

<b>Policy number</b>	Policy 007
<b>Policy title</b>	Long service leave
<b>Strategic outcomes supported</b>	CL1 – Effectively managing resources and performance

## Policy objective:

To manage the long service leave of Town employees.

## Policy scope:

This policy applies to all employees.

## Policy definitions:

Nil.

## Policy statement:

1. An employee shall not be required to commence the taking of long service leave within six (6) months after it becomes due.
2. Where in the opinion of the CEO it is advantageous or not to the detriment of the Town, an employee due to take long service leave may be granted approval to:
  - a. Defer the leave, or
  - b. Take the leave in two or more separate parts, or
  - c. Take the leave in half the time (6.5 weeks) at double pay, or
  - d. Take the leave in double the time (26 weeks) at half pay.
3. Provided the leave is commenced no later than two (2) years from the date it became due, and completed within 4 months of that commencement date, the rate of pay for the leave shall be the rate that is applicable at the time the leave is commenced. The rate of pay for long service leave – or in the part thereof - deferred beyond 2 years and 4 months shall remain fixed at the rate in existence on the second anniversary after the leave originally became due.

## Related documents

Town of Victoria Park Standards for CEO Recruitment, Performance and Termination

<b>Responsible officers</b>	Payroll Officer
<b>Policy manager</b>	Manager People and Culture
<b>Approval authority</b>	Council

**Next evaluation date** April 2026

## Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	28/09/1999	Council	-	Item 4.1
2	Amended	14/08/2007	Council	-	Item 4.1
3	Reviewed	09/07/2013	Council	-	Item 10.1
4	Reviewed	11/08/2015	Council	-	Item 10.1
5	Reviewed	17/03/2020	Council	354/2020	Item 15.3
6	Reviewed and amended	21/04/2020	Council	384/2020	Item 15.7
7	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
8	Reviewed and amended	18/04/2023	Council	84/2023	Item 15.1
9	Administratively amended	24/08/2023	Delegation		
10	Administratively amended	14/09/2023	Delegation		

<b>Policy number</b>	Policy 024
<b>Policy title</b>	Event Attendance
<b>Strategic outcomes supported</b>	CL3 – Accountability and good governance

### Policy objective:

The event attendance policy is to enable elected members and the Chief Executive Officer (CEO) to attend events as a representative of the Town without restricting their ability to participate in council meetings in accordance with section 5.90A of the *Local Government Act 1995* (the Act).

This policy is not to be used as a mechanism to avoid conflict of interest provisions.

### Policy scope:

This policy applies to all elected members and the CEO.

### Policy definitions:

**closely associated person** has the meaning given to it in the Act.

**event** has the meaning given to it in the Act and the *Local Government (Administration) Regulations 1996* (the Regulations), however it does not include an event run by the Town.

**gift** has the meaning given to it in the Act and Regulations.

### Policy statement:

1. This policy addresses attendance at any event whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of elected members and the CEO.

#### Event attendance register:

2. The CEO shall maintain an event attendance register. The register will list events attended by elected members and the CEO in their civic capacity, where they have been invited, received or purchased tickets, regardless of value. Declarations are to be made within ten (10) days of attending the event.
3. Declarations must include:
  - a. Who invited the member and whether tickets to the event were provided or purchased
  - b. The description of the event
  - c. The location of the event
  - d. The date of the event

- e. The date the tickets were received or purchased
  - f. The role that the elected Member or CEO fulfilled at the event (i.e. presenter, observer or participant)
  - g. The benefit of the elected member or CEO attending the event for the Town of Victoria Park
  - h. The value of the event (if any).
4. Where the value of the event attended exceeds \$300, or the invitations received from a donor have exceeded \$300 over a twelve-month period, the elected member or CEO must declare the event as a gift in accordance with sections 5.87A and 5.87B of the Act and a disclosure of interest is required should the donor have an item that comes to Council for consideration.
5. Events hosted by the following organisations are not required to be disclosed in the event attendance register:
- a. Western Australian Local Government Association (WALGA)
  - b. Local Government Professionals Australia WA (LG Pro)
  - c. Australian Local Government Association (ALGA)
  - d. A department of the public service
  - e. A government department of another State, Territory or the Commonwealth
6. The event attendance register shall be published on the Town website and updated at least once a month, provided attendance at an event is declared.

**Pre-approved events:**

7. Where the value of an event attended exceeds \$300, and the donor has a matter before Council, the attendee must disclose an interest relating to the event attendance as a 'closely associated person'. Such disclosure prevents an elected member from participating in debate or voting on that matter, or in the case of the CEO, providing advice on the matter, unless otherwise pre-approved by Council under clause 8 of this policy.
8. In accordance with the Act, Council may resolve to pre-approve attendance to a specific event. In this circumstance, the attendee will not need to disclose an interest relating to that event attended as a 'closely associated person'. Attending a pre-approved event means that an elected member can participate in debate and vote on the matter, or in the case of the CEO, can provide advice. Pre-approved events are as follows:
- a. Advocacy, lobbying or Ministerial briefings
  - b. Awards functions specifically related to local government
  - c. Town hosted and / or run ceremonies, tournaments, events and functions
  - d. Community cultural events / festivals / art exhibitions
  - e. Events hosted by clubs or not for profit organisations within the Town to which Elected Members or CEO are officially invited, including fundraising events
  - f. Events run by schools and universities within the Town (inclusive of school parent associations)
  - g. Free Town events

- h. Industry and economic briefings, specifically related to the function of government
  - i. Meetings of clubs or organisations
  - j. Major professional bodies associated with government at a local, state or federal level
  - k. Opening or launch of an event or facility within the Town
  - l. Where Mayor or CEO representation has been formally requested
  - m. Civic events hosted by other local governments
9. Pre-approved events are to be included on the attendance register and are subject to gift and conflict of interest disclosures as per section 4 of this Policy.

#### Event invitations or tickets addressed to the Town of Victoria Park:

10. Where event invitations or tickets are addressed to the Town of Victoria Park, and not an individual, the Mayor shall determine how they are to be allocated.
11. Methods of allocation are:
- a. Providing the event invitations or tickets to elected members
  - b. Providing the event invitations to a club, volunteer group or other non-for profit organisation within the Town
  - c. Holding a public competition for the event invitations or tickets to be given to the community
  - d. Authorising the CEO to allocate the tickets
  - e. Refusing the event invitation or tickets
12. In allocating the event invitations or tickets, the Mayor will consider:
- a. Who is providing the invitation or ticket to the event
  - b. The location of the event in relation to the local government (within the district or out of the district)
  - c. The role of the person when attending the event (participant, observer, presenter)
  - d. Whether the event is sponsored by the local government
  - e. The benefit of local government representation at the event
  - f. The number of event invitations or tickets received
  - g. The cost to attend the event, including any associated expenses.
13. Should the recipient of an event invitation or ticket, received under clause 9, be an elected member or the CEO, and the value of the event attended exceeds \$300, or the invitations received from a donor have exceeded \$300 over a twelve-month period, the elected member or the CEO must declare the event attendance a gift in accordance with sections 5.87A and 5.87B of the Act.

#### Events that have not been pre-approved

14. Where an invitation is received, or an elected member or CEO wishes to attend an event that has not been pre-approved, the following will apply:
- a. Events for the Mayor are to be approved by the CEO

- b. Events for Councillors are to be approved by the Mayor
  - c. Events for the CEO are to be approved by the Mayor
15. In approving attendance at an event that has not been pre-approved, the Mayor or CEO will consider:
- a. If applicable, who is providing the invitation or tickets to the event and the amount that has been received
  - b. The location of the event in relation to the local government (within the district or out of the district)
  - c. The role of the person when attending the event (participant, observer, presenter)
  - d. The benefit of local government representation at the event
  - e. The amount of events already attended
  - f. Any associated expenses.
16. The decision of the Mayor or CEO is final and cannot be disputed.

**Purchase of event tickets:**

17. Where an elected member or the CEO wishes to attend a pre-approved event, the Town will purchase the event tickets. The purchase of pre-approved event tickets must be in line with the adopted annual budget.
18. Where the Mayor or CEO, under clause 14 of this policy, approves attendance at an event that has not been pre-approved, the Town will purchase the event ticket. The purchase of the ticket must be in line with the adopted annual budget.
19. The Town will not purchase tickets to events that are:
- a. Political events and fundraisers
  - b. Personal Social Events

**Related documents**

- [Local Government Act 1995](#)
- [Local Government \(Administration\) Regulations 1996](#)
- [Policy 022 – Elected member professional development](#)

[Code of Conduct for Council Members, Committee Members and Candidates](#)  
Employee [Code of Conduct](#)

<b>Responsible officers</b>	Coordinator Governance and Strategy
<b>Policy manager</b>	Manager Governance and Strategy
<b>Approval authority</b>	Council

**Next evaluation date**

April 2026

## Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	21/04/2020	Council	380/2020	Item 15.3
2	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
3	Reviewed and amended	17/08/2021	Council	194/2021	Item 15.3
4	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
5	Administratively amended	24/08/2023	Delegation		
6	Reviewed and amended	16/07/2024	Council	153/2024	Item 11.3

<b>Policy number</b>	Policy 025
<b>Policy title</b>	Independent committee members
<b>Strategic outcomes supported</b>	CL3 - Accountability and good governance

## Policy objective:

To set out the process for the appointment of independent committee members, the terms of holding office as an independent committee member, and the payment of reasonable expenses to independent committee members.

## Policy scope:

This policy applies to independent committee members.

## Policy definitions:

**independent committee member** means a person appointed to a committee of the Council who is not an elected member or employee.

## Policy statement:

1. The Council embraces independent committee members as a core part of good governance in the Town by contributing expert perspectives to Councils deliberations.
2. When establishing or conducting a review of a Committee's membership the Council should consider if independent committee members should be appointed to that Committee.
3. The terms of reference of each committee shall set out the number of independent committee members to be appointed to the committee and the skills, knowledge and experience sought from independent committee members.

## Appointment of Independent Committee Members

4. Independent Committee Members must be selected on the basis of their ability to contribute to the effective working of the committee by:
  - a. having needed skills, knowledge and experience as per the terms of reference of the committee,
  - b. an appreciation of the values of the Town and its core activities, and
  - c. the capacity to appreciate what the community needs from the Town.
5. At least three (3) months prior to the expiry of the terms of the existing independent committee members, or on any vacancy, the Chief Executive Officer in consultation with the committee presiding member shall determine:
  - a. the selection criteria for applicants based upon the skills knowledge and experience set out in the committees terms of reference,
  - b. the advertisements to be issued and the medium of distribution, and
  - c. the dates for the selection process.

6. Following determination of the matters prescribed in clause 5, the Chief Executive Officer shall arrange for the advertisement's to be distributed. Applications should be open for at least 14 days.
7. Sitting independent committee members who wish to be reappointed are required to re-apply through the application process.
8. Applicants will be required to submit a current CV and a statement against the selection criteria.
9. Following receipt of the applications the Chief Executive Officer is authorised to undertake a shortlisting against the selection criteria and identify applicants suitable for appointment and provide the assessment of all applicants to the committee with a recommendation of persons to be appointed.
10. The committee upon receipt of the shortlist shall make a recommendation to Council as to who should be appointed and in doing so is authorised to request the Chief Executive Officer to do any or all of the following:
  - a. arrange for the committee to interview applicants;
  - b. conduct a reference check of applicants; and
  - c. verify the qualifications of applicants.

### Term of office

11. An independent committee member should be appointed for a term expiring on the next ordinary election day.
12. An independent committee member should not serve for more than four consecutive two year terms.
13. An independent committee member may resign from their office, in writing to the CEO or committee presiding member, in accordance with Regulation 4 of the Local Government (Administration) Regulations 1996.
14. An independent committee member who is absent from three consecutive ordinary meetings of the committee is disqualified from continuing their membership of the Committee, unless all of the meetings are within a two month period.
15. The Council has the power under section 5.10 of the Local Government Act 1995 and section 52(1) of the Interpretation Act 1984 to resolve, by absolute majority, to suspend or a remove an independent committee member for any reason.

### Expenses of Independent Committee members

#### Meeting fees payable

16. In accordance with section 5.100 of the Act, independent committee members are able to be paid fees for attending committee meetings or other meetings associated with their roles on committees. Independent committee members who are appointed as the Chair will be paid 100% of the maximum amount allowable as determined by the Salaries and Allowance Tribunal. Independent committee members who are appointed as the Deputy Chair will receive 80% of the maximum amount allowable as determined by the Salaries and Allowance Tribunal.

#### Reimbursement of expenses

17. Independent committee members are entitled to be reimbursed for child care and travel costs incurred as a result of the member's attendance at a committee meeting of which they are a member as prescribed in regulation 31 of the Local Government (Administration) Regulations 1996.

18. The extent to which independent committee members can be reimbursed for child care and travel expenses shall be as determined by the Salaries and Allowances Tribunal.

**Security passes, IT access and record keeping**

19. Independent committee members will be supplied with building access passes in order to access the building after hours for their meetings (if required). Upon vacating their office independent committee members are required to return these security passes.
20. Independent committee members will be supplied with access to relevant information systems in order to carry out their roles.
21. Independent committee members must comply with the relevant record keeping practices determined by the Chief Executive Officer.

**Training and Professional development expenses**

22. Independent committee members are entitled to attend training and professional development courses in local government and the subject matter of the committee, directly relevant to the performance of their role as committee members, provided by WALGA or an equivalent course as approved by the Chief Executive Officer.
23. Independent committee members must apply in writing to the Chief Executive Officer prior to attending the course setting out the how the course or seminar will assist the independent committee member in the discharge of their duties prior to attending the course.
24. The Chief Executive Officer is authorised to arrange the registration of an independent committee member at any training or professional development course at the Council's cost.
25. Council will allocate an amount of \$1,000 per independent committee members in the annual budget for the costs of independent committee members' attendance at approved courses.

**Related documents**

[Local Government Act 1995](#)

[Code of Conduct for Council Members, Committee Members and Candidates](#)

<b>Responsible officers</b>	Coordinator Governance and Strategy
<b>Policy manager</b>	Manager Governance and Strategy
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	February 2026

## Revision history

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1	Approved	15/09/2020	Council	518/2020	Item 15.1
2	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
3	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
4	Administratively amended	24/08/2024	Delegation		
5	Reviewed and amended	20/02/2024	Council	6/2024	Item 11.2

<b>Policy number</b>	Policy 054
<b>Policy title</b>	Access to reserve funds through notices of motion
<b>Strategic outcomes supported</b>	CL1 – Effectively managing resources and performance

### Policy objective:

To ensure Council is informed prior to making a decision to expend reserve funds.

### Policy scope:

This policy applies to notices of motion provided by elected members.

### Policy definitions:

Nil.

### Policy statement:

Any notice of motion involving or requesting the expenditure of Reserve Funds shall be referred to the Town's Administration for a report prior to a decision being made on the allocation of such funds.

### Related documents

[Meeting Procedures Local Law 2019](#)

<b>Responsible officers</b>	Coordinator Governance and Strategy
<b>Policy manager</b>	Manager Governance and Strategy
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	February 2026

### Revision history

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1	Approved	11/04/2000	Council	-	Item 4.1
2	Reviewed	17/08/2004	Council	-	Item 4.1
3	Reviewed	09/07/2013	Council	-	Item 10.1

Version	Action	Date	Authority	Resolution number	Report number
4	Reviewed	11/08/2015	Council	-	Item 10.1
5	Reviewed	20/08/2019	Council	148/2019	Item 10.1
6	Reviewed	21/04/2020	Council	381/2020	Item 15.4
7	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
8	Amended	18/08/2023	Delegation		
9	Reviewed	20/02/2024	Council	7/2024	Item 11.3

<b>Policy number</b>	Policy 221
<b>Policy title</b>	Strategic management of land and building assets
<b>Strategic outcomes supported</b>	<p>EC1 – Facilitating a strong local economy.</p> <p>EN1 – Protecting and enhancing the natural environment.</p> <p>EN4 - Providing facilities that are well-built and well-maintained.</p> <p>CL1 – Effectively managing resources and performance</p> <p>CL3 – Accountability and good governance.</p>

### Policy objective:

1. To provide a policy framework for the Town of Victoria Park to consider its freehold, vested reserve land, and Town controlled property assets and make decisions with respect to the management, retention, disposal or acquisition of such assets.
2. To align and facilitate the delivery of the Land Asset Optimisation Strategy recommendations.
3. To ensure that decisions made in relation to the use of Town of Victoria Park land and building assets ensure maximum return to the Town by either realizing a commercial level of financial return or by fulfilling a community benefit aligned to the vision of the Town of Victoria Park.
4. To create greater revenue from current and potential land, property and facility holdings to reduce reliance on rates for income.
5. To provide a framework for income raised from land and building assets to be allocated to investment, upkeep and renewal of land and building assets.

### Policy scope:

This Policy applies to all land and building assets owned or controlled by the Town of Victoria Park.

### Policy definitions:

Nil.

### Policy statement:

1. This Policy is to guide Council in the effective management of its land and building assets with the view to increasing the future economic capacity of the Town of Victoria Park and assisting the delivery of the objectives of the Strategic Community Plan.
2. The Town’s land and building assets will be used to achieve the following:
  - a. Delivery of the Town’s services to the community;
  - b. Delivery of strategic projects as identified in the Strategic Community Plan and Corporate Business Plan;
  - c. Facilitation of environmental, economic and social benefits to the Community;
  - d. Stimulation and regeneration of areas within the Town of Victoria Park;
  - e. Commercial income generation; and
  - f. Expansion of a land and building asset base to create additional income streams for the Town.
3. The Council is committed to a consistent, rational and sustainable management of the Town of Victoria Park’s property portfolio. To ensure that every land and building asset owned or controlled by the Town contributes value to the community through revenue generation or services delivered.

4. Land and building assets are one of the largest asset groups owned or controlled by Council. It is recognized that the development of such assets and realising their full potential for income generation is a complicated and complex process, involving detailed financial modelling, commercial negotiations and market analysis in order to achieve the best possible result.

### Principles:

5. The Council will manage its land and building assets in line with the following principles:
  - a. Increase the Town's financial capacity.
  - b. Increase the Town's social, economic and environmental sustainability.
  - c. Providing essential services and facilities.
  - d. Actively administer the Town's property portfolio as an asset class including prudent acquisition, investment, management and divestment.
  - e. Developing and managing an investment portfolio capable of providing intergenerational equity by delivering long term financial, social and/or environmental value to the community.
  - f. The Town's preferred tenure model is to use vested reserves for on-going community services, and use freehold land for income generation opportunities.
  - g. Land and building assets will be prudently managed to provide financial sustainability to enable Council to be less dependent on rate revenue and support the vision of the Town of Victoria Park.
  - h. All land assets controlled by the Town deliver financial, economic, social or environmental values consistent with the highest and best use of the land for the benefit of the community.

### Property Classifications:

6. The Town's property portfolio consists of approximately 500 properties comprising both vested reserves and freehold land holdings. In order to guide strategic decision making the land and property assets will be classified into different groups as outlined below. .
  - a. **Surplus properties:** considered to be of no benefit to either the community through the delivery of services or to the Town as part of a more strategic land holding, part of a land bank of property assets or for any other purpose. i.e. surplus to requirements.
  - b. **Civic/Community properties:** used for the delivery of services provided by the Town to the Community. These are generally developed with significant buildings or structures.
  - c. **Commercial properties:** held by the Town for the commercial return from leasing the property to a third party. Such properties may also (but will not necessarily) provide services to the community but will yield an appropriate rate of return (on the capital value of the property) as a commercial proposition subject to appropriate levels of risk as determined by the Town.
  - d. **Strategic Investment properties:** have the potential to contribute towards the achievement of broader planning, social or strategic objectives of the Town. Whilst such properties may include a commercial undertaking, subject to a commercial agreement between a third party and the Town, the purpose of the Town's ownership of the property is to promote other outcomes rather than purely commercial returns on the property investment. i.e. Urban Renewal Projects.
  - e. **Residential properties:** Residential properties are designed to provide residential facilities only. Such properties may be provided directly by the Town to the end user, or as part of an agreement with another agency or residential service provider.

- f. **Utility properties:** Utility properties are used to deliver utility services such as drainage or other key utility functions. The delivery of utility services should be subject to review to ensure that the location from which the service is being delivered is suitable, the need for the utility service can be validated and the tenure of the property does not result in the Town having a significant value of freehold assets set aside for such uses with little opportunity to realise the value of these assets at any time in the future.
  - g. **Public Open Space and Other Reserves:** Generally publicly accessible and may be unimproved or improved with facilities. May include properties that have little activation but provide other tangible community benefits through environmental protection or community recreational amenity.
  - h. **Green Infrastructure:** Property the whole or part of which has been identified (so far as it is considered reasonable and practicable by the Manager Property Development and Leasing) to possess significant characteristics by way of the soil, water, drainage, trees, vegetation or other natural or semi natural attributes that may offer substantial benefits to the environment and climatic challenges.
7. A split classification may be assigned by the Manager Property Development and Leasing if the Property has several distinct uses and falls into two or more classifications. For example, commercial and community space might be combined in one building.

#### Use of Proceeds:

8. The proceeds from Council land and building assets will (subject to any applicable legal or statutory requirements) be allocated in alignment with their classification:
- a. Surplus properties – Allocated to the Land Optimisation Reserve
  - b. Civic/Community properties – Allocated to the specific budget area
  - c. Commercial properties – Allocate the profits after income and expenses of the property to the Land Optimisation Reserve.
  - d. Strategic Investment properties - Allocate the profits after income and expenses of the property to the Land Optimisation Reserve.
  - e. Residential properties - Allocate the profits after income and expenses of the property to the Land Optimisation Reserve.
  - f. Utility properties - Allocated to the specific budget area
  - g. Public Open Space and Other Reserve – Allocated to the specific budget area

Or as determined by Council.

- 9. Where appropriate, a reasonable proportion of income from a property will be allocated to the building renewal reserve having regard to budgeted asset renewal demand.
- 10. The Town will maintain a Land Optimisation Reserve account to enable it to take advantage of property opportunities.

#### Application of Policy:

11. In applying this Policy, the Council will:
- a. Ensure all statutory and applicable governance requirements required by the *Local Government Act 1995*, associated Regulations and any other applicable legislation are adhered to.
  - b. Ensure that this Policy complies with all other relevant Council Policies and practices.
  - c. Ensure that suitable community engagement is undertaken as a fundamental component of any proposal to dispose of land and property assets in accordance with the *Local Government Act 1995*.

### Acquisition and disposal of land and building assets:

12. The Council will only consider the acquisition, sale, joint venture, development agreement, lease, or other deal structure of land and building assets after the following steps have been taken:
  - a. A thorough Business Case analysis of applicable financial, social and/or environmental benefits, undertaken in accordance with the Land Asset Optimisation Strategy and/or established Procedure and Policy.
  - b. Consideration has been given to the disposal of land and property by means of auction, tender or private treaty dependent upon the specific circumstances of the proposed disposal and in accordance with the provisions of the *Local Government Act 1995*.
  - c. The acquisition or disposal is in line with a strategic consideration.
  - d. The acquisition or disposal may be undertaken on a case by case basis in line with the Land Asset Optimisation Strategy recommendation for that property.
  - e. Appropriate risk management strategies have been applied in accordance with any adopted Risk Management Policy
13. The Council authorises the Chief Executive Officer to investigate all properties considered as potential strategic investment properties and to make an offer subject to an independent valuation, due diligence and a report to Council for approval for acquisition in line with the considerations outlined in clause 12 and in alignment with the *Local Government Act 1995*.
14. The authorisation given in clause 13 is subject to:
  - a. The preparation of a business case relating to the acquisition;
  - b. There being sufficient funds available in the Land Optimisation Reserve Fund or Future Fund; and
  - c. An appropriate environmental and building assessment being undertaken to identify any relevant risks associated with the property.

### Property Portfolio Performance Management:

15. The Council will adopt performance indicators relating to its property investments to guide its property portfolio and asset management and development.
16. Such performance management indicators will provide the means by which the performance of land and property assets can be monitored and reported to the community and will enable the Council to consider acquisitions and disposals of land and property assets cognisant of these indicators and the benefit or consequences such acquisitions and disposals may generate.

### Related documents

[Local Government Act 1995](#)

[Land Administration Act 1997](#)

[Policy 310 Leasing](#)

[Policy 222 – Asset Management](#)

<b>Responsible officers</b>	
<b>Policy manager</b>	Manager Property Development and Leasing
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	April 2026

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1	Adopted	16/06/2020	Council	437/2020	Item 15.3
2	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
3	Reviewed and amended	21/05/2022	Council	84/2024	Item 11.3



<b>Policy number</b>	Policy 251
<b>Policy title</b>	Sustainable timber – use in Town construction
<b>Strategic outcomes supported</b>	EN1 – Protecting and enhancing the natural environment EN5 – Providing facilities that are well built and maintained

### Policy objective:

To forbid the use of unsustainably sourced timber in Town construction.

### Policy scope:

This policy applies to all construction or building projects undertaken wholly or jointly by the Town.

### Policy definitions:

**Sustainable timber** is timber sourced from sustainably managed and certified forests. Applicable to both native forests and plantations, sustainably managed and certified forests demonstrate the implementation of sustainable forest management practices.

**Certification** is through an audit by an independent third-party certification agency. In Australia, forests can be certified by the two major global forest certification bodies – the Programme for the Endorsement of Forest Certification (PEFC) under the Responsible Wood Certification Scheme, or the Forest Stewardship Council (FSC).

### Policy statement:

Timbers that do not provide a chain of custody certification shall not be used in any construction or building project undertaken wholly or jointly by the Town. Further, all timber used throughout the Town must align with Australian standards of the Programme for the Endorsement of Forest Certification (PEFC) under the Responsible Wood Certification Scheme, or the Forest Stewardship Council (FSC).

### Related documents

1. Sustainable Forest Management (AS 4708)
2. Chain of Custody for Forest Products (AS 4707)
3. [Sustainable timber - Making a case for environment-friendly construction | Architecture & Design \(architectureanddesign.com.au\)](http://architectureanddesign.com.au)

<b>Responsible officers</b>	Manager Technical Services
<b>Policy manager</b>	Chief Operations Officer
<b>Approval authority</b>	Council
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1	Approved	01/07/1997	Council	-	-
2	Reviewed	15/08/2006	Council	-	Item 4.1
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4	Reviewed	11/08/2015	Council	-	Item 10.1
5	Reviewed and amended	20/08/2019	Council	148/2019	Item 10.1
6	Reviewed and amended	13/12/2022	Council	280/2022	Item 15.8
7	Reviewed and amended	18/04/2023	Council	72/2023	Item 15.2
8	Administratively amended	24/08/2023	Delegation		
9	Administratively amended	13/09/2023	Delegation		

<b>Policy number</b>	Policy 303
<b>Policy title</b>	Debt collection
<b>Strategic outcomes supported</b>	CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community. CL8 – Visionary civic leadership with sound and accountable governance that reflects objective decision-making.

## Policy objective:

To provide for the recovery of overdue monies owed to the Town.

## Policy scope:

This policy applies to all employees of the Town and agents authorised to perform debt recovery services on behalf of the Town.

## Policy definitions:

### Rates and Service Charges debtors

Rates and service charges debtors are amounts raised against ratepayers and are secure in the sense that they attach to land which cannot effectively be sold unless the debt is cleared.

### All other Sundry Debtors

Sundry debtors include (but not limited to) monies owed to the Town through Technical Services, Town Facilities, Community Engagement and Financial Services. There is no security over these debts and it is important that they are rigorously monitored and collected.

### Fines, Prosecutions and Infringements

Any sums of money owed to the Town as the result of breaches of statutory requirements imposed by the Town or a court of law and includes any costs awarded by the courts.

### General Procedure Claim (GPC)

The claim lodged with the Magistrates Court where the value of the claim or the relief claimed does not exceed \$75,000.

### Property Seizure and Sale Order (PSSO)

A court order that authorizes a bailiff to seize and sell as much of the judgement debtor's real or personal property as necessary to satisfy the judgement debt wholly or partially.

## Policy statement:

1. The Town is committed to the collection of overdue debt in a fair, equitable and timely manner. The Town will show due diligence in the application of administrative processes relating to payment arrangements and the selection of various actions for the effective recovery of overdue debts.
2. The following principles provide high-level direction for the ethical and effective management of the Town's debt:

- a. Management is to establish and maintain appropriate controls in order to ensure the risk of financial loss is properly managed.
  - b. Debts are to be pursued within the relevant statutory limitation periods to maximise recoverability.
  - c. Debt collection process to ensure the Town is reasonable, fair and utilises best practices in its approach to debt recovery.
  - d. Debt collection activities against individual debtors should be in accord with the Australian Competition and Consumer Commission and Australian Securities and Investments Commission (ACCC-ASIC) Debt Collection Guideline for Collectors and Creditors.
  - e. Debt is monitored regularly and necessary regular provisions made to recognise unrecoverable debt.
  - f. Action for the writing off of bad debts (other than rates and services charges) should only take place where all avenues for recovery have been exhausted or it becomes unviable to keep pursuing the debt.
3. The Town will implement all reasonable measures to ensure the objectives of this Policy are delivered with procedural fairness to those subject to debt collection processes.
  4. Where a debtor is experiencing financial hardship, Policy 308 Financial Hardship applies.

#### Policy Principal Application

5. The Town will apply the following fundamental guidelines in facilitating the appropriate establishment and management of its debt collection practices, including the conduct of officers and contracted agents in giving effect to this Policy.
  - a. The Town will promptly provide targeted and consistent information, payment terms and advice for the type of service being charged.
  - b. Where practicable, the Town will provide consistent payment options across its full range of services.
  - c. All information relating to the debt to be accurate and readily available.
  - d. The Town will recognise and assist those experiencing financial hardship, and provide appropriate assistance in a fair and equitable manner in accordance with Policy 308 Financial hardship.
  - e. A clear and transparent dispute resolution process will be made available to those disputing any debt or charge owed the Town.
  - f. The Town will be firm but fair in applying best practice methods for the recovery of debt, including exhausting all reasonable avenues to prevent matters from proceeding to Court or other formal action.

#### Recovery of Outstanding Rates and Service Charges

6. Subject to Policy 308 Financial hardship, should a debtor fail to pay within the initial 35 day period (or failure to choose to pay by instalments or enter into a negotiated payment arrangement) the following debt collection process is followed (for non-pensioner rates and service charges);
  - a. Final notice - is forwarded via post and email (if appropriate) outlining payment within 7 days or debt collection/legal action may occur as well as additional costs.

- b. Attempts to contact the debtor are made through any other communication channels available (phone and email).
- c. Intention to Summons - Failure to contact the debtor then results in a letter of demand being issued (Intention to Summons) outlining that failure to make payment within 7 days will result in recovery action with additional legal costs and interest.
- d. General Procedure Claim (GPC) - failure to make any appropriate arrangements for payment will result in the processing of a GPC. This is a court document to initiate legal action for collection of the unpaid debt.
- e. Owners who have multiple properties or the property with the outstanding debt is rented, the option to collect landlord rent for rates as per the Local Government Act 1995, section 6.60 and 6.61 may be actioned.
- f. Procession, Seizure and Sales Order (PSSO) or Means Enquiry Summons (MES) - If the GPC has been served and no arrangement to pay or payment in full has been received within 14 days, the rates department will explore options for collection through;
  - i. PSSO - This court document allows the Town to seize goods and/or property/land for the collection of the outstanding debt
  - ii. MES – This court document allows the Town to nominate a debtor to attend court and provide all financial records in order for the court to make a decision on their ability to pay. Arrangements are then made for collection based on the outcome.
- g. Property and Land sale - after three years, if all available collection options have been exhausted and rates/service charges remain in arrears the Town may in accordance with section 6.64 of the *Local Government Act 1995* take possession of the land and hold the land as against a person having an estate or interest in the land and
  - i. from time to time lease the land; or
  - ii. sell the land; or
  - iii. cause the land to be transferred to the Crown; or
  - iv. cause the land to be transferred to itself.

### Recovery of Outstanding Debt – All other Sundry Debtors

7. Should a debtor fail to pay within the initial 14 day period the following debt collection process is followed;
  - a. Debt outstanding - 30 days: A statement is forwarded to the debtor with a reminder and alerting them to their unpaid invoice.
  - b. Debt outstanding - 60 days: A friendly reminder by way of email and phone calls.
  - c. Debt outstanding - 90 days: An urgent action letter is sent (and emailed if appropriate) requesting immediate payment as well as a phone call. Assistance is also requested from the relevant service area to communicate with the debtor.
  - d. Debt outstanding - 90 + Days: A final notice is forwarded outlining payment within 7 days or debt collection action will occur.
  - e. Non-payment within 7 days – case is forwarded to the Town’s debt collection agency.
    - i. Ongoing communication occurs between the Town and the debt collection agency relating to the collection.
    - ii. Continued failure to pay or respond to debt collection results in legal action (dependant on circumstances and cost benefit to the Town).

## Recovery of Outstanding Debt – Fines, Prosecutions and Infringements

8. Should a debtor fail to pay within the initial 28 day period the following debt collection process is followed;
- The debtor's information is collected through Department of Transport and a reminder notice is issued allowing a further 28 days to pay.
  - A final demand is issue along with an additional late fee. The Town allows a further 28 days to pay.
  - Failure to pay results in the infringement being forward to Fines Enforcement Registry (FER) for collection along with an additional collection fee.

## Related documents

[Local Government Act 1995](#)

[Policy 308 Financial hardship](#)

Practice 303.1 Debt collection

<b>Responsible officers</b>	Manager Finance Coordinator Finance Accountant Senior Rates Officer
<b>Policy manager</b>	Chief Financial Officer
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	May 2026

## Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	28/09/1999	Council	-	Item 4.1
2	Amended	15/08/2006	Council	-	Item 4.1
2	Reviewed	09/07/2013	Council	-	Item 10.1
2	Reviewed	11/08/2015	Council	-	Item 10.1
3	Amended	21/05/2019	Council	100/2019	Item 14.3
4	Reviewed and amended	20/08/2019	Council	148/2019	Item 10.1
5	Amended	19/05/2020	Council	414/2020	Item 15.2
6	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
7	Reviewed	13/12/2022	Council	264/2022	Item 15.3
8	Reviewed and amended	20/05/2025	Council	95/2025	Item 11.3

<b>Policy number</b>	Policy 304
<b>Policy title</b>	Disposal of surplus assets
<b>Strategic outcomes supported</b>	CL1 – Effectively managing resources and performance CL3 - Accountability and good governance

### Policy objective:

To provide guidance to the disposal of property by the Town.

### Policy scope:

This policy applies to the disposal of property by the Town.

### Policy definitions:

**Disused equipment, machinery and other materials** means any item/s which are exempt from disposition pursuant to the *Local Government (Functions & General) Regulations 1996*, Regulation 30(3), and which cannot be readily sold or be traded-in and have little or no residual value as determined by the Chief Executive Officer other than any item/s that is provided to elected members.

**Non-profit community organisation** means any non-profit group, agency or service whose primary aims are to improve the quality of life to sections of the community or provide targeted welfare or other support. This includes the provision of recreation and sporting opportunities, community arts and cultural development programmes.

**Public notice and application** means an internally conducted process to seek interest in the items through public advertisement and application by community organisations or schools.

**Sale to other individuals by private treaty** means an advertisement and agreement for a sale at a price negotiation directly between the Town and any individual or organisation.

**Tender** means an externally conducted process to seek interest for the purchase of items by any individual or organisation.

### Policy statement:

1. This policy is intended to ensure that surplus assets owned by the Town, that may not have any residual monetary or useful value to the Town, are able to be offered for donation to nonprofit organisations and schools, sale to elected members or staff and sale to other individuals for ongoing use by the community or persons.
2. Should none of the above options be available, this policy is intended to allow for dumping of surplus assets at refuse sites.
3. The donation, sale or deposit at refuse of surplus assets is subject to the provision of s.3.58 of the Local Government Act 1995 and the Local Government (Functions & General) regulations 30 and 31.

### Reasons for Disposal

4. There may be multiple scenarios which may result in an asset becoming surplus to the Town's needs. These include but are not limited to;

- a. Reached pre-determined economic life
- b. Due for replacement or renewal
- c. No longer required due to change in functionality or usage patterns
- d. No longer complies with workplace health and safety standards
- e. Damaged, beyond repair or no longer in operable condition
- f. No longer able to provide an acceptable level of service to the community

### Order of Disposal

5. To ensure equitable and best use of surplus assets and to guide the administration, the order of disposal shall be by;
  - a. Donations to non-profit community organisations and schools by public notice and application when an appropriate amount of item/s become available for donation
    - i. Priority for allocation of donated item/s will be given to those non-profit community organisations and schools which are located within the Town.
  - b. Sale to other individuals or organisations by private treaty or tender
  - c. Recycling or dumping at refuse site

### Conditions of disposal/sale

6. Surplus assets which are donated or sold are done so under the following conditions;
  - a. All items are sold or donated on an as is basis with all faults if any
  - b. The tendered sum or negotiated sale price is to be paid prior to collection of the item/s
  - c. The Town will not provide any consumables or technical support for any item/s that have been donations or purchased from the Town
  - d. The Chief Executive Officer reserves the right to;
    - i. Withdraw any tenders at any time and;
    - ii. Not accept any tender
    - iii. Not accept any private treaty

### Asset Management and Reporting

7. To ensure adequate record keeping all disposed or sold assets are to be noted and removed from the asset register or other minor equipment registers as appropriate.
8. All donated items are to be kept on a register stating date, organisation and items donated to ensure equitable distribution over time.
9. Any tenders, expressions of interest or private treaty for the sale of surplus assets, and any associated documentation are to be recorded and kept.
10. Details of items/s disposed of by Paragraph 5 (b) or (c) will be reported to Council via the monthly financial statements.

### Related documents

[Local Government Act 1995 s.3.58](#)

[Local Government \(Functions & General\) Regulations 1996 Reg. 30. and 31](#)

[Policy 222 - Asset Management](#)

<b>Responsible officers</b>	Manager Corporate Services Financial Controller Senior Accounting Officer Senior Procurement Officer Coordinator Strategic Assets
<b>Policy manager</b>	Chief Financial Officer
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	February 2026

## Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	28/09/1999	Council	-	Item 4.1
2	Amended	15/08/2006	Council	-	Item 4.1
3	Reviewed	09/07/2013	Council	-	Item 10.1
4	Reviewed	11/08/2015	Council	-	Item 10.1
5	Reviewed and amended	20/08/2019	Council	148/2019	Item 10.1
6	Reviewed and amended	20/04/2021	Council	75/2021	Item 15.1
7	Administratively amended	24/08/2023	Delegation		
8	Reviewed	20/02/2024	Council	7/2024	Item 11.3

<b>Policy number</b>	Policy 310
<b>Policy title</b>	Leasing and Licensing
<b>Strategic outcomes supported</b>	CL1 – Effectively managing resources and performance CL3 - Accountability and good governance

**Policy objective:**

This policy provides guidelines for leasing and licensing of facilities under Town ownership or management.

This policy aims to:

- Balance appropriate management and responsible use of the Town’s facilities for the benefit of the community.
- Ensure sound financial management and effective administration.
- Balance administration of the Town’s leases and licences with the objectives of the Town’s Land Asset Optimisation Strategy.
- Ensure Town managed properties are appropriately maintained, developed and occupied.
- Ensure any in kind support from the Town, including peppercorn, discounted or other rent subsidy, is recognised transparently in light of community benefit and having regard to social impact investment processes.
- Provide a framework for key lease and licence terms.

**Policy scope:**

This Policy applies to all leases and licences of facilities owned or managed by the Town.

**Policy definitions:**

**Community Purpose** means use primarily aimed at benefiting the local community. It includes use by an incorporated sporting club or community organisation or community group, and may also include use for a Government Purpose where the Town considers that use to be of particular value to the local community.

**Community Facility** means a Facility intended for use for a Community Purpose.

**Commercial Purpose** means use aimed at advancing commercial or economic interests. This typically entails business activity that targets income generation or profit.

**Commercial Facility** means a Facility intended for use for a Commercial Purpose.

**Facility** means land, halls, pavilions, change rooms, clubrooms, civic offices and other buildings owned or managed by the Town.

**Government Purpose** means use for the provision of public services by a State or Federal government department or a body corporate that is incorporated within Australia and is a public authority or an instrumentality or agency of the Crown.

**Land Asset Optimisation Strategy** means the strategy adopted by Council resolution 253/2022 dated 13 December 2022.

**Lease** means a written contract of terms under which the Town grants exclusive possession of all or part of a Facility for a specified period of time in return for the payment of rent.

**Licence** means a written contract of terms under which the Town grants non-exclusive possession in respect of a Facility for a specified period of time.

**Long Lease** means a Lease, the fixed term of which is longer than any of: (1) an initial term of 5 years; (2) an option to extend for a further period of up to 5 years.

**Social Impact Investment Process: Peppercorn Leases** means Attachment 2 to Council resolution 235/2022 dated 15 November 2022.

**Policy statement:**

1. The Town of Victoria Park owns and manages Facilities on behalf of its community. Leases and Licences provide means for Facilities to be made available for the use, benefit and in the best interests of residents and ratepayers.
2. Decisions regarding Leasing and/or Licensing of Facilities will have regard to the following principles:
  - a. Supporting local groups
  - b. Social Return, including Social Impact Investment Process: Peppercorn Leases
  - c. Sustainability
  - d. Commercial Value
  - e. Equity
  - f. Exclusive or shared use
  - g. Financial Return
  - h. Land Asset Optimisation Strategy
  - i. Transparency as to leasing and licensing terms
3. Facilities will be classified in accordance with Policy 221 Strategic Management of Land and Property Assets.

**Administration:**

4. Leases and Licences of the Town's Community Facilities will be administered in an equitable and consistent manner so far as is reasonable and practicable.
5. Leases and Licences of the Town's Commercial Facilities will be administered so as to maximise income generation for the Town, to align with market conditions so far as is reasonable and practicable.

**Leases**

6. Leases are to comply with the following:
  - a. Exclusive possession is to be granted in respect of the Facility;
  - b. Leases will be for a fixed term of up to 5 years with any option to extend being for a further term of up to 5 years;
  - c. The Lessee will be responsible for all non structural maintenance within the leased area and will provide documentation on the following (if applicable):
    - i. Fire servicing equipment;
    - ii. Mechanical services maintenance and service records (in accordance with Australian Standards);
    - iii. Annual gutter cleaning;

- iv. Annual pest control treatments;
  - v. Electrical compliance testing;
  - vi. Sewer pump and grease trapping services; and
  - vii. Septic system servicing.
- d. The Lessee will be responsible for cleaning and the general presentation of the leased area;
- e. The Lessee will be responsible for all operating/running costs, including but not limited to:
- i. Refuse collection;
  - ii. Emergency services levy;
  - iii. Water rates;
  - v. Council rates;
  - vi. All utilities related to their use (e.g. electricity, gas, water, telecommunications etc.); and
  - vii. Reimbursement of the Town for the cost of building insurance, where the Lease is for a Commercial Purpose or a Government Purpose.
- f. The Lessee will be responsible for obtaining appropriate insurance (e.g. public liability insurance, contents insurance etc.);
- g. The Lease will be based on a rental amount;
- h. The Lease will include a redevelopment clause. If the Town wishes to do anything that may result in significant redevelopment of the land and/or Facility, the Town may give six months written notice of termination of the Lease, requiring the Lessee to vacate on such termination;
- i. The Lessee will be permitted to undertake capital improvements (with prior written approval from the Chief Executive Officer), provided that the Town will not be obliged to pay compensation for such improvements on termination; and
- j. Approval from the Chief Executive Officer will be required prior to any assignment or subletting.
7. The Town as the Lessor will be responsible for:
- a. Arranging appropriate building insurance at the cost of the Town, limited to the protections under the Local Government Insurance Scheme; and
  - b. All structural maintenance within the leased area.

#### Licences

8. Licences provide non-exclusive possession of a Facility use and typically provide sporting clubs and other community based user groups with use of a Facility shared with other users, for example on a seasonal basis. Shared use promotes greater utilisation of Facilities, which are a finite resource.
9. Licences are to comply with the following:
- a. A grant of non-exclusive possession of the Facility;
  - b. Licences will be for a term of up to 3 years;
  - c. The Licensee will be responsible for obtaining appropriate insurance (e.g. public liability insurance, contents insurance
  - d. A licence fee will apply;
  - e. The Licence will include a redevelopment clause, whereby if the Town wishes to do anything that may result in significant redevelopment of the land and/or Facility, the Town may give six months written notice of termination of the Licence requiring the Licensee to vacate on such termination;
  - f. Approval from the Chief Executive Officer will be required prior to any sublicensing of the premises (if granted the power to sublicense); and
  - g. The Licensee will be responsible for cleaning and the general presentation of the leased area;

10. The Town as the Licensor will be responsible for:
  - a. Arranging appropriate building insurance at the cost of the Town, limited to the protections under the Local Government Insurance Scheme;
  - b. Managing the Facility as a shared use venue;
  - c. Ensuring the user groups needs can be met as a shared use Facility in the Town's view;
  - d. All maintenance of the Facility, including structural, as well as any capital development of the facility; and
  - e. All utility costs associated with the Facility (which may in the interests of promoting responsible consumption be on charged in part or in full to the Licensee).

#### Additional guidelines – Lease and Licences of Commercial Facilities

11. In general, Leases and Licences for Commercial Purposes will only be granted where a Facility is located on property held for capital appreciation or income generation.
12. Leases and Licences of a Commercial Facility shall:
  - a. Be at a rental not less than 10% below a market rental valuation assessment by a licensed valuer that takes into account relevant and applicable matters affecting the Facility (for example, restrictions (if any) placed on the use of the Facility by any Management Order, Town Planning zoning and land title restrictions);
  - b. The rent is to be reviewed every 12 months in accordance with the rate of CPI and at 5 year intervals in accordance with valuation by a licensed valuer;
  - c. The Lessee or Licensee will be responsible to reimburse the Town for the cost of building insurance; and
  - d. The Lessee or Licensee will be responsible for the cost of local government rates (unless exempt).

#### Additional guidelines – Leases and Licences of Community Facilities

13. Leases and Licences of Community Facilities will typically be granted only to bodies that are incorporated with charitable, benevolent, cultural, educational, recreational, sporting or other like nature, the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions.
14. The following apply to Leases and Licences of Community Facilities:
  - a. Rents/Licence Fees will usually be at a peppercorn, discounted or other subsidised rate set by Council having regard to the community benefit to be achieved and social impact investment processes. Where the Community Purpose is a Government Purpose, the rent/licence fee shall be market related.
  - b. Lessees and Licensees shall use reasonable endeavours to (so far as is reasonably practicable) comply with the Social Impact Investment Process: Peppercorn Leases;
  - c. The Town's Annual Report will contain an estimate of the value of each Facility that is made available at a peppercorn, discounted or other subsidised rate, in the interests of full disclosure of the amount of the subsidy provided by the Town by way of reduced rent or licence fee;
  - d. Lessees and Licensees that receive any form of subsidy from the Town will be required to deliver programs, services and social benefits for the community and to acknowledge any peppercorn, discounted or other subsidised rent or licence fee is to be acknowledged by the Lessee/Licensee to the Town's satisfaction in Lessee/Licensee's the annual report, promotional materials and correspondence;
  - e. Lessees and Licensees will be required to annually provide information to the Town to assist with accurate records of office holder contact details, financial data and occupancy statistics. They will also be subject to annual facility inspections to ensure maintenance obligations are being met.

### Additional guidelines – Legislative Requirements

The application of this policy shall be subject to relevant and applicable legislative requirements and shall be modified in order to comply with such requirements, for example:

- The form, content and management of residential tenancies is regulated by the Residential Tenancies Act 1987;
- Commercial Tenancy (Retail Shops) Agreements Act 1985.

### Additional guidelines - Long Lease

A Long Lease will not be considered unless Council is satisfied that exceptional circumstances justify such tenure to be granted. Exceptional circumstances may include significant income to the Town, significant capital investment into the Facility by a Lessee or significant community benefit.

### Approval

15. All Long Leases, Leases and Licences of a Facility must be approved by Council, unless authority to approve has been delegated by Council to the Chief Executive Officer.
16. Approval must comply with any applicable requirements of Section 3.58 and/or Section 3.59 of the Local Government Act 1995.
17. Criteria for the Town to lease or licence a Facility shall include the Town being satisfied that:
  - a. The use is consistent with the Town Planning zoning, any land title restrictions and the nature of the reserve or Facility and the surrounding area;
  - b. The applicant is capable of ensuring the safe and appropriate use of the reserve or facility.
18. The applicant may be required to provide:
  - a. A bond or other security;
  - b. Proof of qualifications;
  - c. Audited financial statements;
  - d. Proof of relevant current insurance;
  - e. Permits, trading licence and/or a liquor licence; and
  - f. Evidence of risk and event management practices, such as a risk management plan, noise management, traffic management and compliance to environmental health requirements.

### Crown Land

19. Leases and Licences of crown land managed by the Town require additional approval under Section 18 of the Land Administration Act 1997 from the State Government (Minister for Lands). Other government departments may have approval requirements, for example, the Department of Biodiversity, Conservations and Attractions for land adjacent to the Swan River.

### Related documents

- [Commercial Tenancy \(Retail Shops\) Agreements Act 1985](#)
- [Disability Services Act 1993](#)
- [Land Administration Act 1997](#)
- [Local Government Act 1995](#)
- [Property Law Act 1969](#)
- [Residential Tenancies Act 1987](#)
- [Land Asset Optimisation Strategy](#)
- [Policy 221 Strategic Management of Land and Property Assets](#)
- [Social Impact Investment Process: Peppercorn Leases](#)

<b>Responsible officers</b>	Nil.
<b>Policy manager</b>	Manager Property Development and Leasing
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	April 2023

### Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	19/05/2020	Council	414/2020	Item 15.2
2	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
3	Administratively amended	24/08/2023	Delegation		
4	Reviewed and amended	20/02/2024	Council	7/2024	Item 11.3
5	Reviewed	20/05/2025	Council	95/2025	Item 11.3

<b>Policy number</b>	Policy 331
<b>Policy title</b>	Information Systems Security
<b>Strategic outcomes supported</b>	CL3 – Accountability and good governance.

## Policy objective:

To set a multi-pronged approach in place to protect the data and systems of the Town. This includes robust practices to provide for business continuity in the event of a disaster.

The Town of Victoria Park (the Town) has a strategic priority to implement an Information Security Management System (ISMS). An ISMS consists of a suite of policies, procedures, guidelines and relevant resources to manage all information assets.

The strategic objectives are drawn from the Western Australian Whole of Government Digital Security Policy, published in June 2017.

## Policy scope:

The scope of the policy is the management of digital and physical information security and access in the context in which information is created and managed.

## Policy definitions:

Nil.

## Policy statement:

### IS Security Strategic Plan:

1. The Town has implemented the IS Security Strategic Plan which includes the adherence to the Australian Signals Directorate's (ASD) Essential Eight as part of its security tool kit and then plans to implement ISO 27001 (Information technology -- Security techniques -- Information security management systems – Requirements) in the future.
2. The ASD Essential Eight is one of many tools to enable the Town to enable cyber resilience focusing on two areas:
  - a. Preventing malware from running in the environment; and
  - b. Limiting the extent of security incidents, and being able to recover data.

### Cyber security:

3. The CEO will ensure the following security objectives for the Town are maintained:
  - a. Develop and continuously improve security management practices

- b. Empower our staff, partners, and communities to be strong links in our overall security chain through collaboration and enablement
- c. Enable innovation while effectively identifying and managing cyber risks

#### Digital security:

4. The CEO will ensure the application and management of controls are in place to ensure that the right information is available when ever required by staff with the appropriate access permission and the confidentiality and integrity of information is secured.

#### Information privacy:

5. In accordance with the Information Privacy Principles of the *Privacy Act 1988* (Cth) the Town has developed a Privacy Statement. The Town adheres to the provisions of the *Freedom of Information Act 1992* (WA).

#### Information access:

6. Staff, contractors and consultants may, subject to appropriate permissions and authority, have access to the Town's records to fulfil their duties and obligations.
7. The CEO will ensure measures are in place to ensure the security of its records, both hard copy and electronic, and authorised access to them. Reference to Security and Access have been documented in the Town's Record Keeping Plan.

#### Public access documents:

8. The CEO will ensure that regular identification of Councils documents for public access purposes is followed to increase greater communication with the community, this may have a positive effect by reducing Freedom of Information applications submitted to the Town.

#### Security of physical documents:

9. The management of physical records has been outlined in the Town's Record Keeping Plan.

#### Third party information access permissions:

10. The CEO will ensure that access to Corporate Information / Networks / Business System will be refined to ensure all appropriate security measures are in place.
11. The term 'third party' refers to various forms of external hire of labour and specialists such as contractors, consultants, Trainees, Work experience students and various specialists such as IS support and other vendors etc.
12. When providing access to the network/business systems the CEO will consider the following:
  - a. Signing a confidentiality agreement restricting the use and dispersal of confidential information
  - b. Documented permissions standards appropriate to fulfil duties and obligations as per contract/terms of reference.
  - c. Procedures to identify what type of third party should gain access the type and how much access to systems should a third-party gain to perform their duties as required.
    - i. Contractor – location and reporting level, develop appropriate criteria if applicable
    - ii. Consultant – location and reporting level, develop appropriate criteria if applicable
    - iii. Trainees
    - iv. Work experience students
    - v. IS - Software vendors and support etc.
    - vi. Include – mobile devices such as laptop, tablets, and other mobile devices – thumb drives etc.

- vii. Induction training
- viii. Comply with all aspects of relevant policies – e.g. IS policy – which includes conditions of use for mobile devices, standards, guides, references, practices and procedures.

## Related documents

[ICT Strategic Plan](#)

[Information and Communications Technology Asset Management Plan](#) (as part of the Integrated planning and reporting framework)

[Information Statement](#)

<b>Responsible officers</b>	Manager Technology and Digital Strategy
<b>Policy manager</b>	Manager Technology and Digital Strategy
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	May 2026

## Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	17/12/2021	Council	281/2020	Item 14.2
2	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
3	Reviewed	20/05/2025	Council	95/2025	Item 11.3

<b>Policy number</b>	Policy 332
<b>Policy title</b>	Record Keeping Policy
<b>Strategic outcomes supported</b>	CL3 – Accountability and good governance.

**POLICY OBJECTIVE:**

The Town of Victoria Park (the Town) is committed to ensuring that its recordkeeping functions are undertaken to ensure that business transactions and activities are created and managed in a manner that is compliant, relevant, reliable and accurate.

The purpose of this policy is to ensure the Town meets its statutory obligations consistent with the *State Records Act 2000* and operationalises legislative requirements into management practice. It articulates the principles of the records management function and the approach to effective management of records

**POLICY SCOPE:**

This policy applies to all Town of Victoria Park Elected Members, employees and contractors.

a) Elected Members

All elected members are to create and maintain records relating to their role as a Council Member for the Town of Victoria Park in line with legislation and State Government policies and procedures for the management of records. Personal records, ephemeral records and political material are exempt from these requirements.

b) Chief Executive Officer

In accordance with section 5.41 of the *Local Government Act 1995*, the Chief Executive Officer is to “Ensure that records and documents of the local government are properly kept for the purpose of this act and any other written law”.

c) Management (Chiefs, Managers)

Management are to ensure that all employees under their supervision comply with this policy and associated records management procedures and the Town’s Record Keeping Plan. Management is to ensure that all new staff attend all induction to their record keeping responsibilities and training sessions.

d) Officers

All employees (including all staff, contractors, trainees, apprentices, cadets, interns, consultants, volunteers) are to create, collect and retain records relating to business activities they perform, including:

- Identify significant and ephemeral records, ensuring that the significant records are captured into the record keeping system, and that all records are handled in a manner compliant with legislation and the Town’s practices and procedures for record keeping.
- Ensure that only authorised disposal of records occur in accordance with the General Disposal Authority (GDA) for Local Government

e) Information Management Team

The Information Management Team is responsible for providing a records management service which complies with the Town’s records keeping plan, policy and procedures, and WA State Records Office requirements.

**DEFINITIONS:**

**Record** is recorded information, regardless of its medium or characteristics. It records business decisions, transactions or a state of knowledge and is generated as part of a business process.

Examples include correspondence, electronic documents, forms, electronic messages, plans, photographs, drawings, audiovisual materials etc.

**Significant Records** contain information, which is of administrative, legal, fiscal, evidential or historical value, which are not recorded elsewhere on the public record. They typically describe an issue, who was involved, record why a decision was made and may embody actual guidelines.

**Ephemeral Records** are either duplicated records or those having only short term value to the Town with little or no ongoing administrative, legal, fiscal, evidential or historical value. This may include insignificant drafts, rough notes and records of routine enquiries.

**Vital Records** are essential to the continuing business of the Town. These include those that protect the rights of individuals and the Town

**Non-Vital Records** relate to documents generally available in the public domain and do not form part of the Town's business processes. They are generally used for reference and information purposes and may include documents from other organisations, published directories and third party training manuals.

**POLICY STATEMENT:**

This policy establishes the Town's position in relation to suitable definitions, accessibility to records, destruction of records, management of ephemeral records and training.

Records are recognised as an important information resource for the Town, and it is accepted that sound records management practices will contribute to the overall efficiency and effectiveness of Town of Victoria Park. Due to legislative requirements, the Town is obliged to maintain a records management system that completely, accurately and reliably creates and maintains evidential records, and to dispose of those records only through an approved scheme.

This policy applies to all external and internal records, which are handled, received or generated by Town of Victoria Park, regardless of their physical format or media type.

**DETAILS:**

Elected Members, employees and contractors of the Town will create full and accurate records, in the appropriate format, of the Town's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

**1. Custodianship**

The Town's records are a government owned asset. The records created during the course of business belong to the Town of Victoria Park by virtue of their possession, not to the individual who created such records during their time as an officer at the Town of Victoria Park. Officers who acquire or create any records in the course of business shall not retain proprietary interest. Ownership of these records is vested in the Town therefore, are subject to the recordkeeping practices and procedures of the Town.

## 2. Maintaining Records

- a) All 'records' are to be managed according to their:
  - Classification as 'significant' or 'ephemeral',
  - Classification as 'vital' or 'non vital', and
  - Security classification.
  
- b) Registers are to be maintained of all records including; but not limited to:
  - Policies;
  - Delegations;
  - Tenders and Quotations;
  - Assets and Property Ownership including dealings in property; and
  - Contracts and Deeds;
  
- c) All Elected Members, employees and contractors are responsible for maintaining complete, accurate and reliable evidence of all business transactions, and ensuring all corporate records are retained within the Town's official recordkeeping systems at the point of creation, regardless of the format, being in accordance with:
  - Corruption and Crime Commission Act 2003
  - Criminal Code Act 1913
  - Electronic Transactions Act 2011
  - Evidence Act 1906
  - Financial Management Act 2006
  - Freedom of Information Act 1992
  - Interpretation Act 1984
  - Limitations Act 2005
  - Local Government Act 1995
  - State Records Act 2000
  - State Records Commission: Principle and Standards
  
- d) The Chief Executive Officer, Chiefs, Managers and officers nominated by Chiefs, are responsible for records generated within their scope of responsibility. The Chief Executive Officer is responsible for ensuring compliance to the above legislative requirements.
  
- e) All contractual arrangements undertaken by the Town which are likely to result in third parties creating 'significant' records are to provide for third parties to transfer possession of those records to the Town.
  
- f) Records are not to be removed from the Town's site unless this is in accordance with the approved Retention and Disposal Schedule, or the records are in the custody of an officer performing official business.

## 3. Access to Records

Access to corporate records by Elected Members and Committee Members will be via the Chief Executive Officer in accordance with Section 5.92 of the Local Government Act 1995. Access to corporate records by employees and contractors will be in accordance with designated access and security classifications. Access to corporate records by the general public will be in accordance with the *Freedom of Information Act 1992*.

#### 4. Disposal and Destruction

The Information Management Coordinator will retain and dispose of all corporate records in accordance with the General Disposal Authority for Local Government Records and/or the General Disposal Authority for Source Records, following authorisation from the Chief Executive Officer.

#### 5. Ephemeral and Non-vital Records

Ephemeral and non-vital records may not be required to be placed within the Town's official recordkeeping systems. Elected Members, employees or contractors may dispose of such ephemeral and non-vital records once reference ceases.

### Related documents:

[State Records Act 2000](#)

<b>Responsible officers</b>	Information Management Coordinator
<b>Policy manager</b>	Manager Technology & Digital Strategy
<b>Approval authority</b>	Council
<b>Next Evaluation Date</b>	May 2026

### Revision history

Version	Action	Date	Authority	Resolution Number	Report number
1	Adopted	18/04/2023	Council	75/2023	Item 15.5
2	Administratively amended	24/08/2023	Delegation		
3	Administratively amended	21/09/2023	Delegation		
4	Reviewed	21/05/2024	Council	84/2024	Item 11.3
5	Reviewed	20/05/2025	Council	95/2025	Item 11.3