



TOWN OF
VICTORIA PARK



Policy Committee

Agenda – 26 November 2019



WE'RE OPEN
VIC PARK

Please be advised that an **Policy Committee** will be held at **5:30 pm** on **Tuesday 26 November 2019** in **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Mr Anthony Vuleta – Chief Executive Officer
21 November 2019

Table of contents

| Item | Page no |
|--|---------|
| 1 Declaration of opening..... | 3 |
| 2 Attendance | 4 |
| 2.1 Apologies..... | 5 |
| 2.2 Approved leave of absence..... | 6 |
| 3 Declarations of interest..... | 7 |
| 4 Confirmation of minutes..... | 8 |
| 5 Presentations..... | 9 |
| 6 Method of dealing with agenda business | 10 |
| 7 Reports | 12 |
| 7.1 Community Funding Policy..... | 12 |
| 7.2 Review of Leasing Policy 310 | 20 |
| 8 Motion of which previous notice has been given | 24 |
| 9 Closure..... | 24 |

1 Declaration of opening

Acknowledgement of Country (by Presiding Member)

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

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

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

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

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

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

2 Attendance

| | |
|---|--|
| Mayor | Mayor Karen Vernon |
| Banksia Ward | Cr Wilfred Hendriks Cr Claire Anderson |
| Jarrah Ward | Cr Jesvin Karimi Cr Brian Oliver Cr Vicki Potter Deputy Mayor Bronwyn Ife |
| Chief Community Planner Chief Operations Officer | Ms Natalie Martin Goode Mr Ben Killigrew |
| Secretary | Mr Liam O'Neill |

2.1 Apologies

2.2 Approved leave of absence

3 Declarations of interest

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

Declaration of financial interests

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

Declaration of proximity interest

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

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

Declaration of interest affecting impartiality

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

4 Confirmation of minutes

Recommendation

That the Policy Committee confirms the minutes of the Policy Committee held on Monday 4 November 2019.

5 Presentations

6 Method of dealing with agenda business

7 Reports

7.1 Community Funding Policy

| | |
|----------------------------|--|
| Location | Town-wide |
| Reporting officer | Kaitlyn Griggs |
| Responsible officer | Natalie Martin Goode |
| Voting requirement | Simple majority |
| Attachments | <ol style="list-style-type: none">1. Policy 114 Community funding [7.1.1 - 10 pages]2. Operating Subsidy Workshop Feb 19 [7.1.2 - 11 pages]3. Consultation- Nof-for-profits [7.1.3 - 6 pages]4. Donations [7.1.4 - 2 pages]5. Policy 114 Community grants- track changes [7.1.5 - 3 pages]6. Policy 116 Donations - Financial assistance- track changes.docx [7.1.6 - 3 pages]7. Policy 308 Sponsorship- track changes [7.1.7 - 3 pages]8. Internal engagement [7.1.8 - 15 pages] |

Recommendation

That the Policy Committee recommends that Council:

1. adopts Policy 114 Community Funding as attached.
2. repeals the following policies as they have been incorporated into Policy 114 Community Funding;
 - a. Policy 114 Community grants
 - b. Policy 116 Donations- financial assistance
 - c. Policy 308 Sponsorship

Purpose

To present Policy 114 Community Funding to the Policy Committee for recommendation for Council adoption.

In brief

- The Town provides a range of community funding programs which are governed through various policies.
- Council approves operating subsidies to support the operating capacity of not-for-profit organisations to deliver programs and services to the community. At present there is no policy or management practice to guide decision making relating to operating subsidies
- In February 2019 the Town undertook stakeholder consultation on a draft Operating Subsidy Policy.
- The workshop participants identified that one (1) consolidated *Community Funding Policy* should be developed, incorporating all community funding programs

Background

1. At the September 2019 Ordinary Council Meeting, Council resolved an indicative policy review work plan which identified Policy 116 Donations- financial assistance, Policy 308 Sponsorship and Policy 114 Community Grants be reviewed and presented to Council by December 2019.
2. Throughout 2018 the Town in partnership with Connect Victoria Park, Victoria Park Centre for the Arts and Harold Hawthorne Community Centre, drafted an Operating Subsidy Policy and commenced work on a management practice.
3. On 22 February 2019 the Town hosted a stakeholder workshop to;
 - consult community stakeholders on the draft Operating Subsidy policy and management practice
 - provide an opportunity (safe space) for stakeholders to test each section of the management practice and policy; and
 - provide feedback to improve the quality of the policy and management practice.
4. 22 Stakeholders attended the workshop, inclusive of;
 - Representatives from the Support People with Basic Needs Working Group
 - Sport and Recreation clubs (inclusive of Perth Football Club)
 - Arts and Culture
 - Various Aged Care and Senior Citizen Centres
 - Various disability support services and employment Services
 - Scouts
 - Child Care Centres
 - Social Enterprise
 - Mission Australia
 - Toy Library
5. At the March 2019 Elected Member Concept Forum Workshop, Manager Community provided an overview of recommendations made at the draft Operating Subsidy policy workshop. Inclusive of the recommendation for;
 - the Town to consolidate all available community funding, excluding procurement, under one umbrella Community Funding policy. This will enable one point of reference for the community, Elected Members and administration to refer to, opposed to the disperse and fragmented funding polices. This will help to minimize confusion relating to eligibility, purpose of funding programs and funding levels
 - the operating subsidy policy to be incorporated into the Community Funding Policy, and to include the totality of support provided to eligible parties, inclusive of subsidised leases.

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 provide a transparent and accountable framework for the provision of financial assistance to eligible parties. |

| | |
|--|--|
| | To enable the Town and funding recipients to demonstrate the benefits at an individual and community level aligned to the SCP outcomes, in return for funding. |
|--|--|

| Social | |
|---|--|
| Strategic outcome | Intended public value outcome or impact |
| S03 - An empowered community with a sense of pride, safety and belonging. | <p>The Town recognises that a thriving and strong community includes diverse sporting and recreational groups, cultural and community service organisations which support and contribute to the quality of life of individuals and the community.</p> <p>The community Funding programs support eligible parties to create an empowered community with a sense of pride, safety and belonging. This is achieved by providing funding for the delivery of events or initiatives at a local level, which may otherwise not be available.</p> |

Engagement

Extensive internal and external consultation has been undertaken in the drafting of the operating subsidy overarching Community Funding Program policy. Please refer to attachments for comprehensive overview of the consultation.

| Internal engagement | |
|----------------------------|--|
| Communications & Marketing | <p>Sponsorship 'Comfortable with the current Sponsorship Policy intent, definitions and principles. A management practice is required as this would assist the Town in simplifying, clarifying the application, approval and acquittal evaluation processes.'</p> |
| Governance | <p>Overall policy considerations Funding caps in the Policy: Including funding caps within the Policy will reduce flexibility. An alternative option could be for the annual budget adoption to set the overall funding availability per program, then the capped amount per applicant to be detailed in the management practice.</p> |
| Place Planning | <p>Community Grants</p> <ul style="list-style-type: none"> • Comfortable with definitions and capped amount |

| | |
|-----------------------|---|
| | <ul style="list-style-type: none"> • Comfortable with individually tailored funding rounds, per program |
| Operations | <p>Adopt-a-Verge</p> <ul style="list-style-type: none"> • Adopt-a-Verge to be capped at one application per resident • Pre-existing landscaped verges will not be eligible <p>Operating Subsidy – peppercorn lease Definition “peppercorn lease”- this may need to exclude the word ‘license’ to prevent confusion between a lease (exclusive use) with a license (non-exclusive use).</p> |
| Community Development | <p>Rebates</p> <p>The CCTV, Security Incentive Program and Street Meet ‘n’ Greet are all rebates, as eligible parties are required to pay up front. The Town then reimburses the applicant. As such move to rebates section of the policy.</p> |

| External engagement | |
|----------------------------|---|
| Stakeholders | The following table summarises numerous external consultations. Please see the detailed Consultation Reports, as attached. |
| Period of engagement | 2018 to February 2019 |
| Level of engagement | 3. Involve |
| Methods of engagement | <p>Multiple meetings and round table discussions with Victoria Park Centre for the Arts, Harold Hawthorne Senior Citizens Community Centre, and Connect Victoria Park Inc, to draft the original Operating Subsidy Policy.</p> <p>Stakeholder consultation workshop with 22 community representatives in February 2019.</p> |
| Advertising | The draft policy has not been publicly advertised |
| Submission summary | N/A |
| Key findings | <ul style="list-style-type: none"> • Need for one ‘umbrella/ overarching policy’ which houses all community funding programs, inclusive of Donations, Grants, Operating Subsidy and Sponsorship • The Operating Subsidy should promote sustainability, opposed to |

- dependency upon local government
- It is reasonable for local government to incrementally decrease the Operating Subsidy amount, should it deem appropriate, to encourage sustainability and reduce dependency
- Peppercorn leases should be accounted for in the totality of support provided to eligible parties, under the Operating Subsidy Policy
- The operating subsidy funding agreements should be for three years, with review periods allowing either party to withdraw from the agreement should circumstances arise
- Operating subsidy funding should be indexed annually aligned to CPI Perth All Groups
- Donations should be local to the Town, not regional

Please see attached Workshop Reports for comprehensive overview.

Legal compliance

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

Risk management consideration

| Risk and consequence | Consequence rating | Likelihood rating | Overall risk analysis | Mitigation and actions |
|--|--------------------|-------------------|-----------------------|---|
| 1) Reputational Negative public perception and diminished trust towards the Town may result if the recommendations of the workshop are not considered or adopted. | Moderate | Likely | High | The Policy committee to consider the feedback and recommendations from internal and external stakeholders when considering the Community funding Program for recommendation to Council. |
| 2) Reputational Policy 114 Community Funding is extensive. This may have an unintended consequence of 'information overload', impacting the usability of the policy. | Low | Moderate | Moderate | A possible option to mitigate this risk is to divide the Community Funding policy into three separate policies. 1) Community Funding Policy <ul style="list-style-type: none"> • Donations • Community Grants • Rebates 2) Sponsorship Policy 3) Operating Subsidy Policy However, this may result in negative public perception and diminished trust towards the |

Town as per risk 1, as the Town is failing to take on a recommendation of the stakeholder workshop. As such this mitigation strategy is not recommended.

Financial implications

| | |
|------------------------------|--|
| Current budget impact | Nil |
| Future budget impact | Budget approval for the funding programs will be considered annually by Council Funding programs will be advertised dependent upon funding annual allocation. |

Analysis

6. Existing polices 114, 116, 308 and funding programs without policies have been rolled into the new policy *114 Community Funding as per the following;*

6.1 Community Grants

- The community grants program will increase the capacity of the community to implement projects, activities and programs that enhance and promote community wellbeing, aligned to the Town's Strategic Community Plan.
- *High level summary of changes:*
 - included Urban Forest Strategy as a grant program
 - included 'artist' in eligibility criteria.
 - removed 'business groups' from eligibility criteria, as they are now captured under the term 'town team/ place-based group which has been added to eligibility criteria
 - removed duplication of terms
 - added reference to Management Practice 114.1 being made publicly available
 - added reference to any grant being over the capped amount being referred to Council for consideration, should funds be available
 - removed clauses which are addressed in overarching statements in the new policy.

6.2 Donations

- The Community development team undertook a review of the Donations program, inclusive of a comparison between other local governments. Please refer to attachment for findings.
- Amendments have been made to the donations program based upon the review.
- The donations program will support the local community through an annual financial assistance program. Donations will be for the provision of charitable purposes or services; or to support individual or group achievement at a state, national or international level of competition.
- *High level summary of changes:*

- Sports donations now targeting youth aged 12- 25. This is to encourage youth to apply and based on previous years applications.
- Community groups have been removed from eligibility, as they can now access funds through the community grants program.
- Funding categories have been streamlined, aligned to current usage.

6.3 Operating Subsidy

- The operating subsidy program will support the operating capacity of eligible parties to deliver meaningful interventions, programs and services to the community. The Operating Subsidy program will ensure economic efficiency, accountability and transparent financial management of funds by the Town, inclusive of in-kind support, cash and peppercorn lease/licence.
- The operating subsidy program will be operationalised through Practice 114.4 which is to be completed by June 2020. The following will be included within the Practice 114.4.
- Operating subsidies will be assessed against cost-benefit ratios which relates to the social benefits and outcomes achieved at an individual and community level being greater than the cost of the operating subsidy. The funding recipient will be required to attribute a cost against the operational service delivery cost to achieve the social benefits and outcomes.
- In the instance where two or more applicants apply for an operating subsidy to deliver similar services, a cost-effectiveness analysis (CEA) will be undertaken to ensure the most efficient use of rate payers funds. A CEA will compare the 'services/programs', taking into consideration the cost and resourcing against the benefits and outcomes to be achieved. A cost-effectiveness analysis helps to determine which 'applicant' should receive funding/resources based up;
 - the greatest potential impact an individual and community level informed through a cost- benefit ratio.
 - Should sufficient funds be available Council may elect to approve two or more similar operating subsidies.
- Peppercorn rent means a nominal rent amount which is below the market rental valuation assessment for a premises. Under a lease agreement, it aims to provide financial in-kind assistance in return for social benefits for the community (to be informed by cost-benefit ratio).

6.4 Sponsorship

- The sponsorship program will maximise opportunities for collaboration/partnerships between the Town and eligible parties.
- The aims of the Sponsorship program are:
 - to complement the Town's strategic objectives;
 - to increase economic vibrancy by raising the profile of the Town/achieving the Town's marketing and communications objectives; and
 - to build relationships with key stakeholders.

6.5 Rebates

- The rebate program relates to any program which requires applications to pay upfront, and then be reimbursed by the Town.
- Applicants will still be required to apply for the rebate program and to meet all terms and conditions.
- The 'Adopt-a-Verge program was adopted at the October 2014 Ordinary Council Meeting.

- The program encourages neighbours to transform the verge areas in a street into native gardens, with the assistance of the Town. The verge is considered to be the area between the road and your property.
 - The aims of the Adopt-a-Verge program are to
 - reduce water use
 - increase Biodiversity
 - promote aesthetically pleasing verges
 - The community safety programs inclusive of CCTV, Street Meet 'n' Greet and Security Incentive program have all been rolled under the rebates funding stream. This is because the Town reimburses applicants for these programs.
 - The aim of the community safety programs is to foster safe and inclusive communities through a range of initiatives including neighbourhood get-togethers and street parties, and funding for security equipment.
7. The adopted annual budget will set the available funds per funding program. Funding caps per applicant, per program, will be detailed in the relevant management practices which will be made publicly available. This will enable a flexible and adaptive approach to setting funding caps per applicant, per program, to account for the annual budget availability per program area.
 8. Policy *114 Community Funding* is intended to provide one point of reference for the community, Elected Members and administration to refer to, opposed to disperse and fragmented policies. As per the recommendation of the Stakeholder workshop, it is intended to make a meaningful connection between the various funding streams provided by the Town.
 9. Each funding program has, or will have, a tailored management practice which includes but is not limited to;
 - Eligibility
 - Funding rounds
 - Application process
 - Approval process
 - Acquittal requirements
 10. The Management Practices for the Operating Subsidy and Sponsorship programs will be developed by June 2020 to ensure alignment with the 2020/21 financial year.

Relevant documents

Not applicable.

7.2 Review of Leasing Policy 310

| | |
|----------------------------|---|
| Location | Town-wide |
| Reporting officer | Jon Morellini |
| Responsible officer | Ben Killigrew |
| Voting requirement | Simple majority |
| Attachments | 1. Policy 310 Leasing - Final Draft [7.2.1 - 6 pages] |

Recommendation

That the Policy Committee recommends that Council adopts the amendments to Policy 310 Leasing as attached.

Purpose

To present the amended Policy 310 Leasing to the Policy Committee for recommendation for Council adoption.

In brief

- On 20 August 2019 Council resolved to review Policy 310 this financial year.
- The Leasing Policy 310 was agreed to be delivered for the 17 December Ordinary Council Meeting.
- The Town of Victoria Park owns and manages a number of land assets and property on behalf of its community. These provide facilities which are available for use and managed for the benefit and in the best interest of the residents and ratepayers.
- Leasing Policy 310 provides guidance for leasing and licensing agreements of facilities used by community groups for community purpose and facilities used by commercial organisations for commercial purpose.

Background

1. At its meeting held on 20 August 2019, Council received a report relating to the minor review of the Town's Policy Manual. At that meeting, Council resolved to review 23 policies within this financial year and requested that a report be presented back to Council setting out the proposed policy review workplan.
2. Council at its meeting on 11 November 2019 adopted a work plan to complete the review of a number of policies. Policy 310 was one of the policies identified for review.
3. This policy amendment aims to:
 - a. Balance appropriate management and responsible use of the Town's facilities for the benefit of the community.
 - b. Ensure sound financial management and effective administration of the Town's building portfolio.
 - c. Balance the administration of the Town's leases with consideration of the underlying Town's land portfolio requirements.
 - d. Ensure Town managed properties are appropriately maintained, developed and occupied.
 - e. Ensure any in kind support from the Town, including subsidised rent, is recognised and transparently applied in light of the community benefit to be achieved.
 - f. Establish the circumstances in which a lease agreement or licence agreement may be assigned.

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. | By updated the existing Leasing Policy 310 the public will understand with greater transparency the Town's procedure and strategy in dealing with leases and licence for the Town property assets. |
| CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making. | By updated the existing Leasing Policy 310 the public will understand with greater transparency the Town's procedure and strategy in dealing with leases and licence for the Town property assets. |

Engagement

| Internal engagement | |
|-----------------------|--|
| Community Development | Discussions have been undertaken in the development of this Policy review. |
| Asset Management | Discussions have been undertaken in the development of this Policy review. |

Legal compliance

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

Risk management consideration

| Risk and consequence | Consequence rating | Likelihood rating | Overall risk analysis | Mitigation and actions |
|---|--------------------|-------------------|-----------------------|--|
| Reputational The short timeframe requested by elected members on the delivery of this policy means that limited community group consultation has been undertaken. | Moderate | Likely | High | Previous community consultation undertaken on operating subsidies for community groups has been included. This has informed the development of this Policy review. |

Financial implications

| | |
|-----------------------|------------------------------------|
| Current budget | There is no current budget impact. |
|-----------------------|------------------------------------|

| | |
|-----------------------------|-----------------|
| impact | |
| Future budget impact | Not applicable. |

Analysis

4. The revised draft Leasing Policy 310 presented for adoption repeals and replaces the existing Policy. It will assist staff with Lease or Licence negotiations by providing them with tenure guidelines that define the parameters of an agreement, and terms and conditions which clearly outlines the Tenants responsibilities.
5. The Policy contains amendments to provide better management of all property under the Town's ownership, care and control. It provides tenure guidelines to allow the Town's facilities to be administered in an equitable and consistent manner.
6. Adoption of the Policy will give the Town of Victoria Park the direction it needs to manage its land assets and property for the benefit and in the best interests of the community by:
 - a. Supporting local groups.
 - b. Promoting social return.
 - c. Encouraging sustainability.
 - d. Realising commercial value.
 - e. Promoting equity.
 - f. Providing exclusivity.
 - g. Promoting financial return.
 - h. Aligning with the strategic future of the underlying land asset.
7. Under this Policy, all property owned and managed by the Town will be administered through either a Lease or Licence. Each agreement type has tailored tenure guidelines which outline the Tenants responsibilities and provide parameters which will assist staff with Lease and Licence negotiations.
8. Additional tenure guidelines have been included in the Policy which apply specifically to Commercial Organisations operating from commercial facilities, and Not-For-Profit Community Groups operating from community facilities to align the use of the facility with the Property Management Framework.
9. Where appropriate consideration will be given to leasing facilities at concessional or nominal rent to community and not-for-profit groups where the concessions or subsidies are determined in accordance with the Community Funding Policy.
10. Commercial facilities will yield an appropriate rate of return as a commercial proposition subject to appropriate levels of risk with rentals set by reference to market levels determined by a licensed Valuer.
11. All Town leases will contain a redevelopment clause, whereby if the Town wishes to significantly redevelop the site the lease can be terminated by the Town giving 6 months written notice to the Lessee to vacate the premises.
12. The use and Lease or Licence of facilities on Crown land will be subject to approval from the Minister for Lands as the land owner.
13. All Leases and Licences of Council owned property must be approved by Council, unless authority to approve has been formally delegated by Council to the CEO.
14. The Policy will be supported by a robust Management Practice or Property Management Framework, providing a greater level of guidance and transparency to the community in how the Town manages all facilities under Lease or Licence.

| Clauses | Proposed | Reason |
|----------------|---|--|
| 5, 6, 7 | Leases | To outline the Tenants responsibilities and provide parameters to assist with Lease or Licence negotiations. |
| 8, 9, 10 | Licences | To outline the Tenants responsibilities and provide parameters to assist with Lease of Licence negotiations. |
| 11, 12 | Additional tenure guidelines – Commercial organisations | To align Lease and Licence provisions to the Property Management Framework. |
| 13, 14 | Additional Tenure Guidelines – Community Facilities | To align Lease and Licence provisions to the Property Management Framework. |
| 15, 16, 17 | Approval | To ensure Leases and Licences are executed in accordance with delegated authority. |
| 18 | Crown Land | To ensure in principle consent is granted for use of Crown Land before a Lease or Licence is executed. |

Relevant documents

[GEN7 Strategic Property and Land Management](#)

[Existing Leasing Policy 310](#)

Draft Community Funding Policy 114

8 Motion of which previous notice has been given

9 Closure