for profits and those groups that cannot afford commercial rates for hire? Will there be any negotiations to ensure that groups that cannot afford those spaces can still access them?

The Chief Operations Officer advised that it is a potential negotiation. In the next period is where the Town will be refining the scope.

2. Will there be any consideration for a function room?

The Chief Operations Officer advised that would be part of the negotiations with Wirrpanda Foundation.

Further consideration to be added to the Ordinary Council Meeting agenda

Nil.

13.10 QTVP/21/25 - Concrete Works and Kerbing Services

Location	Town-wide
Reporting officer	Strategic Project Manager
Responsible officer	Chief Operations Officer
Voting requirement	Absolute majority
Attachments	1. CONFIDENTIAL - QTVP 21 25 Concrete and Kerbing Evaluation Final 23Nov21 [FSIB] [13.10.1 - 25 pages]

Recommendation

That Council accepts the submission from Asphaltech Pty Ltd (ABN26 064 520 869) and authorises the award of the Contract for Concrete Works, and Kerbing Services issued through the Western Australia Local Government Association (WALGA) Preferred Supplier Arrangement covering Separable Portions 1, 2, 3 and 4, for a lump sum price of \$432,918.87 excluding GST.

Purpose

To seek Council approval to accept the submission by Asphaltech Pty Ltd to carry out the Concrete Works and Kerbing Services. As the value of the Contract exceeds \$250,000, the acceptance of the offer and subsequent award of any such contract is to be determined by the Council.

In brief

- Request for Quote QTVP/21/25 Concrete Works and Kerbing Services was published through WALGA eQuotes, tender exempt platform on 25 October 2021 covering five (5) Separable Portions with Separable Portion 5 being optional scope.
- Respondents were requested to provide a lump sum fixed price for each of the Separable Portions 1, 2, 3 and 4. For the optional scope Separable Portion 5, Respondents were requested to provide a Schedule of Rates.
- The submission deadline closed on 15 November 2021.
- Two (2) Addendums were issued in response to clarifications received.
- The Town received only one (1) submission.
- The approved municipal funding allocation for this item is \$500,000 (ex GST) as a scope element of the approved Road Renewal Program.
- A full evaluation of the submission against the prescribed criteria has been completed and deemed to be compliant and acceptable to recommend the award.
- It is recommended that the Council accepts the submission made by Asphaltech Pty Ltd and enters a contract to carry out Concrete Works and Kerbing Services.

Background

1. The Street Improvement / Street Operations Team have a large Road Renewals program to deliver in 2021-2022 financial year.
2. This request will allow staff the ability to program works without having to individually call for quotations for each small project which causes significant delays in delivering works.

3. The WALGA panel has been developed with a broad range of services under the preferred supplier arrangements Roads Infrastructure and Depot Services PSP009. Within this PSP009 is the specific category - PSP009-012 Pavement Construction, Kerbing & Associated Streetscape Works, which is aligned to the works proposed to be undertaken.
4. The scope of the procurement to support the Operations Area of the Town of Victoria Park falls under this category, and a detailed review indicates that the scope is not only covered but also the specifications in this category.
5. By utilising the WALGA panel, the Town is able to access pre-qualified contractors with previously agreed Terms and Conditions. As such, a Request for Quotation has been issued, and responses have been received.

Compliance criteria

6. The request for quotation included the following compliance criteria, which Respondents were required to address and are summarised as follows:
 - a. Compliance with Conditions of RFQ.
 - b. Compliance with Conditions of Contract.
 - c. Compliance with Specification.
 - d. Completion of Respondents Offer and all schedules therein.
 - e. Organisational profile / Corporate Information.
 - f. Referees, Agents, Subcontractors, Conflict of Interest, Financial Position, Insurance Coverage and Occupational Health and Safety.
7. The above requirements are in addition to the prequalification process that the suppliers on the WALGA Preferred Supply Arrangement have been through as conducted by WALGA, on behalf of Members.

Evaluation process

8. The submission was initially assessed by the Senior Procurement Officer against the compliance criteria and was deemed compliant.
9. Qualitative assessment of the submissions was undertaken by a panel of three staff members, who assessed the submissions against the following criteria:

Capability (Organisation current capacity and capability, structure and experience of staff and experience in carrying similar works)	Weighting 40%
i). Demonstrate Capability and financial capacity of the organisation to carry out the works for this project including evidence of stability and experience ii). Demonstrate structure of project team, nominate Key Personnel, skills, their role in the performance of the Contract and experience in projects of similar requirements. iii). Demonstrate Organisation capacity to complete the works iv). Project Team structure- Names, functions, and departments. v). List of Subcontractors if any that will be engaged to carry out the Works.	

Demonstrated Understanding of scope of work and clear methodology in carrying out the works i). Demonstrated understanding of the Scope of Work. ii). A Works Programme/ Gantt chart to be provided. iii). Clear Methodology in carrying out the works to be completed on time. The Respondent to describe in their methodology how they will interact with Water Corporation should this be required within the delivery of this project.	Weighting 20%
Occupational, Health and Safety i). Occupational Safety and Health track record ii). Occupational Safety and Health (OS&H) Management Plan	Weighting 10%
Price	Weighting 30%

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	This project will better deliver the road renewal program and reduce the high workload associated with the current process of individual quotations
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	A broader request from the 50+ companies on the WALGA panel ensures integrity in the appointment of contracts

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	Upgrading the Towns infrastructure ensures an aesthetically pleasing and clean area for the public to use

Environmental	
Strategic outcome	Intended public value outcome or impact
EN02 - A safe, interconnected and well maintained transport network that makes it easy for everyone to get around	Upgrading the Towns infrastructure ensures an effective transport networks
EN05 – Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed	Delivering the 5 year capital program is core business to ensure the Town's assets are maintained for the future benefit of all

Engagement

Internal engagement

Stakeholder	Comments
Procurement	Provided advice, issued RFQ, undertook all procurement tasks, co-authored this report and acted as a probity advisor throughout the process.
Place Planning	Member of the assessment panel and reviewed the submission.
Infrastructure Operations	Member of the assessment panel and reviewed the submission.
Project Management	Member of the assessment panel and reviewed the submission, prepared the Procurement plan, reviewed the RFQ and prepared this report.

Legal compliance

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

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Failure to comply with financial requirements under the Act in relation to procurement.	Moderate	Likely	Medium	Low	Go through a Western Australian Local Government Association (WALGA) Preferred Supplier Arrangement.
Environmental	Failure to comply with environmental requirements of the work.	Moderate	Possible	Medium	Low	Review Contractor's construction methodology, risk and controls prior to work starting.
Health and safety	Potential injuries from works.	Moderate	Possible	Medium	Low	OH&S Safety Analysis and Hazard reports to be reviewed prior to work starting.

Infrastructure/ ICT systems/ utilities	Failure to effectively manage project in collaboration with UGP project works.	Moderate	Possible	Medium	Medium	Liaison with Western power and Contractors on programmed works to avoid conflict.
Legislative compliance	Not applicable					
Reputation	Residential and business complaints during the works.	Moderate	Likely	Moderate	Low	Notify residents via the website social media and letter drop prior to works.
Service Delivery	Failure in completion of the Town's Capital Works Program.	Moderate	Significant	High	Medium	Appoint preferred Contractor for the works.

Financial implications

Current budget impact	<p>As the value of the Contract exceeds \$250,000, the acceptance of the offer/tender and subsequent award of any such contract is to be determined by Council.</p> <p>Sufficient funds exist within the annual budget to address this recommendation.</p>
Future budget impact	Not applicable.

Relevant documents

[Council Policy 301 Purchasing](#)

Analysis

10. The assessment of the submissions was formally undertaken by a panel that included:
 - a. Strategic Projects Manager
 - b. Operations Engineering Officer
 - c. Place Leader – Urban Design
11. The Town received one submission, which was assessed and deemed compliant.
12. During the consensus meeting, it was agreed by panel members to only progress with Separable Portions 1, 2, 3 and 4 only. Separable Portion 5 (optional scope) is not included in the recommendation due to:
 - a. No other quote was received to benchmark the pricing.
 - b. The scope of work for Separable portion 5 has not been completed to accurately determine the value of the works.

c. The budget is still subject to the finalisation of the 2022-2023 Budget process.

13. Due diligence checks were conducted on the recommended Respondent and found to be acceptable.

14. The evaluation of the submissions against the quantitative and qualitative criteria is shown below:

Company	Qualitative	Price	Ranking
Average	76.7	\$454,363.97	
Asphaltech Pty Ltd	76.7	\$454,363.97	1

15. Asphaltech Pty Ltd has been recommended by the panel members for Separable Portions 1, 2, 3 and 4 based on assessment completed and a well-conceived comprehensive submission.

There were no questions asked or presentations made in relation to this item.

14 Chief Financial Officer reports

14.1 Financial Statements for October 2021

Location	Town-wide
Reporting officer	Financial Services Controller
Responsible officer	Finance Manager
Voting requirement	Simple majority
Attachments	1. Financial Statements - October 2021 [14.1.1 - 42 pages]

Recommendation

That Council accepts the Financial Activity Statement Report – 31 October 2021, as attached.

Purpose

To present the statement of financial activity reporting on the revenue and expenditure for the period ended 31 October 2021.

In brief

- The financial activity statement report is presented for the month ending 31 October 2021.
- The report complies with the requirements of Regulation 34 (financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*.
- The financial information as shown in this report does not include a number of end-of-financial year adjustments that are still yet to occur, as well as the final approval by the Auditor. The figures stated should therefore not be taken as the Town's final financial position for the period ended [date].

Background

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

Revenue

Operating revenue and non-operating revenue – material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment has been provided.

Expense

Operating expense, capital expense and non-operating expense – material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and in these instances, an explanatory comment has been provided.

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

Period variation

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

Primary reason(s)

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

End-of-year budget impact

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

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	To make available timely and relevant information on the financial position and performance of the Town so that Council and public can make informed decisions for the future.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	Ensure the Town meets its legislative responsibility in accordance with Regulation 34 of the <i>Local Government (Financial Management) Regulations 1996</i> .

Engagement

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

Legal compliance

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

Risk management consideration

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

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

Financial implications

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

Analysis

4. The Financial Activity Statement Report – 31 October 2021 complies with the requirements of Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*. It is therefore recommended that the Financial Activity Statement Report – 31 October 2021 be accepted.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

14.2 Schedule of Accounts for October 2021

Location	Town-wide
Reporting officer	Financial Controller
Responsible officer	Finance Manager
Voting requirement	Simple majority
Attachments	1. Payment Summary - October 2021 [14.2.1 - 8 pages]

Recommendation

That Council:

1. Confirms the accounts for 31 October 2021, as included in the attachment, pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.
2. Confirms the direct lodgement of payroll payments to the personal bank accounts of employees, pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

Purpose

To present the payments made from the municipal fund and the trust fund for the month ended 31 October 2021.

In brief

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

Background

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

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

Fund	Reference	Amounts
Municipal Account		
Automatic Cheques Drawn	608865 – 608868	\$1,914.06
Creditors – EFT Payments		\$3,719,544.16
Payroll		\$1,166,170.93
Bank Fees		\$39,855.22
Corporate MasterCard		\$3,136.96
Cancelled EFT Payments		(\$16,245.40)
Cancelled Cheque Payments		(\$1,131.30)
Total		\$4,913,244.63

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.	The monthly payment summary listing of all payments made by the Town during the reporting month from its municipal fund and trust fund provides transparency into the financial operations of the Town
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The presentation of the payment listing to Council is a requirement of Regulation 13 of <i>Local Government (Financial Management) Regulation 1996</i> .

Legal compliance

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

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

Risk management consideration

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

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

Financial implications

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

Analysis

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

Relevant documents

[Procurement Policy](#)

There were no questions asked or presentations made in relation to this item.

14.3 2021/22 Quarterly Budget Review

Location	Town-wide
Reporting officer	Finance Manager
Responsible officer	Chief Financial Officer
Voting requirement	Absolute majority
Attachments	1. Quarterly Budget Review 2020/21 [14.3.1 - 13 pages]

Recommendation

That Council:

1. Adopts the quarterly budget review for 2020/21 as contained within the separate attachment.
2. Approves the budget amendments contained in the quarterly budget review for 2020/21.

Purpose

To present to Council the quarterly budget review detailing material variances which may impact upon the budget and provide recommendations on how to accommodate these variations.

In brief

- The quarterly budget review is an early assessment by the Town of how it is financially performing to date and is used to identify variations from the budget by the year end. It may include new works and/or services not identified in the adopted budget.
- The quarterly budget review, although not a legislative requirement, is however presented to Council as industry best practice to ensure reporting timeliness and organisational agility to respond to changes. Any Budget amendments are to be approved in accordance with section 6.8 of the *Local Government Act 1995*.
- This quarterly budget review has considered the unaudited opening position for the financial year. The mid-year annual budget review to be presented to Council early next year and will consider any further changes to the opening position.
- Known material variations to the annual budget are addressed in this report, including the funding identified to accommodate these variations.

Background

1. A quarterly budget review as of 30 September 2021 has been undertaken by the financial services area.
2. The quarterly budget review has been prepared and is now presented to Council for consideration and approval of the recommended budget amendments.

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.	To make available timely and relevant information on the financial position and performance of the Town so that Council and public can make informed decisions for the future.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	Ensure the Town meets its legislative responsibility in accordance with Regulation 34 of the <i>Local Government (Financial Management) Regulations 1996</i> .

Engagement

Internal engagement	
Service Area Leaders and Managers	All service area leaders and managers have reviewed the quarterly budget review report and provided commentary on identified budget amendments requested relevant to their service area.

Legal compliance

[Local Government Act 1995 section 6.8](#)

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 the Quarterly Budget Review would affect budget allocations required for this year's projects and funding.	Moderate	Likely	High	Low	Treat risk by Adopting an internal program with a focus area on high-risk financial processes and activities.
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	

Legislative compliance	Budget Amendments in accordance with <i>LG Act 1995</i> .	Moderate	Possible	Medium	Low	Treat risk by ensuring Budget amendments in accordance with LG Act 1995.
Reputation	Being transparent with community	Moderate	Unlikely	Medium	Low	Treat risk by open reporting to Council and Public.
Service delivery	Best practice	Low	Possible	Low	Medium	Treat risk by following industry best practice.

Financial implications

Current budget impact	Sufficient funds do not exist within the annual budget. As per note five in the attached quarterly budget review report a list of requested budget amendments is submitted for consideration of Council for approval.
Future budget impact	Not applicable.

Analysis

3. The quarterly budget review has identified several predicted variances to the adopted budget. The variances relate to:
 - Funding for projects carried over from 2020/21 no longer required.
 - Adjustments for known variations this year.
4. The budget amendments are recommended for Council approval.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

14.4 Variations to parking prohibitions, regulations and/or restrictions

Location	Burswood
Reporting officer	Coordinator Parking and Rangers
Responsible officer	Manager Business Services
Voting requirement	Simple majority
Attachments	Nil

Recommendation

That Council approves the removal of the No Stopping verge restriction, whilst maintaining No Stopping on the street, along the side verge of 3 Benporath Street, Burswood.

Purpose

To implement new parking arrangements that are anticipated to improve parking supply for the business at 3 Benporath Street, Burswood, by removing the No Stopping Verge restriction on the portion of verge directly adjacent to the business.

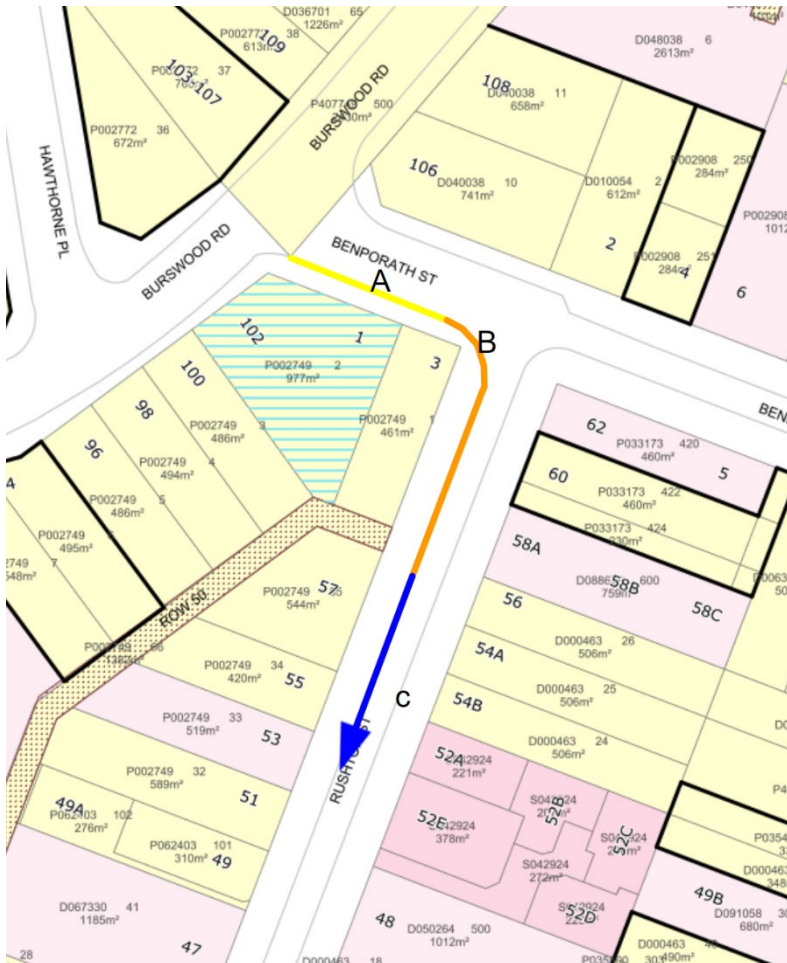
In brief

- Requests to remove the No Stopping Verge component have been made in the past
- Low levels of non-compliance have been registered since 2000 in the Town's databases
- Safety is not compromised if implemented as recommended.

Background

1. Verge parking across the Town is self-managed and on demand (unless signed otherwise) by the adjacent resident/business owner and giving permission to park on a verge does not require consultation with adjoining properties.
2. Burswood – 3 Benporath Street:
 - a) In June 2000, a submission to Council to ban verge parking on the verge adjacent to 3 Benporath Street BURSWOOD was not passed.
 - b) In June 2000, the Town received a petition supporting a request to permit verge parking in Rushton Street.
 - c) It is not known when restrictions were implemented, however, in March 2011, a request was received to remove partial restrictions on the verge on Rushton Street, directly adjacent to 3 Benporath Street (corner property) has the no parking on verge component removed to permit the adjacent business to park their vehicles on the verge.
 - d) In October 2011, a further request was received by the adjacent business to remove the verge component of the restriction.
3. The area surrounding 3 Benporath Street contains a mix of both commercial and residential properties.

4. The immediate area surrounding 3 Benporath Street has a broad range of restrictions as follows:
 - a) No Stopping Verge
 - b) No Stopping Road and Verge
 - c) No Stopping Road (western side of Rushton Street)
 - d) Rushton Street and the verge in question is currently within a 2P Parking Area (the front verge of 3 Benporath Street is not in a 2P parking area).



Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Sound review of existing circumstances with a view to maintain relevance with current circumstances.
Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	Provision of support to businesses within the Town of Victoria Park, making it easy for staff to access their place of work.

Engagement

Internal engagement

Stakeholder	Comments
Street Improvement	Technical staff do not object to the request which ultimately allows verge parking by the adjacent business operator whilst maintaining the on-street no stopping area . Any unauthorised parking too close to the intersection will need to be monitored by the Parking & Rangers Business Unit
Place Planner	Do not support excessive vehicle parking on verges given the residential character of the street. Parking demand generated by businesses (either through customers or employees) should be accommodated by on-site parking, on-street parking or parking stations in business areas.

External engagement

Stakeholders	Verge parking across the Town is self-managed and on demand (unless signed otherwise) by the adjacent resident/business owner and giving permission to park on a verge does not require consultation with adjoining properties. The application relates to the verge directly adjacent to the applicant and therefore no external consultation has taken place.
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Legal compliance

[Town of Victoria Park Vehicle Management Local Law 2021](#)

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					Low	
Infrastructure/ ICT systems/ utilities	N/A				Medium	
Legislative compliance	N/A				Low	

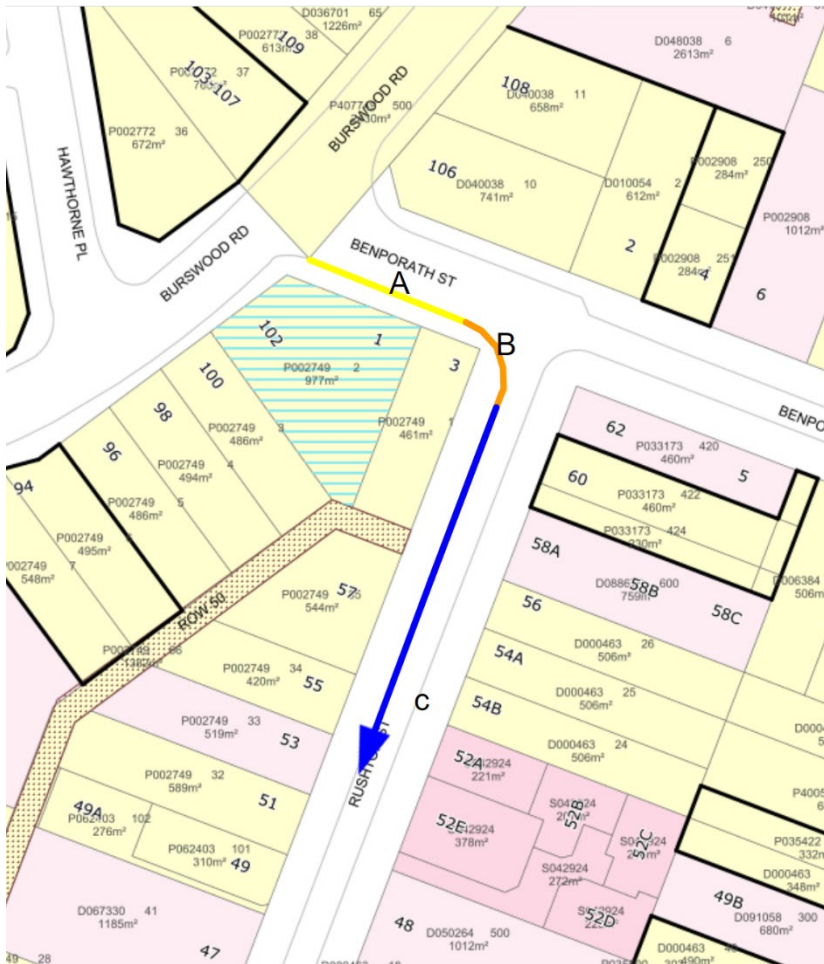
Reputation	Negative perception of the Town regarding meeting the needs of individual businesses.	Minor	Possible	Medium	Low	TREAT risk by Removing the verge component of the parking restriction on land directly adjacent to the applicant only.
Service delivery	Persistent requests by the applicant to remove verge restrictions may draw excessively on administrative resources.	Insignificant	Possible	Low	Medium	

Financial implications

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

Analysis

5. Non-compliant verge parking in the area is low, with the following being recorded from the year 2000:
6. 12 infringements along Benporath and Rushton Streets for parking on a verge contrary to signs.
7. 4 requests for the Town to attend to non-compliant verge parking in the area of the application.
8. An assessment of the area indicates that sufficient safety for drivers travelling on Rushton Street when approaching Benporath Street would exist if the restrictions were to be changed as depicted in the map below:
 - a) No Stopping Verge
 - b) No Stopping Road and Verge
 - c) No Stopping Road.



9. The side verge of 3 Rushton Street currently sits within a 2P Parking Area. Changing the boundary of the 2P parking area is not recommended as this would set a precedent across the Town likely resulting in an inconsistent patchwork of timed parking areas.
10. Removal of the 'No Stopping Verge' would permit verge parking, albeit, for a maximum of 2 hours. Drivers would be required to remove their vehicle from the parking zone for a minimum of 2 hours prior to returning or swap with vehicles parked within the property boundary of the business. This is not an ideal solution for the employees of the business, however, it does represent a greater range of parking options.
11. The removal of the existing restriction to allow the applicant to self-manage the verge parking will align 3 Benporath Street with the other local properties, both private and commercial, where verge parking does not pose a safety risk.
12. Consultation was not undertaken in this instance as the proposed change does not pose a safety risk, is restricted only to 3 Benporath Street and when other properties, both private and commercial, allow parking on their verge they do not consult their adjoining neighbors.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

15 Committee reports

15.1 Draft Policy 008 - Disaster relief donations

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Simple majority
Attachments	1. DRAFT Policy 008 - Disaster relief donations [15.1.1 - 2 pages]

Recommendation from the Policy Committee:

That Council adopts Policy 008 – Disaster relief donations as attached; subject to the amendment of clause 7 to replace the word 'consider' to 'provide'.

Purpose

To submit the draft Policy 008 – Disaster relief donations (Policy 008) for Council approval.

In brief

- Policy 008 has been developed as a result of a Council resolution.
- Policy 008 provides guidance to elected members and Town officers in respect to providing financial or non-financial support to organisations following a disaster.
- Policy 008 has been drafted based on policies of a similar nature from local governments both within Western Australia and interstate.

Background

1. Under Policy 001 – Policy management and development a policy response was identified as required as a result of a Council resolution.
2. At the May 2021 Ordinary Council Meeting Council resolved, in part, as follows:
 3. *Requests the Chief Executive Officer to refer the development of a disaster relief donation policy to the Policy Committee by December 2021.*

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Policy 008 provides elected members and Town officers guidance on what basis requests for disaster relief payments will be considered.

Engagement

Internal engagement

Stakeholder	Comments
Elected members	Elected members were consulted on the draft policy via the Councillor Portal. Feedback received has been incorporated in the draft policy.

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	Insufficient funds available for donation should more than one disaster occur within one financial year.	Insignificant	Possible	Low	Low	ACCEPT risk.
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	Services impacted due to provision of non-monetary support being provided to a local government affected by disaster.	Minor	Possible	Medium	Medium	ACCEPT risk.

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	An amount of \$5,000 will be proposed in future budgets to fund a disaster relief donation, if requested.

Analysis

3. Policy 008 has been drafted with similar conditions used by other local governments both within Western Australia and interstate.
4. Policy 008 sets out the following key conditions:
 - Council donations for disaster relief may be made for disasters affecting Australia.
 - Donations may be made to reputable Australian registered charities, the Lord Mayor's Relief Fund and local governments affected by the disaster.
 - Council must approve requests for disaster relief donations.
 - A maximum disaster relief donation of \$5,000 is proposed.
 - Non-financial support may be considered by the Chief Executive Officer.
5. As the policy is in line with previous decisions by Council, it is recommended that it be adopted.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

15.2 Review of Policy 022 - Elected member professional development

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Absolute majority
Attachments	1. Policy 022 Elected member professional development - proposed amendments marked up [15.2.1 - 5 pages]

Recommendation from the Policy Committee:

That Council adopts the amended Policy 022 – Elected member professional development as attached.

Purpose

To review Policy 022 – Elected member professional development (Policy 022).

In brief

- Policy 022 was adopted by Council on 21 April 2020.
- In accordance with section 5.128(5)(a) of the *Local Government Act 1995*, Policy 022 must be reviewed after each ordinary election.
- Minor amendments are proposed to Policy 022.

Background

1. As a result of the implementation of the *Local Government Legislation Amendment Act 2019*, local governments were required to develop a policy relating to the continuing professional development for elected members.
2. At its meeting on 21 April 2020, Council adopted Policy 022.
3. Policy 022 was last reviewed by Council on 20 April 2021 as part of the minor review of policies. Minor administrative amendments were made at this time however, a full review of the policy was not undertaken.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	<p>Mandatory training and the continuing professional development of elected members is required under the <i>Local Government Act 1995</i>.</p> <p>Policy 022 provides guidance on the maximum budget for elected member professional development.</p>

Engagement

Internal engagement

Stakeholder	Comments
Elected members	Elected members were consulted on the review of Policy 022 via the Councillor Portal. No comments were received.

Legal compliance

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

[Section 5.128 of the Local Government Act 1995](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Failure to meet the statutory requirement to review Policy 022 after each ordinary election.	Minor	Unlikely	Low	Low	TREAT risk by Council reviewing Policy 022.
Reputation	Not applicable.				Low	
Service delivery	Not applicable.				Medium	

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	As per the 2021/22 annual budget, an amount of \$46,000 will be proposed for 2022/23 to fund elected member professional development.

Analysis

4. In accordance with section 5.128(5)(a) of the *Local Government Act 1995*, Policy 022 must be reviewed after each ordinary election.
5. The following amendments are proposed to Policy 022.

Clause	Proposed	Reason
Clause 6	New clause included.	Clause 6 has been included to provide guidance on the provision of mandatory training options and the responsibility of the elected member to complete this training within the legislative timeframe.
Clauses 31 and 32	Clauses deleted.	Clauses 31 and 32 have been deleted as the amount of cash allowance is set in the Salaries and Allowances Tribunal determination as stated in clause 20.
Related documents	<i>Public Service Award 1992</i> added.	Reference to the <i>Public Service Award 1992</i> has been included to guide Town officers on the cash allowance rates to be applied for travel, as set in the current Salaries and Allowances Tribunal determination.

6. Other minor amendments are proposed and are marked up in attachment 1.
7. The proposed amendments provide clarity to the public, elected members and Town officers, on the professional development available to elected members.
8. It is recommended that the amended policy be adopted.
9. As required by the *Local Government Act 1995*, the next review of Policy 022 will be scheduled following the 2023 ordinary election.

Relevant documents

Not applicable.

Further consideration

10. The Town has a Cabcharge account that elected members can use for travel upon prior notice.
11. The Town may issue digital passes to elected members via email which can be saved to the smartphone's digital wallet. Through the Cabcharge account, digital passes can be issued with restrictions such as, the number of passes, limiting use to a specific region, maximum fare amount and setting expiry dates, if necessary.
12. The number of passes issued will be determined based on the travel to be undertaken ie. for interstate travel four passes would be issued to allow for travel to and from the airport and the conference venue (if not within walking distance).
13. Clause 26 of the policy provides for elected members to be reimbursed for travel costs incurred, on production of receipts.

14. Based on the information above, the following amendment is proposed:

- a. Delete clause 28 of the policy and replace with:
- b. "28. A sufficient number of Cabcharge digital passes may be provided for ease of travel."

There were no questions asked or presentations made in relation to this item.

15.3 Review of Policy 026 - Complaints for Council Members, Committee Members and Candidates

Location	Town-wide
Reporting officer	Manager Governance and Strategy
Responsible officer	Chief Executive Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Complaints Policy for Council Members, Committee Members and Candidates - current [15.3.1 - 7 pages] 2. Complaints Policy for Council Members, Committee Members and Candidates - proposed amendments marked up [15.3.2 - 8 pages]

Recommendation from the Policy Committee:

That the Policy Committee recommends that Council adopts the amended Policy 026 - Complaints Policy for Council Members, Committee Members and Candidates as attached; subject to amending clause 4.1 and 4.2 of the Policy in the same terms as follows:

Delete the words "not an employee, current or former, elected member of the Town" and insert in substitution the words "not a current or former employee or elected member of the Town".

Purpose

To amend Policy 026 - Complaints Policy for Council Members, Committee Members and Candidates (Policy 026).

In brief

- Policy 026 was adopted by Council in April 2021 and referred to the Chief Executive Officer (CEO) for review in November 2021.
- Policy 026 prescribes the processes for the management of complaints involving council members, committee members and candidates in matters relating to breaches of the behaviour requirements in Division 3 of the Code of Conduct.
- Minor amendments are proposed to provide clarity on the definitions, additional time to allow the respondent to respond to the allegations and to allow the Investigator to seek additional time from the CEO to make a determination (if required).

Background

1. At its meeting on 20 April 2021 Council resolved as follows:

That Council:

1. *Adopts the Code of Conduct for Council Members, Committee Members and Candidates, as shown in Attachment 1.*
2. *Adopts the Complaints Policy for Council Members, Committee Members and Candidates, as shown in Attachment 2, subject to:*
 - a) *clause 1 Policy Objective be amended as follows:*

1.1 prescribe the processes for the management of complaints involving council members, committee members and candidates in matters relating to breaches of the behaviour requirements in Division 3 of the Code of Conduct

1.2 ensure that the complaints management process is timely and follows the principles of natural justice and procedural fairness.

b) point 2.1 of the Policy Scope be amended to be read as follows:

2.1 This Policy applies to complaints about breaches of the Code of Conduct by Council members, committee members and candidates occurring on or after 3 February 2021.

c) a new definition be added to clause 3 - Policy definitions as follows:

Code of Conduct means the model code of conduct for council members, committee members and candidates.

d) point 4.1 and 4.2 be amended as follows:

The CEO is to appoint either:

a. A person with relevant knowledge who is not an employee, current or former, elected member of the Town, to review and consider one or more Complaints of behaviour breach and to report on the outcome of any investigation to the CEO for provision to the Council; or

b. A Complaints Panel of three persons who are not employee, current or former, elected members of the Town, to perform the function of the Investigator under this Policy, at least one of whom must be a person with relevant legal knowledge.

e) clause 4.2 be amended as follows:

Add the words 'a Complaints Panel' instead of 'any such panel'

f) the definition of Complaints Panel be amended as follows:

means a panel of persons appointed under clause 4.1 to consider and determine Complaints.

3. Request the CEO to refer the complaints policy for Council Members, Committee Members and Candidates to the Policy Committee for review in November 2021.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Policy 026 prescribes the processes for the management of complaints involving council members, committee members and candidates in matters relating to breaches of the behaviour requirements in Division 3 of the Code of Conduct.

Legal compliance

[Local Government \(Model Code of Conduct\) Regulations 2021](#)

[Section 2.7\(2\)\(b\) of the Local Government Act 1995](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.					
Environmental	Not applicable.					
Health and safety	Not applicable.					
Infrastructure/ ICT systems/ utilities	Not applicable.					
Legislative compliance	Council not adopting the Complaints Policy will result in the Council having to investigate and consider all complaints relating to Division 3 of the Code.	Moderate	Likely	High	Low	TREAT risks by supporting the recommendation.
Reputation	Not applicable.					
Service delivery	Not applicable.					

Financial implications

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

Analysis

2. The following amendments are proposed to Policy 026 -

Clause	Proposed	Reason
2 Policy scope	Add point 2.2.	To clarify that Policy 026 applies to Council members, committee members, candidates and any person who submits a complaint in accordance with this policy.
3 Policy definitions	Amend definition "committee member".	To clarify what a committee member means and that a person is a committee member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.
3 Policy definitions	Add definition for "respondent".	Council or committee member to whom the complaint relates has been replaced with respondent. Respondent means a Council or committee member against or about whom a complaint is made under clause 5 of this policy.
Clauses 5.4; 7.1; 7.3; 7.7; 8.1; 8.2; 8.3; 10.1 & 11	Council or committee member to whom the complaint relates has been replaced with "respondent".	To provide clarity and simplicity.
Clause 6.1	Mediation can only proceed if agreed to by both parties.	Confirm that both parties have to agree to mediation for mediation to proceed.
Clause 7.1	Add "The Investigator may extend the 14-day period for good reason provided by the respondent".	To allow more time for the respondent to respond to the allegations in the complaint if more time is required.
Cluse 7.3	Add "Provided that in any case the Investigator may seek from the CEO such additional time to make a determination as is appropriate in the circumstances of the case".	To allow the Investigator to seek additional time from the CEO to make a determination (if required).

Clause 14.3

Add "When a Complaint is withdrawn, the fact of the Complaint having been made, and any details of the Complaint and its withdrawal, should be treated as confidential and not disclosed".

Confirming complaints confidentiality.

3. The *Local Government (Rules of Conduct) Regulations 2007* was repealed and replaced by the *Local Government (Model Code of Conduct) Regulations 2021* (MCCR).
4. The effect is that the former Code of Conduct for Council Members, Committee Members and Employees was replaced with two separate codes of conduct, one for Council members, committee members and candidates and one for employees.
5. The Code of Conduct for Council Members, Committee Members and Candidates (the Code) was adopted by Council at the Ordinary Council Meeting held 20 April 2021.
6. The Code includes general principles (Schedule 1, Division 2) and behaviours (Schedule 1, Division 3).
7. The Code requires that complaints about alleged breaches of behavioural requirements under Division 3 must be dealt with at a local level by the local government.
8. As a result, Council adopted Policy 026 at the Ordinary Council Meeting held 20 April 2021.
9. Since the development and adoption of Policy 026, the Western Australian Local Government Association (WALGA) has developed a Code of Conduct Behaviour Complaints Management Policy framework.
10. WALGA's framework is based on similar principles to Policy 026. One significant difference is that WALGA's framework suggests that Council should establish a Behaviour Complaints Committee for the purpose of dealing with complaints.
11. Policy 026 does not include the establishment of a Behaviour Complaints Committee for the purpose of dealing with complaints. Policy 026 recommends that complaints should be reviewed and considered by an Investigator or Independent Complaints Panel to achieve impartial and procedurally fair outcomes. Person(s) who will be considering complaints will be the most important factor in ensuring that the complaints process is appropriate and effective. Therefore, it is important that whoever plays that key role is impartial, trained, has the appropriate aptitude, knowledge, and skills to consider complaints.
12. Minor policy amendments are proposed and marked up in Attachment 1.
13. It is recommended that amended Policy 026 be adopted.

Relevant documents

[Code of Conduct for Council Members, Committee Members and Candidates](#)

[WALGA Code of Conduct Behaviour Complaints Management Policy Framework](#)

[Complaints about alleged breaches form](#)

There were no questions asked or presentations made in relation to this item.

15.4 Review of Policy 006 – Gratuity payments to employees

Location	Town wide
Reporting officer	Manager People and Culture
Responsible officer	Chief Executive Officer
Voting requirement	Simple majority
Attachments	1. Policy 006 Gratuity payments to employees [15.4.1 - 2 pages]

Recommendation from the Policy Committee:

That Council receives the review of Policy 006 – Gratuity Payments to Employees; subject to the following amendments:

1. Delete the words under the heading 'Policy Statement'.
2. Insert the following words under the heading 'Policy Statement':

"No gratuity payment will be conferred on an employee who resigns or retires from employment with the Town pursuant to section 5.50 of the Local Government Act 1995".

Purpose

To review the content of Policy 006 – Gratuity payments to employees (Policy 006).

In brief

- At its meeting of 21 April 2020, Council adopted a work plan to review several policies. Policy 006 was identified as one of the policies to be reviewed.
- People and Culture have reviewed Policy 006 and do not see any merit in changes. It is therefore presented to the committee for recommendation in its last revised form.
- Policy 006 relates to gratuity payments to employees and the requirements for any payment of monies in excess of any contractual or award entitlement and/or the disposition of Town property.

Background

1. Council last amended Policy 006 on 20 August 2019, Council resolution 148/2019.
2. Council resolution 384/2020 of 21 April 2020 adopted a work plan to review the number of policies, and Policy 006 was identified to be completed by November 2021. People and Culture have now completed its review, no amendments are proposed.
3. The policy's objective is to detail the amount and process for gratuity payments for employees.
4. Policy 006 provides that if the CEO provides a gratuity benefit for an employee who retires or resigns from full-time employment with the Town, the details of the intended gratuity shall be published in accordance with the provisions of section 5.50(2) of the *Local Government Act 1995*.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Provides recognition for staff and the contribution they make to the delivery of town services.

Legal compliance

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

[Section 5.50 of the Local Government Act 1995](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.					
Environmental	Not applicable.					
Health and safety	Not applicable.					
Infrastructure/ ICT systems/ utilities	Not applicable.					
Legislative compliance	Gratuity is provided outside the provision of the policy.	Minor	Unlikely	Low	Low	TREAT risk by declaring it according to section 5.50(2) of the <i>Local Government Act 1995</i> .
Reputation	Not applicable.					
Service delivery	Not applicable.					

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	There are no future budget impacts.

Analysis

5. The scope of Policy 006 and the conditions prescribed are deemed adequate. Therefore, no further changes are required to the content contained in the policy.
6. No historical issues have been brought to the attention of People and Culture that would change the policy's intent. Policy 006 aims to provide an outline for all payments to employees over and above an employee's entitlements upon retirement or resignation from the Town.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

15.5 Review of Policy 306 - Business dealings with elected members and employees

Location	Town-wide
Reporting officer	Finance Manager
Responsible officer	Chief Financial Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Policy 306 - Business dealings with elected members and employees - current [15.5.1 - 2 pages] 2. Policy 306 - Business dealings with elected members and employees - proposed amendments marked up [15.5.2 - 2 pages]

Recommendation from the Policy Committee:

That Council revoke revised Policy 306 - Business dealings with elected members and employees.

Purpose

To review Council Policy 306 – Business Dealings with Elected Members and Employees (Policy 306).

In brief

- Policy 306 had been identified for review as part of Council’s adopted policy work plan.
- The purpose of Policy 306 is to have greater transparency by Council determining annually or before the association commences, whether or not the Town will purchase, or continue to purchase, from the business concerned.
- A review of Policy 306 has been carried out and two minor amendments are proposed to update the current policy.

Background

1. At its meeting on 20 April 2021, Council adopted a work plan to complete the review of a number of policies. Policy 306 was one of the policies identified for review by November 2021.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The report provides elected members and community with a reviewed and updated Policy 306 ensuring relevance to the latest Australian Accounting Standards Board (AASB) standard 124 reporting requirements.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	Statutory compliance with the <i>Local Government Act 1995</i> and AASB 124 around related party transactions at the Town of Victoria Park.

Engagement

Internal engagement

Stakeholder	Comments
Finance Services	Finance has provided input into the revised draft policy.
Governance and Strategy	Governance and Strategy were consulted on the review of Policy 306.

Legal compliance

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

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Key Management Personnel (KMP) not disclosing related party transaction in accordance with AASB 124.				Low	TREAT risk by the Town ensuring KMP complete regular related party transaction forms and these are recorded in a relevant register.
Reputation	KMP not disclosing related party transaction.	Moderate	Likely	High	Low	TREAT risk by recording related party disclosures in the relevant Council register and report details in Annual Report.
Service delivery	Not applicable.				Medium	

Financial implications

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

Analysis

- Policy 306 provides greater transparency by Council determining annually or before the association commences, whether or not the Town will purchase, or continue to purchase, from the business concerned.
- The following amendments have been included in revised Policy 306:
 - Under related documents - Minor amendment addition of AASB 124 clearly identifies authority for reporting requirement with related party transactions.
 - Under Policy Statement point 2, addition of wording 'Key Management Personnel – Related Party Transactions' makes consistent with AASB 124 terminology wording.
- It is recommended that the revised Policy 306 be adopted.

Relevant documents

Not applicable.

There were no questions asked or presentations made in relation to this item.

15.6 Proposed Amendment (Prescribed Offences) Local Law 2021

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Manager Technical Services
Voting requirement	Simple majority
Attachments	1. Proposed Amendment (Prescribed Offences) Local Law 2021 [15.6.1 - 4 pages]

Recommendation from the Policy Committee:

That Council gives notice that it intends to make the Amendment (Prescribed Offences) Local Law 2021, as shown at attachment 1, which will amend the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000*, in accordance with section 3.12 of the *Local Government Act 1995*.

Purpose and effect

The purpose of this local law is to amend the Schedule 1 of the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* to reflect the correct clause numbers for items 32-44 and move to the penalty units system, in accordance with the *Town of Victoria Park Penalty Units Local Law 2021*.

The effect of this local law is to amend Clause 9.4 and Schedule 1 of the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000*.

Purpose

To seek the approval of Council to advertise the proposed Town of Victoria Park Amendment (Prescribed Offences) Local Law 2021 for public comment.

In brief

- At the Ordinary Council Meeting held 16 November 2021, Council resolved to correct drafting errors made by the *Town of Victoria Park Amendment (Signs on Thoroughfares) Local Law 2021*.
- To rectify the drafting errors an amendment local law must be made.
- It is proposed as part of this amendment local law, to amend the prescribed offences to the penalty units system in accordance with the *Town of Victoria Park Penalty Units Local Law 2021*, which came into effect on 1 July 2021.
- The proposed local law will be advertised for a period of six weeks. Comments received will be presented to Council.

Background

1. At the Ordinary Council Meeting held 16 November 2021, Council resolved as follows:

That Council resolves to undertake to the Joint Standing Committee on Delegated Legislation that:

- a. Within the next six months, correct the reference errors in Schedule 1 to clause 3.6 (items 32 to 44).*
- b. Ensure all consequential amendments arising from undertaking 1 will be made.*

- c. All copies of the *Town of Victoria Park Amendment (Signs on Thoroughfares) Local Law 2021* and consolidated *Town of Victoria Park Activities on Thoroughfares and Trading on Thoroughfares and Public Places Local Law 2000*, publicly available whether in hard copy or electronic form, will be accompanied by a copy of the undertaking above.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL01 – Everyone receives appropriate information in the most efficient and effective way for them	The proposed local law will correct drafting errors and reflect the new penalty units system for local law offences, ensuring the public has up to date information relating to the <i>Town of Victoria Park Activities on Thoroughfares and Trading on Thoroughfares and Public Places Local Law 2000</i> .

Engagement

Internal engagement	
Stakeholder	Comments
Technical Services	Technical Services were consulted on the proposed amendment local law.

Legal compliance

[Section 3.12 of the *Local Government Act 1995*](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	The <i>Town of Victoria Park Amendment (Signs on Thoroughfares) Local Law 2021</i> is disallowed by	Minor	Unlikely	Low	Low	TREAT risk by amending the <i>Town of Victoria Park Activities on Thoroughfares and Trading in</i>

	Parliament.	<i>Thoroughfares and Public Places Local Law 2000</i> within six months as resolved by Council on 16 November 2021.
Reputation	Not applicable.	Low
Service delivery	Not applicable.	Medium

Financial implications

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

Analysis

2. The proposed Town of Victoria Park Amendment (Prescribed Offences) Local Law 2021 will rectify the drafting errors in Schedule 1 – Prescribed Offences that were enacted by the *Town of Victoria Park Amendment (Signs on Thoroughfares) Local Law 2021* by amending Items 32-44 to reflect the introduction of sub-clauses (1) and (2) to Clause 3.6 of the local law.
3. At the time the *Town of Victoria Park Amendment (Signs on Thoroughfares) Local Law 2021* was drafted, the *Town of Victoria Park Penalty Units Local Law 2021* had not been introduced. As this is now in effect, it is proposed to update the entire Schedule 1 – Prescribed Offences to reflect the new penalty units system. No changes are proposed to the amount for any offence under the local law.
4. In addition to the change to Schedule 1 – Prescribed Offences, an amendment to Clause 9.4 of the local law is required to enact the penalty units system for the *Town of Victoria Park Activities on Thoroughfares and Trading on Thoroughfares and Public Places Local Law 2000*.
 - a. Sub-clauses (3), (4) and (5) of Clause 9.4 are deleted as they are provided for in the *Local Government Act 1995*.
 - b. A new sub-clause (3) has been inserted to reference the *Town of Victoria Park Penalty Units Local Law 2021*.
5. The making of a local law must follow the process prescribed in Section 3.12 of the *Local Government Act 1995*.
6. In accordance with Section 3.12(3) of the *Local Government Act 1995*, the Town is required to give local public notice of the proposed local law inviting submissions for a period of no less than six weeks after the notice is given.
7. It is recommended that Council endorses the proposed Town of Victoria Park Amendment (Prescribed Offences) Local Law 2021 for advertising and public comment.
8. The results of the advertising will be presented to Council for further consideration before final adoption.

Relevant documents

[Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000](#)

There were no questions asked or presentations made in relation to this item.

15.7 Review of Policy 403 - Management of noise emissions from events at Belmont Racecourse - Other than horse racing

Location	Town-wide
Reporting officer	Principal Environmental Health Officer
Responsible officer	Manager Development Services
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Policy 403 OCM minutes 20 August 2002 [15.7.1 - 8 pages] 2. Policy-403- Management-of-noise-emissions-from-events-at- Belmont-Racecourse- Other-than-horse-raci [15.7.2 - 5 pages]

Recommendation from the Policy Committee:

That Council revoke Policy 403 - Management of noise emissions from events at Belmont Racecourse - Other than horse racing.

Purpose

To review 'Policy 403 - Management of Noise Emissions from Events at Belmont Racecourse – Other than Horse Racing' (Policy 403).

In brief

- Policy 403 was adopted as Council Policy HLTH4 on 20 August 2002, with the intent of providing a simplified process for music events held at Belmont Park Racecourse.
- The policy is redundant and no longer serves its originally intended purpose, and therefore it is recommended to be revoked.
- Noise control from events at Belmont Racecourse can be addressed under the provisions of the *Environmental Protection (Noise) Regulations 1997*.
- Policy 403 has been identified for review as part of Council's adopted policy work plan.

Background

1. Policy 403 was adopted as Council Policy HLTH4 on 20 August 2002. The policy was adopted to manage noise from "non horse racing" events more efficiently by adopting a policy that limited the number and type of events, and the inclusion of standard conditions that had been pre-approved by other surrounding local governments. This was considered to be more efficient than requiring the comments of the four adjoining local governments to be obtained for each event. The policy provided guidance to, rather than negating the authority of the *Environmental Protection (Noise) Regulations 1997*. Attachment 1 contains an extract of the Minutes of the Ordinary Council Meeting of 20 August 2002, and further explanation of the rationale for the adoption of the policy.

2. Policy 403 was last reviewed by Council on 20 August 2019 as part of the minor review of policies. Only minor administrative amendments were made at this time. A full review of the policy was not undertaken.
3. The policy was adopted as a result of Belmont Racecourse site's popularity with concerts and events in the early 2000s. With the completion of Northbridge Tunnel, increasing interest was expressed by promoters to use the Belmont Park Racecourse facilities. This was due to its accessibility with good road and rail connection and the site being located away from residential areas. In the period since Policy HLTH4, now Policy 403, was adopted, significant developments have occurred in and around Burswood Peninsula.
4. Belmont Racecourse is set to undergo redevelopment in the near future that will most likely lead to change in its operation.
5. The last major event held at Belmont Racecourse was on 26 January 2019. The Town deals with all noise complaints using the provisions of the *Environmental Protection (Noise) Regulations 1997*.
6. At its meeting on 20 April 2021, Council adopted a work plan to complete the review of a number of policies. Policy 403 was one of the policies identified for review.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL01 – Everyone receives appropriate information in the most efficient and effective way for them	The review of this policy ensures that policies set by Council support clear, consistent, and effective direction for both the Town and does not duplicate State legislation.

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.	Revoking this policy will not have any impact on this strategic outcome. It will allow the Town additional flexibility to consider events on a case-by-case basis.

Engagement

Internal engagement	
Stakeholder	Comments
Environmental Health	Environmental Health Officers are supportive of the revocation of this policy.
Community Development / Events, Arts and Funding	Community Development and Events, Arts and Funding teams were contacted and have no objection to revocation of the policy.
Place Planning	Place Planning supports the revocation of the policy.

External engagement	
Stakeholders	Perth Racing
Period of engagement	Nil
Level of engagement	Consult
Methods of engagement	Perth Racing was contacted by email to find out whether they thought there was value in keeping this policy.
Key findings	In 2020, Perth Racing indicated that they believed that there was value in keeping this policy as they we are looking at increasing their non race day events at both racecourses. Perth Racing have now indicated in writing on 7 August 2021 that they are happy to support revocation of the policy provided they still have the ability to host concerts in the future with the Town's approval through an event application.

Legal compliance

[Environmental Protection \(Noise\) Regulations 1997](#)

Section 18 of the *Environmental Protection (Noise) Regulations 1997*

(3) Where the CEO is satisfied that a proposed sporting, cultural or entertainment event that is to be open to the public —

(a) is likely to result in the emission of noise in contravention of the standard prescribed under regulation 7; and

(b) would lose its character or usefulness if it were required to comply with that standard,

the CEO may approve the event, subject to such conditions as the CEO thinks fit, for the purpose of this regulation.

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	Nil	Nil	Nil	Nil	Nil
Environmental	Increased noise emanating from public events and concerts at Belmont Racecourse	Moderate	Moderate	Moderate	Low	TREAT - All events on this site should be assessed and approved in the same way as any other event within the Town.

Health and Safety	Nil	Nil	Nil	Nil	Nil	Nil
Infrastructure/ ICT system/ Utilities	Nil	Nil	Nil	Nil	Nil	Nil
Legislative compliance	Duplication of legislation with Council Policy.	Moderate	Moderate	Moderate	Low	Use <i>Environmental Protection (Noise) Regulations 1997</i>
Reputation	Nil	Nil	Nil	Nil	Nil	Nil
Service delivery	Nil	Nil	Nil	Nil	Nil	Nil

Financial implications

Current budget impact	No impact.
Future budget impact	No impact.

Analysis

7. The *Environmental Protection (Noise) Regulations 1997* (the Regulations) operates as a prescribed standard under the *Environmental Protection Act 1986*. Regulation 7 of the Regulations sets assigned noise levels that should not be exceeded.
8. Regulation 18 contains provisions relating to noise emissions from sporting, cultural and entertainment events. This includes the power for the Chief Executive Officer of the local government to approve a proposed sporting, cultural or entertainment event where the likely noise levels are to exceed the assigned levels under Regulation 7. In doing so, the processes detailed in Regulation 18 are to be followed including the need for the relevant local government to consult with each adjoining local government who may experience noise emissions as part of each application.
9. As outlined above, it is understood that the purpose of Policy 403 was to negate the need to consult with each adjoining local government for each Regulation 18 application for an event at Belmont Park that would exceed the assigned noise levels, by instead having a policy in place, agreed to by the other adjoining local governments, outlining the conditions for approval of any events and without the need for consultation for each and every Regulation 18 application. This was at a time when it is understood that Belmont Park Racecourse was regularly hosting music events.
10. While Policy 403 was beneficial in achieving its intent at a previous time, there have not been regular music events at Belmont Park Racecourse for some time (the last event being Australia Day 2019).

11. Upon reviewing Policy 403 and noting that there are few music events now held at the Racecourse, it is considered that there is no need to retain Policy 403, and that any future applications can be processed in a normal fashion under Regulation 18, consistent with such events in other local government areas across the State.
12. While revocation of the policy may marginally increase the approval period for a Regulation 18 application at Belmont Park Racecourse, revocation will be in alignment with all Regulation 18 approvals for other sites in the Town and is supported by Perth Racing.
13. With the exception of Optus Stadium (subject to Regulation 19B approval), noise emissions from sporting, cultural or entertainment events elsewhere within the Town are dealt with under Regulation 18, rather than an area specific policy.

Further consideration

14. At its meeting held on 23 August 2021, the Policy Committee moved a procedural motion to refer this item to the November 2021 Policy Committee to allow time for the Town to consult with adjoining local governments that were consulted during the formulation of the policy.
15. As a result, the Cities of Perth, Belmont, Bayswater and Vincent were consulted, and all indicated that they had no objection to the proposed revocation of Policy 403, as follows:
 - City of Perth responded that they had no objections from the City's perspective on the policy being revoked.
 - City of Belmont responded that they had no objections to the proposed revocation.
 - City of Bayswater advised the Town that they did not object to the proposed revocation of Policy 403, provided that future events will still be managed in accordance with Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* and adjoining local governments will be consulted for any event where noise emissions are expected to exceed the assigned noise levels.
 - City of Vincent responded that they had no objection to the revocation of the Policy. They, however, recommend that the Town should encourage the Venue to make an application for *Environmental Protection (Noise) Regulation 1997* Section 19B 'Venue Approval', should the Venue seek to regularly host more than 2 'sporting cultural or entertainment events' within a 12 month period, rather than using Regulation 18(11).
16. As the consultation has occurred and no objections have been received, it is requested that the Policy Committee recommend to Council that Policy 403 - Management of Noise Emissions from Events at Belmont Racecourse – Other than Horse Racing be revoked.

There were no questions asked or presentations made in relation to this item.

15.8 Appointment of Independent Committee Members

Location	Town-wide
Reporting officer	Manager Governance and Strategy
Responsible officer	Chief Executive Officer
Voting requirement	Absolute majority
Attachments	<ol style="list-style-type: none"> 1. CONFIDENTIAL - Evaluation Matrix [15.8.1 - 1 page] 2. CONFIDENTIAL - Audit and Risk Committee Selection Criteria [15.8.2 - 4 pages] 3. CONFIDENTIAL - Independent Member Applicants Resumes [15.8.3 - 9 pages]

Recommendation from the Audit and Risk Committee:

That Council appoints Robert Poepjes and Brian Martin as the two independent members to the Audit and Risk Committee for the period 14 December 2021 to 21 October 2023, in accordance with sections 5.9 and 5.10 of the *Local Government Act 1995*.

Purpose

To present applications received and recommendation to the committee for the two Independent Committee Member (ICM) vacancies on the Audit and Risk Committee.

In brief

- The Audit and Risk Committee is a standing committee of Council and is required to exist under the *Local Government Act 1995* (the Act). As per its Terms of Reference the Audit and Risk Committee consists of four elected members and two ICMs.
- Under section 5.11 of the Act, the terms of the previous ICMs expired on election day. As such, new appointments are required.
- Applications were sought from the public on 19 October 2021 with three applications received at the close of application period on Sunday 31 October 2021.

Background

1. Section 5.8 of the Act allows Council to establish Committees to assist the Council with its decision-making function and responsibilities.
2. The Town operates an Audit and Risk Committee as required by section 7.1A of the Act. The Terms of Reference of the Audit and Risk Committee allows for two independent members to be appointed to the Committee.

3. In accordance with its Terms of Reference, the purpose of the Audit and Risk Committee is to provide guidance and assistance to Council in fulfilling its governance and oversight responsibilities in relation to the following key areas:
 - a) Financial reporting
 - b) Internal control
 - c) Risk management
 - d) External audit
 - e) Internal audit.
4. As each Committees membership expires on the ordinary Election Day, these positions were vacated on Saturday 16 October 2021.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Appointing suitably qualified individuals to the Audit and Risk Committee will assist the Council in ensuring the delivery of good governance.

Engagement

Internal engagement	
Stakeholder	Comments
Elected Members	Received the applications via a confidential attachment.

Legal compliance

[Part 5, Division 2, Subdivision 2 of the Local Government Act 1995](#)

[Part 7, Division 1A of the Local Government Act 1995](#)

Risk management consideration

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

utilities						
Legislative compliance	Not applicable.					Low
Reputation	Applicants feel aggrieved with the appointment made by Council.	Moderate	Unlikely	Moderate	Low	TREAT risk by making appointments based on the merit and relevant skills of each candidates.
Service delivery	Not applicable.					Medium

Financial implications

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

Analysis

- In accordance with the Committee's Terms of Reference, when appointing an ICM, the person's experience, skills or qualifications should be considered to enable him/her to contribute to the Committee's functions.
- The vacancies were advertised through local public notice, the Town's social media channels and the website. At the close of the application period on 31 October 2021, three applications were received.
- Applicants were required to submit a current CV and were required to complete a nomination form addressing selection criteria outlining their suitability as the ICM of the Audit and Risk Committee.
- Submissions were assessed against the following selection criteria:

Experience: Please provide details of any business or financial management reporting knowledge and experience.	25%
Please describe your understanding and experience in relation to internal audit.	25%
Please describe your understanding and experience in relation to risk management.	25%
Please describe your understanding and experience in relation to financial management.	25%

- As per Policy 025 - Independent committee members, following receipt of the applications, a panel has been authorised by the Chief Executive Officer to undertake shortlisting against the selection criteria, identify applicants suitable for appointment and provide the assessment of all applicants to the committee with a recommendation of persons to be appointed.

10. The evaluation of the submissions against the selection criteria resulted in the rankings as shown below:

Independent member applicants	Overall Ranking
Robert Poepjes	1
Brian Martin	2
Andrew Boden	3

11. The applications have been provided to elected members as a confidential attachment to this report, along with an evaluation matrix.
12. All three independent member applicants are deemed suitable for the appointment to the Audit and Risk Committee. However, the current Terms of Reference allows up to two independent members to be appointed by Council. One of the recommendations in the major local government reform announced by the Minister for Local Government last week is that Audit Committees would be able to include Council members but would be required to include a majority of independent members and an independent chairperson. The Committee may want to consider amending the Terms of Reference to allow up to three independent members to the Audit and Risk Committee. This would allow the Committee to recommend the appointment of all three independent member applicants.
13. To finalise the recommendation to Council as to who should be appointed, the committee upon receipt of the shortlist shall make a recommendation to Council as to who should be appointed. In doing so, the committee is authorised to request the Chief Executive Officer to do any or all of the following:
- a) arrange for the committee to interview applicants
 - b) conduct a reference check of applicants
 - c) verify the qualifications of applicants.

Relevant documents

[Audit and Risk Committee Terms of Reference](#)

[Policy 025 Independent committee members](#)

There were no questions asked or presentations made in relation to this item.

15.9 Strategic risk review

Location	Town-wide
Reporting officer	Corporate Strategy and Risk Advisor
Responsible officer	Manager Governance and Strategy
Voting requirement	Simple majority
Attachments	1. Strategic risk review outcomes 2021 [15.9.1 - 13 pages]

Recommendation from the Audit and Risk Committee:

That Council:

1. Notes the removal of strategic risks.
 - a. Dissolution of Mindarie Regional Council.
 - b. Failure to take action to reduce the administration's impact on climate change.
2. Notes the amendment of strategic risks.
 - a. Boundary change to Loss of ratepayer base and associated revenue.
 - b. Significant external disruptive events such as cyberactivity to Failure to maintain and protect data and information technology systems.
 - c. Significant external disruptive events – current and future pandemics to Failure to plan and prepare for emergencies and recovery.
 - d. Failure to take action to reduce the Town's impact on climate change within the community to Failure to take action to reduce impact on climate change.
3. Notes the addition of strategic risks.
 - a. Views of community unable to influence decision-making.
 - b. Failure to attract and retain a skilled workforce.
 - c. Negative media exposure.
 - d. Variation in economic activity impacting delivery of infrastructure.
 - e. Increased community expectations on local government to address crime and anti-social behaviour.
 - f. Changes in working relationships with key community, government and/or commercial stakeholders.
 - g. Failure to maintain a constructive organisational culture.
 - h. State Government initiatives misaligned with community aspirations.
 - i. Supply chain disruptions leading to project delays.
4. Adopts the amended strategic risk register and updates to controls and treatment actions, as at attachment one.
5. Requests the Chief Executive Officer to list outstanding risk treatment actions for consideration in the mid-year Corporate Business Plan review, to be presented to Council with the mid-year budget review.
6. Requests that the Chief Executive Officer provides updates on the status of strategic risks annually, with the next review being presented to the Audit and Risk Committee in November 2022.

Purpose

To provide an update on the Town's management of strategic risks, propose changes to the strategic risk register and change the frequency of reporting to the Audit and Risk Committee on strategic risks from bi-annual to annual.

In brief

- The Chief Executive Officer is required to provide a bi-annual report on strategic risks to the Audit and Risk Committee.
- A review of the current strategic risks has been undertaken. This has resulted in risks being recommended for removal, amendment and inclusion.

Background

1. Strategic risks are risks that the organisation has no influence over. They generally occur external to the organisation and affect the delivery of strategic objectives.
2. At the February 2020 Ordinary Council Meeting, Council requested that the Chief Executive Officer present a bi-annual report on the status of the Town's strategic risks to the Audit Committee.
3. The Chief Executive Officer presented the first bi-annual report on strategic risks to the Audit and Risk Committee in September 2020 and it was considered by Council at the December 2020 Ordinary Council Meeting. As part of the review, new risks were identified.
4. A review of the current strategic risks has been undertaken to identify whether risks are still present and whether any new risks have emerged or should be identified. An extensive review of controls and treatment actions was undertaken to document what the Town already has in place and what could be done to improve. Improvement actions also included internal audit recommendations.
5. Definitions for terms used in the risk register and this report are provided below. These are based on the AS/NZS ISO 31000:2018 Risk Management Guidelines.
 - a) **Risk** - The effect of uncertainty on objectives. A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative, or a deviation from the expected. An objective may be financial, related to health and safety, or defined in other terms.
 - b) **Consequence** - Outcome of a risk event affecting the achievement of goals, objectives and plans. There can be multiple consequences from a risk event, which can have knock-on and or cumulative impacts.
 - c) **Control** - Measure that maintains or modifies risk. This includes but is not limited to a policy, process, device, practice, mechanism or other conditions and/or actions that maintain or modify risk.
 - d) **Risk treatment** - This is an action which treats the residual risk with the objective of mitigating the residual risk.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The regular review, reporting and monitoring of risks is part of good risk management practice and ensures accountability, commitment to continuous improvement and a basis for action.

Engagement

Internal engagement	
Stakeholder	Comments
C-Suite	Workshops were held to review existing risks, their controls and treatments.
Managers	Workshops were held to review existing risks, their controls and treatments.
Elected members	<p>Proposed changes were provided on the Councillor Portal for feedback. Four responses were received.</p> <p>The removal of the strategic risk relating to the administration’s impact on climate change was questioned. The Town is of the view that this risk should still be removed as it is proposed that the administration’s impact and the Town’s impact within the community be combined into one risk – ‘Failure to take action to reduce impact on climate change.’ The separation of each is not seen as necessary as the causes, consequences, controls and treatments would be considered for each regardless. This aligns with the Town’s strategic framework and most relevant control, the Climate Emergency Plan. This plan includes treatment actions that address both the administration’s impact on climate change along with how the Town can facilitate the community to take action to ultimately take action to reduce the impacts of climate change.</p> <p>Changing ‘Boundary change’ to ‘Loss of ratepayer base and associated revenue’ was supported subject to boundary change being included as an example. Boundary change has been identified as a cause in the register.</p> <p>A point was raised in relation to the proposed change from ‘Significant external disruptive events – current and future pandemics’ to ‘Failure to plan and prepare for emergencies and recovery.’ It was noted that each different emergency will require different strategies. Different types of emergencies are identified as causes against the risk and the most relevant control, the Town’s Emergency Management Plan, addresses how the Town will manage each type of event. Expanding this risk to include all types of emergencies, not just pandemics, will encourage the appropriate level of focus and monitoring.</p> <p>The need to specifically mention community expectations in relation to addressing crime and anti-social behaviour was also questioned with a</p>

suggestion that crime and anti-social behaviour was the risk. The Town is proposing to treat it as a reputational risk and not one to health and safety. Although the Town has a role to play in facilitating a safe neighbourhood, much of what is expected from the community such as physical presence and the ability to move people on is the role of the State and Federal government. The purpose of identifying this as a risk is to highlight that the misalignment between the Town's role as a local government and the community's expectations could result in reputational impact and a low level of community satisfaction.

Legal compliance

[Regulation 17 of the Local Government \(Audit\) Regulations 1996](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	<p>Failure to identify the following strategic risks results in there being little or no focus on treatment, continuous improvement, monitoring or reporting.</p> <ul style="list-style-type: none"> • Failure to maintain a sustainable long-term financial position. • Loss of ratepayer base and associated revenue. • Failure to detect and prevent occurrences of fraud and corruption. 	Severe	Unlikely	High	Low	TREAT risk by identifying strategic risks and including them in the strategic risk register so controls are tracked and treatment, monitoring and reporting occurs.
Environmental	Failure to identify the following strategic risk results in there being little or no focus on	Severe	Rare	Medium	Medium	TREAT risk by Identifying the strategic risk and including it in the strategic risk

	<p>treatment, continuous improvement, monitoring or reporting.</p> <ul style="list-style-type: none"> Failure to take action to reduce impact on climate change. 					<p>register so controls are tracked and treatment, monitoring and reporting occurs.</p>
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	<p>Failure to identify the following strategic risk results in there being little or no focus on treatment, continuous improvement, monitoring or reporting.</p> <ul style="list-style-type: none"> Failure to maintain and protect data and information technology systems. 	Severe	Rare	Medium	Medium	<p>TREAT risk by Identifying the strategic risk and including it in the strategic risk register so controls are tracked and treatment, monitoring and reporting occurs.</p>
Legislative compliance	<p>Failure to identify the following strategic risk results in there being little or no focus on treatment, continuous improvement, monitoring or reporting.</p> <ul style="list-style-type: none"> Non-compliance with Council's governance obligations under the <i>Local Government Act 1995</i>. 	Severe	Rare	Medium	Low	<p>TREAT risk by Identifying the strategic risk and including it in the strategic risk register so controls are tracked and treatment, monitoring and reporting occurs.</p>
Reputation	Failure to identify the following strategic risks results in there	Severe	Unlikely	High	Low	<p>TREAT risk by identifying strategic risks and including them in</p>

	<p>being little or no focus on treatment, continuous improvement, monitoring or reporting.</p> <ul style="list-style-type: none"> • Failure to meet the infrastructure needs of future growth requirements. • Views of community unable to influence decision-making. • Negative media exposure. • Increased community expectations on local government to address crime and anti-social behaviour. • State Government initiatives misaligned with community aspirations. 					<p>the strategic risk register so controls are tracked and treatment, monitoring and reporting occurs.</p>
<p>Service delivery</p>	<p>Failure to identify the following strategic risks results in there being little or no focus on treatment, continuous improvement, monitoring or reporting.</p> <ul style="list-style-type: none"> • Failure to plan and prepare for emergencies and recovery. • Failure to attract and retain a skilled workforce. • Variation in economic 	<p>Severe</p>	<p>Unlikely</p>	<p>High</p>	<p>Medium</p>	<p>TREAT risk by identifying strategic risks and including them in the strategic risk register so controls are tracked and treatment, monitoring and reporting occurs.</p>

- activity impacting delivery of infrastructure.
- Changes in working relationships with key community, government and/or commercial stakeholders.
- Failure to maintain a constructive organisational culture.
- Supply chain disruptions leading to project delays.

Financial implications

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

Analysis

- The strategic risk review focused on:
 - reviewing whether risks were still present
 - identifying further potential risks
 - adding to causes and consequences
 - reviewing whether listed controls were controls
 - adding extra controls that are in place
 - reviewing whether treatment actions listed could be completed and added to controls
 - identifying further opportunities for improvement/risk treatment
 - adding actions from recent audits as treatments against relevant risks.
- The results of the review are provided in attachment one.
- Changes to the risks identified are being recommended. These are detailed in the table below.

Action	Risk	Reason
Remove	Dissolution of Mindarie Regional Council	Recent changes to arrangements.

	Failure to take action to reduce the administration's impact on climate change	Risk already covered by broader action - "Failure to take action to reduce impact on climate change".
Amend	Boundary change to – Loss of ratepayer base and associated revenue	Loss of ratepayer base and revenue is the risk that could be caused by a boundary change.
	Significant external disruptive events such as cyberactivity to – Failure to maintain and protect data and information technology systems	The risk is the loss of data and systems. One cause of this is malicious cyber activity.
	Significant external disruptive events - current and future pandemics to – Failure to plan and prepare for emergencies and recovery	The risk relates to the absence of planning and preparation for any emergency and the ability for the Town to recover. A pandemic is only one cause.
	Failure to take action to reduce the Town's impact on climate change within the community to – Failure to take action to reduce impact on climate change	Combines the two climate change-related risks as their causes, consequences, controls and treatments are all similar.
Add	Views of community unable to influence decision-making	While the Town and Council can seek out the views of the community, it is up to them to participate. Lack of participation can significantly impact achievement of the Town's strategic goals as the community's views are not known.
	Failure to attract and retain a skilled workforce	While this can be controlled to some extent, changes in the job market can have an impact on the Town. An example of this would be if one industry experiences significant growth. Resources are needed to be able to deliver all projects and services.
	Negative media exposure	While the Town can proactively encourage positive media, it does not have full control over what is printed or reported.
	Variation in economic activity impacting delivery of infrastructure	The Town's strategic goals and projects can be significantly impacted by changes in economic activity. An example of this could be an increase in prices of materials due to an increase in construction.

	Increased community expectations on local government to address crime and anti-social behaviour	Increased expectations are evident through community engagement results with safety and security being the number one priority in the VicVision outcomes. While the Town has a small role to play in facilitating a safe neighbourhood, much of what is expected is the role of the State and Federal government.
	Changes in working relationships with key community, government and/or commercial stakeholders	At a strategic level, changes in working relationships with these groups can result in less funding opportunities or changes to levels of service within our community. The Town can attempt to manage the relationships but the nature of them can also be influenced by individual personalities and group priorities.
	Failure to maintain a constructive organisational culture	The culture needs to be managed across the whole organisation for it to be effective. A negative organisational culture could result in the quality of strategic objectives not being delivered at an acceptable level, or not being delivered at all. Managing at operational level between service areas may result in inconsistencies. Elevating the risk to be strategic will result in the risk being owned, monitored and reported at an executive level.
	State Government initiatives misaligned with community aspirations	While the Town can advocate for and on behalf of residents, it is not possible to fully control the external influence and potential subsequent dissatisfaction of the community.
	Supply chain disruptions leading to project delays	Disruptions to supply chains could mean that materials needed to complete a project aren't available. The Town is not able to fully control this but needs to have treatment measures in place to react and manage.
Keep	Non-compliance with Council's governance obligations under the <i>Local Government Act 1995</i>	Risk still relevant.
	Failure to meet the infrastructure needs of future growth requirements	Risk still relevant.
	Failure to maintain a sustainable long-term financial position	Risk still relevant.
	Failure to detect and prevent occurrences of fraud and corruption	Risk still relevant.

9. It is proposed that these changes be made to the Town's strategic risk register to allow for present risks to be considered, current controls to be recorded and for treatment actions to be addressed.
10. The strategic risks adopted by Council will be included in the Town's next iteration of its Strategic Community Plan, as recommended in the Department of Local Government, Sport and Cultural Industries' Integrated Planning and Reporting Framework Guidelines. This will highlight the risks present that may impact the achievement of the community's priorities.
11. This financial year it is proposed that a mid-year review of the Town's Corporate Business Plan be undertaken to coincide with the mid-year budget review. Any risk treatment actions identified that have not been completed at this point can be proposed for inclusion in the Corporate Business Plan. Their inclusion will need to be considered and approved by Council when the review is presented. Some of these treatment actions may be because of recommendations from the Town's internal audit program. This will help link audit, risk and continuous improvement. It will also provide Council with more oversight with progress reporting on treatment actions feeding through to the Corporate Business Plan quarterly report, presented to Council in February, April, July and October.
12. Treatment actions identified to manage strategic risks past 2021-2022 will be included as corporate deliverables in the Town's next Corporate Business Plan, due for adoption in June 2022.
13. Because of this, it is recommended that a full update on the status of strategic risks be provided to the Audit and Risk Committee annually instead of bi-annually.

Relevant documents

[Policy 004 – Risk Management](#)

There were no questions asked or presentations made in relation to this item.

15.10 Update on Outstanding Actions from Reg 17 Review

Location	Town-wide
Reporting officer	Manager Governance and Strategy
Responsible officer	Chief Executive Officer
Voting requirement	Simple majority
Attachments	1. Update on Outstanding Actions from Reg 17 Review [15.10.1 - 5 pages]

Recommendation from the Audit and Risk Committee:

That Council:

1. Receives the update on actions resulting from the Chief Executive Officer's review of systems and procedures relating to legislative compliance, internal controls and risk management, in accordance with regulation 17 of the *Local Government (Audit) Regulations 1996*.
2. Requests that the Chief Executive Officer informs elected members on the progress of the last outstanding Action 2.3 by July 2022.

Purpose

To present the progress of further actions identified from the Chief Executive Officer (CEO)'s review of systems and procedures relating to legislative compliance, internal controls and risk management, in accordance with regulation 17 of the *Local Government (Audit) Regulations 1996* (the Regulations).

In brief

- Regulation 17 of the Regulations requires the CEO to conduct a review of systems and procedures relating to legislative compliance, internal controls and risk management on a triennial basis.
- To ensure that a thorough review is conducted, each area was reviewed and reported on individually to the Audit Committee in 2019.
- As a result of the reviews conducted, a total of 24 opportunities for improvement were identified across the three areas of review.
- As resolved by Council, an update on the outstanding actions are presented to the Audit and Risk Committee.

Background

1. In 2013, regulation 17 of the Regulations was amended to include a requirement for the CEO to review the appropriateness and effectiveness of a local government's systems and procedures in relation to legislative compliance, internal controls and risk management on a biennial basis. In 2018, regulation 17 was amended to change the frequency of the review requirement from biennial to triennial.

2. In accordance with regulation 16 of the Regulations, a local government’s audit committee is responsible for reviewing the CEO’s report, before providing a copy of the report and the results of its review to Council. In 2019, the Audit Committee received three separate reports for their consideration, relating to legislative compliance, internal controls and risk management.
3. Upon receiving the results of the review, Council resolved to request that the CEO provide updates to the Audit and Risk Committee on the progress of the opportunities for improvement actions identified as part of the reviews until all actions are complete.
4. As most actions have been completed, the Town has sought to provide an update on all identified actions, rather than presenting a separate report for each individual area of review.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The Town has a responsibility to ensure that its systems and processes relating to legislative compliance, internal controls and risk management are appropriate and in line with industry best practice.

Legal compliance

[Regulation 17 of the Local Government \(Audit\) Regulations 1996](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council’s risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.				Low	
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	The Town’s current systems relating to internal controls do not meet legislative requirements.	Minor	Possible	Medium	Low	TREAT risk by proactively improving processes relating to legislative compliance, internal controls, and risk management as

						identified by the review.
Reputation	Reputational damage if a lack of appropriate internal controls results in a breach of the <i>Local Government Act 1995</i> , and/or other relevant legislation.	Moderate	Possible	Medium	Low	TREAT risk by completing the actions as a result of this review. Ensure that internal controls, as outlined in the Department of Local Government, Sport and Cultural Industries Guidelines, meet best practice standards.
Service delivery	Not applicable.				Low	

Financial implications

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

Analysis

5. There were 24 opportunities for improvement identified as a result of the CEO's review of systems and processes relating to legislative compliance, internal controls, and risk management. The status of these actions are summarised below:

Review area	Total actions	No. not started	No. in progress	No. completed
Legislative Compliance	11	0	0	11
Internal Controls	7	0	1	6
Risk Management	6	0	0	6

6. Actions completed since the last report was presented to the Audit and Risk Committee in March 2021 are summarised in the table below:

Review area	Reference Number	Required Action	Status	Summary
Legislative Compliance	1.3	Development of a policy and/or procedure for complaints relating to elected members.	Complete	A policy for the management of complaints relating to elected members in matters relating to breaches of the Code of Conduct was adopted by Council on 20 April 2021.
Legislative Compliance	1.7	Ensure the internal audit program is appropriately resourced.	Complete	The internal audit program is appropriately resourced. The Town has appointed Paxon to carry out the internal audit program.
Internal Controls	2.3	Ensure that all 'policy statements' and 'procedures' are appropriately captured, before the next CEO's review on systems and processes relating to internal controls, which will be due in 2022.	In progress	Several outdated policies have been reviewed and the review program is ongoing and should result in every policy having been individually reviewed by 30 June 2022.

7. Only one action (2.3) remains outstanding as it cannot be completed until all policies have been reviewed. Once all policies are reviewed by April 2022, it is proposed that elected members be informed via the Councillor Portal and Council Resolutions Status Report that this action has been completed.
8. The full report on each action, inclusive of officer comments, are attached to this report as attachment 1.

Relevant documents

[A Guide to Local Government Auditing Reforms \(DLGSC\)](#)

[Local Government Operational Guidelines No. 9 – Audit in Local Government \(DLGSC\)](#)

There were no questions asked or presentations made in relation to this item.

16 Motion of which previous notice has been given

Nil.

17 Questions from members without notice on general matters

Cr Wilfred Hendriks

1. In relation to item 13.4, where is Right of Way 130?

The Chief Operations Officer took the question on notice.

2. To do with resolution in 290/2019, what happened to that item with the master plan for Parnham Park?

The Chief Operations Officer took the question on notice.

Mayor Karen Vernon

1. There is a sudden emergence of solar powered speed signs, is this technology something the Town is considering for our busiest roads, if so when will we hear about this being rolled out?

The Manager Technical Services advised that the Town do have a speed trailer that the Town can program. The Town do not have solar powered speed signs, but he advised the Town can investigate.

The Chief Operations officer advised they will look at purchasing some and look into appropriate locations.

18 Confidential matters

Nil.

19 Closure

There being no further business, Mayor Karen Vernon closed the meeting at 9.28pm.

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

Signed:

Dated this: Day of:2021