



TOWN OF  
VICTORIA PARK

## Agenda Briefing Forum Agenda – Tuesday 3 March 2026

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**WE'RE OPEN**  
VIC PARK

Please be advised that an **Agenda Briefing Forum** will be held at **6:30 PM** on **Tuesday 3 March 2026** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Mr Carl Askew – Chief Executive Officer**  
26 February 2026

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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 at the Agenda Briefing Forum must be related to agenda items only.

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](mailto: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**

## **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 kaaditjin, 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 and visually 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 and end of the meeting.

The opportunity to ask questions and make statements at the end of the meeting is limited to those members of the public who did not participate in the first public participation time at this 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.

#### **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'.

## 5 Attendance

<b>Mayor</b>	Mayor Karen Vernon
<b>Banksia Ward</b>	Cr Scott Ingram Cr Peter Melrosa Deputy Mayor Lindsay Miles
<b>Jarrah Ward</b>	Cr Andra Biondi Cr Sky Croeser Cr Jack Gordon-Manley Cr Daniel Minson
<b>Chief Executive Officer</b>	Mr Carl Askew
<b>Chief Operations Officer</b> <b>Chief Community Planner</b> <b>Chief Financial Officer</b>	Ms Alison Luobikis Mr David Doy Mr Duncan Olde
<b>Acting Manager Governance and Strategy</b>	Mr Jordan McDermott
<b>Secretary</b> <b>Public liaison</b>	Ms Winnie Tansanguanwong Ms Tomoko Kidahashi

### 5.1 Apologies

### 5.2 Approved leave of absence

<b>Banksia Ward</b>	Cr Claire Anderson
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## **6 Declarations of interest**

### **6.1 Declarations of financial interest**

A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the Council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

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, where they are providing advice or a report to the Council. Employees may continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

### **6.2 Declarations of proximity interest**

A person has a proximity 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 the *Local Government Act 1995*) of land that adjoins the persons' land.

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.

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.

Employees are required to disclose their proximity interests where they are providing advice or a report to the Council. Employees may continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

### **6.3 Declarations of interest affecting impartiality**

Elected members (in accordance with Code of Conduct for Council Members, Committee Members and Candidates) and employees (in accordance with the Code of Conduct for employees) are required to declare any interest that may affect their impartiality in considering a matter. The declaration must disclose the nature of the interest. This declaration does not restrict any right to participate in or be present during the decision-making process.

- 7 Public participation time**
- 8 Presentations**
- 9 Deputations**
- 10 Method of dealing with agenda business**

# 11 Chief Executive Officer reports

## 11.1 Council Resolutions Status Report - February 2026

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Governance Officer
<b>Responsible officer</b>	Manager Governance and Strategy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Outstanding Council Resolutions Status Report February 2026 [11.1.1 - 15 pages]</li><li>2. Completed Council Resolutions Status Report February 2026 [11.1.2 - 12 pages]</li></ol>

### Summary

The Council Resolution status reports are provided for Council's information.

### Recommendation

That Council:

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

### 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.*

### Discussion

The Outstanding Council Resolutions Report details all outstanding items. A status update has been included by the relevant officer/s.

The Completed Council Resolutions Report details all Council resolutions that have been completed by officers from 30 January 2026 to 26 February 2026. A status update has been included by the relevant officer/s.

### Legal and policy compliance

Not applicable.

### Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Data, Information Technology and Cyber	Not applicable.		Medium	
Assets	Not applicable.		Medium	
Compliance Breach	Not applicable.		Low	
Reputation	Not applicable.		Low	
Service delivery interruption	Not applicable.		Medium	

## Engagement

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

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	The reports provide elected members and the community with implementation/progress updates on Council resolutions.

## Further Considerations

## 11.2 Code of Conduct for Council Members Committee Members and Candidates

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Governance and Strategy
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	1. Code of Conduct for Council Members Committee Members and Candidates [ <b>11.2.1</b> - 11 pages]

### Summary

On 1 January 2026, the Local Government Regulation Amendment (*Local Government Amendment Act 2024*) Regulations 2025 came into effect. These regulations have amended the Local Government (Model Code of Conduct) Regulations 2021. As local government Codes of Conduct for Councillors are mandated by the regulations, the Town's Code of Conduct for Council Members, Committee Members and Candidates must be amended to align with the regulations. This report seeks Council's endorsement of the changes.

### Recommendation

That Council endorses the changes to the Town of Victoria Park Code of Conduct for Council Members, Committee Members and Candidates, as contained in attachment 1.

### Background

1. The Local Government (Model Code of Conduct) Regulations 2021 (Regulations) was gazetted on Tuesday 2 February 2021 and took effect on 3 February 2021; it repealed and replaced the Local Government (Rules of Conduct) Regulations 2007. The Regulations introduced a mandatory Model Code of Conduct for council members, committee members and local government candidates.
2. The purpose of the Model Code of Conduct is to guide decisions, actions and behaviours of council members, elected and unelected committee members, and candidates in local government elections.
3. Under section 5.104 of the *Local Government Act 1995*, local governments needed to adopt the Model Code as their Code of Conduct within three months from 3 May 2021.
4. Local governments may not amend Division 2 (Principles) or Division 4 (Rules of Conduct) in the Model Code of Conduct. However, additional behaviour requirements can be included in Division 3 (Behaviours) if deemed appropriate by the local government although any additions must be consistent with the Model Code of Conduct (section 5.104(3) of the Act).
5. Council adopted the Code of Conduct for Council Members, Committee Members and Candidates at the Ordinary Council meeting held 20 April 2021 without any changes.

### Discussion

6. On 1 January 2026, the Local Government Regulation Amendment (Local Government Amendment Act 2024) Regulations 2025 came into effect. These regulations have amended the Local Government (Model Code of Conduct) Regulations 2021.

7. As local government Codes of Conduct for Councillors are mandated by the regulations, the Town's Code of Conduct for Council Members, Committee Members and Candidates must be amended to align with the regulations.
8. The changes to the Code of Conduct for Council Members, Committee Members and Candidates, brought about by the regulations, are highlighted in red in Attachment 1.
9. Under the regulations, and changes to a Code of Conduct for Council Members, Committee Members and Candidates, must be passed by an absolute majority of the council.

## Relevant documents

Not applicable.

## Legal and policy compliance

[Local Government Regulations Amendment \(Local Government Amendment Act 2024\) Regulations 2025](#)

[Local Government \(Model Code of Conduct\) Regulations 2021](#)

## Financial implications

<b>Current budget impact</b>	Nil.
<b>Future budget impact</b>	Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial			Low	.
Environmental			Medium	
Health and safety			Low	
Data, Information Technology and Cyber			Medium	
Assets			Medium	
Compliance Breach	Not amending the Code of Conduct for Council Members, Committee Members and Candidates will be a legislative breach and reportable to the Department of Local Government (generally through the annual Compliance Audit Return)	High	Low	Treat the risk by amending the Code of Conduct for Council Members, Committee Members and Candidates in line with the regulations
Reputation			Low	
Service delivery interruption			Medium	

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Amending the Code of Conduct for Council Members, Committee Members and Candidates complies with our statutory compliance obligations

## Further consideration

## 12 Chief Community Planner reports

### 12.1 Endorse for Public Advertising: Draft Economic Development Strategy 2026-2030

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Place Leader (Economic Development)
<b>Responsible officer</b>	Manager Place Planning
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Attachment 1 - Draft Economic Development Strategy 2026-2030 [<b>12.1.1</b> - 29 pages]</li><li>2. Attachment 2 - Economic Development Strategy 2018 - 2023 Closing Report [<b>12.1.2</b> - 15 pages]</li><li>3. Attachment 3 - Business Survey and Results [<b>12.1.3</b> - 79 pages]</li></ol>

#### Summary

The Draft Town of Victoria Park Economic Development Strategy 2026-2030 is presented to Council for consideration to advertise for public comment. Council is requested to endorse public advertising period of 21 days to ensure that community and stakeholder feedback is incorporated prior to presented back to Council for finalisation.

#### Recommendation

That Council endorses the advertising of the Draft Economic Development Strategy 2026-2030, per Attachment 1, for a 21-day public comment period.

#### Background

1. Town of Victoria Park Economic Development Strategy: Pathways to Growth 2018-2023 has expired. A closing report outlining the outcomes and lessons learned are available in Attachment 2.
2. The Town has completed a minor review of the strategy to develop the Draft Town of Victoria Park Economic Development Strategy 2026-2030 (the Draft Strategy) through a process of research, refinement and alignment with strategic direction and internal and external priorities.
3. The review process drew on stakeholder engagement through a Business Perception Survey, the Town's Business Advisory Group, and Elected Members.
4. The Strategy is now presented to Council for approval to proceed to broader public consultation.

#### Discussion

5. Local government plays an active role fostering an environment that drives economic development outcomes in their communities, facilitating economic development outcomes through a range of functions.

6. It is unlikely that all outcomes and functions can be pursued; instead, actions need to be prioritised through an economic strategy that aligns with the Town's unique context, resources and strategic objectives.
7. A minor review was undertaken in 2025 to develop the Draft Strategy, involving the below actions.
  - a. Community engagement through a business perception survey to the local business community. Details of the engagement through the business perception survey can be seen Attachment 3;
  - b. A review of the economic priorities and actions under the Economic Development Strategy: Pathways to Growth 2018-2023 evaluating what should be retained, removed or added to ensure alignment with the economic priorities set in the Town's Strategic Community Plan; and
  - c. An online survey to the Business Advisory Group and Elected Members requesting for feedback on the proposed Draft Strategy.
8. The Draft Strategy outlines a targeted approach to economic development with four proposed key focus areas.
  - a. Focus Area 1 - Enabling Business Environment: the Town will create an enabling and supportive business environment to nurture investment and growth.
  - b. Focus Area 2 - Local and global connections: the Town will foster the growth of local business network and expansion into national and global markets.
  - c. Focus Area 3 - High value sectors: the Town will retain and grow the competitiveness of key local industries to create employment and business growth.
  - d. Focus Area 4 – High value places: the Town will attract investment, development and activity to enhance and create high value places.
9. As outlined in Attachment 1 each focus area provides strategic direction for economic development outcomes and actions to deliver the Town's economic vision and priorities. An Implementation Action Plan will be developed once the the Draft Economic Development Strategy is endorsed to define specific projects and initiatives that will deliver against the focus areas and actions undertaken across 2026-2030. The Implementation Action Plan will be reviewed annually to align with the Town's budget, resourcing and community priority.
10. Public advertising of the Draft Strategy will allow the Town to test and refine its strategic direction with the broader community, including the wider local businesses community and industry stakeholders. Feedback will be sought with a 21-day public comment period from 23 March 2026 to 13 April 2026.
11. In addition, internal feedback will be sought from the Service Area Leadership Team and Senior Management Team on the Draft Strategy, which will be incorporated into the final strategy along public feedback.
12. Feedback collected will be analysed and incorporated to finalise the Draft Strategy. This will be presented to the Business Advisory Group for final comments before being presented to Council for adoption.

## **Relevant documents**

[Town of Victoria Park Economic Development Strategy: Pathways to Growth 2018-2023](#)

## **Legal and policy compliance**

Section 1.3(2)(b) of the Local Government Act 1995 requires local governments to actively involve and engage with their communities in planning processes.

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	The proposed Draft Strategy will guide the development of an Economic Development Program with a suite of projects and initiatives that will be subject to future budget processes.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Future budget is not available to deliver outcomes and actions set in the Strategy.	Low	Low	Accept risk by developing an Implementation Action Plan that will be reviewed annually to evaluate and prioritise actions and budget requests.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Data, Information Technology and Cyber	Not applicable.			
Assets	Not applicable.			
Compliance Breach	Insufficient engagement with the local community may be inconsistent with the Town's values of inclusive community planning.	Medium	Low	Treat risk by conducting broad and accessible consultation with the wider community through Your Thoughts and targeted meetings with local business leaders to help improve response rates.
Reputation	Releasing a strategy without community feedback could damage trust in the Town's engagement.	Medium	Low	Treat risk by seeking public comment before final adoption from Council.
Service delivery interruption	Not applicable.			

## Engagement

### Internal engagement

Relevant Officers	Participated in early consultation through emails and meetings.
Service Area Leadership Team (SALT)	Reviewed and supported the Draft Strategy to be presented to Council seeking endorsement to publicly advertise for community feedback.
Senior Management Team (SMT)	Reviewed and supported the Draft Strategy to be presented to Council seeking endorsement to publicly advertise for community feedback.
Elected Members	The Draft Economic Development Strategy 2026-2030 was submitted via the Elected Member Portal post for review and comment on 21 November 2025 with feedback to be provided by 12 January 2026.

### External engagement

Stakeholders	Local business owners through the Business Perception Survey (109 number of responses received). Business Advisory Group.
Period of engagement	Business Perception Survey – January 2025. Business Advisory Group – 17 November 2025 to 12 January 2026.
Level of engagement	2. Consult
Methods of engagement	Business Perception Survey delivered through an online survey administered by a research consultant.  Briefing presented to the Business Advisory Group. An online survey was subsequently shared with the group.
Advertising	Social media Business E-newsletter
Submission summary	Business Perception Survey – See Attachment 3.  Business Advisory Group – Additional feedback will be incorporated into the Draft Strategy
Key findings	Business Perception Survey – See Attachment 3.

## Strategic alignment

### Civic Leadership

Community Priority	Intended public value outcome or impact
CL2 – Communication and engagement with the community.	Endorsing public advertising for the Strategy reinforces Council's commitment to transparent and inclusive community engagement.

Economic	
Community Priority	Intended public value outcome or impact
EC1 - Facilitating a strong local economy.	Endorsing public advertising for the strategy will allow the Town to obtain feedback to guide the development of a strategy that reflects local needs and opportunities.
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	Endorsing public advertising for the strategy will allow the Town to obtain feedback to guide the development of a strategy that reflects local needs and opportunities.

## Further consideration

## 13 Chief Operations Officer reports

### 13.1 10 Kent Street, East Victoria Park - Evaluation of EOI submissions.

<b>Location</b>	East Victoria Park
<b>Reporting officer</b>	Property Development and Leasing Manager
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Property Prospectus - 10 Kent Street, East Victoria Park [<b>13.1.1</b> - 19 pages]</li><li>2. Applicant 1 - Draft Key Terms - 10 Kent Street [<b>13.1.2</b> - 4 pages]</li><li>3. Applicant 2 - Draft Key Terms - 10 Kent Street [<b>13.1.3</b> - 4 pages]</li><li>4. Applicant 3 - Draft Key Terms - 10 Kent Street [<b>13.1.4</b> - 4 pages]</li></ol>

### Summary

This report notes the outcomes of the Expression of Interest (EOI) for the lease of 10 Kent Street, East Victoria Park, and seeks approval to negotiate with the Applicant 1, with terms in accordance with their EOI proposal and Policy 310 Leasing and Licencing.

### Recommendation

That Council:

1. Authorises the Chief Executive Officer to negotiate with Applicant 1, for a lease for 10 Kent Street, East Victoria Park, consistent with key terms as outlined in Attachment 2, and in accordance with Policy 310 Leasing and Licencing.
2. Authorises the Chief Executive Officer, should negotiations with Applicant 1 not be finalised or the lease not commence within a reasonable timeframe as determined by the Chief Executive Officer, to:
  - a. cease negotiations with Applicant 1; and
  - b. commence negotiations with Applicant 2, and if necessary, Applicant 3, in order of preference, substantially in accordance with their respective proposals as outlined in Attachments 3 and 4, and in accordance with Policy 310 Leasing and Licencing.
3. Authorises the Chief Executive Officer to execute as a deed all documents necessary to give effect to a lease arising from point 2 or 3 above, with final terms to be settled by the Town's legal representatives and incorporating any variations or amendments to key terms as considered reasonable and necessary by the Chief Executive Officer.

### Background

1. The Town owns 10 Kent Street, East Victoria Park. The building features a rectangular shaped site totalling approximately 300sqm and recently renovated 110sqm character style, rendered brick and iron residence that has been converted to an office.
2. The property was most recently licenced to the Victoria Park Centre for the Arts Inc from 16 December 2022 to 15 December 2025 and used as an office.
3. The Victoria Park Centre for the Arts Inc advised in June 2025 they would not be seeking to renew their licence agreement with the Town for the property.

4. The land is reserved under Local Planning Scheme 2 for Public Open Space.
5. The Town commenced a public Expression of Interest (EOI) process, which opened on 21 August 2025 and closed 20 October 2025, seeking proposals for a lease or licence agreement on terms consistent with Policy 310 Leasing and Licencing.
6. The EOI opportunity was advertised on the Town’s website and social media pages, including various real estate web portals. In addition, a targeted approach was taken, with the advertised EOI distributed directly to organisations who had previously expressed interest in 10 Kent Street.
7. The Property Prospectus incorrectly identified the Zoning as District Centre following the endorsement from Council of the draft Albany Highway Structure Plan in June 2025.
8. Whilst the property is in the process of being rezoned for the purpose of District Centre with the hope that this will be completed in the next 18 months, the property is still currently reserved as Public Open Space.

## Discussion

9. The EOI attracted six submissions from various organisations seeking to use the Property for a range of different uses.
10. Under the current Local Planning Scheme reserve objectives for Public Open Space, the EOI as well as the use of the property by the successful applicant needs to comply with the following requirements:
  - a. a community based organisation that provides educational or social services for community benefit; or
  - b. an ancillary and complementary commercial land use that has the potential to support, enhance or activate the recreational use and amenity of the reserve.
11. The six applicants were notified of this change in December 2025 along with being sent the updated Property Prospectus.
12. The applicants were requested to review the revised documents and submit their revised EOI’s by 23 January 2026.
13. Four out of the six original applicants submitted new EOI’s based on the revised Property Prospectus.
14. An evaluation panel was formed comprising officers from Property Development and Leasing, Place Planning and Community.
15. Submissions were assessed against the published selection criteria, including:
  - a. Organisational Structure & Financial Position
  - b. Detailed Lease/Licence Proposal
  - c. Social Impact Evaluation
  - d. Fit out Concept Plans
  - e. Relevant Experience
16. The evaluation panel members individually scored each submission, resulting in the following overall scores:

Scoring	
<b>Applicant 1</b>	<b>72.58%</b>

<b>Applicant 2</b>	<b>56.42%</b>
<b>Applicant 3</b>	<b>49.33%</b>
<b>Applicant 4</b>	<b>38.00%</b>

17. While Applicant 1 proposes to deliver educational services for community benefit, this function appears ancillary to its primary retail offering. However, when assessed against the objectives of Local Planning Scheme No. 2 relating to Public Open Space, and taking a broader view of the land forming part of the Public Open Space reserve, it is considered that the proposal satisfies the requirement for “an ancillary and complementary commercial land use that has the potential to support, enhance or activate the recreational use and amenity of the reserve.”
18. It is also noted that the draft Scheme Amendment associated with the draft Albany Highway Precinct Structure Plan proposes to rezone the land to District Centre, which would further support a commercial interface in this location.
19. On balance, Applicant 1 is recommended to progress to lease negotiations within the parameters outlined in Attachment 2, having demonstrated the strongest overall alignment with the Town’s objective of facilitating a community based organisation delivering educational and social services for community benefit.
20. Should lease negotiations with Applicant 1 not be finalised, or the lease not commence within a timeframe considered reasonable by the Chief Executive Officer, it is recommended that the Chief Executive Officer be authorised to cease negotiations and progress discussions with Applicant 2, being the second highest scoring applicant, within the parameters of Attachment 3.
21. If negotiations with Applicant 2 are similarly unsuccessful within a reasonable timeframe as determined by the Chief Executive Officer, authorisation should extend to negotiating with Applicant 3, within the parameters of Attachment 4.
22. Should Applicants 1, 2 and 3 not proceed to lease execution within a reasonable timeframe, it is not recommended that negotiations be commenced with Applicant 4, having regard to the comparatively low assessment score of their submission.
23. A valuation undertaken by a licensed valuer in February 2026 indicates an appropriate market rental in the range of \$27,500 to \$30,250 per annum.

## Relevant documents

[Policy 310 - Leasing and Licencing](#)

## Legal and policy compliance

Not applicable.

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not appointing a new tenant means the Town is fully responsible for the financial costs of the premises.	High	Low	TREAT risk by appointing a new tenant.
Environmental	Not applicable.		Medium	
Health and safety	Leaving the building vacant for an extended period may increase the safety risk for the Town and nearby residents.	Low	Low	TREAT risk by appointing a new tenant to occupy the building.
Data, Information Technology and Cyber	Not applicable.		Medium	
Assets	Not appointing a tenant may result in the Town building being vacant for an extended period of time and maintenance duties falling to the Town.	Medium	Medium	TREAT risk by appointing a new tenant to mitigate the risk of the building being vacant for longer than required.
Compliance Breach	Not applicable.		Low	
Reputation	Not appointing a new tenant may result in reputational loss as a Town owned building may be vacant for an extended period.	Low	Low	TREAT risk by appointing a new tenant.
Service delivery interruption	Not applicable.		Medium	

## Engagement

Internal engagement	
Community	Applicant 1 scored highest against the criteria relating to collaboration opportunities and demonstrated the strongest potential to increase foot traffic, thereby supporting activation and patronage of the area
Place Planning	Support the recommendations based on the approach and rationale outlined in this report. Input from another cultural group in this space will likely add to the place aspects, and potential interactions with the Vic Park Arts Centre at 12 Kent Street, and broader Macmillan and Albany Highway precincts.

Urban Planning	Provided input relating to the Local Planning Scheme No.2 requirements relating to the land's reservation as 'Public Open Space' and advising of the proposed zoning under the draft Albany Highway Precinct Structure Plan.
Governance	Alignment with S5.23(4) of Local Government Act

External engagement	
Stakeholders	Business/Organisation owners, residents.
Period of engagement	Thursday 21 August 2025 – Monday 20 October 2025
Level of engagement	1. Inform
Methods of engagement	Newspaper and online advertising.
Advertising	<ul style="list-style-type: none"> <li>- The West Australia Newspaper</li> <li>- Town Website</li> <li>- Noticeboards</li> <li>- Town Social Media</li> <li>- REIWA, Real Commercial and Commercial Real Estate website</li> </ul>
Submission summary	Four EOI submissions were received.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	Applicant 1 is a well-established community-focused social enterprise with a primary purpose of education, skill-sharing and community benefit, and strong connections across the Victoria Park community and among local socially and environmentally focused organisations. Locating Applicant 1 at 10 Kent Street creates clear and practical benefits for the Town, neighbouring organisations, and the broader community. While the Town sets the leadership direction, Applicant 1 acts as a partner by engaging residents through workshops, events, and sustainability education, helping the Town achieve its community engagement goals.

Economic	
Community Priority	Intended public value outcome or impact
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	<p>Applicant 1's activities align with the Economic Development Strategy by establishing a unique sustainability focused business in the Town. They contribute to several of the Strategy's key workstreams and pathways:</p> <ul style="list-style-type: none"> <li>• Business Events &amp; Training: Workshops and in-store knowledge sharing in composting, permaculture, and sustainable living, directly supports the Town's commitment to business capability building and community skills development.</li> <li>• Destination Marketing &amp; Precinct Activation: A community destination, drawing residents and visitors into Victoria Park's activity centres, strengthening the Town's</li> </ul>

	<p>identity as a vibrant, sustainable place.</p> <ul style="list-style-type: none"> <li>• Invest in Victoria Park: Through business-to-business local preferencing and ethos of support local, Applicant 1 invests directly into the Town's precincts, enhancing their amenity and reputation.</li> <li>• Leadership &amp; Identity: As a social enterprise guided by a "planet and people before profit" reputation, Applicant 1 showcases innovation and civic responsibility, reinforcing Victoria Park's reputation as a leader in sustainability and resilience.</li> <li>• Local-to-Global Connections: Their programs link residents to local supply chains and global sustainability movements, enhancing the Town's competitive advantage and visibility.</li> </ul> <p>The lease will support Applicant 1 to continue their mission to provide knowledge, actions and products for community environmental resilience and a regenerative future for the planet. It will also enable them to offer dedicated meeting spaces for environmental community groups, strengthening connections among stakeholders and fostering greater collaboration with surrounding community organisations. Applicant 1's store also activates public spaces due to their unique services which draws people into their local activity centres and furthers support to surrounding businesses.</p>
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Social	
Community Priority	Intended public value outcome or impact
S2 - Collaborating to ensure everyone has a place to call home.	Supporting Applicant 1 through a lease agreement with the Town demonstrates the Town's commitment to enabling affordable spaces for community-focused groups, contributing to a sense of place and belonging. Applicant 1 promotes low-cost sustainable living practices, and supports affordability and resilience in households.

**Further consideration**

## 13.2 METRONET - Agreements

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Property Development and Leasing Officer
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Funding Agreement [13.2.1 - 13 pages]</li> <li>2. Interface Coordination Deed [13.2.2 - 31 pages]</li> <li>3. Licence Agreement [13.2.3 - 76 pages]</li> </ol>

### Summary

To seek Council endorsement of three agreements between the Town of Victoria Park (the Town) and the Public Transport Authority of Western Australia (PTA) for the management, care, and control of approximately five hectares of new public open space (POS) created as part of the METRONET Victoria Park–Canning Level Crossing Removal Project (LXR).

### Recommendation

That Council:

1. Endorses the execution of the following agreements with the Public Transport Authority of Western Australia in relation to the management, maintenance and activation of Long Park and associated public open space within Lot 9103, being land created as part of the Victoria Park Canning Level Crossing Removal Project, to enable timely progression of the project and minimise any impact to funding drawdown arrangements:
  - a. Interface Coordination Deed
  - b. Funding and Maintenance Agreement
  - c. Licence to Occupy
2. Requires the Chief Executive Officer to ensure that, prior to execution of the agreements:
  - a. all agreements are reviewed by the Town’s insurer, LGIS, with written confirmation that the Town’s existing insurance arrangements adequately respond to the insurances and indemnities required under clauses 5 and 6 of the Licence to Occupy, and that no uninsured exposure or out of pocket liability arises to the Town as a consequence of entering into the agreements.
  - b. any identified drafting errors, ambiguities or inconsistencies in the agreements are corrected to the satisfaction of the Chief Executive Officer.
3. Requires the Chief Executive Officer to obtain the following from the Public Transport Authority within a timeframe determined by the Chief Executive Officer following execution of the agreements:
  - a. completion of all outstanding defect rectification works
  - b. obtain compliance sign off from the Public Transport Authority in respect of the two outstanding compliance elements;
  - c. ensure the irrigation system is signed off and confirmed as being installed in accordance with the Town’s provided specifications; and
  - d. ensure the Public Transport Authority provides complete and accurate detailed asset information for all gifted assets so the Town can properly assess, resource and prepare for ongoing ownership and maintenance responsibilities.
4. Authorises the Chief Executive Officer to finalise and execute the agreements on behalf of the Town,

subject to the above requirements and to any minor administrative or legal amendments consistent with the intent of the agreements endorsed by Council.

## Background

1. The Town of Victoria Park has been working closely with METRONET and the Office of Major Transport Infrastructure Delivery (OMTID) since 2018 on the Victoria Park–Canning Level Crossing Removal Project.
2. The project has delivered approximately five hectares of new public open space, known as Long Park, between the new elevated Carlisle and Oats Street stations.
3. Throughout the design development phase, the Town collaborated closely with OMTID and the Public Transport Authority (PTA) to design the public realm and surrounding open spaces. This included regular design workshops, technical reviews and ongoing coordination to ensure the spaces are functional, accessible and capable of long term management by the Town.
4. Town Officers provided detailed input into layout, access, landscaping, safety, materials, activation opportunities and integration with surrounding activity centres. This early and sustained involvement has directly informed the final design and underpins the proposed agreements, supporting a smooth transition from project delivery to the Town's ongoing role in managing, maintaining and activating the area.
5. Previous Council resolutions in March, June and August 2022 authorised the Chief Executive Officer to negotiate future management, maintenance, and leasing arrangements.
6. The new public realm is structured around several key activity nodes and amenities, including:
  - a. Mungyte Place: a multigenerational space located opposite the Harold Hawthorne Community Centre and associated independent living village. Designed to create a community hub for the centre users, village residents and their extended families, as well as the wider community. Specifically designed to provide for interaction by people of all ages and abilities.
  - b. Banksia Discovery Trail: a series of informal pathways weaving through planting and swales to create a playful children's discovery trail. Incorporating balance logs, timber steppers and steppingstones. Interpretation signage will be used to support storytelling and encourage children to engage with the space.
  - c. Fitness Park: provides accessible fitness equipment for individual and group based circuit style training that supports both cardio and strength-based exercises. An adjacent open lawn area provides an additional space for group fitness classes.
  - d. Puggle Playground: a small nature playground that creates a play space close to Oats Street station for younger children. The focus of this space is to provide free and loose parts to play for cubby building, steppers, balance beams, and climbing opportunities. Picnic tables, benches, and informal seating are also provided within and around this space.
  - e. Oats Street Youth Plaza: incorporates a skate plaza, chill out zone, basketball half court, four-square court and TikTok performance space. Located opposite the Southern Metropolitan TAFE Carlisle Campus to provide a break out space for students and the wider community. This space also provides open areas which can be used flexibly for programmed events.
  - f. Seating Nodes: located throughout the rail corridor. Generally spaced every 60-100 metres apart outside activity nodes and station precincts. These seating nodes provide resting spots and social interaction opportunities for pedestrians and cyclists
  - g. New infrastructure includes a bocce court, barbeques, seniors exercise circuit, swings, in-ground trampoline, sensory climbing dome, flying fox, exercise equipment, skate facilities and shaded seating.
  - h. Soft landscaping of approximately 1,200 new trees, planted garden beds and new turf areas.

7. The Urban Realm Management and Maintenance Working Group (URMMWG) was established in January 2024 to work through the significant level of detail required to determine agreed and projected maintenance costs based on design.
8. Representatives from OMTID/PTA, METRONET and the five LGAs played a key role in working with an independent third party, to develop appropriate maintenance standards; required activities and levels of service to meet the quality standards; and lastly a cost estimate for each LGA to maintain the proposed handover areas.
9. In late 2024, the CEO received correspondence from METRONET outlining a proposed five year maintenance funding package, based on this collaborative costing exercise. Key terms of the funding offer include:
  - a. The mechanism for funding will be two lump-sum payments which will provide the Town the opportunity to invest the payments into an appropriately protected sinking fund or similar.
    - i. The first payment will be for years 1 and 2, (paid upon execution of the agreement)
    - ii. The second payment will be for years 3, 4 and 5. The second payment will be made at the beginning of Year 3, allowing for an annual increase over the first two years of three per cent (3%)
  - b. The funding applies for five years only and after this period, full financial responsibility for ongoing maintenance of LGA managed areas will rest with the Town.
  - c. Maintenance of the urban realm areas will need to commence as soon as they are opened to the public (this occurred on 12 October 2025).
  - d. Until the agreements are executed, maintenance remains the responsibility of the project and is funded through the METRONET five-year maintenance allocation – therefore drawing down on monies set aside for the Town.
  - e. The five-year funding covers maintenance only and does not include capital renewal or replacement costs.
  - f. The funding is not intended to represent full cost-recovery of maintenance activities. It is designed to support the Town during the first five years of operation. The Town will incur additional costs over time, including reactive work beyond the level anticipated in the costing exercise, capital renewal, potential utility costs and insurance premiums.
10. PTA requires the Town to enter into three agreements in relation to occupation, maintenance and funding via:
  - a. Interface Coordination Deed - Defining maintenance and risk responsibilities at the boundary between PTA station infrastructure and LGA public realm assets.
  - b. Licence to Occupy - A ten year licence granting the Town legal occupation, management and community use of the defined area and associated assets.
  - c. Funding Agreement - out the terms of the five year State Government maintenance contribution. This includes the level of services expected for the assets
11. The draft agreements have undergone a comprehensive review process involving all SECCA local governments. Officers with legal and contract expertise reviewed the documents in detail, and an independent legal review was undertaken on behalf of the SECCA councils.
12. Through this collaborative process, the agreements were substantially refined. Complex or unnecessary provisions were simplified or removed to ensure clarity, practicality and appropriate risk allocation.
13. The SECCA LGs needed to make sure the agreements worked together and we balanced in terms of not unduly favouring the PTA nor the Town.
14. The documents are now in near final form and reflect negotiated outcomes that provide funding certainty, clear licence terms and defined roles and responsibilities for managing risk and long term asset stewardship.

## Discussion

15. Ownership of the relevant public realm assets will transfer to the Town upon execution of the agreements, with an estimated asset value of approximately \$14.4 million. These assets will be

incorporated into the Town's asset register and managed in accordance with the Town's asset management framework.

16. At present, the Town has not assumed formal maintenance or management responsibility for the public open space delivered through the project. The PTA remains responsible until the agreements are executed.
17. Officers note that maintenance of public open space is not within the PTA's usual operational remit. The costs currently being incurred by the PTA to maintain the areas are likely to be higher than what the Town would ordinarily expect to spend on comparable public open space.
18. The PTA has been utilising ALUA to undertake the maintenance works on its behalf, with funding drawdown occurring in alignment with the agreed unit rates used to allocate the annual funding amount. This has averaged approximately \$43,000 per month.
19. The PTA has advised that after April it will no longer be able to utilise ALUA to conduct these works and will instead be required to undertake a market procurement process. This may result in the PTA entering into a formal maintenance contract, the implications of which, including any potential impact on funding availability and the Town's ability to assume responsibility for maintenance, will require further clarification.
20. There remains a punch list of 33 outstanding items that have not been addressed by ALUA since completion and public opening in October. Two compliance related matters remain unresolved:
  - a. The cubby house
  - b. Limestone rocks located close to the skate infrastructure
21. In addition, the irrigation system has not been installed in accordance with the Town's specifications. Pipes have been bent beyond the manufacturer's recommended tolerances and some infrastructure components are already showing signs of corrosion despite being less than 12 months old.
22. The Town may proceed with execution of the agreements on the proviso that the PTA finalises rectification of all punch list and irrigation related matters within a timeframe agreed by the Chief Executive Officer.
23. While the Funding and Maintenance Agreement provides financial support for the first five years of maintenance, it does not remove the Town's longer-term responsibility for operational and lifecycle costs beyond that period. Entry into the agreements therefore represents a conscious assumption of future asset stewardship in exchange for time limited funding, occupation rights and defined community outcomes. These long-term implications will require ongoing financial planning and future Council oversight.
24. The Town would not otherwise be responsible for infrastructure within Lot 9103 but for entry into the agreements. The decision to enter into the agreements therefore represents a deliberate assumption of responsibility in exchange for time limited funding, occupation rights and defined community benefit outcomes. The risks associated with entry are primarily contractual and long term in nature, rather than arising from an existing statutory obligation.
25. From an insurance perspective, execution of the agreements enables the Town to align its risk exposure with LGIS coverage, subject to policy terms and exclusions. While indemnity and liability provisions require careful consideration, these risks are identifiable and capable of active management. By contrast, not entering into the agreements creates greater uncertainty regarding potential exposure to uninsured risk in publicly accessible areas that the community may reasonably perceive to be under Town oversight.
26. The Town has received confirmation of a State contribution of \$200,000 toward delivery of a public toilet within Long Park. However, until the agreements are endorsed by Council and management responsibility formally transfers to the Town, the toilet project remains on hold.

27. If the Town does not enter into the agreements, the public open space will remain outside Town management and the Town will not be responsible for delivery of the toilet facility. Patrons of the park will need to use toilet facilities at the stations.
28. If the Town enters into the agreements and accepts the State funding, the Town will be able to obtain the allocated funding from the PTA and commence procurement for delivery of the public toilet within Long Park as planned.

**29. Known and potential financial gaps:**

Financial area	Known position during 5-year funding period	Exposure beyond 5 years
<b>Routine maintenance costs</b>	Funded through the contribution, which is expressly a contribution only and may not fully cover actual service delivery costs depending on service levels, usage, vandalism, and inflation.	Full cost of routine maintenance transfers to the Town after Year 5. Costs are currently unquantified and will need to be absorbed into operating budgets or offset through service level changes or future funding sources.
<b>Inflation and cost escalation</b>	Funding amount is fixed, with agreed inflators and does not escalate with CPI, labour cost increases, utilities, or contractor pricing. Any cost escalation beyond the agreed inflator during the five-year period creates a shortfall.	Ongoing exposure to inflationary pressures without external funding support, increasing long-term operational cost burden.
<b>Utilities and consumables</b>	<p>Utilities are partly funded during the five year period, subject to the terms of the Funding and Maintenance Agreement. The exercise projected annual utility costs of approximately \$9,300 in year one, comprising:</p> <ol style="list-style-type: none"> <li>1. power for three 4kW bores and associated lighting and BBQ facilities, and</li> <li>2. water supply to four drinking fountains, with annual indexation applied thereafter.</li> </ol> <p>Based on the actual utility costs incurred by the PTA to date, expenditure appears to exceed the projections. Preliminary comparison indicates a potential annual shortfall in the order of approximately \$5,000, depending on seasonal demand and operational intensity. This variance will require refinement once a full twelve month operating cycle is available.</p>	Utilities, water, power, and consumables become permanent operating costs for the Town.
<b>Graffiti, vandalism, and reactive works</b>	High-use and under-viaduct environments typically experience higher reactive maintenance. Funding may not fully reflect actual frequency or intensity	Reactive maintenance demand is likely to continue or increase, with full cost responsibility transferring to the Town.

	of works required.	
<b>Asset renewal and end-of-life replacement</b>	No specific funding is allocated for major renewal or replacement. Gifted assets are transferred on an 'as is' basis with a defects liability period which covers the first 2 years after practical completion.	Significant exposure to capital renewal and replacement costs once assets reach the end of life, including play equipment, lighting, irrigation, hardcourts, and structures.
<b>Unknown asset condition and lifespan</b>	Incomplete asset data creates uncertainty around true lifecycle costs during the funded period. Officers must ensure that the punch list is maintained and followed up with PTA/ALUA to ensure the assets are in an acceptable condition to the Town. The data is anticipated to be handed to the Town within approximately 1 months' time. With Ascon (As Constructed) being available 2-3 month later.	Increased risk of earlier-than-anticipated failure or replacement, resulting in unplanned capital expenditure.
<b>Insurance excesses and uninsured losses</b>	Insurance premiums do not form part of the funding offer the Town has received. This would be a yearly cost of approximately \$15,000 per annum	Ongoing exposure to insurance costs is the region of \$15,000 per annum
<b>Service level expectations</b>	Community expectations are established during the funded period, potentially setting up a benchmark service level. This is the intent of PTA whereby a level of service is agreed that is consistent across the rail line	Pressure to maintain equivalent service levels of post-funding will increase operating costs.
<b>Staffing and resourcing</b>	An initial service delivery model may be supported through funded operations through an external contractor subject to actual cost alignment. A business case cannot be built until the costs are fully understood	A business case for resourcing is required – insource/outsource
<b>Future upgrades</b>	No allowance is included for upgrades, enhancements, or expansion of facilities beyond what is delivered by the project.	Any future upgrades or improvements will require separate capital funding from the Town or external grants.
<b>Long-term financial sustainability</b>	Funding provides a defined transition period to plan for long-term costs. However, some of the products appear to be of lower quality; it is reasonable to anticipate that replacement frequency, and costs may be higher than initially	There will be significant planning changes to the areas surrounding both precincts which will enable growth and therefore in an increase in rates revenue. This growth (although the amount and rate is unknown) will help to offset long term park maintenance costs

projected. Additionally, if the Town were to accept handover in its current state, there would likely be immediate maintenance issues, related to both landscaping and landscape infrastructure.

### 30. Key Risks and Considerations

Risk or consideration	If the Town enters the agreements
<b>Baseline legal liability under land tenure</b>	By entering the agreements, the Town contractually assumes responsibility for maintenance, repair, and replacement of infrastructure and assets located within Lot 9103 that would otherwise remain the responsibility of the PTA as freehold owner.
<b>Risk of unvested facilities under the Local Government Act</b>	Entry into the agreements effectively bypasses statutory considerations around unvested facilities, as obligations arise contractually. This removes potential protections that might otherwise limit the Town's liability.
<b>Clarity of asset scope and tenure</b>	The agreements transfer responsibility for assets without full clarity regarding their extent, quality, condition, or lifespan. This creates a risk that the Town assumes unknown or underestimated liabilities from commencement.
<b>Asset handover and information risk</b>	Gifted Assets are transferred on an 'as is' basis with no warranties as to condition or fitness. Once executed, leverage to obtain detailed asset data is reduced. This creates the risk of unexpected capital and renewal costs. PTA have advised that full A-Spec data will likely be available in approximately 1 months' time and Ascon (As Constructed) will be approximately 2-3 months later. There is currently no mechanism to compel these to be provided in a timely manner
<b>Funding sufficiency and long-term financial exposure</b>	The Funding Agreement provides approximately five years, expressly as a contribution only. Obligations beyond the funding period are uncapped, potentially exposing the Town to significant unfunded liabilities after expiry.
<b>Transfer of PTA liabilities to the Town</b>	The agreements explicitly shift responsibility for assets that would otherwise remain in the PTA's responsibility. This includes maintenance during the funding period and full liability thereafter.
<b>Termination and exit risk</b>	The Town cannot terminate the Licence during the first five years. Termination after year five requires six months' notice and does not relieve the Town of accrued obligations. The ICD continues unless terminated by agreement.
<b>Insurance compliance and exposure</b>	The Town must comply with clause 5 of the Licence, maintain specified insurance, and bear deductibles and excesses. If insurance is not

	<p>maintained, PTA may obtain cover and recover costs from the Town. Current cover is adequate to cover most of the liabilities outlined in the agreements however insuring the gifted assets would involve an increased annual premium of approximately \$15,000. Any uninsured loss may be met out of pocket.</p>
<b>Indemnity and uninsured loss risk</b>	<p>Indemnity provisions are heavily weighted in favour of the PTA. LGIS policies indemnify the Town only and do not extend to indemnifying the PTA or third parties. If LGIS declines cover, the Town may be directly liable to the PTA.</p>
<b>Confidentiality and reputational risk</b>	<p>Confidentiality obligations have been written into the Funding Agreement but not to the Licence or ICD. This may limit the Town's ability to publicly explain funding arrangements while still being accountable for obligations imposed by the other agreements. However, we have recently received advice that the "confidential in commerciality" basis previously relied upon in relation to the funding agreement may no longer be considered valid under section 5.23(4) of the Local Government Act 1995. As such, the Town has advised PTA that given this the document will be published in full unless they can provide</p>
<b>Operational and service delivery certainty</b>	<p>Agreements provide certainty around access, activation, and formal management of Long Park and associated spaces, supporting planned service delivery and community use.</p>
<b>Strategic and community benefit</b>	<p>Enables activation, community use, and integration with Town place-planning objectives, but at the cost of accepting long-term financial and operational responsibility.</p>
<b>Maintenance cost escalation following expiry of grace periods</b>	<p>If the grace period for maintenance cost relief cannot be extended beyond 11 March 2026, the PTA will be required to absorb the full cost of maintenance works by utilising the 5-year funding bucket the Town has been offered, including alliance overheads. This presents a material risk of unbudgeted expenditure and weakens the Town's financial position during the initial 5-year funding period</p>
<b>Alliance maintenance transition and efficiency risk</b>	<p>PTA advised the Alliance maintenance model was intended as a short-term bridging arrangement and is not an efficient long-term solution. Discontinuation of Alliance maintenance mid-April without a replacement contractor in place creates risks to service continuity, cost certainty, and asset condition.</p>

### **Conclusion and Rationale for Recommendation**

31. The proposed agreements represent the formal mechanism by which management, maintenance and activation responsibility for Long Park and associated public open space within Lot 9103 will transfer from the Public Transport Authority to the Town.
32. Entry into the agreements results in the Town assuming responsibility for assets it would not otherwise be required to manage. However, this transfer is accompanied by five years of State maintenance funding and enables the Town to integrate the corridor into its broader public open space network in a coordinated and service consistent manner.

33. Officers consider that delay presents greater risk than controlled execution. Continued delay reduces available funding under the Funding and Maintenance Agreement, prolongs uncertainty regarding maintenance standards, and increases the likelihood of asset deterioration and reputational impact, despite the Town not yet formally holding responsibility.
34. The recommendation therefore supports execution at this time to protect funding drawdown arrangements, establish governance clarity, and formalise operational control.
35. Importantly, execution should only occur once defined safeguards have been satisfied, including:
  - a. Independent confirmation from LGIS regarding insurance and indemnity arrangements
  - b. Written compliance and reticulation certification for outstanding elements
  - c. Provision of core asset specification documentation sufficient to support lifecycle planning
36. Following execution, the PTA will be required to rectify all identified defects and agreed punch list items within the Defects Liability Period in accordance with the Licence terms.
37. These measures ensure that the Town secures funding and formal control while retaining leverage to compel rectification and protect long term asset integrity.
38. While the Funding and Maintenance Agreement provides financial support for the first five years only, entry into the agreements allows the Town to plan proactively for operational and renewal costs through its long term financial framework. These longer term obligations are transparent and capable of structured planning, rather than arising through unmanaged exposure.
39. Execution also unlocks the confirmed \$200,000 State contribution toward delivery of the Long Park public toilet facility, enabling procurement and delivery within the required timeframe.
40. Beyond the contractual and funding considerations, the broader public value of the project is significant. The public open space and associated built assets have been delivered by the State as part of the Victoria Park Canning Level Crossing Removal Project. The Town is receiving infrastructure with an estimated asset value of approximately \$14.4 million without incurring capital construction costs.
41. In a constrained urban environment where land acquisition and delivery of comparable infrastructure would be substantial, the corridor represents a generational investment in amenity, connectivity and recreation. The avoided opportunity cost is considerable and cannot be replicated within current budget settings.
42. Although the Town will assume ongoing lifecycle responsibility, the net long term community benefit of receiving externally delivered infrastructure of this scale is substantial.
43. On balance, officers consider that the risks associated with entry are identifiable, contractually defined and capable of active management, whereas the risks associated with continued delay are uncertain, potentially escalating and may compromise funding, asset condition and community expectations.
44. The recommendation therefore reflects a controlled and safeguarded pathway that secures time limited funding, clarifies responsibility, protects the Town's insurance position, compels rectification of outstanding matters, and enables Long Park to be managed as an integrated and activated component of the Town's public realm network.

## Relevant documents

### [Strategic Community Plan 2022 to 2032](#)

This project supports the Town's objectives relating to place activation, connected public spaces, and enhancing community amenities.

### [Corporate Business Plan 2024 to 2028](#)

The transition of Long Park into Town management aligns with operational priorities relating to asset management, public realm activation, and intergovernmental collaboration.

### [Asset Management Policy 221](#)

The transfer of approximately 14.4 million dollars in public realm assets requires integration into the Town's assets register and lifecycle planning framework in accordance with this policy.

### [Policy 004 - Risk Management](#)

Entry into the agreements involves contractual and long-term financial risk which has been assessed and is capable of being managed under the Town's risk framework.

### [Policy 310 – Leasing and Licencing](#)

While the agreements are not conventional leases, the Licence to Occupy creates tenure related obligations and is consistent with the Town's governance approach to land use arrangements.

### [Long Term Financial Plan](#)

The ongoing operational and renewal costs beyond the five-year funding period will require incorporation into the Town's long-term financial modelling to ensure intergenerational equity.

## Legal and policy compliance

### [Section 3.18 – Powers of a local government](#)

Confirms the Town's power to enter into contracts and do all things necessary to carry out its functions.

### [Section 5.41 – CEO's functions](#)

Relevant to authorisation for execution and delegation.

### [Section 5.23\(4\) – Public availability of certain local government documents](#)

In relation to confidentiality discussions with PTA.

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation. The assets will be handed over to the Town to maintain in the 25/26 financial year; the operating teams have included cost estimates for year 1 maintenance in their 25/26 financial year operating budget requests.
<b>Future budget impact</b>	<p>The inclusion of maintenance costs in the 25/26 financial year budget means that they will be incorporated into the LTFP for years 2 to 10, by virtue of the way in which the Town uses the most recent approved budget to help forecast estimates for future financial years.</p> <p>The Town's long-term budget planning will account for funding needed to cover maintenance costs and asset renewal at the end of the METRONET 5-year funding period, when it becomes the Town's financial responsibility.</p> <p>Based on the calculation completed by the PTAs independent consultant in conjunction with the Town, the estimated costs for maintenance for year 6 would be approximately \$906,063. The average cost per year over the 5 years is approximately \$650,000.</p> <p>It is recommended that rate revenue is increased by an additional 0.4% per annum to lessen the impact of the OpEx budget needs for the ongoing maintenance and offset the future maintenance costs and lessen the immediate financial impact in year 6 (2030).</p>

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Entering: Long-term maintenance costs exceed METRONET funding	High	Low	TREAT risk by entering into the agreements to secure initial funding,

	<p>after year 5. Capital expenses and asset replacement costs will be borne by the Town.</p> <p>Not Entering: Missed opportunity to secure 5-year funding</p>			<p>incorporate costs into LTFP, establish a reserve fund to manage post-funding liabilities and review service models by ensuring Town officers deliver the maintenance rather than outsourcing to reduce cost pressure.</p>
Environmental	<p>Entering: The town can maintain the vegetation through the POS to the high standard which the Town holds itself to</p> <p>Not Entering: Low levels of service provided by PTA instead of the Town may lead to degradation and community dissatisfaction.</p>	Medium	Medium	<p>TREAT risk by establishing a proactive maintenance regime and auditing environmental impacts. Include sustainable landscaping practices to reduce long-term costs.</p>
Health and safety	<p>Entering: Injury due to poor maintenance of play/exercise infrastructure or surfaces (e.g., skate plaza, BBQs).</p> <p>Not Entering: Delay in maintenance handover may lead to confusion over responsibilities, causing safety risks.</p>	Low	Low	<p>TREAT by adopting a formal inspection and maintenance regime aligned with handover timelines.</p>
Data, Information Technology and Cyber	Not Applicable			
Assets	<p>Entering: Risk of early deterioration of infrastructure (e.g. irrigation, lighting, furniture) if lifecycle planning is not in place.</p> <p>Not Entering: Town risks asset handover in worse condition after interim PTA management.</p>	Medium	Medium	<p>TREAT through comprehensive asset audit at handover and proactive asset maintenance program.</p>
Compliance Breach	<p>Entering: Risk of legal or statutory non compliance if the Town fails to manage the assets in accordance with agreed standards, resulting in potential exposure</p> <p>Not Entering: Potential breach of partnership expectations with State.</p>	Low	Low	<p>TREAT by executing clearly defined legal agreements that set out roles, responsibilities and standards. Ensure asset data is complete, maintenance standards are documented, budgets are aligned, and compliance obligations are actively monitored through internal governance processes.</p>

Reputation	<p>Entering: Perception that the Town accepted a bad deal if funding proves insufficient beyond the initial contribution period</p> <p>Not Entering: Perception of failure to capitalise on transformative public infrastructure project and the likelihood the area will be poorly maintained by PTA</p>	Medium	Low	TREAT with proactive communications, visible early wins in activation, and community education
Service delivery interruption	<p>Entering: Strain on existing operational teams or contractors due to added services</p> <p>Not Entering: Lost opportunity to provide accessible, activated open space in a growing urban area that is well managed by the Town</p>	Medium	Medium	TREAT by forward planning, budgeting for staffing/contracting, and integrating new sites into asset and service systems as early as possible

## Engagement

### Internal engagement

Stakeholder	Comments
Urban Planning	<p>This Maintenance and Management Agreement relates to a planning condition for the Development Approval issued for Metronet Elevated Train Stations at Carlisle and Oats Street including the associated Station Precincts and Public Realm.</p> <p>The planning condition reads,  <i>"A Maintenance and Management Agreement between the Town of Victoria Park and the Public Transport Authority of Western Australia is to be prepared and finalised in relation to the construction, ownership, and ongoing maintenance/management of the proposed public realm areas"</i>.</p> <p>As the development approval was issued by the Western Australian Planning Commission (WAPC), most planning conditions are required to be met to the satisfaction of the WAPC.</p> <p>The clearance of outstanding planning conditions relating to the application of anti-graffiti coating and installation of signage and wayfinding, are to be cleared on the advice of the Town (but overall, to the satisfaction of the WAPC) are in discussion with OMTID.</p>
Asset Management	<p>This project delivers a significant community benefit, providing five hectares of new public open space and high quality facilities for all ages. Long Park will be a major asset for our Town and a lasting legacy of the level crossing removal project. However, this decision is ultimately about responsibility and long-term cost. While the State is providing five years of maintenance funding, it is not fully cost-recoverable and does not cover future renewal or replacement of assets. After five</p>

	<p>years, all ongoing costs will sit solely with the Town. With approximately \$14.4 million in assets transferring to us, this represents a substantial long-term financial commitment. It is therefore critical that, we receive complete and accurate asset information, confirm insurance coverage, and ensure outstanding compliance issues and defects are resolved. Provided these safeguards are met, entering into the agreements will give the Town clarity, control over service standards, and the ability to properly manage and activate this important new community space.</p>
Technical Services	<p>Whilst the strategic and community benefits of the new assets within the rail corridor are well known and accepted for this project the long term maintenance obligations will place additional pressure on the existing workforce. This will require careful resource planning so that service levels can be sustained into the future. Technical staff have been involved in the handover and defects identification of infrastructure outside the agreement area with many items still needing to be rectified. Service levels and responsibilities are well documented, however asset replacement timelines for individual critical items are not fully outlined in the agreements. Furthermore, there are numerous specifications and procedures, specific to PTA requirements which may restrict future works the Town may want to pursue under clause 13 – Future Planning and Construction Activity of the Interface Coordination Deed.</p>
Infrastructure & Operations	<p>Feedback into the design and likely maintenance requirements</p>
Place Planning	<p>Feedback was provided into the design to enhance alignment with relevant Town programs and strategic intent i.e. integrated transport, strategic land use planning, place activation, social infrastructure provision, public open spaces, and urban forest as a means of providing an enhanced outcome for the community / Town. Having access and permission to use the locality to host activations and events without the need to seek State permission prior would streamline workflow. While the upkeep and maintenance of Long Park will add to the Town’s financial burden, access to a diverse and multifunctional public open space may bring more community benefits than an otherwise sterile and or underutilised asset / parcel of land.</p>
Community	<p>The Community team was involved in the artwork. Going forward, it will be important to monitor use of the space by the community and community group/clubs and see how we can make further use of what is available.</p>
Stakeholder Relations	<p>Transfer of ownership would necessitate an assessment of the amenities offered in the Town’s portion of Long Park, and a determination made on bookable zones for public events/gatherings at the park. The park can then be added to the Town’s online parks directory and presented to the community for bookings.</p>
Governance	<p>Alignment with S5.23(4) of Local Government Act</p>

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Council is engaged in key decisions impacting the Town's future responsibilities.

Economic	
Community Priority	Intended public value outcome or impact
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	Through coordinated place planning, infrastructure management, and activation of the new public open space, the Town can create welcoming, safe, and vibrant environments that encourage foot traffic, support local businesses, enhance community wellbeing, and stimulate economic activity.

Environment	
Community Priority	Intended public value outcome or impact
EN3 - Enhancing and enabling liveability through planning, urban design and development.	New high-quality public open spaces delivered, contributing to community wellbeing and urban greening
EN4 - Increasing and improving public open spaces	The LXR project constructed a new, large, high quality public open space area in the Town. This will improve our community's access to public open spaces in a much-needed area. By taking over the management and maintenance of the areas ensures it is maintained to a standard in which the Town can be proud
EN5 - Enhancing and enabling liveability through planning, urban design and development.	Through thoughtful planning and urban design, the project transforms underutilised land into safe, accessible and attractive spaces that support everyday community use, social connection, and passive recreation.
EN6 - Improving how people get around the Town.	The LXR project is an investment in upgrading public transport infrastructure. The new elevated rail line, removal of level crossings and associated infrastructure will help improve the way people move around the Town.

## Further consideration

### 13.3 Strategic Waste Management Plan - Progress Update

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Chief Operations Officer
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

#### Summary

At the 5 August 2025 Ordinary Council Meeting, Council resolved to receive the final Strategic Waste Management Plan at the March 2026 Ordinary Council Meeting. The Town has made progress in revising this plan, however requests that Council agrees to be presented with the report in the third quarter of 2026.

#### Recommendation

That Council:

1. Note the need for a post implementation review for FOGO and Verge Valet
2. Agree to the recommended timeframe for receipt of the revised Strategic Waste Management Plan during third quarter of 2026.
3. Note the direction to seek further public review of this plan.

#### Background

1. The Strategic Waste Management Plan outlines how the Town will continue to deliver effective and responsible waste services for our community. It is intended to provide a clear direction for reducing waste, improving sustainability, and supporting our transition toward a cleaner, more resilient future as we work toward our net-zero goals.
2. Although the outcomes of last Strategic Waste Management Plan were intended to be delivered between 2018 and 2023, Officers have been continuing to deliver on it's goals and objectives
3. An updated plan was presented to Council at the Ordinary Council Meeting 10 December 2024.
4. Elected members had a number of questions surrounding this plan and raised a procedural motion to defer this item to February 2025 to allow time for these questions to be better addressed in the plan.
5. In February 2025, Town Officers indicated that more time was required to refine the plan.
6. In August 2025, Council resolved:

**ALTERNATE MOTION AND COUNCIL RESOLUTION (173/2025):**

**Moved:** Mayor Karen Vernon

**Seconded:** Cr Lindsay Miles

That Council:

1. Notes the draft Strategic Waste Management Plan 2025 – 2030;

2. Requests the Chief Executive Officer to:

- a. review the draft Strategic Waste Management Plan in relation to the strategic intent, objectives and outcomes by December 2025;
- b. hold a Concept Forum or EM workshop as part of that review;
- c. prepare an Implementation Plan for the Strategic Waste Management Plan to be adopted by Council;
- d. present the final Strategic Waste Management Plan and Implementation Plan to Council by no later than March 2026.

**Carried (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

**Reason:** To allow a fuller review of the Plan and development of the Implementation Plan.

7. To this end a Concept Forum was held 2 December 2025. As an outcome of this forum additional work was undertaken to refine the vision and priorities for this plan and syndicated to Elected Members for comment.
8. Whilst work has continued on this plan, the Town has made a number of key changes to its waste management services:
  - a. Transition from GO to FOGO for single and multi-residential properties (up to 10 units).
  - b. Transition from bulk collections to Verge Valet services
  - c. New provider for removal of mattresses
9. There are also upcoming activities that may further impact services:
  - a. With the impending expiry of the existing kerbside waste collection services procurement activities are underway with a tender currently in the market
  - b. Proposed changes in the processing of waste with a planned diversion to Waste to Energy in the medium term. This is being delivered as part of MRC member council arrangements.

## Discussion

10. The implementation of both FOGO and Verge Valet has changed the way in which the community interact with core waste services offered by the Town.
11. There have been questions raised from the community around the adequacy of the level of service that is being offered.
12. Further, with changes to service delivery mechanisms, associated issues become apparent and need to be addressed. An example of this is illegal dumping. Whilst the prevalence of illegal dumping appears to be increasing, it is not clear as to what is driving this and the most appropriate remedy. Experience elsewhere suggests that whilst not uncommon with the move to Verge Valet, that it reverts to more normal levels over time.
13. It is planned that a post implementation review is conducted for both Verge Valet and FOGO. Industry standard is that post implementation reviews are undertaken, 6-12 months after steady-state operation and then a deeper review is conducted 18-24 months post implementation. Current plans anticipate that this should occur in May/June.
14. Within this timeframe, the Tender evaluation process should have concluded and the service offering from our kerbside collection partner will be better understood.
15. It is for these reasons it is recommended that finalisation of the Strategic Waste Management Plan be delayed.

16. It is recommended that the plan be represented to Council in the third quarter of this calendar year, seeking approval from Council for the plan to progress to public comment.

## Relevant documents

Council Policy 262 Waste removal and recycling – residential and commercial properties

[Council Policy 260 Single use plastic and polystyrene](#)

[Council Policy 261 Sustainable events](#)

[Waste Avoidance and Resource Recovery Strategy 2030 | Waste Authority WA](#)

[strategic-waste-management-plan-2018-2023](#)

## Legal and policy compliance

### Financial implications

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

### Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial			Low	
Environmental	Delay may slow our progress towards net zero	Medium	Medium	Ensure that continuous improvement continues and focus does not shift away from sustainable waste management practices
Health and safety			Low	
Data, Information Technology and Cyber			Medium	
Assets			Medium	
Compliance Breach			Low	
Reputation	Continued delay causes community to question our commitment to improved waste outcomes	Medium	Low	Ensure strong communication presence around the continued work in this space

Service delivery interruption	Medium
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## Engagement

Internal engagement	
Stakeholder	Comments
C-Suite	For the reason outlined in the Officer report, C-Suite supports delaying Council's consideration of the Strategic Waste Management Plan
Stakeholder Relations	Stakeholder relations support delaying the Strategic Waste Management Plan

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	The Strategic Waste Management Plan (SWMP) illustrates how and what resources will be used to help reduce waste in the Town.

Environment	
Community Priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	The SWMP demonstrates activities that will help reduce waste and thus its effect on the natural environment.
EN2 - Facilitating the reduction of waste.	Inclusion of post implementation insights will ensure a well targeted SWMP

## Further consideration

## 13.4 Elizabeth Baillie Investigation Report

<b>Location</b>	East Victoria Park
<b>Reporting officer</b>	Chief Operations Officer
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Elizabeth Baillie Tree Removal Investigation [ <b>13.4.1</b> - 24 pages]

### Summary

At the November 2025 Ordinary Council Meeting, Council resolved to receive a report on the investigation into the removal of trees at Elizabeth Baillie. The investigation has now been completed and has identified a number of opportunities for improvement.

### Recommendation

That Council:

1. Receives the investigation report noting the investigation observations and insights.
2. Endorse and authorise the recommendations of the investigation report that:
  - i. The COO review and mature the project management framework to provide clear direction on the governance related to Town projects. Embedment will not just focus on the technical elements but also the culture and behaviours that surround it. This should be completed no later than 30 September 2026.
  - ii. The Town's policy and project documentation be reviewed to ensure appropriate approval processes are captured, understood and followed during delivery of Town projects, with relevant Town Officers to receive training on the updated processes by no later than 30 September 2026.
  - iii. Standard contract requirements should reflect the enduring expectations and responsibilities for the management of trees. This should be completed no later than 30 June 2026.
  - iv. The Town develop a planting program to provide replacement trees for the removed trees at the Elizabeth Baillie Precinct. The planting plan will be developed following delivery of the final arbor report and will be endorsed by Department of Planning Land and Heritage.
3. Requests the CEO to list for consideration funding for the development and implementation of the framework and training needs that have been identified, as part of the 2026/27 budget process

### Background

1. In October 2025, the Town engaged an external arboricultural consultant to undertake a series of site visits to assess and review the trees on the entire parcel of land at 999 Albany Highway, East Victoria Park – the Elizabeth Baillie Precinct.
2. The resulting report provided an overview of the trees currently on site and assessed their condition against a 2023 tree inventory that was undertaken prior to the works commencing.

3. This identified that of the trees surveyed in 2023, 94 had been removed.
4. This number was greater than the number of trees initially identified for removal, and which had been previously communicated to both Council and the community as part of the initial design and approval process for these projects.
5. Upon escalation, the following resolution was made at the 18 November 2025 Ordinary Council Meeting.

**COUNCIL RESOLUTION (250)/2025:**

**Moved:** Mayor Karen Vernon

**Seconded:** Deputy Mayor Lindsay Miles

That Council:

1. approves this motion being brought as new business of an urgent nature without notice to be decided upon in accordance with clause 24 of the *Meeting Procedures Local Law 2019* as a case of extreme urgency or the other special circumstances;
2. requests the Chief Executive Officer to conduct an investigation into the removal of trees at Elizabeth Baillie Park that were not authorised under the Tree Removal Plan approved by Council for the park redevelopment upgrade project;
3. requests the Chief Executive Officer to report to the Ordinary Council Meeting in February 2026 as to the outcome of the investigation.

**Carried (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Deputy Mayor Lindsay Miles, Cr Scott Ingram, Cr Andra Biondi, Cr Daniel Minson, Cr Peter Melrosa, Cr Jack Gordon-Manley and Cr Sky Croeser

**Against:** Nil

6. At the 17 February 2026 Ordinary Council Meeting, approval was given to defer the submission date to 17 March 2026. This was both to allow the investigation to conclude given the availability of resources over the festive period and to facilitate an independent review of the investigation and the subsequent report.
7. An Incident Cause Analysis Method (ICAM) approach was adopted to examine contributing factors across people, the operating environment, procedures, and organisational settings. Key questions to be answered by the investigation were:
  - a) A reconciliation and profile of the number of trees removed across the precinct
  - b) Identification of the approval pathway for each removal where possible
  - c) Assessment of whether appropriate processes were followed
  - d) Identification of systemic improvements required to strengthen governance and support processes for future projects.
8. This report updates prior advice provided to Council on the nature and the explanations for the removal of trees across this precinct.

## Discussion

9. The removal of trees in *Area 1: Restoration and development of the house, former hospital buildings and surrounds* was authorized under the Development Approval process.
10. However, the investigation found no single authoritative source documenting the basis for each tree removal across *Area 2: Redevelopment of the Parkland*. There were several processes initiating the removal of the trees:
  - a) Demolition Plan approved by Council and issued as part of the tender process
  - b) Arbor reports – 2023 and February 2025 establishing the condition of the trees
  - c) Report to Council 10 December 2024

- d) Request for Information (RFI) process used to highlight and resolve deviations from, and clarifications to, the contracted scope. This was usually via the contractor to the superintendent to the Town with instructions from the Town being relayed to the contractor via the superintendent.
  - e) Management of trees as per the business-as-usual tree removal process
11. Following further analysis, the investigation team provided updated advice on the mechanism used to govern the removal of trees across the precinct:

	Initial Advice	Updated Advice
Development Conditions	16	19
Retained Tree removed on Area 1	0	1
Removed for Transplant	6	5
Parkland Demolition Plan	11	23
Removals ahead of construction	6	8
Following Western Power Pruning	7	4
Unclear	46	14 – likely with Council approval 2 – conflicting information
No approval		9 – Request For Information 4 – Not in Initial Design Surveys 3 – Poor Health 1 – Arbor Recommendation in survey but not on Demolition Plan 1 – Retaining wall demolition

12. The investigation determined that the incident did not arise from a single decision or individual action. Rather, it resulted from cumulative systemic weaknesses.
13. Key contributing factors included:
- a) The Town did not have an internal team supporting the delivery of this project. Rather there was a reliance on an internal Project Manager and informal consultation. There was not a project steering committee that provided strategic and technical support to the project manager.
  - b) The decision-making process used to assess the need to remove the trees was not clear and not consistently documented. There was no clarity around governance in decision making for these types of instances. Policy 255 – Tree Management does not adequately address the removal and management of trees for this application
  - c) Management of trees, roles and responsibilities and outcomes and consequences were not clearly articulated in our contract documentation.
  - d) Project management structures and processes were ineffective and unclear given the scale and complexity of the project.
  - e) Persistent concerns around the constructability of the approved design and the tree management measures were not systematically addressed.

14. As a consequence of the review process, it is recommended that Council endorse the report's observations and insights as follows:

- a) The COO review and mature the project management framework to provide clear direction on the governance related to Town projects. Embedment will not just focus on the technical elements but also the culture and behaviours that surround it. This should be completed no later than 30 September 2026.
- b) The Town's policy and project documentation be reviewed to ensure appropriate approval processes are captured, understood and followed during Town projects. Town Officers to receive training on the updated processes by no later than 30 September 2026.
- c) Standard contract requirements should reflect the enduring expectations in the management of trees and responsibilities. This should be completed no later than 30 June 2026.
- d) The Town develop a planting program to provide replacement trees for the removed trees at the Elizabeth Baillie Precinct. This will be developed following delivery of the final arbor report and will be endorsed by Department of Planning Land and Heritage.

## Relevant documents

*Available in main report*

## Legal and policy compliance

*Policy 255: Tree Management.*

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address recommendations this financial year.
<b>Future budget impact</b>	Exact costs of framework development and training is yet to be attained. It is anticipated that these will be included for consideration in the 2026/27 Opex budget

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Unplanned costs for measures to mitigate impacts of canopy reduction	Medium	Low	
	Additional spend to remediate the trees	Medium		
Environmental	Reduction in tree canopy	High	Medium	
	Consequential tree loss	High		
Health and safety	Not applicable		Low	

Data, Information Technology and Cyber	Not applicable	Medium
Assets	Not applicable	Medium
Compliance Breach	Not applicable	Low
Reputation	Expectations around tree retention and management may lead to loss of trust from community and grant funders  Negative media exposure impacting reputation and community attitudes towards the project	Extreme Medium  Medium
Service delivery interruption	Not applicable	Medium

## Engagement

### Internal engagement

Stakeholder	Comments
Stakeholder Relations	A stakeholder relations management plan has been developed to support the investigation and subsequent report, and to communicate its findings to internal and external stakeholders and the broader community.

### External engagement

Stakeholders	<i>Peer Review</i>
Period of engagement	n/a
Level of engagement	2. Consult
Methods of engagement	Face to Face Email
Advertising	Not applicable
Submission summary	Not applicable
Key findings	Requested further clarity on numbers and suggestions on report structure

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Building trust and confidence in our project delivery
CL3 - Accountability and good governance.	Delivering a robust and transparent investigation leading to learning opportunities

Environment	
Community Priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	Protecting and enhancing our tree canopy
EN3 - Increasing and improving public open spaces.	Ensuring Elizabeth Ballie is valued as a public open space by the community

## Further consideration

## 13.5 TVP-25-19 - Tree Planting and Watering

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Greening Care Officer
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL REDACTED TVP 25 19 Evaluation Report [13.5.1 - 17 pages]

### Summary

To seek Council approval to appoint a preferred supplier for the ongoing tree planting and watering works as part of the UFS Leafy Streets program, to achieve the 2030 KPI of 20% canopy cover; as the value of the tender exceeds \$500,000. It is estimated the value of the contract will cost approximately \$2,040,000 over the course of the next 5 years, with the initial contract term being 2 years, with 3 possible 12-month extensions.

### Recommendation

That Council awards the contract associated with Tree Establishment Services TVP-25-19, to Tree Planting and Watering (ABN: 35 614 676 550), for the seasonal tree planting and seasonal watering program works, with the terms and conditions as outlined in the contract, as their offer has been evaluated as the most advantageous to the Town.

### Background

- The Town plants approx. 1000 new trees every year through the Leafy Streets UFS program to meet the Town KPI of 20% canopy cover by 2030.
- As part of the ongoing care and establishment of these newly planted trees to ensure survival of these assets, we also enlist them on a watering program, where they are watered for the first 3 years of being planted, throughout the summer periods, September-May.
- With approx. 1000 new trees being planted each year, and the trees being watered for their first 3 years after being planted, we always have roughly 3000 trees on the watering list every year, as well as some unreticulated gardens.
- This Tender TVP-25-19 Tree Establishment Services was published through Vendor Panel, with the Tender closing 2pm Friday 23<sup>rd</sup> January 2026
- Suppliers were requested to provide a schedule of rates for pricing per item to include - per tree planted and per tree watered, per sqm garden watered, public holiday rates. The full schedule of rates required is in the attached procurement report.
- The estimated cost of the Tender over the 5-year period, if the 3 extensions are granted is approximately \$2,040,000
- An evaluation of the 4 tender submissions against the prescribed criteria has been completed, and it is recommended that Council accepts the submission made by Tree Planting and Watering and enters a contract for the tree establishment services inclusive of seasonal tree planting and the watering program.

## Discussion

1. The assessment of the submissions was formally undertaken by a panel that included:
  - Manager Infrastructure Operations
  - Urban Ecosystems Supervisor
  - Greening Care Officer
2. The Town received 4 submissions. Of these submissions, all were compliant.
3. The evaluation of the submissions against the quantitative and qualitative criteria resulted in the contractor in the recommendation ranked first.

## Compliance criteria

All Respondents were required to comply with providing information for the following compliance criteria to be eligible for consideration at the evaluation stage:

Compliance with the Conditions of Submission.

Compliance with General Conditions of the Contract.

References.

Acknowledgement of Addenda

Complete Respondents Offer.

Complete Pricing Schedule of Rates in the format required by the Principal.

Corporate Information.

Financial Position.

Conflict of Interest.

Insurance

## Evaluation process

<b>Environmental Sustainability</b> <ol style="list-style-type: none"><li>a. Does your organisation have an Environmental Management System (EMS) or adopt any environmental/sustainability practices? If yes, please provide details.</li><li>b. Does your organisation practice waste minimisation e.g., reduce packaging, or packaging with recycled materials or using compostable packaging? Please provide details including % of reused/recycled materials used.</li><li>c. Has your organisation ever received a warning or convicted of an environmental breach in Australia or overseas? If so, please provide details and outcome of the matter.</li><li>d. Please provide examples relating to the key environmental impacts considered over the life cycle of the goods/service.</li></ol>	Weighting 15%
<b>Social Sustainability</b> <ol style="list-style-type: none"><li>a. Does your organisation follow any sustainable strategies? <b>YES / NO</b>, if yes, please provide details.</li><li>b. Does your organisation have any Social Impact Policy and Initiatives? i.e. Indigenous, diversity, human rights, labour practices. <b>YES / NO</b>, if yes, please provide</li></ol>	Weighting 5%

details.	
<p><b>Demonstrated experience</b></p> <p>a. The Tenderer must provide details of contracts for similar Goods and any related services provided for other clients. The Tenderer must provide:</p> <ul style="list-style-type: none"> <li>(i) A detailed description of the Goods and / or Services provided;</li> <li>(ii) Similarities between the previous contracts and this Request;</li> <li>(iii) When the previous contracts were performed; and</li> <li>(iv) The outcome of the previous contracts.</li> </ul> <p>b. The Tenderer must also provide a minimum of [2] referees in respect of the contracts detailed above. Referee details must include:</p> <ul style="list-style-type: none"> <li>(i) The referee's name and position;</li> <li>(ii) Company name;</li> <li>(iii) The contact telephone number; and</li> <li>(iv) The contract or project title.</li> </ul>	Weighting 30%
<p><b>Suitability of proposed services</b></p> <p>a. Demonstrate how the proposed Services meet the description set out in Schedule 2 - Specification / Statement of Requirements; and</p> <p>b. Demonstrate an appreciation and understanding of the requirements of the Request and the Tenderer must provide an outline of its proposed methodology and approach. Details of the methodology should include:</p> <ul style="list-style-type: none"> <li>(i) The scope of work/requirements broken into components including timeframes and the estimated number of hours required to complete each component of the requirements;</li> <li>(ii) Details of the roles of the Specified Personnel and an estimated percentage of time spent by each in completing the requirements;</li> <li>(iii) A description of critical issues, and quality control mechanisms used in undertaking the requirements.</li> </ul>	Weighting 40%
<p><b>Organisational capacity</b></p> <p>a. The Tenderer must demonstrate that it has the organisational capacity to perform the Customer Contract.</p> <p>b. The Tenderer must provide a comprehensive timeframe for the delivery of the proposed Goods and / or Services, identifying key dates and milestones and outlining how any timing requirements specified in Schedule 2 - Specification / Statement of Requirements, will be met.</p>	Weighting 10%

## Legal and policy compliance

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

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

[Policy 301 - Procurement](#)

## Financial implications

<b>Current budget impact</b>	<p>As the value of the contract exceeds \$500,000, the acceptance of the offer/tender and subsequent award of any contract is to be determined by council.</p> <p>Sufficient funds exist within the annual budget for Work Orders 255 (for watering) and 609 (for planting) to address this recommendation.</p>
<b>Future budget impact</b>	<p>Funds to cover the ongoing tree planting and tree watering works will need to be included in future UFS maintenance budgets for Work Orders 255 (for watering) and 609 (for tree planting). These funds will cover the ongoing continuation of yearly tree planting and tree watering.</p>

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Failure to secure value for money with tree planting and watering activities	High	Low	TREAT risk by going through a public tender process
Environmental	Trees dying due to watering not occurring, or tree canopy target not met due to tree planting not occurring.		Medium	TREAT risk by meeting set out timelines and guidelines for tree watering programs and tree planting programs.
Health and safety	Injury or incident caused by tree planting and or watering trucks		Low	TREAT risk by making sure the vehicles of the contractor meet safety requirements for signage and lights. Ensuring the contractor conducts appropriate training and inductions. Including mandatory cab watering equipment to ensure workers don't have to stop and exit the cab while watering busy streets.
Data, Information Technology and Cyber	Not applicable.		Medium	
Assets	Not applicable.		Medium	
Compliance Breach	Not applicable.		Low	
Reputation	Failure to maintain tree health and success rates causing public backlash amid climate crisis and not	High	Low	TREAT risk by monitoring tree health with full time on ground internal staff member reporting. Data collection and retention for any trials to monitor success.

	reaching 20% canopy cover KPI			
Service delivery interruption	Failure to water trees during summer as per the watering schedule due to scheduling conflicts for contractor	High	Medium	TREAT risk by ensuring the contractor is able to call in back up labour hire/machine hire to allow for no interruption for watering as per our watering run sheet/schedule

## Engagement

Internal engagement	
Stakeholder	Comments
Procurement	Provided advice and acted as a probity advisor throughout the process.
Various Parks, Operations and Place Planning Staff	Provided feedback on procurement plans, recommended specifications additions, advice on improvements, and general information required to write the contract.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Providing the contractors with guidelines and training to appropriately use our Town bores to water to prevent misuse and or damage to the bores. Include mandatory fish mouth hose head (or similar) to reduce impact of pressured water from the trucks from damaging or blowing out soil/mulch

Environment	
Community Priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	Providing suitable new tree planting and watering assistance to grow our Urban Forest Canopy Cover and provide water to unreticulated gardens, which will in turn aid us in achieving our 20% canopy cover KPI by 2030.

## Further consideration

## 14 Chief Financial Officer reports

### 14.1 Financial Statements - January 2026

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Coordinator Finance
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Financial Statements January 2026 [ <b>14.1.1</b> - 25 pages]

#### Summary

To present to Council the Statement of Financial Activity for the period ending **31 January 2026**, detailing revenue and expenditure performance as outlined in the attached report and noting the presence of material variances for the period.

The variances identified in the Monthly Financial Report for the period predominantly relate to the **timing and phasing of budgets**, as well as the **timing differences in revenue recognition and expenditure** across the financial year.

#### Recommendation

That Council receives the financial statements for 31 January 2026, as included in the attachment, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996.

#### 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 (-) \$50,000 or 10% 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 (-) \$50,000 or 10% and in these instances, an explanatory comment has been provided.

- 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.

**Discussion**

- The Financial Statement – 31 January 2026 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 Statement – 31 January 2026 be accepted.

**Relevant documents**

Not applicable.

**Legal and policy compliance**

[Regulation 34 of the Local Government \(Financial Management\) Regulations 1996](#)

**Risk management consideration**

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Misstatement or significant error in financial statements	Medium	Low	Mitigate by performing daily and monthly reconciliations, supported by periodic internal and external audits.
Financial	Fraud or illegal transaction	High	Low	Mitigate by maintaining strong internal controls, ensuring segregation of duties, and undertaking regular internal and external audits.
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Data, Information Technology	Not applicable.		Medium	

and Cyber				
Assets	Not applicable.		Medium	
Compliance Breach	Council not accepting financial statements will lead to non-compliance	Medium	Low	Mitigate by providing clear reasoning and detailed explanations to support Council's decision making.
Reputation	Not applicable.		Low	
Service delivery interruption	Not applicable.		Medium	

## Financial implications

<b>Current budget impact</b>	Commentary around the current budget impact is outlined in the Statement of Financial Activity, forming part of the attached financial activity statement report.
<b>Future budget impact</b>	Commentary around the future budget impact is outlined in the Statement of Financial Activity, forming part of the attached financial activity statement report.

## 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.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL6 - 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> .

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with 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.
CL3 - Accountability and good governance.	Ensure the Town meets its legislative responsibility in accordance with Regulation 34 of the <i>Local Government (Financial Management) Regulations 1996</i> .

## Further consideration

## 14.2 Statement of Accounts - January 2026

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Coordinator Finance
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Payment Summary January 2026 [<b>14.2.1</b> - 7 pages]</li><li>2. Credit Card Transactions January 2026 [<b>14.2.2</b> - 1 page]</li><li>3. Fuel and Store Card Transactions January 2026 [<b>14.2.3</b> - 1 page]</li></ol>

### Summary

Council is required to receive payments made from the municipal fund, payments by employees via purchasing cards each month and fuel and store card transactions under Section 13 and 13A of the Local Government (Financial Management) Regulations 1996.

1. To present the list of accounts paid by the Chief Executive Officer (CEO) under delegated authority for the period 1 to 31 January 2026.
2. To present the list of payments made by authorised employees using purchasing cards for the period 1 to 31 January 2026.

The information required for Council to receive the payments made is included in the attachment for the period 1 to 31 January 2026.

### Recommendation

That Council for the period 1 to 31 January 2026, as included in the attachment:

1. Receives the list of accounts paid (cheques and EFT payments).
2. Receives the direct lodgement of payroll payments to the personal bank accounts of employees.
3. Receives the list of payments made using credit cards.
4. Receives the list of payments made using fuel and store cards.

### 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) and 13A 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 authorised an employee to use a credit, debit or other purchasing card, 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 Audit and Risk 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 and 13A of the Local Government (Financial Management) Regulations 1996 is contained within the attachment and is summarised below.

<b>Fund</b>	<b>Reference</b>	<b>Amounts</b>
<b>Municipal Account</b>		
Automatic Cheques Drawn		\$ 0
Creditors – EFT Payments (incl. Fuel and Store Cards)		\$4,872,943.25
- Fuel and Store Cards (\$13,767.39)	January 2026	
Payroll		\$ 1,459,367.65
Bank Fees		\$ 17,562.59
Corporate MasterCard	January 2026	\$ 10,154.53
<b>Total</b>		<b>\$ 6,360,028.02</b>

## Discussion

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 receive the payments, as included in the attachments, for the period 1 to 31 January 2026.

## Relevant documents

Not applicable.

## Legal and policy compliance

[Section 6.10\(d\) of the Local Government Act 1995](#)

[Regulation 13 of the Local Government \(Financial Management\) Regulation 1996](#)

[Procurement Policy](#)

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	Misstatement or significant error in Schedule of accounts.	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and external audits.
Financial	Fraud or illegal transactions	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.		Medium	
Health and safety	Not applicable.		Low	
Data, information technology and cyber	Not applicable.		Medium	
Assets	Not applicable.		Medium	
Compliance breach	Not accepting schedule of accounts will lead to non-compliance.	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.		Low	
Service delivery interruption	Not applicable.		Medium	

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 – Communication and engagement with 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.
CL3 – Accountability and good governance.	The presentation of the payment listing to Council is a requirement of Regulation 13 & 13A of Local Government (Financial Management) Regulation 1996.

## Further consideration

## 14.3 Mid Year Budget Review 2025-2026

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Strategic Accounting
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Mid Year Budget Review - Budget Variations and Requests for the year ending 30 June 2026 [<b>14.3.1</b> - 2 pages]</li><li>2. Mid Year Budget Review - Revised Reserve Movements for the year ending 30 June 2026 [<b>14.3.2</b> - 1 page]</li><li>3. Mid Year Budget Review - Statement of Financial Activity for the year ending 30 June 2026 [<b>14.3.3</b> - 1 page]</li></ol>

### Summary

To consider the Mid Year Budget Review and seek approval from Council to amend the 2025-2026 Annual Budget.

### Recommendation

That Council:

1. Approves the Budget Variations/Requests as detailed in Attachment 14.3.1
2. Approves the Revised Reserve Movement as detailed in Attachment 14.3.2
3. Approves the Revised Statement of Financial Activity as detailed in Attachment 14.3.3

### Background

1. Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires that between 1 January and the last day of February in each financial year a local government to carry out a review of its annual budget for that year.
2. The review of an annual budget must be submitted to Council on or before 31 March in that financial year.
3. The budget review assesses the financial performing to date and is used to identify variations from the budget by the year end. It may include new works and services not identified in the adopted budget.
4. Variations to the annual budget are addressed in this report, including the funding source identified to accommodate these items.

### Discussion

5. The review of the forecast for the financial year end position was based on the financial position as of 31 December 2025.
6. The review process has been undertaken having regard to:
  - (i) actual revenues and expenses for the first six months of this financial year together with committed expenses.

- (ii) forecast revenue and expense position for the remaining six months of the financial year.
- (iii) the variances created increase/decrease to current budget and were identified as budget variations.
- (iv) the variances that require new or more budget were identified as budget requests.

7. There are several works and services that require an additional or new budget. The identified variations were applied to fund these requirements. The list of budget variations and requirements is provided in Attachment 14.3.1.

## Relevant documents

Not applicable.

## Legal and policy compliance

- (a) [Regulation 31 of the Local Government \(Financial Management\) Regulations 1996](#)
- (b) [Regulation 33A of the Local Government \(Financial Management\) Regulations 1996](#)
- (c) [Regulation 34 of the Local Government \(Financial Management\) Regulations 1996](#)
- (d) [Section 6.8 \(1\) of the Local Government Act 1995](#)

## Financial implications

<b>Current budget impact</b>	<p>The budget variations and requests identified for this financial year, including explanation of the variances and requests, are contained within the attachments. All revenue and expense variances have been balanced with a net variance of \$nil.</p> <p>Variations to the Annual Budget, as outlined in the budget review, have been made regarding asset management requirements and principles. The proposed review will form the new budget once adopted.</p>
<b>Future budget impact</b>	<i>Not applicable</i>

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Misstatement or significant error in financial statements	Moderate	Low	Treat risk by ensuring daily and monthly reconciliations is completed. Internal and external audits.
Financial	Fraud or illegal transactions	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	Not applicable.			

safety					
Data, Information Technology and Cyber	Not applicable.				
Assets	Not applicable.				
Compliance Breach	<table border="0"> <tr> <td>Council not accepting financial statements will lead to non-compliance</td> <td>Major</td> <td>Low</td> <td>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.</td> </tr> </table>	Council not accepting financial statements will lead to non-compliance	Major	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.
Council not accepting financial statements will lead to non-compliance	Major	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 interruption	Not applicable.				

## Engagement

Internal engagement	
Service Area Leaders, Service Area Managers and C-Suite	Service Area Leaders, Service Area Managers and C-Suite are involved with the review process and provide change data and reasons.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Budget review is conducted frequently to ensure the budget is reflective of the community's current needs
CL3 - Accountability and good governance.	Accurate presentation of the budget is reflective of the community's current needs

## Further consideration

## 15 Committee reports

### 15.1 Audit Update Report February 2026

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Audit, Risk and Assurance Advisor
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL REDACTED - Quarter 2 Open Audit Actions (October to December 2025) [ <b>15.1.1</b> - 4 pages]

#### Summary

The Audit, Risk and Improvement Committee recommends that Council receives the Audit Update Report for February 2026, which provides an overview of internal audit activities and the status of open audit actions. Key outcomes include the identification of two Moderate findings from the recent Assessment of Operational Risk audit, aimed at strengthening risk management practices, and the status of outstanding audit actions arising from the Emergency Management audit finalised 12 June 2025.

#### Recommendation from the Audit, Risk and Improvement Committee:

The Council receives the Audit Update Report for February 2026, as contained in Attachment 15.1.1.

#### Background

1. The 2023-2026 Internal Audit Program, adopted by Council on 19 June 2023, provides structured oversight of key governance, risk, and control processes across the Town.
2. The following three audit projects are scheduled for 2025/26:
  - Talent Management and Wellbeing
  - Fraud and Corruption Reporting
  - Corporate Performance Management and Monitoring
3. Paxon is currently conducting the Talent Management and Wellbeing audit, with completion expected by mid-February. Once this audit has been finalised, the next scheduled audit will commence in accordance with the approved 2025/26 Internal Audit Plan.

#### Discussion

##### Open Audit Actions (Quarter 2, 2025/26)

4. Remediation actions arising from the *Assessment of Operational Risk* audit are underway and are being actively monitored through Cascade, with progress to date consistent with agreed timeframes.

5. Most audit actions arising from the *Emergency Management* audit have been completed. The two remaining open actions are assessed as low-risk and relate to further formalisation of EPC and ECO arrangements, with remediation progressing within the approved timeframe.

Area	Open	Ontrack	Overdue	Behind	Extreme Risk	Moderate Risk	Low Risk
<b>Governance &amp; Strategy</b>	2	2	0	0	0	2	0
<b>People &amp; Culture</b>	2	0	0	2	0	0	2
<b>Totals</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>2</b>

## Relevant Documents

Not applicable.

## Legal and Policy Compliance

[Part 7 of the Local Government Act 1995](#)

[Local Government Regulations 1996](#)

## Financial Implications

<b>Current budget impact</b>	Existing budget allocations will accommodate the recommended process improvements.
<b>Future budget impact</b>	Not applicable for this report.

## Risk Management Considerations

Risk Impact Category	Risk Event Description	Risk Rating	Risk Appetite	Risk Mitigation
Financial	Without an internal audit program, the Town may be exposed to financial errors, fraud, or corruption.	High	Low	Maintain and monitor internal audit program focusing on high-risk processes.
Environmental	Not applicable.			
Health and Safety	Not applicable.			
Data, Information Technology and Cyber	Not applicable.			
Assets	Not applicable.			

Compliance Breach	Lack of internal audits may increase risk of non-compliance with legislative requirements.	High	Low	Ensure management implements actions to address audit findings.
Reputation	Inadequate audit oversight may reduce stakeholder confidence in governance and risk management.	Moderate	Low	Ensure timely resolution of audit findings.
Service Delivery Interruption	Not applicable.			

## Engagement

Internal engagement	
Stakeholder	Comments
Business Units	Managers providing responses and supporting documentation to the Internal Auditors.
C-Suite	Informed of the final Internal Audit Outcomes.

## Strategic Alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Internal audits support integrity and identify areas for improvement.
CL3 - Accountability and good governance.	Internal audits provide a disciplined approach to improving risk management, internal controls, and governance processes, adding value to Town operations.

## Further Consideration

## 15.2 Corporate Business Plan Quarter 2 Progress Report (October - December 2025)

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Audit, Risk and Assurance Advisor
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Quarter 2 CBP Progress Report (October to December 2025) [15.2.1 - 43 pages]

### Summary

This report provides an update on the implementation status of the Corporate Business Plan actions for Quarter 2 of the 2025/26 financial year (1 October – 31 December 2025). The report supports Council's commitment to good governance, transparency, and effective resource management by providing oversight of strategic action delivery.

#### Recommendation from the Audit, Risk and Improvement Committee:

That Council notes the Corporate Business Plan Quarter 2 Progress Report for 1 October – 31 December 2025, as attached 15.2.1.

### Background

1. At the Ordinary Council Meeting held 17 September 2024, Council resolved to receive one consolidated quarterly progress report on the actions, projects and outcomes of the Towns adopted plans and strategies.
2. The consolidated reporting approach reduces duplication, strengthens governance, and provides a single point of accountability for tracking purposes.
3. Quarterly progress reports enable Council to:
  - Assess performance against the Corporate Business Plan 2023-2027 and other linked strategies.
  - Identify risks and significant variations in project delivery or budget performance.
  - Receive the information needed to make informed decisions and take action where required.
4. This Quarter 2 report also establishes a baseline for the 2025/26 financial year, enabling subsequent quarters to demonstrate comparative progress and trend analysis.

### Discussion

5. An amended Corporate Business Plan 2023-2027 was endorsed by Council on 19 August 2025. Its sets out the Town's medium-term priorities, aligned to the Strategic Community Plan.
6. Attachment 1 provides an update on the progress made toward each goal within the CBP during Quarter 2 of the 2025/26 financial year. Progress is visually represented as a percentage, with colour coding to indicate whether actions are:
  - Behind Schedule
  - On Track

- Overdue
- Complete

## 7. Quarter 1 CBP Progress Summary – 2025/26

- The Quarter 2 results for the 2025/26 Corporate Business Plan show strong early progress, with (53) goals reported and an overall completion rate of (44%).
- Most actions are on track or ahead of schedule, reflecting effective early planning and cross-department collaboration.
- Key highlights include strengthened community engagement, advancing and environment initiatives, and notable progress in major infrastructure and activation projects.
- A small number of projects experienced minor delivery slippage, mainly due to resource constraints, and staff changes. These are being monitored, with mitigation actions in place to ensure Q2 delivery remains achievable.

Strategic outcome	Total Goals	Behind	On-Track	Overdue	Complete
<b>Social</b>	16	1	15	0	0
<b>Economic</b>	4	0	4	0	0
<b>Environment</b>	21	12	9	0	0
<b>Civic Leadership</b>	12	4	8	0	0
<b>Total</b>	<b>53</b>	17	36	0	0

## Relevant Documents

Not applicable.

## Legal and Policy Compliance

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

## Financial Implications

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

## Risk Management Consideration

Risk Impact Category	Event Description	Risk Rating	Risk Appetite	Risk Mitigation
Financial	Delays in CBP delivery may affect alignment with budgeted projects and priorities.	Moderate	Low	Ensure quarterly tracking and escalate significant slippage.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Data, Information Technology and Cyber	Not applicable.			
Assets	Not applicable.			
Compliance Breach	Incomplete or inaccurate reporting may reduce compliance with legislative requirements.	Low	Low	Validate inputs with SMTs prior to report finalisation.
Reputation	Negative public perception regarding transparency.	Low	Low	Treat: Ensure accuracy in reporting and highlight significant issues.
Service delivery interruption	Not applicable.			

## Engagement

Internal engagement	
Governance and Strategy	Coordinated the preparation of this report and progress tracking.
Business Units	Provided quarterly updates on action progress, risks, and achievements.
C-Suite	Validated outcomes to ensure accuracy, accountability, and completeness.

## Strategic Alignment

Civic Leadership	
Community Priority	Intended public value outcome/ impact
CL1 – Effectively managing resources and performance.	The council receives timely and accurate updates on CBP progress to support resource planning and performance management.
CL3 - Accountability and good governance.	The Community and Council are provided with increased transparency and accountability regarding strategic actions and outcomes.

## Further Consideration

- 16 Motion of which previous notice has been given**
- 17 Public participation time**
- 18 Questions from members without notice on general matters**
- 19 Confidential matters**
- 20 Closure**