



TOWN OF  
**VICTORIA PARK**

## Agenda Briefing Forum Agenda – 5 March 2024

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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 5 March 2024** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Mr Anthony Vuleta – Chief Executive Officer**  
29 February 2024

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# 1 About the Agenda Briefing Forum

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

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

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

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

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 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 the following:

- Those items on the agenda and
- 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>	Cr Karen Vernon
<b>Banksia Ward</b>	Cr Claire Anderson Cr Peter Devereux Cr Lindsay Miles
<b>Jarraah Ward</b>	Cr Sky Croeser Cr Jesse Hamer Deputy Mayor Bronwyn Iffe Cr Daniel Minson
<b>Chief Executive Officer</b>	Mr Anthony Vuleta
<b>Chief Operations Officer</b> <b>Chief Financial Officer</b> <b>Chief Community Planner</b>	Ms Natalie Adams Mr Duncan Olde Ms Natalie Martin Goode
<b>Manager Governance and Strategy</b> <b>Manager Property Development and Leasing</b>	Ms Bernadine Tucker Mr Paul Denholm
<b>Secretary</b> <b>Public liaison</b>	Ms Felicity Higham Ms Tracey Wilson

### 5.1 Apologies

### 5.2 Approved leave of absence

<b>Banksia Ward</b>	Cr Peter Melrosa
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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 Report - February 2024

<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 2024 [<b>11.1.1</b> - 14 pages]</li><li>2. Completed Council Resolutions Status Report - February 2024 [<b>11.1.2</b> - 5 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

2. The Outstanding Council Resolutions Report details all outstanding items. A status update has been included by the relevant officer/s.
3. The Completed Council Resolutions Report details all Council resolutions that have been completed by officers from 1 February 2024 to 29 February 2024. 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>	

## 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	
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	
Legislative compliance	Not applicable.		Low	
Reputation	Not applicable.		Low	
Service delivery	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.

## 11.2 Rutland Avenue Street Alignment Local Law 1997 review

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Chief Executive 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. Submissions received - Rutland Avenue Street Alignment Local Law 1997 review [<b>11.2.1</b> - 1 page]</li><li>2. Rutland Avenue Street Alignment Local Law 1997 [<b>11.2.2</b> - 3 pages]</li></ol>

### Summary

This report proposes that Council, in accordance with section 3.16 of the *Local Government Act 1995*, considers the public submissions received for the Rutland Avenue Street Alignment Local Law 1997 review and recommends that the local law not be amended.

### Recommendation

That Council:

1. Notes the submissions received for the Rutland Avenue Street Alignment Local Law 1997 review.
2. As a result of this review, agrees that the Rutland Avenue Street Alignment Local Law 1997 requires no amendments.

### Background

1. Section 3.16 of the *Local Government Act 1995* (Act) requires all local laws to be reviewed within an 8-year period from the date the local law commenced or was last reviewed.
2. The Rutland Avenue Street Alignment Local Law 1997 (local law) was adopted in April 1997.
3. An internal governance audit identified that this local law has not been reviewed since its adoption in 1997.
4. An internal review of the local law identified that it was still fit for purpose and as such, no amendments were proposed by staff.

### Discussion

5. During the public consultation phase on the review of the local law, one person submitted a comment relating to the installation of a bike lane on Rutland Avenue, one person said they opposed it without any comment, and the third person stated that Rutland Avenue needed to remain a 2-way thoroughfare.
6. The purpose of the Rutland Avenue Street Alignment Local Law is to provide uniform cadastral boundaries along the Rutland Avenue Road reserve. The provision of bike lanes and the control of the traffic flow is outside the remit of the local law.
7. As staff, and the community, did not recommend any amendment to the local law, it is recommended that the review process formally be finalised with no amendments being made.

### Relevant documents

Not applicable

## Legal and policy compliance

[Section 3.16 of the Local Government Act 1995](#)

### 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	Not applicable		Low	
Environmental	Not applicable		Medium	
Health and safety	Not applicable		Low	
Infrastructure/ ICT systems/ utilities	Not applicable		Medium	
Legislative compliance	Not conducting the review in accordance with Act	Medium	Low	Treat the risk by considering the public submission received.
Reputation	Not applicable		Low	
Service delivery	Not applicable		Medium	

### Engagement

Internal engagement	
Stakeholder	Comments
Relevant staff	Town staff from relevant areas have been consulted over the need to amend the Rutland Avenue Street Alignment Local Law 1997 and the Local Government Property Local Law 2000.

External engagement	
Stakeholders	Public consultation in accordance with section 1.7 and 3.16 of the <i>Local Government Act 1995</i> .
Period of engagement	Commenced on 1 December 2023 and closed on 9 February 2024.

Level of engagement	Public consultation
Methods of engagement	Written submissions were invited.
Advertising	Town website, social media, library notice board and e-news.
Submission summary	3 submissions received.
Key findings	

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Ensure that periodic reviews of local laws are completed within the timeframe legislated and comply with the <i>Local Government Act 1995</i> .

## 11.3 Vehicle Management Amendment Local Law 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Chief Executive Officer
<b>Responsible officer</b>	Manager Governance and Strategy
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Submissions for the Town of Victoria Park Vehicle Management Amendment Local Law 2024 [<b>11.3.1</b> - 1 page]</li><li>2. Vehicle Management Amendment Local Law 2024 [<b>11.3.2</b> - 4 pages]</li><li>3. Vehicle Management Local Law 2021 with tracked changes [<b>11.3.3</b> - 38 pages]</li></ol>

### Summary

This report recommends that Council, in accordance with section 3.12(4) of the *Local Government Act 1995*, makes the Town of Victoria Park Vehicle Management Amendment Local Law 2024 which will amend the Town of Victoria Park Vehicle Management Local Law 2021. This local law was presented to Council in November 2023 where Council endorsed the amendment process and resolved to give state-wide public notice of the proposed amendment. This report considers the feedback received during this process and recommends the Town of Victoria Park Vehicle Management Amendment Local Law 2024 be made.

### Recommendation

That Council, pursuant to section 3.12 of the *Local Government Act 1995*:

1. Notes the submissions received for the Town of Victoria Park Vehicle Management Amendment Local Law 2024.
2. Makes the Town of Victoria Park Vehicle Management Amendment Local Law 2024 as contained in Attachment 1 with the purpose and effect of the local law being:

Purpose: To provide for the regulation, control and management of parking and vehicles within the District.

Effect: To regulate the parking and control of vehicles including electronic permits and payments.

### Background

1. In accordance with section 3.16 of the *Local Government Act 1995* (the Act), local governments are required, within a period of eight years, to review their local laws to determine whether or not it considers the local law should be repealed or amended.
2. On 16 March 2021, Council resolved to make the Vehicle Management Local Law 2021 (local law).
3. The local law was subsequently published in the Government Gazette on 21 May 2021 and commenced on 4 June 2021.
4. In accordance with the Act, a review was recently completed that identified amendments to the local law were necessary.
5. In November 2023, a report was provided to Council recommending the commencement of the law-making process to amend the local law.



6. At that meeting, Council subsequently resolved to commence the law-making process and endorsed the Vehicle Management Amendment Local Law 2024 be distributed for public consultation.
7. The submission period for the public consultation on the proposed local law commenced on 1 December 2023 and closed on 9 February 2024, exceeding the required six weeks consultation period under the Act.
8. At the close of the public consultation period, three submissions were received (see attachment 1).

## Discussion

9. In accordance with the Council resolution from November 2023, local public notice of the Town’s intention to make the new local law was advertised on the Town’s website, social media, library notice board and e-news.
10. A copy of the proposed local law and public notice was also provided to the Minister for Local Government.
11. At the close of the consultation period, two submissions were received. Both submissions supported the amendments. One person stated: *I fail to understand why such minor changes were not done years ago and couldn't just be approved rather than go to public comment. More funds spent on process rather than outcomes.* The second person did not provide any comments.
12. As no further amendments to the local law have been proposed, it is recommended that Council makes the Town of Victoria Park Vehicle Management Amendment Local Law 2024.
13. If Council resolves to make the local law, the local law would be published in the Government Gazette and a copy provided to the Minister for Local Government, and provide a copy of the law and Explanatory Memorandum, as prepared in accordance with the Minister’s Local Laws Explanatory Memoranda Directions 2010, to the State Government’s Joint Standing Committee on Delegated Legislation. The Town would also give local public notice that the local law has been made.

## Legal and policy compliance

[Section 3.12 of the Local Government Act 1995](#)

## 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	
Infrastructure/ ICT systems/ utilities			Medium	

Legislative compliance	Not following the law-making process	Medium	Low	Treat the risk by considering the public submissions received
Reputation			Low	
Service delivery	The local law does not meet the service delivery standards expected by stakeholders.		Medium	Treat the risk by making the local law

## Engagement

Internal engagement	
Stakeholder	Comments
Relevant staff	Town staff from relevant areas have been consulted over the need to amend the Rutland Avenue Street Alignment Local Law 1997 and the Local Government Property Local Law 2000.

External engagement	
Stakeholders	Public consultation in accordance with section 1.7 and 3.12 of the <i>Local Government Act 1995</i> .
Period of engagement	Commenced on 1 December 2023 and closed on 9 February 2024.
Level of engagement	Public consultation
Methods of engagement	Written submissions were invited.
Advertising	Town website, social media, library notice board and e-news.
Submission summary	2 submissions received.
Key findings	Support for the local law

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Local laws are periodically reviewed and updated to reflect organisational and community needs.

## 12 Chief Community Planner reports

### 12.1 Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants - Application: Synthetic Bowling Green

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Place Leader (Strategic Planning)
<b>Responsible officer</b>	Manager Place Planning
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

#### Summary

The purpose of the report is for Council to support and rank grant applications for the Community Sport and Recreation Facilities Fund (CSRFF) for the Perth Cricket Club (turf wicket replacement) and Victoria Park Carlisle Bowling Club (synthetic bowling green) as required by the grant process, and contemplate 50% funding of the synthetic green project through a separate Mid-Year Budget Review item presented to this meeting.

#### Recommendation

That Council:

1. Approves the submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town on behalf of the Perth Cricket Club for \$35,000 to replace the remaining turf training wicket blocks at Fletcher Park and ranks the application as priority one of a total of two application, noting that the Town will not make up any cost shortfall should grant funds yield less than anticipated.
2. Approves submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town to part-fund a synthetic bowling green at the Victoria Park Carlisle Bowling Club and ranks the application as priority two of a total of two applications, subject to:
  - (1) The Town contributing up to a maximum of \$147,500 (50% of estimated cost) and noting that the Town will not fund any cost shortfall should grant funds yield less than 50% of costs,
  - (2) Funds being approved in the 2023-2024 Mid-Year Budget Review or 2024-2025 budget, and
  - (3) Should the CSRFF grant be successful, Council authorise the Chief Executive Officer to negotiate and execute all necessary documents to secure a new lease for Victoria Park Carlisle Bowling Club, including commitments for operation, maintenance, and repair obligations, and contribution to a Town of Victoria Park sinking fund for future synthetic green renewal where possible.

#### Background

1. The CSRFF is run by the Department of Local Government, Sport and Cultural Industries (DGLSC) to provide financial assistance to community groups and Local Government Authorities (LGAs) to develop

basic infrastructure for sport and recreation. There is \$20 million available in the February Small Grant round for projects between \$7,500 and \$500,000, with grants capped at 50% of project cost to a maximum of \$200,000. There is no obligation on LGAs to contribute. There are 2 Small grant rounds advertised annually (February and July). The CSRFF process requires LGAs to endorse, rank and submit applications to DLGSC upon Council approval.

### **Perth Cricket Club**

2. The turf wickets at Fletcher Park have far exceeded their asset useful end-of-life and require replacement. This was adequately demonstrated by the Perth Cricket Club (PCC) in their successful 2021 CSRFF application for \$38,437 from CSRFF to replace the central and one turf training wicket. The total cost of that project was \$115,300, with \$46,800 from the Club and \$30,000 from the Australian Cricket Infrastructure Fund.
3. This 2024 application states the total project cost is \$65,000, with \$10,000 from the Club. The Town is not contributing funds and will not make up any funding shortfall should that arise.

### **Victoria Park Carlisle Bowling Club**

4. In February 2023, the Mayor submitted a Notice of Motion requesting a report on the feasibility of funding a synthetic playing green at the Victoria Park Carlisle Bowling Club (VPCBC). In May 2023, the Council resolved (103/2023) to receive the Feasibility Report and requested the CEO report no later than September 2023 regarding an update on funding a synthetic green following adoption of the new Long Term Financial Plan (LTFP). The Feasibility Report supported construction of a synthetic bowling green subject to funding, agreeing with the value of the infrastructure for the Club who advise the benefits are:
  - a. increased playing window into winter months and potentially all year round.
  - b. ability to increase membership – estimated at an additional 10 pennant members (from 90 to 100 pennant members) and an additional 50 social bowlers (from 150 to 200 social bowlers).
  - c. ability to increase club revenues through increased membership and bowling activity, in particular corporate and barefoot bowling, pennant competitions, carnivals.
5. In July 2023, the VPCBC requested the Town apply for Community Sport and Recreation Facilities Fund (CSRFF) grant for part funding the synthetic green. In August 2023, the Council resolved (179/2023):
  1. *That Council do not support an application for a Small Grant of \$136,500 from the Community Sporting and Recreational Facilities Fund (CSRFF) for a synthetic bowling green at the Victoria Park Carlisle Bowling Club at this point in time for the following reasons:*
    - a. *The project is not identified as a priority in the Town's Corporate Business Plan, Social Infrastructure Strategy or Asset Management Plan.*
    - b. *The financial feasibility of the project has not been tested through the Town's Long-Term Financial Plan or a budget review process as preferred by Council Policy 222 Asset Management.*
    - c. *It would be more appropriate to consider funding this project through the review of the Town's Long Term Financial Plan and Mid Year Budget Review leaving sufficient time to lodge a CSRFF application for the February 2024 grant round if required.*
  2. *That council requests the CEO to list the synthetic bowling green project for consideration in the review of the LTFP when next presented to Council and if supported and prioritised, allocating funds in the mid-year budget review in February 2024.*

6. In December 2023, the Council resolved (263/2023) to receive the Long-Term Financial Plan 2023/24 to 2032/33. The LTFP does not list specific projects for specific financial years, rather it relies on annual budgeting processes to allocate funds. As such, a request for budget has been made during the Mid-Year Budget Review which is being presented to the March 2024 Ordinary Council meeting.
7. The cost of the Club's preferred surface was originally quoted in May 2023 at \$210,000 (excluding GST, and subject to fuel levies and changes in material costs) and a 30% contingency was added to estimate the total project at \$273,000 (ie. 50% funded through \$136,500 from Council and 50% / \$136,500 from CSRFF). A new February 2024 quote states the price has risen to \$227,000 (excluding GST), an 8% increase from May 2023. If a 30% contingency is applied to the new price, then the project could cost up to \$295,100, with a 50% contribution from the Town of \$147,500. If the CSRFF application is successful, the Town would receive the funds mid-year and would attempt to manage installation before the 2024-2025 summer playing season should resources be available, or following 2024-2025 summer season.
8. The Club advises they are not able to make a direct financial contribution to the project but are seeking other grants or contributions, although no funds have been secured to-date. The Club has approached the Town for a loan, however loans to Clubs are not supported by the Administration. The Club advises they can make one-third contribution to replacement of the synthetic green at the end of the asset life (ie. contribution to sinking fund). Should the project go ahead, this commitment would be formalised through an amended lease condition.

## **Discussion**

### **Perth Cricket Club**

9. The replacement of the turf wicket blocks will increase the quality and attractiveness of playing and training, enabling the Club to remain competitive, attract and retain players, and reduce injuries from defective end-of-life turfs. The project is the final stage in turf wicket replacement at Fletcher Park. As such, it is recommended the Council approve the grant application for \$35,000 on behalf of the Club.

### **Victoria Park Carlisle Bowling Club**

10. The draft Mid Year Budget Review does not prioritise spending for a synthetic bowling green. As such, it is recommended that another bid for funds be made through the 2024-2025 or 2025-2026 budget. A bid for funds in 2025-2026 would provide the Club more time to commence fund-raising or seek other grant commitments. Because the CSRFF is highly competitive and always oversubscribed, it is possible it will be a lower priority if there is no funding contribution from the Club. Many other bowling clubs around Perth make substantial contributions to synthetic green projects.
11. While the Club is in the Macmillan Precinct Master Plan area, the precinct is not expected to be redeveloped for 10-15 years, although this could be revised when the Funding and Staging Options report for the Macmillan Precinct is put to Council in May 2024. Therefore, it is unlikely that redevelopment as a result of Macmillan Precinct Masterplan will impact on the anticipated 10-year life of the synthetic green.
12. As per the requirements of CSRFF, the resolution ranks the applications. The turf wicket block application is ranked one as this will complete the replacement of all turf wickets at Fletcher Park and the Perth Cricket Club is making a financial contribution to the project. The CSRFF do not provide any information on how the ranking influences the success of application.

## **Relevant documents**

[Social Infrastructure Strategy \(2022\).](#)

[Ordinary Council Meeting May 2023](#) Item 12.2 Potential Upgrades to Sporting Facilities for 2023-2024 and Feasibility of Funding Synthetic Bowling Green.

## Legal and policy compliance

[Council Policy 222 Asset Management](#), Clause 6 Capital Works Planning states – *To ensure informed decisions are made in relation to any major renewal, acquisition and/or upgrade to an asset, all capital projects are reviewed and prioritised with cross-functional oversight from SAAG and guided by the following key principles:*

- a. *To ensure informed decisions are made in relation to any major renewal, acquisition and/or upgrade to an asset, all capital projects are reviewed and prioritised with cross-functional oversight from SAAG, and guided by the following key principles:*
- b. *Renew assets before acquiring new assets where possible, if considered more cost effective over the life of the asset;*
- c. *Rationalising assets that are no longer used or do not provide the necessary level of service required to sustainably deliver the intended service for which the asset was originally acquired;*
- d. *All future works are aligned to the objectives of Strategic Community Plan, considered in the Long Term Financial Plan and are delivering on the priorities within the Corporate Business Plan, Place Plans and Asset Management Plans;*
- e. *All capital projects will be evaluated in accordance with a “whole of life” cost assessment and take into account capital cost, ongoing cost of operating and maintenance, replacement/refurbishment costs and/or disposal costs. These costs shall be projected in the Long Term Financial Plan to determine any potential financial restraints now and in the future.*

[Section 3.58 of the Local Government Act 1995](#)

[Policy 310 - Leasing](#)

## Financial implications

<b>Current budget impact</b>	<p><b>Perth Cricket Club</b></p> <p>There are no current budget impacts.</p> <p><b>Victoria Park Carlisle Bowling Club</b></p> <p>There are currently no funds available for the project. Should the Council support the project and lodgement of a CSRFF grant application, then the Administration will need to remove \$147,500 from other budget items identified in the Mid-Year Budget Review or extract funds from a Reserve.</p>
<b>Future budget impact</b>	<p><b>Perth Cricket Club</b></p> <p>There are no future budget impacts.</p> <p><b>Victoria Park Carlisle Bowling Club</b></p> <p>There are no intended future budget impacts. However, it is possible a successful CSRFF grant would come with a commitment from the Club and/or the Town to contribute to a sinking fund to replace the asset at the end of useful like. Given the uncertainty over the location of the Club in the</p>

Macmillan Precinct, there may be scope to negotiate removal of this condition, but this has not been tested with CSRFF officers.

## Risk management consideration

### Victoria Park Carlisle Bowling Club

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	<p>Funding this project from the Mid Year Budget Review would result in reallocation of funds from other projects.</p> <p>The Club may not be able to contribute to sinking fund for asset replacement, putting 100% of burden onto Town.</p>	High	Low	<p>TREAT by considering the funding request alongside the Mid Year Budget Review to enable impact to be considered.</p> <p>Add commitment to contribute to a sinking fund to an amended lease. Provide Club with advice on promoting membership and functions to raise additional revenue.</p>
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	
Legislative compliance	Not applicable.		Low	
Reputation	Requesting funds from CSRFF for a project that has marginal impact on increasing club membership (CSRFF core criteria), may impact the Town's reputation with CSRFF and reflect poorly on future applications.	Medium	Low	TREAT by ensuring an application highlights multiple benefits beyond simply membership numbers eg. social, health, reputation, financial income.
Service delivery	Not applicable.		Medium	

## Engagement

### Internal and external engagement

Strategic Assets Advisory Group (SAAG)	The Town's internal capital planning and funding advisory group (SAAG) considered the previous feasibility report on a synthetic bowling green in April 2023. The Group advised the project constitutes a major upgrade project and should be tested through the Town's Long-Term Financial Plan review.
Finance	Finance do not support no or low interest loans to community groups. Instead, community groups should be able to support any financial contribution to a project through existing savings via Club revenue and/or fund raising.
Project Management Office (PMO)	Further investment in the Bowling Club facilities should ideally be linked to the upcoming Staging and Funding Strategy for the Macmillan Precinct due for presentation to Council in May 2024. Expenditure on an asset, has a low to medium risk of becoming "regret spend" if the initial stages of bowls redevelopment in the Macmillan Precinct occur before the end of the expected life of the turf.
Property and Leasing	<p>Should the Council decide to part fund a new synthetic green, the current Lease could be changed to include a condition for the Club to (1) establish a sinking fund reserve exclusively to fund the cost of replacing the synthetic green within a 10 year period or other agreed period; (2) pay monies into this sinking fund on an agreed regular basis and account to the Town on a regular basis as to monies held; (3) Club to renew the synthetic green at an agreed point in time to a certain standard and with details of the product/works to be approved by the Town.</p> <p>Linked to this would be incidental amendments such as (a) the Club's lease expires in 2025, and so could be extended (perhaps on a 5+5 year basis) to correspond appropriately with the synthetic green renewal obligations; (b) retain existing Town lease break rights for redevelopment as per Policy 310 – Leasing; (c) amend existing lease insurance/repair of damage/maintenance to ensure that the Club has responsibility for these in relation to the synthetic green; (d) The Club manage maintenance of the synthetic green.</p>
Victoria Park Carlisle Bowling Club	The Club was engaged during preparation of the May 2023 feasibility report and will be included in updates to the feasibility report if it accompanies a CSRFF application. The original request for a CSRFF came from a meeting between the Club, the Mayor and the Chief Executive Officer around June 2023. The Club and Town have been in contract regarding this application and if the Town would support a loan or not.

## Strategic alignment

Environment	
Community Priority	Intended public value outcome or impact
EN5 - Providing facilities that are well-built and well-maintained.	Expenditure is based on consideration of – demonstrated need, extent of community benefit, value for money, funding priorities.





## 13 Chief Operations Officer reports

### 13.1 Claude Street, Burswood - Request to advertise proposed closure of a portion of road reserve

<b>Location</b>	Burswood
<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>	1. Road Closure Documents [13.1.1 - 6 pages]

#### Summary

For Council to consider a proposal presented by Devon Cove Pty Ltd (Metrowest) to initiate the closure of a 814sqm portion of Claude Street located between two lots owned by Metrowest (Lot 801 (17 Claude Street) and Lot 501 (22 – 26 Claude Street), to facilitate the amalgamation of the 814sqm of resultant land with Lots 801 and 501 to form a single development site.

#### Recommendation

That Council:

- 1) Authorises the Chief Executive Officer to negotiate terms with Urbis for a deed of indemnity for the Town to consider closing part of Claude St, Burswood. The deed is to include the following terms:
  - a) Devon Cove Pty Ltd covenants and agrees with the Town that from the date of the Deed, it shall assume the cost obligations and responsibilities with respect to the request and grant of the order to close 814sqm of Claude Street, Burswood
  - b) Will indemnify and keep indemnified the Town, the DPLH, the Minister for Lands and the Crown from and against all costs of expenses of any actions, responsibilities, liabilities, claims and works incurred by the Town, the DPLH and the Minister for Lands with respect to the acquisition of part of (814sqm) Claude Street, Burswood as Crown Land under section 52 of the LAA.
  - c) The signing of the deed does not mean the Town will proceed with the road closure. The support of the road closure will depend on the outcome of the public consultation.
  - d) An opinion on whether the Town supports this development is separate to the deed and road closure.
  - e) Any development is subject to the development approval process which is separate.
  - f) Bond payment of \$50,000 which is to be drawn down on as and when needed in association with the road closure request which will include:
    - i) The cost of drafting the deed and lawyer costs associated with amending such document to suit both parties.
    - ii) Advertising costs
    - iii) Any legal advice or Legal counsel sought in relation to the matter.

- 2) Once the deed is executed by all parties, that Council authorises the Chief Executive Officer to advertise the proposed closure of a portion of Claude Street for the (35) thirty-five-day minimum requirement in accordance with section 58(3) of the *Land Administration Act 1997*.
- 3) Requests a report back to Council with the outcome of the public advertising.

## Background

1. Metrowest wrote to the Town in September 2021 seeking support for the proposed lot amalgamation and public advertising of the partial closure of a 954sqm section of Claude Street located between Lots 801 and 501 plus the closure of a further 24sqm of right of way 38 located to the north west of Lot 801, to facilitate the amalgamation of the 954sqm and 3,332sqm of resultant land with Lots 801 and 501 to form a single development site.
2. Claude Street is a designated local access road that links to Lane 94 via a loop road to the rear of Lot 501. The Proposal envisages that lot 89 (20 Claude Street), owned by Devon Cove Pty Ltd, will be dedicated as crown road reserve, to retain a link from Claude Street to Lane 94 upon the proposed closure of Claude Street.
3. The proponent has also requested that the 0.5m widening portion equating to 24sqm, adjacent to Lane 38 and associated with Lot 801 (17 Claude Street), also be included within their lot amalgamation submission.
4. The Administration does not support this request, given the land holding known as Lot 802 is owned by the State of Western Australia and has been allocated for future ROW widening and, therefore, should be excluded.
5. Officers have been liaising with Metrowest to refine the proposal to address a variety of considerations, including alignment with matters such as the Towns current and future goals for the area, public benefit, traffic, access and stormwater management. This has included the aim for the road closure, maneuverability and other elements to be futureproofed and aligned to Local Planning Policy No 40 – Burswood Station East, Development Standards and Public Realm Improvement.
6. From an engineering perspective, many issues were highlighted, including servicing considerations and vehicle access.
7. The proponent submitted a traffic impact assessment for Administration's review and feedback.
8. The Towns officers have been working with the proponent to best understand the benefits of proceeding with such a request.
9. Internal progress also was to ensure it aligned to Local Planning Policy No 40 – Burswood Station East, Development Standards and Public Realm Improvement.
10. Following feedback from officers, an amended proposal Attachment 1 has been received from Metrowest. The amended proposal includes:
  - a. a reduction of the extent of the proposed closure of Claude Street from 954sqm to 814sqm
  - b. no longer seeks the closure of the further 24sqm of right of way 38 located to the north west of Lot 801
11. DPLH have been approached and asked if they would forgo the income generated from the sale of the land and redirect the funds to the Town instead, but they advised it would not be possible.

## Discussion

12. At this stage, it is important to engage with the relevant stakeholders and community to understand the potential impacts of a partial road closure.

13. The future use of the land, land assembly and the detail of any proposed built form will be the subject of a future development application (and/or subdivision application if necessary). These are separate processes that will require Town of Victoria Park assessment and determination, or input. Future development outcomes (albeit relevant) are not being assessed as part of this submission.
14. The request received by the Town has been through many discussions with various departments to try and establish the end goal and get a better understanding of project and understanding of the benefits to the local community if the Town were to support the road closure and applicant's plan/proposal does come to fruition.
15. Progression of road closure would be conditional on Deed of indemnity and security being in place, prior to Town initiating advertising of road closure.
16. The deed of indemnity is required: -
  - a. To be drafted by Towns lawyers at the cost of the proponent.
  - b. All costs and expenses of the road closure to be for proponent's account and payable in advance;
  - c. Indemnity from proponent to the Town against any claims resulting from the road closure and any other actions sought by the proponent for the Town to take;
  - d. Security for the above (e.g. bank guarantee or cash deposit with scope for top up);
  - e. No covenants given by the Town that the Town will progress (or not progress) road closure in its sole discretion;
17. The proponent and their consultants are aware that support to go out to advertising should not be construed as the Council's support of the site with any development. This will be the subject of a separate development application process.
18. An opinion on whether the Town supports the road closure will not be formalised until such time as stakeholder feedback is received.

## Relevant documents

[LPP 40 - Burswood Station East Development Standards and Public Realm Improvements](#)

## Legal compliance

[Closing roads - Section 58 \(3\) - Land Administration Act 1997](#)

## Financial implications

<b>Current budget impact</b>	Initial advertising costs are to be reimbursed by the proponent. This will be agreed to in writing before issuing a public notice. Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	Not applicable at this stage.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	All costs associated with progressing the road closure application will be borne by the proponent.	Medium	Low	Treat risk – Outline all costs applicable to the proponent prior to progressing further works on the application.
Environmental	Removal of trees along the PSP	High	Medium	Treat risk by adhering to Local Planning Policy No. 39 Tree Planting and Retention or State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (depending on the type of DA application made)
Health and safety	A Cul-de-sac head should ideally be provided at the termination end of Claude Street to retain vehicle movements on the local road network rather than negotiate narrow laneways for servicing and circulation of vehicles.	High	Low	Treat risk – Council staff advocate for treatment as this may affect future Council decisions.
Infrastructure/ ICT systems/ utilities	Storm water drainage and access points through Claude St.	High	Medium	Treat risk – Ensure there is an agreement in place that requires the applicant to redirect and relocate pipes and access points at their cost
Legislative compliance	Approval for road closure will require the Minister for Lands endorsement. If Council does not support the closure in the longer term, the applicant may appeal the decision.	Medium	Low	Accept risk – Strict process to be adhered to under section 58 of the Land Administration Act 1997.
Reputation	The road closure relates to Crown Land. If the Development yields benefit to the wider community and there is	Medium	Low	Treat risk – Ensure the proponent submits a business case and relevant documentation for review and approval.

	an investment in new assets for the Town, the proposal may be deemed viable.			
Service delivery	Internal staff time is required to prepare documentation and reports on behalf of the developer.	Medium	Medium	Accept risk – Administration to be reimbursed for tasks such as advertising.

## Engagement

Internal engagement	
Manager Development Services	The Urban Planning team has no objection to the road closure request. Any design would be subject to the Towns usually development approval process.
Manager Governance	Clarification sought regarding approval to advertise via section 58 of the Land Administration Act 1997 and whether staff had delegation to seek public comment on a formal road closure request. The council would need to decide on this due to clause 3 under the Act.
Manager Place Planning	The proposed change to the street and laneway network is supported by Place Planning although the future building and landscaping detail demonstrating how this future laneway will be fronted will need to be addressed in the DA stage.
Manager Technical Services	Technical staff support proceeding to advertise the partial road closure for the minimum thirty-five days advertising period in accordance with section 58(3) of the Land Administration Act 1997.
Manager Environmental and Asset Management	Environmental and Asset Management has no objection to advertising the road closure request for public comment, recognising that wider considerations in TVP have identified net benefits. The recommendation/requests are however that DA applications pay special attention to the adjacent stormwater disposal pit, the preference to avoid removal of street trees where possible, and to any possible introduction of overland stormwater flow which could impact on any removal of a section of the currently interconnecting flow path between the kerbs (which caters for high intensity rainfall events). There is also a need to consider any possible conditions / easements on the property should DA conditions require any measures to support TVP infrastructure.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	The public advertising process will allow stakeholders to provide valuable feedback on the road closure before the council makes any further decision on whether to proceed.
CL3 - Accountability and good governance.	Given this report's transparency, members of the public can be confident that due process is being followed in relation to potential road closures.

## 13.2 4 Temple Street - Proposed lease term for EOI and Grant of Lease Extension to the North Metropolitan Health Service

<b>Location</b>	Victoria Park
<b>Reporting officer</b>	Manager Property Development and Leasing
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Proposed Key Terms Rear dwelling 4 Temple Street [ <b>13.2.1</b> - 4 pages]

### Summary

To request Council authority to remove the redevelopment clause requirement under Policy 310 – Leasing, for the first five years of a proposed lease of the upcoming vacancy at 4 Temple Street, Victoria Park, and to authorise the Chief Executive Officer to negotiate and finalise a new lease for the rear dwelling to North Metropolitan Health Services, changing this lease from peppercorn rent to one that generates market rent for the Town.

### Recommendation

That Council:

1. Notes that expressions of interest for the front dwelling of 4 Temple Street are to be advertised by the Chief Executive Officer in order to progress a lease for community purposes under Policy 310 – Leasing.
2. Approves the Chief Executive Officer to, further to 1 above, invite the expressions of interest and enter into a lease with a suitable tenant under Policy 310 Leasing, without a redevelopment clause applying to the initial five year lease term.
3. Authorises the Chief Executive Officer to negotiate and finalise a new lease for the rear dwelling of 4 Temple Street, Victoria Park to the North Metropolitan Health Service at a rent of \$12,207.10 per annum excluding GST and based on the terms in *Attachment 1*, together with any reasonable and necessary amendments.
4. Authorises the Chief Executive Officer to execute as a deed the lease referred to in 3 above.

### Background

1. On 28 May 1958, the City of Perth entered into a 50-year peppercorn lease agreement with Perth Dental Hospital Board for Lot 5 and 6 on Diagram 7868, 4 & 6 Temple Street, Victoria Park (The Lease).
2. In April 1995, the Town took transfer from the City of Perth of ownership of 4 & 6 Temple Street and with this, the landlord’s interest in the Lease.
3. The Lease covered both properties and has been holding over since 27 May 2008.
4. 4 Temple Street consists of one (1) building with two (2) separate dwellings.
5. The front dwelling consists of an enclosed courtyard, a hallway, two (2) office spaces, a small kitchen, and a bathroom which has been used by the Department of Health’s Child and Adolescent Health Services (CAHS).



6. The rear dwelling consists of two tea/dining areas, a kitchen, a laundry, and a bathroom which is occupied by North Metropolitan Health Service (NMHS), who lease the adjoining dental practice at 6 Temple Street.
7. In December 2023, Council Resolution 261/2023 authorised the Chief Executive Officer to negotiate and finalise a new lease for NMHS, who utilise 6 Temple Street, at the rent of \$75,000 plus GST per annum, which is in the process of being finalised.
8. NMHS have offered to pay market rent to continue to occupy the rear dwelling at 4 Temple Street, and to align the terms of the lease agreement with the terms of Council Resolution 261/2023.
9. With regard to the historical agreement, The Lease clause 11 provides that the council shall bear the whole cost of keeping the infant health clinic in good order and condition.
10. The Lease clause 12 provides that the costs of maintaining the building in good order and condition, including all sewers, water mains, gas, and electrical should be borne in equal shares by both parties.
11. Following the introduction of the requirement in Policy 310 Leasing for tenants to pay outgoings, a review was undertaken of holding over leases. Council Resolution 235/2022 dated 15 November 2022 resolved to grant new leases of 4 Temple Street and 6 Lathlain Place of up to 5 years to CAHS, with the tenant responsible to pay outgoings, repair and maintenance and a market rent.
12. CAHS advised on 2 January 2024 that they will be closing the facility at 4 Temple Street as of 26 February 2024 and vacating this premises on 31 March 2024. The reasons provided include factors such as the age, condition and suitability of the premises.
13. CAHS confirmed they will continue to operate at 6 Lathlain Place, which is a modern facility constructed in recent years by the Town and the lease is at advanced stages of being finalised, which includes lease terms for a new five year lease of 6 Lathlain Place at market rent plus outgoings.
14. The recommendation for 4 Temple Street in the Land Asset Optimisation Strategy 2022 (LAOS 2022) adopted by Council Resolution (274/2022) dated 13 December 2022 Council is as follows:

*Having regard to the complexities affecting the site at this time as well as the potential outcome of planning processes, it is recommended that the site is retained for its existing uses at this time. A review of this property should be undertaken in 5 years with a view to reconsider any opportunities.*

15. 4 Temple Street is currently zoned 'Public Purpose – Civic Use' under the Town's Town Planning Scheme No. 1 (TPS 1) which restricts the use of the land for civic purposes. The Council at its meeting in February 2021 resolved to support Amendment 86 to TPS 1 to rezone 4 and 6 Temple Street to 'Residential R60'. Amendment 86 has been placed on hold by the Department of Planning, Lands and Heritage pending the Town's progression of the Albany Highway Precinct Structure Plan.

## **Discussion**

16. The 4 Temple Street property is affected by an encroachment of the building from the Town's adjacent 6 Temple Street property as shown on the extract of the aerial photo.



17. The adjacent property at 6 Temple Street, is at advanced stages of finalising lease terms to extend the current occupancy of the Dental Health Service. The new agreement incorporates the terms within Council Resolution 261/2023 and provides a new five-year lease at market rent plus outgoings.
18. The rear dwelling at 4 Temple Street has been utilised as a staff room for the workers of 6 Temple Street. This has proven to be a historical agreement between CAHS and NMHS since the Town inherited the building from the City of Perth.
19. Through providing a lease for the rear dwelling at 4 Temple Street, it will continue to facilitate the workers of 6 Temple Street and provide market rent for the Town, as well as the tenant having the responsibility of paying outgoings and maintenance.
20. As noted above, 4 Temple Street is zoned under TPS1 for 'Public Purpose' and is currently only suitable for civic uses. 4 Temple Street is the subject of Amendment 86 to TPS 1 and a proposed rezoning to R60 in the draft LPS2. 4 Temple Street is also within the Albany Highway Precinct Structure Planning project area currently reviewed zones, densities and development controls.
21. Detailed feedback from CAHS as to the suitability of 4 Temple Street for current CAHS services includes:-
  - a. The building is an aged facility that would not meet today's building compliance standards in relation to accessibility;
  - b. The building requires extensive works to bring the CHC up to a contemporary and fully functional safe standard';
  - c. The building is a standalone building requiring staff to follow working alone procedures to ensure safety when only one staff member is on site;
  - d. Parenting groups cannot be facilitated from this site due to room size limitations.
  - e. The only parking available to clients is paid street parking and staff are required to park on the grassed verge.
22. Whilst the Landgate Title of the land is unencumbered, it is within the boundary of the Albany Highway Precinct Structure Plan and the land is impacted by a Water Corporation critical pipeline asset.
23. Having regard to the above constraints (some of which have third party dependency), the Town will be advertising the front dwelling at 4 Temple Street, to seek expressions of interest for the area to be

leased for community purposes on an 'as is' condition basis for an initial five year lease term, with an additional five year option.

24. Policy 310 Leasing requires that a redevelopment clause be included in such a lease. A redevelopment clause would allow the Town to terminate the lease at any time on six months' notice, if at any time the Town elected to redevelop the property.
25. Due to the age and condition of the 1950s building, it will likely require expenditure for it to be suitable for an incoming user. The Town has \$500 available in the current maintenance budget for this year for the property, which is unlikely to be sufficient.
26. If the proposed new lease is not subject to a redevelopment clause, this will improve the prospects of the Town attracting a tenant that is able to invest in establishing community use of the property.
27. Authority is sought for the expressions of interest and proposed lease to exclude a redevelopment clause for the initial five year term. This would be consistent with the LAOS (2022) and will also encourage and facilitate investment in the property by an incoming community tenant.
28. It is recommended that the Council approves the lease on the proposed terms in Attachment 1 for NMHS to occupy the rear dwelling, which will renew the lease and allow the Town to start collecting rental income (and future annual escalation).

## Relevant documents

Land Asset Optimisation Strategy (LAOS 2022)

## Legal and policy compliance

Section 3.58 of the Local Government Act 1995

Policy 310 - Leasing

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	Income generation may be possible which would assist the Town with the Asset Management of the building or future development of the lot

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	If the premises were to become vacant, this would make the Town responsible for upkeep of the premises at the Town's cost.	High	Low	Treat the risk by making the EOI lease offering attractive to prospective tenants, including removal of the redevelopment clause from the first five years of the proposed lease term.
Environmental	Not applicable		Medium	

Health and safety	Not applicable		Low	
Infrastructure/ICT systems/utilities	Not applicable		Medium	
Legislative compliance	Failure to comply with section 3.58 of the Local Government Act 1995.	Low	Low	Treat risk by effecting leasing disposals in accordance with any applicable requirements of section 3.58 of the Local Government Act 1995.
Reputation	The inclusion of a redevelopment clause in lease agreements introduces uncertainty for tenants. Given the age of the building it may deter potential tenants because it could negatively impact the stability of businesses or organisations operating on the property and erode community confidence in the Town's leasing practices.	Medium	Low	Treat risk by allowing removal of the redevelopment clause from the EOI offering and initial five year lease term.
Service delivery	The inclusion of a redevelopment clause in lease agreements poses a risk of service disruption for lessees from providing community services.	Medium	Medium	Treat risk by allowing removal of the redevelopment clause from the EOI offering and initial five year lease term.

## Engagement

Internal engagement	
Manager Place Planning	No objection
Manager Development Services	No objection. Any potential uses can continue to operate even if the land is rezoned to 'Residential'.
Manager Community	Support the proposal as it will ensure the provision of valuable health services within the Town, and build confidence with the provider for a consistency of tenure and location, which is important for delivery of a community care function.
Manager Assets and Environment	The current maintenance budget is on Workorder 17773.1086.466 for \$2,000 per annum. As of 16 Jan 2024, approximately \$1,500 has been committed or spent, leaving approximately \$500 available this financial year end ending in June 2024.

It is likely that the budget next year will be \$2,000, perhaps adjusted proportionally for rates adjustments.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Ensure efficient use of resources by attracting lessees who are committed to the long-term utilisation of the property which can lead to a more stable occupancy
CL2 - Communication and engagement with the community.	Advertising the property for EOI without a redevelopment clause will build trust and confidence within the community by providing assurance that the leased property is not subject to abrupt termination due to redevelopment plans, creating a more stable environment for potential lessees.

## 14 Chief Financial Officer reports

### 14.1 Finance Statement January 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Financial Services Controller
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Financial Statements - January 2024 [ <b>14.1.1</b> - 24 pages]

### Summary

To present the statement of financial activity reporting on the revenue and expenditure for the period ending 31 January 2024.

#### Recommendation

That Council receives the financial statements for January 2024, 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.

3. For the purposes of explaining each material variance, a three-part approach has been applied. The parts are:

#### Period variation

Relates specifically to the value of the variance between the budget and actual figures for the period of the report.

#### Primary reason(s)

Explains the primary reason(s) for the period variance. Minor contributing factors are not reported.

**End-of-year budget impact**

Forecasts the likely financial impact on the end-of-year financial position. It is important to note that figures in this part are ‘indicative only’ at the time of reporting and may subsequently change prior to the end of the financial year.

**Discussion**

- 4. The Financial Statement – 31 January 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 – January 2024 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	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and external audits.
Financial	Fraud or illegal transaction	High	Low	Treat risk by ensuring stringent internal controls, and segregation of duties to maintain control and conduct internal and external audits.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ICT systems/utilities	Not applicable.			
Legislative compliance	Council not accepting financial statements will lead to non-compliance	Medium	Low	Treat risk by providing reasoning and detailed explanations to Council to enable informed decision making. Also provide the Payment summary listing prior to preparation of this report for comments.

## Financial implications

<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

<b>Internal engagement</b>	
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

<b>Civic Leadership</b>	
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> .



## 14.2 Schedule of Accounts- January 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Financial Services Controller
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Payment Summary - January 2024 [14.2.1 - 8 pages] 2. Credit Card Transactions- January 2024 [14.2.2 - 2 pages]

### Summary

Council is required to confirm payments made from the municipal fund and payments by employees via purchasing cards each month, under Section 13 and 13A of the Local Government (Financial Management) Regulations 1996. The information required for Council to confirm the payments made is included in the attachment for the month ended 31 January 2024.

### Recommendation

That Council:

1. Receives the accounts for January 2024, as included in the attachment, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.
2. Receives the direct lodgement of payroll payments to the personal bank accounts of employees, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.
3. Receives the accounts for January 2024, as included in the credit card transactions attachment, pursuant to Regulation 13A of the Local Government (Financial Management) Regulations 1996.

### 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(1) of the Local Government (Financial Management) Regulations 1996, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or 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.

- 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.

Fund	Reference	Amounts
<b>Municipal Account</b>		
Automatic Cheques Drawn		\$0
Creditors – EFT Payments		\$3,939,070.77
Payroll		\$1,266,982.58
Bank Fees		\$8,901.26
Corporate MasterCard		\$7,428.91
Total		<b>\$5,222,383.52</b>

## Discussion

- All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures. It is therefore requested that Council confirm the payments, as included in the attachments.

## Relevant documents

Nil.

## 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
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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.			
Health and safety	Not applicable.			
Infrastructure/ICT systems/utilities	Not applicable.			
Legislative compliance	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.			
Service Delivery	Not applicable.			

## 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.

### 14.3 Mid Year Budget Review 2023 - 2024

<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>	Nil

#### Please note:

This agenda item will be tabled in full for the Ordinary Council Meeting scheduled for 19 March 2024. The agenda item listed here for the Agenda Briefing Forum is shown to give Council and members of the public an indication that further information is pending.

#### Summary

Provide a brief summary on the purpose of the report and why it is being presented to Council. No more than one short paragraph.

<b>Recommendation</b>
That Council:  <ol style="list-style-type: none"><li>Adopts the 2023-2024 Annual Budget Review as contained within the attachments, pursuant to Regulation 33A of the <i>Local Government (Financial Management) Regulations 1996</i>.</li><li>Approves the amendments to the 2023-2024 Annual Budget, detailed in the 2023-2024 Annual Budget Review as contained within attachments, pursuant to section 6.8 of the <i>Local Government Act 1995</i>.</li></ol>

#### Background

The Town has a legislative requirement to report to Council material variances which impact upon the budget and to provide recommendations on how to accommodate variations.

- The Annual Budget Review is an assessment by Council of how it is financially performing to date and is used to identify variations from the budget by the year end. It may include new works and/or services not identified in the adoption of the budget.
- The review also examines the opening position for the financial year, which is likely to vary between that which is used for the Annual Budget and that which occurs following the Annual Financial Audit.
- Variations to the Annual Budget are addressed in this report, including the funding identified to accommodate these variations.

## Discussion

4. The Local Government (Financial Management) Regulations 1996 require that between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.
5. The review of an annual budget must be submitted to council on or before 31 March in that financial year.
6. The review of the forecast based on the financial statements to 31 January this year has identified areas where revenue and expense budgets will not be met by 30 June this year. Suitable expense savings and/or additional revenue sources have been identified to balance out variations. Funding sources are identified from savings or revenue (in excess of budget) projected to 30 June this year.
7. Additional works and/or services have also been identified and included within the review.
8. The Annual Budget Review for the current financial year is contained within the attachments.
9. The review seeks to identify and quantify:
  - a. the forecast year-end major variances from the Town's adopted budget.
  - b. the actual opening position versus the budgeted opening position. The report then makes recommendations as to what action should be taken (if any) to address that change in the forecast yearend position.
  - c. the forecast year-end surplus/deficit position, having regard for the above points. The report then makes recommendation as to what action should be taken (if any) to address that change in the forecast year end position.
10. The review process has been undertaken having regard for:
  - a. actual revenues and expenses for the first seven months of this financial year together with committed expenses
  - b. forecast revenue and expense levels for the remaining four months of the financial year.
  - c. the completion of the annual financial year audit from the previous financial year
  - d. the more significant (in \$ terms) variances to budget rather than the many minor 'under and overs' that, history has shown, will largely balance out.
11. The review:
  - a. reports a forecast \$nil year-end surplus variance to the budget (a combination of revenue and expense items)
  - b. provides explanatory commentary on the major forecast variances to budget.
  - c. is inclusive of the previous year-end closing position variance to budget, for Council's consideration and determination.
12. The Annual Budget Review has had input from all management levels at the Town, with Senior Management supporting the values as included in the review.
13. Accordingly, it is therefore recommended that the review be accepted and the associated budgetary changes be approved.

## Relevant documents

Not applicable.

## Legal and policy compliance

[Regulation 31 of the Local Government \(Financial Management\) Regulations 1996](#)

[Regulation 33A of the Local Government \(Financial Management\) Regulations 1996](#)

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

[Section 6.8 \(1\) of the Local Government Act 1995](#)

## Financial implications

<b>Current budget impact</b>	A report on significant variances expected to 30 June this financial year, including explanation of the variances, is contained within the attachment. All revenue and expense variances have been balanced with a net variance of \$nil. Variations to the Annual Budget, as outlined in the Review, have been made with regard to asset management requirements and principles. The proposed review will form the new budget once adopted.
<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 financial statements	Moderate	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and external audits.
Financial	Fraud or illegal transaction	High	Low	Treat risk by ensuring stringent internal controls, and segregation of duties to maintain control and conduct internal and external audits.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Council not accepting financial	Major	Low	Treat risk by providing reasoning and detailed explanations to Council to enable informed decision making. Also provide the

	statements will lead to non-compliance	Payment summary listing prior to preparation of this report for comments.
Reputation	Not applicable.	
Service delivery	Not applicable.	

## 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	
Community Priority	Intended public value outcome or impact

CL1 – Effectively managing resources and performance.	
CL3 - Accountability and good governance.	



## 15 Committee reports

### 15.1 Compliance Audit Return 2023

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Governance and Strategy
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Compliance Audit Return 2023 [ <b>15.1.1</b> - 12 pages]

### Summary

The Town is required to conduct an annual audit of statutory compliance (Compliance Audit Return) in accordance with Regulation 14 of the Local Government (Audit) Regulations 1996. The completed 2023 Compliance Audit Return (CAR) is presented to the Audit and Risk Committee prior to adoption by Council. The adopted CAR must be submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2024.

### Committee Recommendation

That the Audit and Risk Committee recommends to Council that:

1. The Department of Local Government, Sport and Cultural Industries Compliance Audit Return for the period 1 January 2023 to 31 December 2023 as contained in **Attachment 1** be adopted.
2. Authorises the certification to be jointly completed by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the Local Government (Audit) Regulation 1996.

### Background

1. Regulation 14 of the Local Government (Audit) Regulations 1996 (Regulations) requires that a CAR be completed and submitted to the Department by 31 March 2024.
2. The 2023 CAR contained the following compliance categories:
  - Commercial Enterprises by Local Governments;
  - Delegation of Power/Duty;
  - Disclosure of Interest;
  - Disposal of Property;
  - Elections;
  - Finance;
  - Integrated Planning and Reporting;
  - Local Government Employees;
  - Official Conduct;
  - Optional Questions; and
  - Tenders for Providing Goods and Services.
3. Regulation 15 of the Regulations requires a joint certification to be completed by the Mayor and Chief Executive Officer. The document is to be forwarded to the Department via its online portal.

## Discussion

4. In accordance with Regulation 14 of the Audit Regulations, the Town is required to carry out an annual audit of statutory compliance in the form determined by the Department.
5. The 2023 CAR deals with the period 1 January 2023 to 31 December 2023 and focuses on those areas considered high risk in accordance with the Local Government Act 1995 (Act) and associated regulations.
6. Of the questions asked, the Town was non-compliant in three categories.

Category	2022 Audit Questions	Compliance Rating	2023 Audit Questions	Compliance Rating
Commercial Enterprises by Local Governments	5	100%	5	100%
Delegation of Power/Duty	13	100%	13	100%
Disclosure of Interest	21	90.5%	21	1 non compliance 95.2%
Disposal of Property	2	100%	2	100%
Elections	3	100%	3	100%
Finance	7	86%	7	100%
Integrated Planning and Reporting	3	100%	3	100%
Local Government Employees	5	100%	5	100%
Official Conduct	4	100%	4	100%
Optional Questions	9	89%	9	3 non compliance 66.7%
Tenders for Providing Goods and Services	22	100%	22	1 non compliance 95.5%
<b>TOTAL</b>	<b>94</b>	<b>97%</b>	<b>94</b>	<b>96.1%</b>

7. The Town was non-compliant with one question under the Disclosure of Interest category. In this instance, an internal Governance audit on primary returns identified that one return had been submitted outside of the legislated time period. As required, the CCC were notified of this late return.
8. Under the Finance category, the Town did not receive the Auditors' report for the financial year ended 30 June 2023 by 31 December 2023. Therefore, four questions were unable to be answered in this category.
9. In the Optional Questions category, the Town was non-compliant with three questions. Firstly, the Town did not review the Towns financial management systems and procedures in accordance with regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996. This review is scheduled to be undertaken in 2024. An audit firm has been contracted to undertake this review, which commenced in February 2024. Secondly, one gift was declared 11 days after the gift was received, rather than the required 10 days, making the Town non-compliant with the Local Government Act 1995. Lastly, the Town did not submit to the auditor a balanced account and annual financial report (for the year ending 30 June 2023), by 30 September 2023. In this case, the Town applied for an extension which was granted on 16 October 2023.
10. The Town was non-compliant with one question under the Tenders for Providing Goods and Services category. This question asked if the information recorded in the tender register complied with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website? In this case, the internal procurement audit found that the register was missing a copy of the notices of the invitation to tender. The register is currently being updated with archived newspaper clippings and the online register updated.
11. The Town was compliant in all other areas.
12. Following adoption of the CAR by the Audit and Risk Committee and Council, the CAR is to be certified by both the Mayor and Chief Executive Officer.
13. Once certified, the completed CAR must be submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2023.

## Relevant documents

Not applicable.

## Legal and policy compliance

[Regulation 14 of the Local Government \(Audit\) Regulations 1996](#)

[Regulation 15 of the Local Government \(Audit\) Regulations 1996](#)

## 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	
Infrastructure/ ICT systems/ utilities			Medium	
Legislative compliance	Not completing the CAR will result in non-compliance with the Towns statutory reporting obligations	High	Low	Treat risk by submitting the attached CAR to the Department by 31 March 2024.
Reputation			Low	
Service delivery			Medium	

## Engagement

Internal engagement	
Stakeholder	Comments
Business unit Managers	The 2023 CAR was circulated to the relevant Business Unit Managers for comment.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	As the completion of a CAR is a statutory requirement, it is important that this review be submitted to the Department by 31 March 2023

## Further consideration

## 15.2 Final Audit Report: Environmental Sustainability

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Corporate Performance Advisor
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL REDACTED - Environmental Sustainability Internal Audit Report [15.2.1 - 22 pages]

### Summary

In December 2023, Stantons conducted an Environmental Sustainability Internal audit and a final report has been received.

#### Committee Recommendation

That the Audit and Risk Committee recommends that Council notes the final Environmental Sustainability Internal audit report.

### Background

1. The Environmental Sustainability audit was conducted in December 2023 as part of the 2023-2026 Audit program.
2. This was classified as an assurance audit with a focus on controls and compliance for the period 1 July 2023 to 30 November 2023.

### Discussion

3. There were no findings noted in the Environmental Sustainability Audit, however the audit suggests:
  - (a) The Town will consider referring to ISO 14001:2015 – Environment Management System in the development of strategies and plans.
  - (b) The Town considers developing a detailed annual environment report where strategic environmental objects are measured, reported, and then monitored on an ongoing basis. A visual depiction of outcomes from different perspectives, such as energy saving, carbon emission reductions, offsets and residual emissions, waste contamination rates, etc. may be beneficial.
4. In response to these Business Improvement suggestions, the Town provides the following comments:
  - (a) The Town will consider referring to ISO 14001:2015 – Environment Management System in the development of future strategies and plans. Compliance with ISO standards is voluntary and can improve service quality, and result in improved processes and risk management. Internet research suggests that the price for a consultant to set up a single ISO compliant system (e.g. Environment) can range from \$7,500 to \$15,000 per system. There are up to 11 different systems. If formal certification is desired (a more formal and recognised way to show conformity with ISO standards to community and stakeholders), a third-party audit would cost an additional \$5,000.
  - (b) The Town will investigate if the quarterly reporting already undertaken could be amended to add other sections that would be measured and recorded in a detailed environment report. It is more

beneficial for the Town to use reporting that is already undertaken, rather than create another report.

## Relevant documents

Not applicable.

## 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 adopting an internal audit program means we can't test our controls and mitigate loss through administrative errors and processes.	High	Low	TREAT risk by adopting an internal program with a focus area on high-risk processes and activities.
Environmental	Failure to take action to protect the environment or heritage assets can result in fundamental changes in our natural environment.	High	Medium	TREAT risk by adopting an internal program with a focus area on high-risk processes and activities.
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Not applicable.			
Reputation	Not refining management practices and processes to address audit findings could result in reputational risk to Council and the Town.	High	Low	Treat risk by adopting an internal program with a focus area on high-risk processes and activities.

Service delivery	Not applicable.
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## Engagement

Internal engagement	
Stakeholder	Comments
Operations: Environment	Provided the information requested and comments on the audit report.
C-Suite	The report was presented to C-Suite for noting.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Internal audits promote integrity and identify areas for improvement.
CL3 - Accountability and good governance.	Internal audits allow for an assessment of whether legislation, policies and practices are being followed to ensure intended outcomes are achieved.

## Further consideration

Nil.

## 15.3 Final Audit Report Records Management

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Corporate Performance Advisor
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL REDACTED - Records Management - Town of Victoria Park - Final [15.3.1 - 13 pages]

### Summary

In February 2024 Paxon presented its final report on the Records Management Internal Audit Review.

#### Committee Recommendation

That the Audit and Risk Committee recommends that Council notes the final Records Management Internal audit report.

### Background

1. The Records Management audit was conducted in January 2023 as part of the 2023-2026 Audit program.
2. The objective of the review was to provide a report to management and the Committee on the design and operational effectiveness of records management processes in place within the Town.

### Discussion

3. The findings are summarised below and documented in detail within Attachment 1 of this report.
4. Five risk areas were identified with 3 of them being medium risk and 2 low risk.

Risk Area	Finding	Risk Rating
Record Keeping Plan	Record Keeping Plan Update	Medium
Disaster Recovery Procedures	Record Keeping Disaster Recovery Update	Medium
Monitoring & Compliance	Documentation of Activity	Medium
Staff Training & Security Measures	Induction Training	Low
Electronic Records	Digitisation of Physical Records	Low

### Relevant documents

Not applicable.



## 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 adopting an internal audit program means we can't test our controls and mitigate loss through administrative errors and processes.	High	Low	TREAT risk by adopting an internal program with a focus area on high-risk processes and activities.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Breach of legislation and compliance requirements may or may result in legal action and financial penalties.	High	Low	TREAT risk by ensuring commitment to management actions to address findings.
Reputation	Not refining management practices and processes to address audit findings could result in reputational risk to Council and the Town.	High	Low	Treat risk by adopting an internal program with a focus area on high-risk processes and activities.
Service delivery	Not applicable.			

## Engagement

Internal engagement	
Stakeholder	Comments
Information Management	Provided the information requested and comments on the audit report.
C-Suite	The report was presented to C-Suite for noting.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Internal audits promote integrity and identify areas for improvement.
CL3 - Accountability and good governance.	Internal audits allow for an assessment of whether legislation, policies and practices are being followed to ensure intended outcomes are achieved.

## Further consideration

## 15.4 Audit Update Report January 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Governance and Strategy
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. CONFIDENTIAL REDACTED - Audit Update Report for Audit and Risk Committee [<b>15.4.1</b> - 6 pages]</li><li>2. AUDIT FUNCTION DASHBOARD [<b>15.4.2</b> - 1 page]</li></ol>

### Summary

The Audit and Risk Committee recommends that Council receives the Audit Update Report for December 2023 as contained in Attachment 1.

#### Committee Recommendation

That the Audit and Risk Committee recommends that Council receives the Audit Update Report for December 2023 as contained in attachment 1.

### Background

1. The 2021-2022 Internal Audit Program was adopted by Council on 16 August 2022.
2. The Records Management audit has been completed and was the final audit to be conducted from the 2021-2022 plan.
3. The 2023-2026 Internal Audit Program was adopted by Council on 19 June 2023 and the following audit has been completed.
  - (a) The Environmental Sustainability audit.
4. The Workplace Health and Safety and Financial Sustainability Audit is still in progress and will be completed and reported in the next Audit and Risk Committee meeting.

### Discussion

5. The findings for the Records Management Audit include 3 medium and 2 low risks.
6. There were no findings noted in the Environmental Sustainability Audit.
7. These audit actions will be added into Cascade and monitored on a quarterly basis.

### 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>	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 adopting an internal audit program means we can't test our financial controls and mitigate financial loss through administrative errors, fraud and corruption.	High	Low	TREAT risk by adopting an internal program with a focus area on high-risk financial processes and activities.
Environmental	Not Applicable.			
Health and safety	Not Applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Not adopting an internal audit program means we cannot test our legislative compliance and mitigate financial loss through administrative errors, fraud, and corruption.	High	Low	TREAT risk by ensuring commitment to management actions to address findings.
Reputation	A poorly designed Internal Audit Program will make the Town vulnerable to non-compliance, fraud and corruption risks which adversely impact on the Town's reputation.	Moderate	Low	
Service delivery	Not applicable.			

## Engagement

Internal engagement	
Stakeholder	Comments
Business units	Managers providing responses and supporting documentation to the internal auditors.
C-suite	Noting 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 promote integrity and identify areas for improvement
CL3 - Accountability and good governance.	As internal audit is a key pillar of organisational governance, a robust internal audit program, with oversight from the Audit Committee, will enable the Town to have a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, internal controls, and governance processes. The business improvements that result from an effective internal audit program will add value to the way The Town runs its business.

## Further consideration

## 15.5 Quarter 2 Progress Report 1 October 2023 - 31 December 2023

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Governance and Strategy
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Q2 Report By Exception [<b>15.5.1</b> - 4 pages]</li><li>2. Annual Report - Community Benefits Strategy CBS [ Jan - Dec 2023] - West Coast Eagles [<b>15.5.2</b> - 38 pages]</li><li>3. Community Benefits Strategy - West Coast Eagles - Lease Obligations and Player Hours Report 2023 [<b>15.5.3</b> - 18 pages]</li><li>4. Annual Report - Community Benefits Strategy [ Jan - Dec 2023] - Waalij Foundation [<b>15.5.4</b> - 7 pages]</li></ol>

### Summary

The Audit and Risk Committee recommends that Council accepts the quarterly progress reports for the period 1 October 2023 – 31 December 2023.

#### Committee Recommendation

That the Audit and Risk Committee recommends that Council accepts the quarterly progress reports for the period 1 October 2023 – 31 December 2023, relating to the:

- (a) Corporate Business Plan
- (b) Five-year capital works program, including the 2022/2023 Annual Strategic Project Plan
- (c) Economic Development Strategy 2018-2023
- (d) Urban Forest Strategy
- (e) Reconciliation Action Plan
- (f) Disability Access and Inclusion Plan
- (g) Community Benefits Strategy
- (h) Climate Emergency Plan.

### Background

At the Ordinary Council Meeting on 16 July 2019, Council resolved:

That Council requests that the Chief Executive Officer:

1. Develops an Annual Strategic Project Summary for 2019/2020, containing a summary of the projects that are aligned to strategic outcomes in the Strategic Community Plan 2017-2027.
2. Presents the 2019/2020 Annual Strategic Project Summary for adoption at the September Ordinary Council Meeting.

3. Presents to Council, commencing from the October Ordinary Council Meeting, quarterly written progress reports on the actions, projects and outcomes within the Town’s following plans and strategies:
  - (a) Corporate Business Plan
  - (b) 2019/2020 Annual Strategic Project Summary
  - (c) 5 Year Capital Works Program
  - (d) Economic Development Strategy 2018 – 2023
  - (e) Urban Forest Strategy
  - (f) Reconciliation Action Plan
  - (g) Disability Access and Inclusion Plan
  - (h) Community Benefits Strategy
4. At the Ordinary Council Meeting on 20 July 2021, Council resolved: ‘That Council:
  - (a) Receives the community consultation results for the draft Climate Emergency Plan.
  - (b) Endorses the Climate Emergency Plan 2021 – 2031.
  - (c) Instructs the Chief Executive Officer to include the Climate Emergency Plan in the Quarterly progress reports to council, commencing in the next quarter for 2021.’
5. The quarterly written progress reports were requested to enable Council to assess performance against strategies and plans, identify risks and significant variations in project performance and budgeting, receive information needed to be able to make informed decisions and to take action to address any issues that arise. They were also requested to give Council and the community a higher level of transparency and accountability relating to strategic actions, plans and projects.

## Discussion

6. Written progress reports will enable the Council to oversee the Town’s performance and allocation of the Town’s finances and resources. They will also help to inform the community about the Town’s progress in relation to the plans and strategies.
7. The Corporate Business Plan 23/24 has been endorsed by Council in December 2023, and these reports on the actions, projects, and outcomes, for the plans and strategies listed in the Council resolution, have been attached to this report. Further commentary for each report has also been included below.

## Corporate Business Plan

8. The status of actions from the CBP are as follows.

Strategic outcome	Total actions	No. of actions completed	No. of actions overdue	No. of actions on track
Social	26	1	2	23
Environment	25	2	6	17
Economic	6	1	0	5
Civic Leadership	35	7	8	20

9. Actions not completed within the reporting quarter are as per attachment 7.4.1

## 2022/2023 Annual Strategic Project Summary

10. The status of projects from the Annual Strategic Project summary is as follows.

Total Projects	No of projects on track	No of projects complete	No. of projects delayed
17	10	2	5

### Five Year capital works program

11. The status of actions from the Five-Year Capital Works Program are as follows.

Total project	Works in progress	Not yet started	Complete	Deleted projects
96	67	5	24	

### Economic Development Strategy 2018-2023

12. The Economic Development Strategy 2018- 2023 (EDS) outlines 50 actions required to achieve the seven pathways for sustainable economic growth over the next five years. The EDS was adopted by Council in March 2019.

13. The summary table below represents the number of actions progressed and completed since the adoption of the EDS.

Outcome	Total actions	No of actions completed	No of actions in progress	No of actions not started
Pathway 1: Leadership	4	2	2	0
Pathway 2: Identity	2	0	2	0
Pathway 3: Local to Global Connections	5	1	2	2
Pathway 4: Smart Town – digital innovation	7	0	5	2
Pathway 5: Creating an enabling business environment	8	1	6	1
Pathway 6: High Value Precincts	6	5	1	0
Pathway 7: High Value Sectors	18	1	14	3



<b>Total</b>	<b>50</b>	<b>10</b>	<b>32</b>	<b>8</b>
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### Urban Forest Strategy:

14. The Urban Forest Strategy (UFS) Implementation Action Plan (IAP) outlines 41 actions required to achieve the six strategic outcomes defined in the UFS over a five-year period. The UFS was adopted by council in September 2018 and the IAP in September 2019.
15. The summary table below represents the number of actions progressed and completed since the adoption of the IAP.

<b>Outcome</b>	<b>No of actions completed</b>	<b>No of actions in progress</b>	<b>No of actions ongoing</b>	<b>No of actions not started</b>
<b>Strategic Outcome 1</b> Plant and protect sufficient trees by 2020 to achieve the 20% tree canopy target as supported by Council.	0	4	8	3
<b>Strategic Outcome 2</b> Maximize community involvement and collaboration in its implementation.	0	1	7	1
<b>Strategic Outcome 3</b> Increase tree diversity, whilst favoring local endemic and West Australian species that also support wildlife	1	0	2	0
<b>Strategic Outcome 4</b> Maintain high standard of vegetation health.	0	1	5	0
<b>Strategic Outcome 5</b> Improve soil and water quality	0	1	2	0

<b>Strategic Outcome 6</b> Improve urban ecosystems	0	1	2	2
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### Reconciliation Action Plan:

16. The Town’s Reflect Reconciliation Action Plan (RAP) was adopted by Council in November 2018.
17. The document outlines strategies and actions to support opportunities to strengthen the community, build strong relationships and foster greater awareness and understanding of Aboriginal culture and history.
18. The status of actions from the Reflect Reconciliation Action Plan are as follows.
19. The Town’s Innovate Reconciliation Action Plan (RAP) was adopted by Council in December 2023.
20. Future CBP updates will be related to the Innovate RAP.

Category	No. of actions completed	No. of actions in progress/ongoing	No of actions not started
Relationships	14	3	1
Respect	32	3	1
Opportunities	14	3	3
Tracking and Progress	2	2	0

21. This quarter, the key progress highlights of the Reconciliation Action Plan included:
  - (a) Endorsement of the Innovate RAP by Council in December 2023.
  - (b) Public comment on the Innovate RAP followed by final endorsement of the Innovate RAP by Council on 12 December 2023.
  - (c) The new Community Development Officer – Reconciliation meeting with local stakeholders and identifying opportunities for collaboration.
  - (d) Development of the RAP Implementation Plan detailing the delivery of actions.

### Disability Access and Inclusion Plan

22. The Town’s Access and Inclusion Plan was adopted by Council in December 2022 and is a legislative requirement for all local governments.
23. The status of actions from the Access and Inclusion Plan are as follows:

Category	No. of actions completed/ongoing	No of actions in progress	No of actions not started
Goal 1: Customer Experience - Services and Events	4	2	0
Goal 1: Customer Experience -Information	4	2	1
Goal 1: Customer Experience - Quality Customer Service	2	1	2
Goal 2: Physical Access – Building and Facilities	2	3	3
Goal 3: Active Citizenship - Complaints	0	1	3
Goal 3: Active Citizenship – Public Consultation	2	0	3
Goal 4: Employment	5	0	0
Goal 5: Governance and Impact	4	1	0
<b>Total</b>	<b>23</b>	<b>10</b>	<b>12</b>

24. This quarter, the key progress highlights of the Access and Inclusion Plan included:

- (a) Continuing to engage with relevant stakeholders to advance AIP deliverables.
- (b) The Access and Inclusion Advisory Group continues to support and advise project management and internal stakeholders on inclusive design and planning elements, the last meeting was held 13 December 2023. Potential to collaborate with City of Perth Access and Inclusion Advisory Group to support inclusive solutions for causeway bridge.
- (c) Continued discussions with relevant Town officers to explore adding a sensory room in the Admin building.

- (d) Collaboration with community groups to support inclusive events for Seniors Week (November 2023) and International Day of People with Disability (December 2023).

## Climate Emergency Plan

25. The Town's Climate Emergency Plan (CEP) was adopted by Council on 20 July 2021.

26. The Climate Emergency Plan aims to:

- (a) Achieve a zero-carbon target for emissions generated by the Town of Victoria Park by 2030. The timeframe of 2030 has been chosen because it is the timeframe needed to curb emissions and limit the seriousness of climate change impacts.
- (b) Achieve at least 40% emissions reduction through direct action (i.e. not through carbon offsets).
- (c) Support the community and businesses in working towards their own zero carbon target.
- (d) Improve the resilience of the Town in responding to immediate climate change impacts.

27. The status of actions from the CEP are as follows:

Category	No of actions completed	No of actions in progress/ongoing	No of actions not started
1 Embed a low carbon culture	3	6	2
2 Reduce emissions of facilities and assets	2	10	0
3 Reduce waste emissions	1	4	0
4 Switch to low carbon and renewables	2	2	1
5 Respond to immediate climate change impacts	1	7	0
6 Support and educate our community	3	8	1
7 Support and educate our businesses	4	4	4
8 Offset residual emissions	1	2	0

28. This quarter, the key progress highlights of the 2023/24 actions under the Climate Emergency Plan included:

- (a) Energy and water audit coordinated for Leisurelife in March 2024.
- (b) Climate Impact Assessment has been completed. Climate Emergency Plan is being subsequently reviewed. Report with these outcomes will be forthcoming.
- (c) The Town continues to implement an education program re: FOGO to improve waste segregation by residents to avoid recyclables and organics entering landfill.
- (d) ARENA grant funding has been secured for a dual charger at Aqualife, anticipated to be installed March 2024. Another charger being investigated for Library.

(e) Energy Efficiency workshop coordinated for March 2024.

## Community Benefits Strategy

29. The Community Benefits Strategy (CBS) was launched on 2 December 2019, operating on a calendar year basis, rather than financial year.
30. The Town of Victoria Park, West Coast Eagles (WCE), Waalitj Foundation (WF), and the Perth Football Club partnered in the design process of CBS to collectively bring their own strengths to the partnership. The design process resulted in the creation of four programs, each program has a main delivery partner to ensure its success. Four programs as follows:
- (a) Program 1: Youth Engagement, delivered by Waalitj Foundation to focus on engaging young people in constructive local activities and support parents with older children and adolescence.
  - (b) Program 2: Healthy Relationship Awareness, delivered by West Coast Eagles and focuses on domestic violence awareness and prevention.
  - (c) Program 3: Supporting Local Community Organisations, delivered by West Coast Eagles the program function is to support four not-for-profit groups or community groups over the first five years of CBS.
  - (d) Program 4: Recreational Groups and Sports Club Development, delivered by West Coast Eagles who aid with strategic planning, governance, structures, constitutions, long term planning and other club related management issues.
31. The status of actions from the CBS are as follows:

Program	No of actions completed/ongoing	No of actions in progress	No of actions not started
Youth Engagement Program	3	3	0
Healthy Relationships Awareness	5	3	1
Supporting local community organisations	6	1	0
Recreational groups and sports club development	2	4	0

32. This quarter, the key progress highlights of the Community Benefits Strategy included:
- (a) The Waalitj Foundation has developed strong and meaningful relationships with local community, organisations and primary schools.
  - (b) During the reporting period the Waalitj Foundation facilities were utilised by the Lathlain Primary School and Clontarf Aboriginal College.
  - (c) WCE facilitated AFL Blind Football in the Mineral Resources Park (MRP) Indoor Training Hall for 2 sessions throughout October and November.
  - (d) The 16 Days in WA Campaign Launch by Department of Communities – Saturday 25 November at South Perth Foreshore was attended by an AFL past player. Tom Barrass and AFLW player

Jessica Sedunary attended the 16 Days in WA Breakfast held at Crown on 28 November, where the WA Premier Roger Cook addressed guests on the importance of the campaign. The full AFL squad and coaches also wore orange socks during their training sessions during the first week of the campaign to raise awareness to members and supporters. A video and article was produced and posted to the WCE website [West Coast Eagles call to end to violence against women](#)

- (e) Celebration at MRP Community Oval – International Day of People with Disabilities – Friday 1 December with ToVP, Healthy Strides, WADSA, Guide Dogs WA and WA All Abilities Football Association. Both AFL and AFLW players along with WCE Community staff helped to facilitate and deliver the event. Over 100 people attended the event which included local organisations and residents from the Town of Victoria Park. This event was established by WCE to engage the ToVP communities and this was the third year it has taken place. An article was written and posted to the WCE website: [Eagles HQ packed out for International Day of People with Disability \(westcoasteagles.com.au\)](#)
- (f) AFLW players attended the Town of Victoria Park Summer Street Party on 25 November. Past player, mascot, giveaways and football drills and AFLW player engaged with the local community.

## 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	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.			
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			

Legislative compliance	Not applicable		
Reputation	Negative public perception towards the Town if progress expectations are not being met.	Minor	Treat risk by providing commentary and reasoning within progress reports where expectations are not being met.
Service delivery	Not applicable		

## Engagement

Internal engagement	
Stakeholder	Comments
Operations	Operations coordinate the progress reports for the 2019/2020 Annual Strategic Project Summary and Five-Year Capital Works Program.
Governance and Strategy	Governance and Strategy coordinates the progress against the Corporate Business Plan.
Place Planning	Place Planning coordinates the progress reports for the Economic Development Strategy 2018 – 2023 and Urban Forest Strategy.
Community Development	Community Development coordinates the progress reports for the Reconciliation Action Plan, Community Benefits Strategy and Disability Access and Inclusion Plan.
Environment	Environment coordinates the progress reports for the Climate Emergency Plan.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Council is provided with the information that they have requested in the way they determined is best for them.
CL3 - Accountability and good governance.	Council is provided with the information that they have requested in the way they determined is best for them.

## 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**