

Policy number	Policy 021
Policy title	Elected member fees, expenses and allowances
Strategic outcomes supported	<p>CL16 – Finances are managed appropriately, sustainably and transparently for the benefit of the community. <u>Effectively managing resources and performance</u></p> <p>CL8-CL3 – Visionary civic leadership with sound and accountable governance that reflects objective decision making. <u>Accountability and good governance</u></p>

Policy objective:

To outline the fees, allowances and entitlements available to elected members in accordance with the *Local Government Act 1995* (Act) and the *Local Government (Administration) Regulations 1996* (Regulations), and to support them in performing their duties.

Policy scope:

This policy applies to elected members.

Policy definitions:

ICT expenses means ~~rental charges in relation to one telephone and one facsimile machine~~ and any ~~other~~ expenses ~~for that relate to~~ information and communications technology costs for operating and maintaining information technology related equipment, s. Such as relevant telecommunication costs, computer hardware, computer software, internet charges and ICT consumables (for example, telephone call charges and internet service provider fees) and ~~that are~~ a kind of expense prescribed by regulation 32(1) of the Regulations.

Tribunal means the Salaries and Allowances Tribunal established under the *Salaries and Allowances Act 1975*.

Policy statement:

Elected members

Fees and allowances (s.5.98, s5.99, s.5.99A Act)

Annual meeting attendance fee in lieu of meeting fees

1. All elected members are entitled to the maximum annual meeting attendance fees as determined by the Tribunal, and as adopted by Council in the annual budget.

Information Communication Technology (ICT) expenses allowance

2. All elected members are entitled to the maximum annual ICT expenses allowance in lieu of reimbursement of ICT expenses as determined by the Tribunal, and as adopted by Council in the annual budget.

Annual local government allowances for Mayor and Deputy Mayor (s.5.98, s5.98A Act)

3. The Mayor is entitled to the maximum annual local government allowance as determined by the Tribunal, and as adopted by Council in the annual budget.
4. The Deputy Mayor is entitled to the maximum percentage of the mayoral annual local government allowance as determined by the Tribunal, and as adopted by Council in the annual budget.

Reimbursement of Expenses for Elected Members (s.5.98 Act)

5. Elected members are entitled to be reimbursed for expenses of the kind prescribed in Regulations 31 and 32 of the Regulations, including but not limited to child care and travel costs.
6. The extent to which elected members can be reimbursed for expenses of the kind prescribed in Regulations 31 and 32 of the Regulations shall be as determined by the Tribunal.
7. Child care costs will not be paid for where the care is provided by a member of the immediate family or relative living in the same premises as the elected member.
8. Under no circumstances is any reimbursement to be made in connection with costs incurred for re-election to the office of elected member or election to the office of Mayor or Deputy Mayor.
9. Elected members are entitled to reimbursements for travelling expenses incurred, in the performance of their duties, to/from their normal place of residence or work, with respect to the following:
 - a. Council meetings, civic functions, citizenship ceremonies or briefings called by either Council, the Mayor or the Chief Executive Officer;
 - b. Committees to which an elected member is appointed a delegate or deputy by Council;
 - c. Meetings, training and functions scheduled by the Chief Executive Officer;
 - d. Conferences, community organisations, industry groups and local government associations to which an elected member has been appointed by Council as its delegate or a deputy to the delegate;
 - e. Gatherings or events (i.e. funerals, local business or community events), attended by the Mayor or the Mayor's nominated deputy as a representative of the Town;
 - f. Site inspections in connection with matters listed on any Council Agenda paper. When making this claim, elected members are to state the Item Number listed on any Council Agenda paper along with the date and time of the visit on the claim form;
 - g. In response to a request to meet with a ratepayer/elector, but excluding the day of Council elections. When making this claim, elected members are to state the time and purpose of the visit and the name and address of the ratepayer/elector on the claim form.

Professional development expenses

12. The guidelines for expenses related to professional development are set out in Policy 022 Elected member professional development.

Payments

Payments of fees and allowances monthly in arrears

13. All elected members will be paid annual meeting attendance fees and all other allowances in arrears on a monthly basis, in the Town's first payment run of the month.

Reimbursement of expenses

14. All claims for reimbursements by elected members are to be submitted to the Chief Executive Officer within 60 days of the expense being incurred, accompanied by:
 - a. Date of the claim
 - b. Type of travel- (as identified in Section 3)
 - c. Distance travelled
 - d. Origin and destination of travel.

15. Reimbursements, once approved, will be paid during the next scheduled payment run following approval.

Related documents

[Local Government Act 1995](#)

[Determinations of the Salaries and Allowances Tribunal](#)

[Policy 022 – Elected member professional development](#)

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

Responsible officers	Coordinator Governance and Strategy Mayoral and Governance Support Officer
Policy manager	Manager Governance and Strategy
Approval authority	Council
Next evaluation date	

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	25/05/1999	Council	-	Item 3.12
1	Reviewed	15/08/2006	Council	-	Item 4.1
1	Reviewed	09/07/2013	Council	-	Item 10.1
1	Reviewed	11/08/2015	Council	-	Item 10.1
2	Amended	19/02/2019	Council	26/2019	Item 14.7
3	Reviewed and amended	20/08/2019	Council	148/2019	Item 10.1
4	Amended	15/09/2020	Council	518/2020	Item 15.1
5	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
6	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5

Policy number	Policy 026
Policy title	Complaints relating to Council Members, Committee Members and Candidates
Strategic outcomes supported	CL8 – Visionary civic leadership with sound and accountable governance that reflects objective decision making.

1. Policy objective:

The objective of this Policy is to:

- prescribe the processes for the management of complaints involving council members, committee members and candidates in matters relating to breaches of the ~~behaviour requirements in Division 3 of the~~ Code of Conduct for Council Members, Committee Members and Candidates.
- ensure that the complaints management process is timely and follows the principles of natural justice and procedural fairness.

2. Policy scope:

- This Policy applies to complaints about breaches of the Code of Conduct by Council ~~M~~members, ~~C~~committee ~~M~~members and ~~C~~candidates occurring on or after 3 February 2021.
- This Policy applies to ~~C~~council ~~m~~Members, ~~c~~Committee ~~m~~Members, ~~c~~Candidates and any person who submits a complaint in accordance with this Policy.
- A person may make a complaint, in accordance with the Code of Conduct by Council Members, Committee Members and Candidates ~~Code of Conduct~~, alleging a ~~behaviour~~ breach.

3. Policy definitions:

In this Policy –

behaviour breach means a breach of a behaviour requirement in Division 3 ~~– behaviour~~, of the Code of Conduct.

Behaviour Complaints Officer means a person ~~authorised in writing by the council, or by the CEO exercising authority delegated by the council, to receive complaints and withdrawals of complaints under clause 10 of the Code of Conduct, and the person so~~ authorised in writing ~~may be the same person as the Town’s complaints officer~~ under section 5.120 of the *Local Government Act 1995* (LG Act).

candidate - an individual is considered a candidate when their nomination for election is accepted by a Returning Officer under section 4.49 of the LG Act. The Code of Conduct applies to the candidate from that point. Any alleged ~~behaviour~~ breach may only be dealt with if and when the candidate is elected as a council member.

Code of Conduct means the Town of Victoria Park Code of Conduct for ~~C~~council ~~M~~members, ~~C~~committee ~~M~~members and ~~C~~candidates.

committee member - means a Council Member, employee of the Town of Victoria Park or other person who has been appointed by the Council to be a member of a Committee, in accordance with s.5.10(1) of the LG Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

complainant means a person complaining of a ~~behaviour~~ breach of the Code of Conduct by a council member, ~~or~~ committee member ~~of the Town~~ or ~~a~~ candidate.

Complaint means a complaint made under ~~clause 11(1) of~~ the Code of Conduct.

Complaints Panel means a panel of persons appointed under clause ~~4~~6.2 to consider and determine Complaints.

council member means a person who has been elected as a council member of the local government under the LG Act. This Policy also applies to a council member who is a committee member on a council committee.

evidence means the available facts or information which go to indicate whether or not an allegation of a breach is true or valid. The local government must use evidence provided by the complainant and by the respondent, as well as any other available evidence, to decide whether a breach has occurred.

Investigator means a person appointed as Investigator under clause ~~4~~6.1 of this Policy.

Report means the report for the council of the outcome of the investigation of a Complaint dealing with the following:

- (1) whether or not the Investigator considers that the behaviour breach the subject of the Complaint has occurred;
- (2) the evidence relied on by the Investigator under clause 12(3) of the ~~code~~Code of Conduct for that conclusion; and
- (3) a recommendation as to whether no further action should be taken on the Complaint, or as to the terms of a plan under clause 12(4)(b) of the ~~code~~Code of Conduct.

Other terms used in this Policy that are also used in the LG Act have the same meanings as they have in the Act unless the contrary intention appears.

respondent means a council member, ~~or~~ committee member or candidate against or about whom a Complaint is made under clause ~~5~~4 of this Policy.

4. POLICY STATEMENT

4.1. Appointment of Investigator or Complaints Panel

~~The CEO is to appoint either:~~

~~4.11.1 A person with relevant knowledge who is not an employee, current or former, elected member of the Town, as Investigator to review and consider one or more Complaints of behaviour breach and to report on the outcome of any investigation to the CEO for provision to the Council; or~~

~~4.21.1 A Complaints Panel of three persons who are not an employee, current or former, elected members of the Town, to perform the function of the Investigator under this Policy, at least one of whom must be a person with relevant legal knowledge. A Complaints Panel is to make its decisions by a majority vote and is to appoint one of its number as chair and to perform its consideration and determination on a Complaint in accordance with due process and consistently with the provisions of this Policy.~~

~~4.31.1 The CEO is to deal with the remuneration of an Investigator or the members of a Complaints Panel, and a complaints mediator, in accordance with clause 17.~~

- ~~• The purpose of the Town's Code of Conduct is to guide the decisions, actions and behaviours of council members, committee members, and of candidates running for election as a council member. [This policy guides complaints relating to alleged breaches of the Code of Conduct.](#)~~

5. **Process for making a complaint [about a breach of Division 3 - Behaviour](#):-**

Initiation of Complaint

- (a) Any person may make a Complaint alleging a behaviour breach.
- (b) A Complaint must be in writing on the Town's approved form – 'Complaint About Alleged Behaviour Breach form' ([Appendix 1](#)).
- (c) The complainant must lodge the Complaint with the Town's ~~Behaviour~~ Complaints Officer.
- (d) The complainant must provide with their ~~ir~~ Complaint, details of the alleged behaviour breach together with any supporting evidence.
- (e) The Complaint must be lodged within one month of the occurrence of the alleged behaviour breach.
- (f) A Complaint must be submitted by the complainant.

A Complaint cannot be submitted anonymously.

- ~~• [Within 14 days of receiving the complaint,](#) ~~t~~The ~~Behaviour~~ Complaints Officer: ~~is to provide all Complaints to the Investigator in accordance with the following clause.~~~~

~~The Behaviour Complaints Officer within 14 days of receiving a Complaint:~~

~~5.3~~

- (a) must contact the complainant acknowledging that the Complaint has been received;
- (b) as part of the acknowledgment process, must provide the complainant with a copy of ~~the Town's Complaints~~[this](#) Policy;

- (c) must provide the respondent with a copy of this ~~Complaints~~ Policy and a copy of the Complaint (including the name of the complainant); and
- (d) must send to the Investigator the Complaint together with details of the alleged breach and any supporting evidence provided by the complainant.

5.5.4 Complaints are to be dealt with and considered so far as is practicable in an order based on the order in which they are received by the ~~Behaviour~~ Complaints Officer.

- A Complaint relating to a candidate is only to be referred to an Investigator if and when the candidate is elected as a council member, but in any event the Complaint must be lodged within one month of the occurrence of the alleged behaviour breach.

6. Appointment of Investigator or Complaints Panel

The ~~CEO~~ Complaints Officer is to appoint either:

- A person with relevant knowledge who is:
 - not an employee; or
 - a current or former elected member of the Town
 as Investigator to review and consider one or more Complaints of ~~behaviour breach~~ Division 3 of the Code of Conduct and to provide a report on the outcome of any investigation ~~to the CEO for provision to the Council.~~

or

 ; or

- A Complaints Panel of three persons who are not an employee, current or former, elected members of the Town, to perform the function of the Investigator under this Policy, at least one of whom must be a person with relevant legal knowledge. A Complaints Panel is to make its decisions by a majority vote and is to appoint one of its number as chair and to perform its consideration and determination on a Complaint in accordance with due process and consistently with the provisions of this Policy.
- The CEO is to deal with the remuneration of an Investigator or the members of a Complaints Panel, and a complaints mediator, in accordance with clause ~~17.~~ 5.6

6.7. Mediation

6.17.1 The Investigator must offer mediation to both parties as the first option for dealing with a Complaint and before progressing with the consideration or determination of the Complaint. Mediation can only proceed if agreed to by both parties.

6.27.2 If issues raised in the Complaint are resolved to the satisfaction of both parties in mediation or otherwise before the determination of the Complaint, the complainant must lodge a Withdrawal of Complaint in writing with the ~~Behaviour~~ Complaints Officer.

7.8. Investigator making a determination

7.18.1 Before making a determination in relation to a Complaint, the Investigator must provide the respondent with an opportunity to respond to the allegations in the Complaint and to provide their own comments and evidence for consideration within 14 days of ~~the notification of~~ receiving the Complaint ~~to them by the Behaviour Complaints Officer.~~ The Investigator may extend the 14-day period for good reason provided by the respondent.

~~7.28.2~~ After considering a Complaint, the Investigator must make a determination as to whether or not the alleged behaviour breach has occurred.

~~7.38.3~~ The determination must be made within 21 days:

- (a) from receiving a Complaint from the ~~Behaviour~~ Complaints Officer; or
- (b) from receiving a copy of the response to the allegations by the respondent,

whichever is the later. ~~Provided that in~~In any case, the Investigator may seek from the CEO such additional time to make a determination as is appropriate in the circumstances of the case.

~~7.48.4~~ A determination by the Investigator that the alleged behaviour breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

~~7.58.5~~ Having made a determination on the alleged behaviour breach, the Investigator must inform the ~~Behaviour~~ Complaints Officer by providing a determination and reasons for it in a Determination and Reasons Report (**Report**).

~~7.68.6~~ The Report must be provided to the ~~Behaviour~~ Complaints Officer within 14 days of making the determination.

~~8.7~~ If the Investigator makes a determination that the alleged breach has occurred, the Report must make a recommendation that either:

(a) no further action be taken; or

~~7.7~~ (b) a plan to address the behaviour of the person to whom the complaint relates be prepared and implemented if further action is required and make a recommendation on the plan to address the behaviour of the respondent (action plan).

~~8.8~~ The Investigator may recommend to the council to dismiss a Complaint in accordance with clause 13 of the Code of Conduct,

~~7.88.9~~ and if the Investigator concludes that the alleged behaviour ~~the subject of the Complaint~~ is an offence under a local law ~~that deals with meeting procedures~~, the Complaint should not be dealt with further as a ~~behaviour~~ breach of Division 3, but and should be referred back to the ~~Behaviour~~ Complaints Officer.

~~7.98.10~~ The Investigator's deliberations and determination are to be ~~confidential and~~ reported ~~only~~ to the ~~Behaviour~~ Complaints Officer, ~~but subject to any consultation with the person to whom the Complaint relates under the following clause.~~

8.9. Action plans

~~8.19.1~~ When preparing an action plan under clause ~~7.8.7~~ of this Policy, the Investigator must consult with the respondent. The respondent must be provided with the opportunity to be involved in matters such as the timing of meetings or training.

~~8.29.2~~ An action plan may include a requirement for the respondent to do one or more of the following –

- (a) Engage in mediation;
- (b) Undertake counselling;
- (c) Undertake training; or
- (d) Take other action the local government considers appropriate.

~~8.39.3~~ An action plan should be designed to provide the respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives. The plan should outline:

- (a) the behaviour(s) of concern;
- (b) the actions to be taken to address the behaviour(s);
- (c) who is responsible for the actions; and
- (d) an agreed timeframe for the actions to be completed.

9.10. Report provided to council

~~9.110.1~~ The ~~Behaviour~~ Complaints Officer must provide a confidential report to council including:

- (a) a copy of the Complaint;
 - (b) the ~~Report of the Investigator~~ Report together with the evidence received by the Investigator ~~and including~~ any submissions or other communications from the parties;
 - (c) ~~a~~ The findings of the Investigator ~~recommendation~~ on ~~the question~~ whether ~~or not~~ a ~~behaviour~~ breach of Division 3 - Behaviour has occurred and if so, a recommendation as to the investigators decision under clause 8.7;
 - (d) ~~a recommendation as to whether any and if so what further action is required; and~~
- ~~(e)~~(d) if further action is required, a recommendation must be provided to the ~~€~~Council on an action plan to address the behaviour of the person to whom the Complaint relates.

10.11. Council finding

~~10.111.1~~ The council must not make a finding that a behaviour breach has occurred without first ~~having~~ giving the respondent a reasonable opportunity to be heard.

~~10.2~~11.2 A finding that the alleged behaviour breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

~~10.3~~11.3 If the council makes a finding that the alleged breach has occurred, it may resolve to –

- (a) take no further action; or
- (b) prepare and implement an action plan recommended by the Investigator with or without modifications as it thinks fit.

(c) If the council makes a finding that the alleged breach has occurred, it must give reasons for that finding.

~~10.4~~Based on the Investigator's Report, the evidence and any further comments or submissions by the parties, the council may:

- ~~(a) dismiss the Complaint in accordance with clause 13 of this Policy; or~~
- ~~(b) find that the alleged breach has occurred; or~~
- ~~(c) find that the alleged breach has not occurred; or~~
- ~~(d) if the finding is that the breach has occurred, decide that no further action is required; or~~
- ~~(e) if the finding is that a breach has occurred, decide that further action is required and consider the adoption of an action plan; or~~
- ~~(f) adopt an action plan to address the behaviour of the person to whom the Complaint relates.~~

11.4 The Council must dismiss a complaint if it is satisfied that –

(a) The behaviour to which the complaint relates occurred at a council or committee meeting; and

(b) Either –

(i) The behaviour was dealt with by the person presiding at the meeting; or

(ii) The person responsible for the behaviour has taken remedial action in accordance with the Town of Victoria Park Meeting Procedures Local Law 2019.

11.5 If the Council dismisses a complaint, the Council must give reasons for its decision.

~~10.5~~If the council makes a finding that the alleged breach has occurred, it must give reasons for that finding.

~~11.12.~~ **Behaviour Complaints Officer acting on council finding**

When the council makes a finding in relation to a Complaint, the ~~Behaviour~~ Complaints Officer must give the complainant and the respondent written notice of –

- (a) the finding and the reasons for the finding; and
- (b) if the finding is that the alleged breach has occurred, council's decision on the course of action to be taken ~~including the options in clause 8.2 above.~~

~~12.~~**13. Confidentiality of Complaints**

~~The fact of a Complaint having been made and the details of a Complaint and the processes undertaken in connection with a Complaint including the referral to an Investigator are confidential matters and should not be disclosed unless and until the council has made a formal finding of breach in respect of the Complaint.~~[A complaint relating to a breach of Division 3 – Behaviour of the Code of Conduct is confidential and not to be disclosed.](#)

~~13.~~**Dismissal of Complaint**

~~13.1 The council must dismiss a Complaint where:~~

- ~~(a) the behaviour occurred at a council or committee meeting and the behaviour was dealt with at that meeting; and~~
- ~~(b) either:~~
 - ~~(i) the behaviour was dealt with by the person presiding at the meeting; or~~
 - ~~(ii) the person responsible for the behaviour has taken remedial action in accordance with the local law of the local government that deals with meeting procedures.~~

~~13.2 In any event behaviour that is an offence under a local law that deals with meeting procedures cannot be dealt with as a behaviour breach.~~

14. Withdrawal of Complaint

~~14.1 A complainant may withdraw their Complaint any time before it is considered by the council.~~

~~14.2 The withdrawal of a Complaint must be –~~

- ~~(a) in writing; and~~
- ~~(b) given to the ~~Behaviour~~ Complaints Officer.~~

~~14.3 When a Complaint is withdrawn, ~~the fact of the Complaint having been made, and~~ any details of the Complaint and its withdrawal, should be treated as confidential and not disclosed.~~

15. Compliance with plan requirement

~~15.1 The ~~Behaviour~~ Complaints Officer is to monitor the actions in timeframes set out in an action plan.~~

~~15.2 If an action plan includes any of the requirements in clause ~~89.2~~ above ~~(i.e. in clause 12.6 of the Code)~~, failure to comply with that requirement is a breach of clause 23 of the Code and as a breach of the Rules of Conduct is a minor breach under section 5.105(1) of the LG Act.~~

16. Process for making a complaint about a breach of Division 4 – Rules of Conduct

16.1 Initiation of Complaint:

- (a) Any person may make a Complaint alleging a Council member, committee member or candidate has breached Division 4 – Rules of Conduct in the Code of Conduct.
- (b) A Complaint must be in writing on the Complaint of Minor Breach Form (Appendix 2).
- (c) The complainant must lodge the Complaint with the Town's Complaints Officer.
- (d) The complainant must provide:
 - a. Their details
 - b. Who is alleged to have committed the breach
 - c. The contravention that is alleged to have resulted in the breach
 - d. Any other information in support of their complaint.
- (e) The Complaint under Division 4 – Rules of Behaviour must be lodged within six months of the alleged breach.

16.2 The Complaints Officer within 14 days of receiving a Complaint about a breach of Division 4 – Rules of Behaviour must:

- (a) Give to the Complainant written notice that the complaint is to be dealt with as a minor breach;
- (b) Give to the council member who the complaint relates, a copy of the complaint.
- (c) Send to the Department of Local Government a copy of the complaint and anything the Complaints Officer has that is relevant to the complaint including, where relevant, details of any 2 or more minor breaches that the council member has previously been found to have committed.

16.3 The Local Government Standards Panel will be responsible for conducting investigations into complaints alleging a breach of Division 4 - Rules of Conduct.

16.4 A Complainant can withdraw a complaint relating to Division 4 – Rules of Conduct at any time before a standards panel makes a finding in relation to the breach and before any action has been taken under section 5.111 of the Local Government Act 1995.

16.5 Withdrawal of complaints must be in writing and sent to the member of the primary standards panel who is appointed under the Local Government Act 1995.

~~15.2~~

16.17. Complaints that are inappropriate under this Policy

~~The purpose of the Town's Code of Conduct is to guide the decisions, actions and behaviours of council members, committee members, and of candidates running for election as a council member. A breach of the Rules of Conduct is a minor breach under section 5.105(1) of the LG Act, and is not the intended subject of this Policy. The objective of this Policy is to deal with matters relating to breaches of the behaviour requirements in Division 3 of the Code of Conduct, and all Complaints under this Policy should be made with that objective in mind. Consequently,~~ Complaints such as the following are inappropriate to be dealt with under this Policy:

- (a) Complaints made with the intent of addressing personal grievances or disagreements;
- (b) Complaints made to express dissatisfaction with a council or committee member's lawfully made decisions or performance of their role;

(c) ~~Minor breaches under section 5.105(1) of the LG Act;~~

~~(d)~~(c) Serious breaches under section 5.114 of the LG Act; and

~~(e)~~(d) Allegations of corruption.

~~17.18.~~ **18. Cost in the complaints process**

~~17.1~~**18.1** No fee is charged to lodge a Complaint under this Policy.

~~17.2~~**18.2** The Investigator or the members of a Complaints Panel, or a mediator, appointed pursuant to the Policy may charge the Town a fee to cover the costs of dealing with the Complaint whether or not a breach is ultimately found.

~~17.3~~**18.3** Any fee charged by an Investigator or the members of a Complaints Panel, or a mediator, is to be based on the time spent in connection with the Complaint and may be established in advance on a quotation or otherwise in accordance with the Town's purchasing policy.

Related documents

~~Local Government Act 1995~~

~~Local Government (Model Code of Conduct) Regulations 2021~~

[Local Government Act 1995](#)

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

~~Complaint About Alleged Breach Form (Appendix 1)~~ [Complaint About Alleged Breach Form \(Appendix 1\)](#)

[Complaint of Minor Breach Form \(Appendix 2\)](#)

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

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

Responsible officers	Chief Executive Officer
Policy manager	Manager Governance and Strategy
Approval authority	Council
Next evaluation date	November 2021

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	20/04/2021	Council	79/2021	Item 15.5

2	Reviewed and amended	14/12/2021	Council	286/2021	Item 15.3
3	Review and amendeded	12/04/2022	Council	73/2022	Item 15.5



COMPLAINT ABOUT ALLEGED BREACH

Code of conduct for council members, committee members and candidates

Schedule 1, Division 3 of the Local Government (Model Code of Conduct) Regulations 2021

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the code of conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made to the authorised officer within one month after the occurrence of the alleged breach.

The signed complaint form is to be forwarded to admin@vicpark.wa.gov.au

NOTE: A complaint about an alleged breach must be made —

- (a) in writing in the form approved by the local government
- (b) to an authorised person
- (c) within one month after the occurrence of the alleged breach.

Full name of person who is making the complaint

Contact details of person making the complaint	
Address	
Email	
Contact number	

Name of the local government (city, town, shire) concerned
Town of Victoria Park

Name of council member, committee member, candidate alleged to have committed the breach

State the full details of the alleged breach

Include the relevant section/subsection of the alleged breach and attach any supporting evidence to your complaint form.

--

Date of alleged breach

--

Complainant's signature

--	--

Date of signing

--	--

Received by authorised officer

Authorised officer's name

--	--

Authorised officer's signature

--	--

Date received

--	--



Government of **Western Australia**
Local Government Standards Panel

Complaint of Minor Breach

This form is used to lodge a Complaint of Minor Breach under section 5.107(1) and (2) of the *Local Government Act 1995 (Act)*.

Important

Completed forms **must** be submitted to the Complaints Officer of the relevant local government within six (6) months of the date of the alleged breach.

Under section 5.123 of the Act, the complaint and its details must be kept confidential until the Local Government Standards Panel (**Panel**) has made an order under section 5.110(6) of the Act or the State Administrative Tribunal has made an order under section 5.117(1) or for the purpose of dealing with the complaint (for example, seeking legal advice) (maximum penalty: \$5,000).

Under section 5.124 of the Act, a person who includes information in a complaint knowing it to be false or misleading in a material particular commits an offence (maximum penalty: \$5,000).

Complainant details

Title: Specify other:

Given name:

Family name:

Relationship with the local government:
Please select Specify other:

Phone (business hours):

Residential (or postal) address:

Email address:

Preferred method of communication:
Please select

Complaint overview

Name of the local government concerned:

Name of council member alleged to have committed breach:

Select the relevant clauses/s alleged to have been breached:

- ***Local Government (Model Code of Conduct) Regulations 2021 Schedule 1***

- Clause 17 – Misuse of local government resources
- Clause 18 – Securing personal advantage or disadvantaging others
- Clause 19 – Prohibition against involvement in administration
- Clause 20 – Relationship with local government employees
- Clause 21 – Disclosure of information
- Clause 22 – Disclosure of interests
- Clause 23 – Compliance with plan requirement

- ***Local Government (Administration) Regulations 1996***

- Regulation 34D – Contravention of local law as to conduct

Date of alleged breach:

Location of alleged breach (for example, Shire Offices, Council Chambers):

- Meeting type (and name if committee meeting)

- Location

Details of alleged breach

Describe the nature of the alleged breach and the information that supports the breach.

Are there any further details relevant to the alleged breach that should be considered?
(For example, please include the Agenda reference if the alleged breach occurred during a council meeting.)

Please attach any documents relevant to your complaint and list anything you have attached here.

Please submit only those documents that support the alleged breach.
(E.g., meeting agenda, relevant excerpt from meeting minutes, documents.)

Signature

Date

Complaints Officer to complete this section

Council member personal details

Given name:

Family name:

Local government street address:

Local government postal address:

Phone (business hours):

Email address:

Position details

Date on which council member last elected:

Date of expiry of council member's term:

Please attach council member's most recent Form 7 – Declaration by elected member of council, *Local Government (Constitution) Regulations 1998* Sch 1

Complaints Officer's full name:

Signature

Date

Policy number	Policy 026
Policy title	Complaints relating to Council Members, Committee Members and Candidates
Strategic outcomes supported	CL3 – Accountability and good governance

1. Policy objective:

The objective of this Policy is to:

- 1.1 prescribe the processes for the management of complaints involving council members, committee members and candidates in matters relating to breaches of the Code of Conduct for Council Members, Committee Members and Candidates.
- 1.2 ensure that the complaints management process is timely and follows the principles of natural justice and procedural fairness.

2. Policy scope:

- 2.1 This Policy applies to complaints about breaches of the Code of Conduct by Council Members, Committee Members and Candidates occurring on or after 3 February 2021.
- 2.2 This Policy applies to council members, committee members, candidates and any person who submits a complaint in accordance with this Policy.
- 2.3 A person may make a complaint, in accordance with the Code of Conduct by Council Members, Committee Members and Candidates alleging a breach.

3. Policy definitions:

In this Policy –

behaviour breach means a breach of a behaviour requirement in Division 3 – behaviour, of the Code of Conduct.

Complaints Officer means a person authorised in writing under section 5.120 of the *Local Government Act 1995* (LG Act).

candidate - an individual is considered a candidate when their nomination for election is accepted by a Returning Officer under section 4.49 of the LG Act. The Code of Conduct applies to the candidate from that point. Any alleged breach may only be dealt with if and when the candidate is elected as a council member.

Code of Conduct means the Town of Victoria Park Code of Conduct for Council Members, Committee Members and Candidates.

committee member - means a Council Member, employee of the Town of Victoria Park or other person who has been appointed by the Council to be a member of a Committee, in accordance with s.5.10(1) of the LG Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

complainant means a person complaining of a breach of the Code of Conduct by a council member, committee member or candidate.

Complaint means a complaint made under the Code of Conduct.

Complaints Panel means a panel of persons appointed under clause 6.2 to consider and determine Complaints.

council member means a person who has been elected as a council member of the local government under the LG Act. This Policy also applies to a council member who is a committee member on a council committee.

evidence means the available facts or information which go to indicate whether or not an allegation of a breach is true or valid. The local government must use evidence provided by the complainant and by the respondent, as well as any other available evidence, to decide whether a breach has occurred.

Investigator means a person appointed as Investigator under clause 6.1 of this Policy.

Report means the report for the council of the outcome of the investigation of a Complaint dealing with the following:

- (1) whether or not the Investigator considers that the behaviour breach the subject of the Complaint has occurred;
- (2) the evidence relied on by the Investigator under clause 12(3) of the Code of Conduct for that conclusion; and
- (3) a recommendation as to whether no further action should be taken on the Complaint, or as to the terms of a plan under clause 12(4)(b) of the Code of Conduct.

Other terms used in this Policy that are also used in the LG Act have the same meanings as they have in the Act unless the contrary intention appears.

respondent means a council member, committee member or candidate against or about whom a Complaint is made under clause 4 of this Policy.

4. POLICY STATEMENT

- 4.1 The purpose of the Town's Code of Conduct is to guide the decisions, actions and behaviours of council members, committee members, and of candidates running for election as a council member. This policy guides complaints relating to alleged breaches of the Code of Conduct.

5. Process for making a complaint about a breach of Division 3 - Behaviour

5.1 Initiation of Complaint

- (a) Any person may make a Complaint alleging a behaviour breach.
- (b) A Complaint must be in writing on the Town's approved form – 'Complaint About Alleged Behaviour Breach form' (Appendix 1).
- (c) The complainant must lodge the Complaint with the Town's Complaints Officer.
- (d) The complainant must provide with their Complaint, details of the alleged behaviour breach together with any supporting evidence.
- (e) The Complaint must be lodged within one month of the occurrence of the alleged behaviour breach.
- (f) A Complaint must be submitted by the complainant.

- 5.2 A Complaint cannot be submitted anonymously.

5.3 Within 14 days of receiving the complaint, the Complaints Officer:

- (a) must contact the complainant acknowledging that the Complaint has been received;
- (b) as part of the acknowledgment process, must provide the complainant with a copy of this Policy;
- (c) must provide the respondent with a copy of this Policy and a copy of the Complaint (including the name of the complainant); and
- (d) must send to the Investigator the Complaint together with details of the alleged breach and any supporting evidence provided by the complainant.

- 5.4 Complaints are to be dealt with and considered so far as is practicable in an order based on the order in which they are received by the Complaints Officer.

- 5.5 A Complaint relating to a candidate is only to be referred to an Investigator if and when the candidate is elected as a council member, but in any event the Complaint must be lodged within one month of the occurrence of the alleged behaviour breach.

6. Appointment of Investigator or Complaints Panel

The Complaints Officer is to appoint either:

- 6.1 A person with relevant knowledge who is:

- not an employee; or
- a current or former elected member of the Town

as Investigator to review and consider one or more Complaints of Division 3 of the Code of Conduct and to provide a report on the outcome of any investigation.

or

- 6.2 A Complaints Panel of three persons who are not an employee, current or former elected members of the Town, to perform the function of the Investigator under this Policy, at least one of whom must be a person with relevant legal knowledge. A Complaints Panel is to make its decisions by a majority vote and is to appoint one of its number as chair and to perform its consideration and determination on a Complaint in accordance with due process and consistently with the provisions of this Policy.

- 6.3 The CEO is to deal with the remuneration of an Investigator or the members of a Complaints Panel, and a complaints mediator, in accordance with clause 7.

7. Mediation

- 7.1 The Investigator must offer mediation to both parties as the first option for dealing with a Complaint and before progressing with the consideration or determination of the Complaint. Mediation can only proceed if agreed to by both parties.

- 7.2 If issues raised in the Complaint are resolved to the satisfaction of both parties in mediation or otherwise before the determination of the Complaint, the complainant must lodge a Withdrawal of Complaint in writing with the Complaints Officer.

8. Investigator making a determination

- 8.1 Before making a determination in relation to a Complaint, the Investigator must provide the respondent with an opportunity to respond to the allegations in the Complaint and to provide their own comments and evidence for consideration within 14 days of receiving the Complaint. The Investigator may extend the 14-day period for good reason provided by the respondent.

- 8.2 After considering a Complaint, the Investigator must make a determination as to whether or not the alleged behaviour breach has occurred.

- 8.3 The determination must be made within 21 days:

- (a) from receiving a Complaint from the Complaints Officer; or
- (b) from receiving a copy of the response to the allegations by the respondent,

whichever is the later. In any case, the Investigator may seek from the CEO such additional time to make a determination as is appropriate in the circumstances of the case.

- 8.4 A determination by the Investigator that the alleged behaviour breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

- 8.5 Having made a determination on the alleged behaviour breach, the Investigator must inform the Complaints Officer by providing a determination and reasons for it in a Determination and Reasons Report (**Report**).

- 8.6 The Report must be provided to the Complaints Officer within 14 days of making the determination.

- 8.7 If the Investigator makes a determination that the alleged breach has occurred, the Report must make a recommendation that either:
- (a) no further action be taken; or
 - (b) a plan to address the behaviour of the person to whom the complaint relates be prepared and implemented (**action plan**).
- 8.8 The Investigator may recommend to the council to dismiss a Complaint in accordance with clause 13 of the Code of Conduct.
- 8.9 If the Investigator concludes that the alleged behaviour is an offence under a local law, the Complaint should not be dealt with further as a breach of Division 3, and should be referred back to the Complaints Officer.
- 8.10 The Investigator's deliberations and determination are to be reported to the Complaints Officer, .

9. Action plans

- 9.1 When preparing an action plan under clause 8.7 of this Policy, the Investigator must consult with the respondent. The respondent must be provided with the opportunity to be involved in matters such as the timing of meetings or training.
- 9.2 An action plan may include a requirement for the respondent to do one or more of the following –
- (a) Engage in mediation;
 - (b) Undertake counselling;
 - (c) Undertake training; or
 - (d) Take other action the local government considers appropriate.
- 9.3 An action plan should be designed to provide the respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives. The plan should outline:
- (a) the behaviour(s) of concern;
 - (b) the actions to be taken to address the behaviour(s);
 - (c) who is responsible for the actions; and
 - (d) an agreed timeframe for the actions to be completed.

10. Report provided to council

- 10.1 The Complaints Officer must provide a confidential report to council including:
- (a) a copy of the Complaint;
 - (b) the Report together with the evidence received by the Investigator including any submissions or other communications from the parties;
 - (c) The findings of the Investigator on whether a breach of Division 3 - Behaviour has occurred and if so, a recommendation as to the investigators decision under clause 8.7;
 - (d) if further action is required, a recommendation must be provided to the Council on an action plan to address the behaviour of the person to whom the Complaint relates.

11. Council finding

- 11.1 The council must not make a finding that a behaviour breach has occurred without first giving the respondent a reasonable opportunity to be heard.
- 11.2 A finding that the alleged behaviour breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- 11.3 If the council makes a finding that the alleged breach has occurred, it may resolve to –
- (a) take no further action; or

- (b) prepare and implement an action plan recommended by the Investigator with or without modifications as it thinks fit.
 - (c) If the council makes a finding that the alleged breach has occurred, it must give reasons for that finding.
- 11.4 The Council must dismiss a complaint if it is satisfied that –
- (a) The behaviour to which the complaint relates occurred at a council or committee meeting; and
 - (b) Either –
 - (i) The behaviour was dealt with by the person presiding at the meeting; or
 - (ii) The person responsible for the behaviour has taken remedial action in accordance with the Town of Victoria Park Meeting Procedures Local Law 2019.
- 11.5 If the Council dismisses a complaint, the Council must give reasons for its decision.

12. Complaints Officer acting on council finding

When the council makes a finding in relation to a Complaint, the Complaints Officer must give the complainant and the respondent written notice of –

- (a) the finding and the reasons for the finding; and
- (b) if the finding is that the alleged breach has occurred, council's decision on the course of action to be taken.

13. Confidentiality of Complaints

A complaint relating to a breach of Division 3 – Behaviour of the Code of Conduct is confidential and not to be disclosed.

14. Withdrawal of Complaint

- 14.1 A complainant may withdraw their Complaint any time before it is considered by the council.
- 14.2 The withdrawal of a Complaint must be –
- (a) in writing; and
 - (b) given to the Complaints Officer.
- 14.3 When a Complaint is withdrawn, any details of the Complaint and its withdrawal, should be treated as confidential and not disclosed.

15. Compliance with plan requirement

- 15.1 The Complaints Officer is to monitor the actions in timeframes set out in an action plan.
- 15.2 If an action plan includes any of the requirements in clause 9.2 above, failure to comply with that requirement is a breach of clause 23 of the Code and as a breach of the Rules of Conduct is a minor breach under section 5.105(1) of the LG Act.

16. Process for making a complaint about a breach of Division 4 – Rules of Conduct

- 16.1 Initiation of Complaint:
- (a) Any person may make a Complaint alleging a Council member, committee member or candidate has breached Division 4 – Rules of Conduct in the Code of Conduct.
 - (b) A Complaint must be in writing on the Complaint of Minor Breach Form (Appendix 2).
 - (c) The complainant must lodge the Complaint with the Town's Complaints Officer.
 - (d) The complainant must provide:

- a. Their details
 - b. Who is alleged to have committed the breach
 - c. The contravention that is alleged to have resulted in the breach
 - d. Any other information in support of their complaint.
- (e) The Complaint under Division 4 – Rules of Behaviour must be lodged within six months of the alleged breach.
- 16.2 The Complaints Officer within 14 days of receiving a Complaint about a breach of Division 4 – Rules of Behaviour must:
- (a) Give to the Complainant written notice that the complaint is to be dealt with as a minor breach;
 - (b) Give to the council member who the complaint relates, a copy of the complaint.
 - (c) Send to the Department of Local Government a copy of the complaint and anything the Complaints Officer has that is relevant to the complaint including, where relevant, details of any 2 or more minor breaches that the council member has previously been found to have committed.
- 16.3 The Local Government Standards Panel will be responsible for conducting investigations into complaints alleging a breach of Division 4 - Rules of Conduct.
- 16.4 A Complainant can withdraw a complaint relating to Division 4 – Rules of Conduct at any time before a standards panel makes a finding in relation to the breach and before any action has been taken under section 5.111 of the *Local Government Act 1995*.
- 16.5 Withdrawal of complaints must be in writing and sent to the member of the primary standards panel who is appointed under the *Local Government Act 1995*.

17. Complaints that are inappropriate under this Policy

Complaints such as the following are inappropriate to be dealt with under this Policy:

- (a) Complaints made with the intent of addressing personal grievances or disagreements;
- (b) Complaints made to express dissatisfaction with a council or committee member's lawfully made decisions or performance of their role;
- (c) Serious breaches under section 5.114 of the LG Act; and
- (d) Allegations of corruption.

18. Cost in the complaints process

- 18.1 No fee is charged to lodge a Complaint under this Policy.
- 18.2 The Investigator or the members of a Complaints Panel, or a mediator, appointed pursuant to the Policy may charge the Town a fee to cover the costs of dealing with the Complaint whether or not a breach is ultimately found.
- 18.3 Any fee charged by an Investigator or the members of a Complaints Panel, or a mediator, is to be based on the time spent in connection with the Complaint and may be established in advance on a quotation or otherwise in accordance with the Town's purchasing policy.

Related documents

[Local Government Act 1995](#)

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

[Complaint About Alleged Breach Form \(Appendix 1\)](#)

[Complaint of Minor Breach Form \(Appendix 2\)](#)

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

Responsible officers	Chief Executive Officer
Policy manager	Manager Governance and Strategy
Approval authority	Council
Next evaluation date	November 2021

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	20/04/2021	Council	79/2021	Item 15.5
2	Reviewed and amended	14/12/2021	Council	286/2021	Item 15.3
3	Review and amendeded	12/04/2022	Council	73/2022	Item 15.5



COMPLAINT ABOUT ALLEGED BREACH

Code of conduct for council members, committee members and candidates

Schedule 1, Division 3 of the Local Government (Model Code of Conduct) Regulations 2021

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the code of conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made to the authorised officer within one month after the occurrence of the alleged breach.

The signed complaint form is to be forwarded to admin@vicpark.wa.gov.au

- NOTE:** A complaint about an alleged breach must be made —
- (a) in writing in the form approved by the local government
 - (b) to an authorised person
 - (c) within one month after the occurrence of the alleged breach.

Full name of person who is making the complaint

Contact details of person making the complaint	
Address	
Email	
Contact number	

Name of the local government (city, town, shire) concerned
Town of Victoria Park

Name of council member, committee member, candidate alleged to have committed the breach

State the full details of the alleged breach

Include the relevant section/subsection of the alleged breach and attach any supporting evidence to your complaint form.

--

Date of alleged breach

--

Complainant's signature

--	--

Date of signing

--	--

Received by authorised officer

Authorised officer's name

--	--

Authorised officer's signature

--	--

Date received

--	--



Government of **Western Australia**
Local Government Standards Panel

Complaint of Minor Breach

This form is used to lodge a Complaint of Minor Breach under section 5.107(1) and (2) of the *Local Government Act 1995 (Act)*.

Important

Completed forms **must** be submitted to the Complaints Officer of the relevant local government within six (6) months of the date of the alleged breach.

Under section 5.123 of the Act, the complaint and its details must be kept confidential until the Local Government Standards Panel (**Panel**) has made an order under section 5.110(6) of the Act or the State Administrative Tribunal has made an order under section 5.117(1) or for the purpose of dealing with the complaint (for example, seeking legal advice) (maximum penalty: \$5,000).

Under section 5.124 of the Act, a person who includes information in a complaint knowing it to be false or misleading in a material particular commits an offence (maximum penalty: \$5,000).

Complainant details

Title: Specify other:

Given name:

Family name:

Relationship with the local government:
Please select Specify other:

Phone (business hours):

Residential (or postal) address:

Email address:

Preferred method of communication:
Please select

Complaint overview

Name of the local government concerned:

Name of council member alleged to have committed breach:

Select the relevant clauses/s alleged to have been breached:

- **Local Government (Model Code of Conduct) Regulations 2021 Schedule 1**
 - Clause 17 – Misuse of local government resources
 - Clause 18 – Securing personal advantage or disadvantaging others
 - Clause 19 – Prohibition against involvement in administration
 - Clause 20 – Relationship with local government employees
 - Clause 21 – Disclosure of information
 - Clause 22 – Disclosure of interests
 - Clause 23 – Compliance with plan requirement
- **Local Government (Administration) Regulations 1996**
 - Regulation 34D – Contravention of local law as to conduct

Date of alleged breach:

Location of alleged breach (for example, Shire Offices, Council Chambers):

- Meeting type (and name if committee meeting)

- Location

Details of alleged breach

Describe the nature of the alleged breach and the information that supports the breach.

Are there any further details relevant to the alleged breach that should be considered?
(For example, please include the Agenda reference if the alleged breach occurred during a council meeting.)

Please attach any documents relevant to your complaint and list anything you have attached here.

Please submit only those documents that support the alleged breach.
(E.g., meeting agenda, relevant excerpt from meeting minutes, documents.)

Signature

Date

Complaints Officer to complete this section

Council member personal details

Given name:

Family name:

Local government street address:

Local government postal address:

Phone (business hours):

Email address:

Position details

Date on which council member last elected:

Date of expiry of council member's term:

Please attach council member's most recent Form 7 – Declaration by elected member of council, *Local Government (Constitution) Regulations 1998 Sch 1*

Complaints Officer's full name:

Signature

Date

Policy number	105
Policy title	Advocacy
Strategic outcomes supported	CL3 - Accountability and good governance

Policy objective:

The objective of the policy is to establish a set of corporate actions and accountabilities that serve to facilitate an ongoing integrated, efficient and transparent approach in the identification of advocacy projects for major infrastructure, social issues and legislative change considered to be critical in pursuing the strategic vision and mission of the Town of Victoria Park.

Policy scope:

This Policy applies to all elected members and officers of the Town of Victoria Park.

Policy definitions:

Advocacy Project means a discrete project identified and endorsed by the Council as part of the process defined in this policy;

Annual Advocacy Program means a dynamic plan formulated by the CEO and endorsed by the Council that identifies Advocacy Projects and summarises the Town’s advocacy effort for a particular year;

CEO means Chief Executive Officer;

Council Workshop means a workshop referred to in Policy 051 – Agenda Briefing Forum, Concept Forum and workshops;

Town means Town of Victoria Park.

Policy statement:

Legislative basis:

- Section 1.3 (3) of the *Local Government Act 1995* provides that:
“In carrying out its functions a local government is to use its best endeavors to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity”.
- The responsibility conferred by this section is considered to include the Council advocating for those services, programs and facilities whose absence or ineffectiveness is impeding the environmental protection, social advancement or economic prosperity of the community.

Advocacy in Local Government Context:

3. Local governments play an important role in advocating for their communities on issues. This includes issues that are often outside of the scope or capacity of normal local government operations and activities. Whilst the subject matter of an Advocacy Project may fit ~~in-te~~into this “non-core business” category, it remains the fact that the actual act of advocacy is itself a key responsibility of a local government.
4. In advocating for its community, the Town is to:
 - a. Identify critical gaps in services, programs and infrastructure
 - b. develop meaningful and sustainable solutions which address these gaps, and which are endorsed by the community and stakeholder groups, sanctioned by empirical evidence and aligned to the strategic vision and mission of the Town; and
 - c. negotiate and influence decision makers to support, endorse and accede to implementing or funding these identified solutions.

Criteria for Advocacy Projects:

5. Advocacy Projects are projects where the Town can clearly demonstrate that the Town does not have the financial capacity, the organisational capability or the jurisdictional responsibility to provide or to administer.
6. Examples of Advocacy Projects are:
 - a. Economic: Major transport infrastructure projects such as grade separation or intersection realignment of Main Roads WA classified roads, new or upgrades to railway stations, access to job creation programs, attracting major employer-based industries, provision of high-capacity data highways etc.
 - b. Social: Council will make submissions on social issues/matters, as required, in line with the strategic outcomes and objectives of its Strategic Community Plan.
 - c. Legislative: Updates or changes to state or federal policy that can assist in service improvements for the Town or the Community.
 - d. Environmental: We work with the State and Federal governments to address biosecurity challenges in Western Australia, ensuring the protection of local ecosystems and tree canopy.
 - e. Civic Leadership: Push for change on matters of industry related to the *Local Government Act, 1995*, Regulations, governance best practices.
7. To ensure that adequate organisational resources can be applied to effectively prosecute the Annual Advocacy Program, the number of priority projects should be limited to no more than five unless extraordinary circumstances exist.

Advocacy Program and Focus Areas:

8. As a general principle, Advocacy Projects are to be endorsed by the Council annually in line with Federal and State budget cycles. If a State or Federal election is called or in extraordinary circumstances this timeline will be reviewed.
9. A Council Workshop is to be convened as part of the budget cycle each year where attendees are to consider endorsing new Advocacy Priorities, retaining or deleting existing Advocacy Projects and monitor progress made with the previous year’s Advocacy Program.
10. Following the Council Workshop, the CEO is to prepare a draft Annual Advocacy Program for endorsement by the Council at the next practically available council meeting reflecting the outcomes of the workshop.
11. The Annual Advocacy Program is to provide details of each agreed Advocacy Project including:
 - a. the identified problem and proposed solution;

- b. intended courses of advocacy action over the forthcoming year;
- c. the resources required; and
- d. identified lead personnel.

Implementing the Annual Advocacy Program:

- 12. The CEO and Mayor are to make every reasonable effort to implement the Annual Advocacy Program within the resources made available to them.
- 13. The Council is to give consideration to the Annual Advocacy Program when allocating resources in the annual budget process and ensure that travel, accommodation and other expenses are made available so as the Mayor and CEO can reasonably facilitate the effective implementation of the Annual Advocacy Program.
- 14. A quarterly written progress report on the implementation of the Annual Advocacy Program is to be provided by the CEO in accordance with intent of Council Resolution 16/12/2019.
- 15. It is acknowledged that success in the pursuit of Advocacy Projects rests, typically, with external decision makers amid a competing array of stakeholder groups and interested parties. Therefore, the completion of the agreed actions contained within the Annual Advocacy Program should be used as a reasonable indicator of performance given that complete satisfaction of the ultimate advocacy goal might never be realised.

Related documents

Policy 051 – Agenda Briefing Forum, Concept Forum and [workshops](#)

Responsible officers	Manager Stakeholder Relations
Policy manager	Chief Executive Officer
Approval authority	Council
Next evaluation date	April 2024

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	16/11/2021	Council	269/2021	Item 15.3
2	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
3	Administratively amended	24/08/2023	Delegation		

Policy number	Policy 205
Policy title	Vehicle crossovers
Strategic outcomes supported	EN2 – A safe, interconnected and well-maintained transport network that makes it easy for everyone to get around. EN5 – Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.

Policy objective:

To provide guidance for the construction of vehicle crossovers in the Town

Policy scope:

This policy applies to the construction and maintenance of vehicle crossovers.

Policy definitions:

~~Nil. Redundant crossovers mean crossovers that are no longer required, or no longer connect with an internal driveway.~~

Policy statement:

1. A vehicle crossover may be constructed ~~either: a. by the Town~~ by means of an approved contractor ~~upon application by the property owner, or developer~~ ~~b. by the property owner.~~
2. All crossovers shall be constructed in accordance with the Town's crossover specifications in either insitu concrete; insitu limecrete; insitu exposed aggregate or approved brick/block paving.
3. The Town will contribute towards the cost of the crossover in accordance with the amount shown in the Schedule of Fees and Charges contained within the Annual Budget. This amount will subsidise the cost of one, and the first new crossover to each individually titled lot or strata development.
4. ~~The Town will also contribute towards the cost of replacing an existing bituminous crossover in insitu concrete, insitu limecrete, insitu exposed aggregate or approved brick/block paving in accordance with the amount shown in the Schedule of Fees and Charges contained within the Annual Budget.~~
5. The Town will not repair nor contribute to the cost of repairing or resurfacing a bituminous crossover.
6. The maximum width of any crossover and/or adjoining crossover shall be 6 metres or to a maximum of 40% of the property frontage, except for commercial/industrial premises.
7. Secondary crossover requests to a single lot shall only be considered and approved in exceptional circumstances where the applicant can demonstrate the need for additional vehicular access to a proposed car port/garage or proper circulation as supported by a traffic impact statement, prepared by a suitably qualified transport engineer. These requests may not be approved for reasons including but not limited to loss of verge trees, additional contribution to stormwater runoff, planting space, diminished on street parking and safety.
8. In alignment with the requirements of the Town's ~~Disability and~~ Access ~~and~~ Inclusion ~~o~~Plan, a continuous path of travel through the crossover is preferred to provide clear and legible pedestrian priority.

9. In cases of financial hardship or where the property owner is an aged or invalid pensioner, the Town may agree to construct a crossover and have the owner's share of the costs paid by instalments or have it remain a charge against the property.

Construction by ~~owner~~ (or owner's agent or contractor):

10. Owners who elect to undertake the construction or modification of a crossover ~~themselves, or~~ by a contractor of their choice, must first obtain the Town's approval. There are restrictions on the location and size of crossovers and the construction must be to Town specifications. Owners may make application for a contribution from the Town for the first new crossover they have constructed or existing bituminous crossover that is proposed to be replaced in concrete or other approved material as per the Town's crossover specifications~~they have reconstructed~~. The contribution will only be made if prior approval to construct the crossover was given by the Town and all conditions associated with the approval, including compliance with the specifications, have been met.

11. The contribution by the Town is to be determined annually by the Chief Executive Officer through an internal memorandum. This contribution is determined with reference to 50% of the estimated cost of a standard crossing (vehicle crossover) under local government regulations. A standard crossover is defined as an insitu concrete material crossover, 3m wide x 4m long, constructed to the Town's crossover specifications. This amount will subsidise the cost of a property's initial crossover, and the first new crossover to each individually titled lot or strata development.

- 11.12. Redundant crossovers shall be removed at the cost of the property owner to the Town's satisfaction, in accordance with Local Planning Policy 42 Section 4, and Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000. The Town may elect to remove redundant crossovers at its own cost during construction works and/or tree planting schemes.

Related documents

[Local Government Act 1995 Schedule 9.1 \(7\)](#)

[Local Planning Policy No. 42](#)

[Crossover specification contained in the Crossover Installation Package](#)

Responsible officers	-
Policy manager	Manager Technical Services
Approval authority	Council
Next evaluation date	

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	12/08/1997	Council	-	Item 14.3
1	Reviewed	15/08/2006	Council	-	Item 4.1
1	Reviewed	09/07/2013	Council	-	Item 10.1
1	Reviewed	11/08/2015	Council	-	Item 10.1

2	Reviewed	20/08/2019	Council	148/2019	Item 10.1
3	Reviewed and amended	20/04/2021	Council	77/2021	Item 15.3

Policy number	Policy 207
Policy title	Paths— locations within road reserves
Strategic outcomes supported	EN5 – Providing facilities that are well-built and well-maintained EN6 – Improving how people get around the Town

Policy objective:

To provide [direction](#) for the location of footpaths to be [managed or controlled by the Town of Victoria Park in current or future gazetted roads](#) ~~within road reserves~~.

Policy scope:

This policy applies to footpaths and [shared paths, and applies in road reserves to all projects initiated by the Town of Victoria Park and to new subdivisions where the road asset and ancillary infrastructure will be handed over to the Town of Victoria Park to manage or control](#).

Policy definitions:

invasion of privacy means where the living quarters of a residential building are located less than 4 metres from the property boundary and that boundary either has no fence or lacks an enclosed fence that is at least 1800mm in height above the surface level of the proposed path.

adjacent to the property boundary means the edge of the path nearest to the property boundary being either right up to the boundary or not more than 500mm away from it.

Policy statement:

1. [Unless precluded by adverse verge levels, significant trees or above-ground public utility services, or for reason of "invasion of privacy", all new strip footpaths or dual-use paths that are constructed or reconstructed within road reserves, shall be located adjacent to the property boundary.](#)
2. [The installation of kerbside paths may be considered desirable in and around Town Centres, adjacent to paid or embayed parking bays, school pickup and drop-off areas, loading zones, ACROD facilities or other locations deemed necessary and approved by the Town of Victoria Park.](#)
3. [All proposed constructed or reconstructed paths must comply with relevant Disability Access and Inclusion \(DDA\) standards where practical and provide seamless connectivity to other existing path networks in the locality.](#)
4. [Unless impractical, all Local Distributor Roads or lower classification with through road connections should have a pathway located on one side of the roadway as minimum requirement.](#)
5. [Unless impractical, all District Distributor Roads and higher classification should have pathways located on both sides of the roadway.](#)

Related documents

Nil.

Responsible officers	-
Policy manager	Manager Technical Services
Approval authority	Council
Next evaluation date	April 2024

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	28/09/1999	Council	-	Item 14.3
2	Reviewed	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	20/04/2021	Council	80/2021	Item 15.6
7	Administratively amended	24/08/2023	Delegation		
8	Reviewed and amended				

Policy number	Policy 221
Policy title	Strategic management of land and building assets
Strategic outcomes supported	<p>EC1 – A desirable place for commerce and tourism that support equity, diverse local employment and entrepreneurship. Facilitating a strong local economy.</p> <p>EN1 – Land use planning that puts people first in urban design, allows for different housing options for people with different housing needs and enhances the Town’s character. Protecting and enhancing the natural environment.</p> <p>EN4 - Providing facilities that are well-built and well-maintained.</p> <p>CL14 – Appropriate information management that is easily accessible, accurate and reliable. Effectively managing resources and performance</p> <p>CL36 – Finances are managed appropriately, sustainably and transparently for the benefit of the community. Accountability and good governance.</p> <p>CL8 – Visionary civic leadership with sound and accountable governance that reflects objective accountable governance that reflects objective decision making.</p>

Policy objective:

1. To provide a policy framework ~~through which for~~ the Town of Victoria Park ~~to can~~ consider its freehold, ~~and~~ vested reserve land, and Town controlled property assets and make decisions, ~~using a systematic informed approached,~~ 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.
- ~~4.5.~~ 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 provides a framework~~ 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 outlined in~~ the Strategic Community Plan.
2. ~~Specifically t~~The Town’s land and building assets will be used to achieve the following:
 - a. Delivery ~~and execution~~ of the Town’s services ~~requirements~~ 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. ~~Where appropriate enable the adoption of a commercial income generation approach to the management of the land property assets capable of producing an income;~~ and
 - f. Expansion of a land and building asset base ~~to that will facilitate 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. ~~These classifications are being utilised in both the Leasing Management Practice and the Asset Management System to provide a coordinated approach. The land and the building can sometimes have a different classification.~~
 - a. **Surplus properties:** ~~Surplus properties are~~ 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:** ~~Civic properties are~~ used for the delivery of services provided by the Town to the Community. These ~~properties differentiate from Public Open Space and Other Reserves in that they may be held in freehold title by the Town are generally developed with significant buildings or structures.~~
 - c. **Commercial properties:** ~~Commercial properties are~~ held by the Town ~~purely~~ for the commercial return ~~from provided through the leasing e of the property to a third party other entities.~~ Such

properties ~~may also (but will not necessarily) are not anticipated to~~ 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:** ~~Investment properties differ from Commercial Properties in that they~~ 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 ~~as a contributory factor towards to promote~~ other outcomes rather than purely ~~for~~ 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:** ~~Public Open Space and others reserved properties are most often held as reserves vested in the care, control and management of the Town. Generally publicly accessible and Such properties may be unimproved or improved with facilities, provide an active service but mMay facilities. May also~~ include properties that have little activation but provide other tangible community benefits through environmental protection or community recreational amenity.

g-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. ~~In some instances a property may be assigned a 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 ~~prescribed classification~~ses. For example, commercial and community space might be combined in one building. ~~In these cases as assessment by the Property Development Manager shall determine whether the property has more than one use.~~

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 ~~as follows:~~
 - 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.

~~—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.~~

~~9.~~

~~9. The Council will consider the use of funds in the development of its land and building assets once a Business Case has been developed for Council consideration.~~

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*.

~~d.c.~~

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 ~~to all land and building assets owned or controlled by the Town of Victoria Park.~~
 - 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~~2 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](#)

Responsible officers	-
Policy manager	Manager Property Development and Leasing
Approval authority	Council
Next evaluation date	

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	16/06/2020	Council	437/2020	Item 15.3
2	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5

Policy number	Policy 221
Policy title	Strategic management of land and building assets
Strategic outcomes supported	<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](#)

Responsible officers	-
Policy manager	Manager Property Development and Leasing
Approval authority	Council
Next evaluation date	

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	16/06/2020	Council	437/2020	Item 15.3
2	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5

Policy number	Policy 222
Policy title	Asset management
Strategic outcomes supported	EC2 – Connecting businesses and people to our local activity centres through place planning and activation EN4 - Increasing and improving public open spaces EN5 – Providing facilities that are well-built and well-maintained CL1 – Effectively managing resources and performance

Policy objective:

The objective of the Asset Management Policy is to ensure that services delivered by Town are [appropriately managed to ensure that they provide provided in a sustainable and cost-effective services to the community. manner through the appropriate management of its assets/infrastructure.](#)

The policy guides the Asset Management [Strategy principles and framework](#) that the Town will apply to ensure:

- [Asset management practices and decisions consider align with the outcomes and priorities of the Strategic Community Plan and Corporate Business Plan, and the long-term community and financial sustainability of the Town.](#)
- [Asset management outcomes are incorporated into the Town’s long term financial plan.](#)
- Assets are maintained and are performing at a [an appropriate](#) service level. ~~desired by our Community.~~
- Assets are appropriately planned, acquired and managed considering whole of life costs.

Policy scope:

This policy applies to the management of all assets owned by the Town, of which are grouped into Asset Management Plans according to their classification. ~~It includes all assets where their components have a useful life greater than one year and a replacement cost greater than \$5,000.~~

Asset Management Plan	Asset Category
Property and Facility Asset Management Plan	<ul style="list-style-type: none"> • Land • Buildings • Furniture and Equipment
Transport Asset Management Plan	<ul style="list-style-type: none"> • Roads • Drainage • Pathways • Other Infrastructure
Outdoor Recreation Asset Management Plan	<ul style="list-style-type: none"> • Parks and Reserves • Playgrounds • Artworks (Structures/Sculptures)
Plant and Equipment Asset Management Plan	<ul style="list-style-type: none"> • Light Fleet • Heavy Vehicles & Machinery • Equipment
Information and Communication Technology Asset Management Plan	<ul style="list-style-type: none"> • ICT Hardware • ICT Software

Policy definitions:

Assets refers to a physical component which has a value, enables a service to be provided and has an economic life of greater than 12 months. [The value of the asset is determined by a defined process depending on whether there is a market for identical items, for similar items, or no market.](#)

~~**Asset Consumption Ratio (ACR):** This ratio shows the written down current value of the local government's depreciable assets relative to their "as new" value. It highlights the aged condition of physical assets. It is calculated by written down value divided by current replacement cost. The standard is met if a ratio is between 0.5 and 0.75.~~

Asset Management refers to the systems and processes applied by an organisation to manage their assets from planning, acquisition, operation, maintenance, to replacement and/or disposal with the objective of providing the required level of service in the most cost-effective manner.

Asset Management Plan (AMP) refers to a ~~long-term~~[long-term](#) plan (usually 10-20 years) for the sustainable management of an asset category that combines multi-disciplinary management techniques (including technical and financial) to provide a specified level of service.

~~**Asset Renewal Ratio (ARR):** This ratio indicates whether there is sufficient future funding available for the renewal and/or replacement of assets. It is calculated by the net present value of planned capital expenditure on renewals over 10 years (in LTFP) divided by the net present value of the required capital expenditure on renewals over the same period (in AMP). The standard is met if the ratio is between 0.95 and 1.05.~~

~~**Asset Sustainability Ratio (ASR):** This ratio indicates whether a local government is renewing or replacing existing non-financial assets at the same rate that its overall stock of assets is wearing out. It is calculated by measuring capital expenditure on renewal relative to the rate of depreciation of the assets for the same period. The standard is met if a ratio is between 0.9 and 1.1.~~

Level of Service refers to the outputs or objectives an organization or activity intends to deliver to customers. It includes the functionality, capacity, design and presentation of an asset. The higher the level of service, the greater the cost [could be](#) to deliver the service. The aim of asset management is to [mat](#)~~che~~ the asset and level of service of the asset to the ~~community expectation~~,[relevant](#) need and level of affordability.

Life Cycle means the cycle of activities that an asset goes through while it retains an identity as a particular asset, [including planning, acquisition, maintenance, and disposal. The useful like of the asset \(also known as the economic life\) is the period over which the asset delivers a service to the Town: any continued physical life after disposal is not relevant in life cycle considerations by the Town.](#)

Maintenance means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

New means creation of a brand new asset to meet additional service level requirements. [-New assets can be constructed by the Town or can be received as gifted assets by external parties. New assets increase the current replacement cost of the asset portfolio, and hence increase annual depreciation.](#)

Operations means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal. [-Operations does not improve the condition of the asset, but can improve the functioning of the asset and surrounding assets \(an example is street sweeping, which improves the user's experience of the street and also protects the stormwater network\).](#)

Renewal means to restore, rehabilitate, replace existing asset to its original capacity / [level of service](#) – Like for like [taking into account modern equivalents](#). This may include the fitment of new components necessary to meet new

legislative requirements in order that the asset may achieve compliance and remain in use. [Renewals will be preferred over new works, because renewals do not increase the current replacement cost of the asset portfolio, and hence do not increase annual depreciation.](#)

Resources means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

Upgrade means enhancing an existing asset to increase its functionality and/or capacity to provide higher level of service.

Whole of Life Costs refers to all the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, renewal and disposal costs.

Policy statement:

1. [The Town will implement processes and practices to maintain and renew assets as needed in a cost-effective manner, so they remain safe, serviceable, and fit for purpose. The Town will prioritise the maintenance and renewal of existing assets before acquiring new assets where possible, if considered more cost-effective over the life of the asset to do so.](#)
- 1.2. The Town will implement a life-cycle approach to the management of ~~infrastructure~~ assets where:

Asset planning decisions are based on an evaluation of alternatives that consider the "whole of life" of an asset through acquisition, operation, maintenance, renewal and disposal;

 - a. [The asset management cycle considers the current and future environmental, economic and social ~~outcomes~~ needs and priorities as expressed in the Town's suite of Informing Strategies.](#)
 - b. [Asset solutions for service delivery that eliminates the need for the life-cycle management cost of assets will be considered for assets not owned by the Town. -](#)
 - a.c. [The Town will consider rationalising assets that are no longer used or where the community does not have any ongoing or future demand for its intended service for which the asset was originally acquired.](#)
3. The Town is committed to making informed [and evidence-based](#) decisions in relation to its assets. To achieve this, the Town will prepare an ~~overarching~~ Asset Management Strategy that [is aligned to industry best practices expressed in the Institute of Public Works Engineering Australasia \(IPWEA\) body of knowledge to guide the decision-making processes and their associated information requirements. This includes: ~~guides the implementation of an asset management framework and principles across the organisation.~~](#)
 - a. [Data management processes](#)
 - b. [Condition audits](#)
 - c. [Asset valuations](#)
 - d. [Capital works and maintenance planning](#)
 - e. [Performance management and](#)
 - f. [Change management](#)
4. The Town will prepare Asset Management Plans for each relevant asset class to appropriately describe and detail the requirements and performance of the assets. This includes:
 - a. [Description and quantities of the asset class inventory](#)
 - b. [Current performance of the assets such as a condition summary](#)
 - c. [Current asset valuations](#)
 - d. [Community demand and service levels](#)
 - e. [A long-term plan projecting the asset maintenance and renewal requirements](#)
 - f. [Long-term funding requirements sufficient to inform the Town's long-term financial plan and to leverage any external funding](#)

The Asset Management Plans are to be reviewed in alignment with the Strategic Community Plan and Corporate Business Plan to ensure strategic objectives continue to be aligned.

5. The Town will adopt a consultative approach to its capital works planning, ensuring that a cross-section of internal teams provide oversight into the development of the Town's capital works program. This is to ensure that project works are coordinated, and multiple objectives throughout the organisation are cohesively integrated into one project or one outcome wherever possible.

6. The Town will adopt a financially sustainable approach to the management of the Town's assets:
 - a. Long-term asset management budget projections will be discussed with the Town's finance team annually during the preparation of the Town's Long-Term Financial Plan to ensure smoothing of expenditure where possible, and the appropriate management of any asset renewals gaps or surpluses.
 - b. 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.

~~— The Town will measure and report asset management sustainability in accordance with the Integrated Planning and Reporting Framework and Regulation 50 of the Local Government (Financial Management) Regulations 1996. The three ratios are identified as key performance indicators and provide valuable input to the Town's strategic decision making:~~

 - ~~— Asset sustainability ratio (ASR): This ratio indicates whether existing assets are being renewed or replaced at the same rate that its overall stock of assets is wearing out. The Town will aim to renew its assets at appropriate times, at the same rate it is depreciating and target an ASR between 0.9 and 1.1.~~
 - ~~— Asset consumption ratio (ACR): The Town will aim to responsibly maintain, renew/replace assets in accordance with the Asset Management Plan and target an ACR between 0.5 and 0.7.~~
 - ~~— Asset renewal ratio (ARR): This ratio indicates the ability of the Town to fund its projected asset renewals in the future. The Town will aim to develop a Long-Term Financial Plan that is supported by an Asset Management Plan to determine this ratio and target an ARR between 0.95 and 1.05.~~

- ~~2.— The Asset Management Strategy will detail the procedures and processes for asset management practices as part of an asset management system. Including data management processes, condition audits, asset valuations, maintenance planning, performance management, asset management plans and define asset management roles and responsibilities.~~

- ~~3.— The Town will implement a life-cycle approach to the management of infrastructure assets where:~~
 - ~~a.— Asset planning decisions are based on an evaluation of alternatives that consider the "whole of life" of an asset through acquisition, operation, maintenance, renewal and disposal;~~
 - ~~b.— The asset management cycle considers the current and future environmental, economic and social outcomes.~~

~~Asset Management Plans~~

- ~~4.— Asset Management Plans for each asset class will:~~
 - ~~a.— detail the Town's day to day asset practices and will be used to make informed decisions in relation to service delivery when it comes to considering the need to acquire new assets, renew existing assets, upgrade existing assets or dispose of assets to support service delivery;~~

- b. ~~contain long-term projections of asset maintenance and replacement costs which will inform the Long Term Financial Plan;~~
- c. ~~be reviewed in alignment with the Strategic Community Plan and Corporate Business Plan to ensure strategic objectives are aligned and adapted to the service level requirements and the emerging needs of the community.~~

~~Strategic Asset Advisory Group~~

~~A Strategic Asset Advisory Group (SAAG), represented by a cross section of internal teams, including asset custodians, strategic planners, finance and project management, will be responsible for providing oversight and influence to the Town's Capital Works planning process. The SAAG reports to C-Suite and is responsible for guiding the development of a capital works planning framework and embedding associated processes within the organisation.~~

~~Capital Works Planning~~

~~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:~~

~~Renew assets before acquiring new assets where possible, if considered more cost effective over the life of the asset;~~

~~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;~~

~~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;~~

~~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.
Consideration of risk management and legislative requirements; and
Consideration of disability access improvements (DAIP).~~

~~Asset Sustainability~~

- ~~7. The Town will measure and report asset management sustainability in accordance with the Integrated Planning and Reporting Framework and Regulation 50 of the Local Government (Financial Management) Regulations 1996. The three ratios are identified as key performance indicators and provide valuable input to the Town’s strategic decision making:~~
- ~~a. Asset sustainability ratio (ASR): This ratio indicates whether existing assets are being renewed or replaced at the same rate that its overall stock of assets is wearing out. The Town will aim to renew its assets at appropriate times, at the same rate it is depreciating and target an ASR between 0.9 and 1.1.~~
 - ~~b. Asset consumption ratio (ACR): The Town will aim to responsibly maintain, renew/replace assets in accordance with the Asset Management Plan and target an ACR between 0.5 and 0.7.~~
 - ~~c. Asset renewal ratio (ARR): This ratio indicates the ability of the Town to fund its projected asset renewals in the future. The Town will aim to develop a Long Term Financial Plan that is supported by an Asset Management Plan to determine this ratio and target an ARR between 0.95 and 1.05.~~

Related documents

- ~~• [Local Government Act 1995 \(WA\)](#)~~
- ~~• [Local Government \(Financial Management\) Regulations 1996](#)~~
- [Australian Accounting Standards AASB13 – Fair Value Measurement](#)
- [Australian Accounting Standards AASB116 – Property, Plant & Equipment](#)
- ~~• [Integrated Planning and Reporting Framework](#)~~
- [IPWEA Asset Management Guidelines](#)
- ~~• [Asset Management Framework](#)~~
- [Disability Access and Improvement Plan \(DAIP\)](#)
- [Town of Victoria Park Social Infrastructure Plan](#)
- [Policy 221 Strategic Management of Land and Property Assets](#)
- [Policy 310 Leasing](#)
- [Policy 301 Purchasing](#)
- [Policy 223 Light Fleet Management](#)
- ~~• [Policy TBA Attractive and Portable Assets](#)~~

Responsible officers	Coordinator Strategic Assets
Policy manager	Manager Technical Services
Approval authority	Council
Next evaluation date	April 2024

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	16/06/2020	Council	438/2020	Item 15.3
2	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
3	Administratively amended	24/08/2023	Delegation		
4					

Policy number	Policy 222
Policy title	Asset management
Strategic outcomes supported	<p>EC2 – Connecting businesses and people to our local activity centres through place planning and activation</p> <p>EN4 - Increasing and improving public open spaces</p> <p>EN5 – Providing facilities that are well-built and well-maintained</p> <p>CL1 – Effectively managing resources and performance</p>

Policy objective:

The objective of the Asset Management Policy is to ensure that services delivered by Town are appropriately managed to ensure that they provide sustainable and cost-effective services to the community.

The policy guides the Asset Management Strategy that the Town will apply to ensure:

- Asset management practices and decisions consider the outcomes and priorities of the Strategic Community Plan and Corporate Business Plan, and the long-term community and financial sustainability of the Town.
- Asset management outcomes are incorporated into the Town’s long term financial plan.
- Assets are maintained and are performing at an appropriate service level.
- Assets are appropriately planned, acquired and managed considering whole of life costs.

Policy scope:

This policy applies to the management of all assets owned by the Town, of which are grouped into Asset Management Plans according to their classification.

Asset Management Plan	Asset Category
Property and Facility Asset Management Plan	<ul style="list-style-type: none"> • Land • Buildings • Furniture and Equipment
Transport Asset Management Plan	<ul style="list-style-type: none"> • Roads • Drainage • Pathways • Other Infrastructure
Outdoor Recreation Asset Management Plan	<ul style="list-style-type: none"> • Parks and Reserves • Playgrounds • Artworks (Structures/Sculptures)
Plant and Equipment Asset Management Plan	<ul style="list-style-type: none"> • Light Fleet • Heavy Vehicles & Machinery • Equipment
Information and Communication Technology Asset Management Plan	<ul style="list-style-type: none"> • ICT Hardware • ICT Software

Policy definitions:

Assets refers to a physical component which has a value, enables a service to be provided and has an economic life of greater than 12 months. The value of the asset is determined by a defined process depending on whether there is a market for identical items, for similar items, or no market.

Asset Management refers to the systems and processes applied by an organisation to manage their assets from planning, acquisition, operation, maintenance, to replacement and/or disposal with the objective of providing the required level of service in the most cost-effective manner.

Asset Management Plan (AMP) refers to a long-term plan (usually 10-20 years) for the sustainable management of an asset category that combines multi-disciplinary management techniques (including technical and financial) to provide a specified level of service.

Level of Service refers to the outputs or objectives an organisation or activity intends to deliver to customers. It includes the functionality, capacity, design and presentation of an asset. The higher the level of service, the greater the cost could be to deliver the service. The aim of asset management is to match the asset and level of service of the asset to the relevant need and level of affordability.

Life Cycle means the cycle of activities that an asset goes through while it retains an identity as a particular asset, including planning, acquisition, maintenance, and disposal. The useful life of the asset (also known as the economic life) is the period over which the asset delivers a service to the Town: any continued physical life after disposal is not relevant in life cycle considerations by the Town

Maintenance means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

New means creation of a brand new asset to meet additional service level requirements. New assets can be constructed by the Town or can be received as gifted assets by external parties. New assets increase the current replacement cost of the asset portfolio, and hence increase annual depreciation.

Operations means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal. Operations does not improve the condition of the asset, but can improve the functioning of the asset and surrounding assets (an example is street sweeping, which improves the user's experience of the street and also protects the stormwater network).

Renewal means to restore, rehabilitate, replace existing asset to its original capacity / level of service – Like for like taking into account modern equivalents. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use. Renewals will be preferred over new works, because renewals do not increase the current replacement cost of the asset portfolio, and hence do not increase annual depreciation.

Resources means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

Upgrade means enhancing an existing asset to increase its functionality and/or capacity to provide higher level of service.

Whole of Life Costs refers to all the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, renewal and disposal costs.

Policy statement:

1. The Town will implement processes and practices to maintain and renew assets as needed in a cost-effective manner, so they remain safe, serviceable, and fit for purpose. The Town will prioritise the maintenance and renewal of existing assets before acquiring new assets where possible, if considered more cost-effective over the life of the asset to do so.
 2. The Town will implement a life-cycle approach to the management of assets where:
Asset planning decisions are based on an evaluation of alternatives that consider the “whole of life” of an asset through acquisition, operation, maintenance, renewal and disposal;
 - a. The asset management cycle considers the current and future environmental, economic and social needs and priorities as expressed in the Town’s suite of Informing Strategies.
 - b. Asset solutions for service delivery that eliminates the need for the life-cycle management cost of assets will be considered for assets not owned by the Town.
 - c. The Town will consider rationalising assets that are no longer used or where the community does not have any ongoing or future demand for its intended service for which the asset was originally acquired.
 3. The Town is committed to making informed and evidence-based decisions in relation to its assets. To achieve this, the Town will prepare an Asset Management Strategy that is aligned to industry best practices expressed in the Institute of Public Works Engineering Australasia (IPWEA) body of knowledge to guide the decision-making processes and their associated information requirements. This includes:
 - a. Data management processes
 - b. Condition audits
 - c. Asset valuations
 - d. Capital works and maintenance planning
 - e. Performance management and
 - f. Change management
 4. The Town will prepare Asset Management Plans for each relevant asset class to appropriately describe and detail the requirements and performance of the assets. This includes:
 - a. Description and quantities of the asset class inventory
 - b. Current performance of the assets such as a condition summary
 - c. Current asset valuations
 - d. Community demand and service levels
 - e. A long-term plan projecting the asset maintenance and renewal requirements
 - f. Long-term funding requirements sufficient to inform the Town’s long-term financial plan and to leverage any external funding
- The Asset Management Plans are to be reviewed in alignment with the Strategic Community Plan and Corporate Business Plan to ensure strategic objectives continue to be aligned.
5. The Town will adopt a consultative approach to its capital works planning, ensuring that a cross-section of internal teams provide oversight into the development of the Town’s capital works program. This is to ensure that project works are coordinated, and multiple objectives throughout the organisation are cohesively integrated into one project or one outcome wherever possible.
 6. The Town will adopt a financially sustainable approach to the management of the Town’s assets:
 - a. Long-term asset management budget projections will be discussed with the Town’s finance team annually during the preparation of the Town’s Long-Term Financial Plan to ensure smoothing of

expenditure where possible, and the appropriate management of any asset renewals gaps or surpluses.

- b. 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.

Related documents

- [Local Government \(Financial Management\) Regulations 1996](#)
- [Australian Accounting Standards AASB13 – Fair Value Measurement](#)
- [Australian Accounting Standards AASB116 – Property, Plant & Equipment](#)
- [IPWEA Asset Management Guidelines](#)
- [Disability Access and Improvement Plan \(DAIP\)](#)
- [Town of Victoria Park Social Infrastructure Plan](#)
- [Policy 221 Strategic Management of Land and Property Assets](#)
- [Policy 310 Leasing](#)
- [Policy 301 Purchasing](#)
- [Policy 223 Light Fleet Management](#)

Responsible officers	Coordinator Strategic Assets
Policy manager	Manager Technical Services
Approval authority	Council
Next evaluation date	April 2024

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	16/06/2020	Council	438/2020	Item 15.3
2	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
3	Administratively amended	24/08/2023	Delegation		
4					

Policy number	Policy 260
Policy title	Single-use plastic and polystyrene
Strategic outcomes supported	EN1 – protecting and enhancing the natural environment EN2 – facilitating the reduction of waste

Policy objective:

- To provide controls that minimise potential adverse impacts of single use plastic and polystyrene on the community and the environment.
- To provide education and community leadership on the issue of single use plastic.

Policy scope:

This Policy applies to:

- all Council buildings except those buildings which are, or may become, a subject to a lease or licence permitting the use of the building for commercial tenancy or residential occupancy;
- all Council-run and sponsored events; and
- all market stalls held on Council land.

This Policy does not apply to:

- Events within the Town that are not Council-run;
- Traders and businesses that do not require a permit from the Town under a Local Law; and
- Activities operating under current lease agreement from the Town.

Policy definitions:

Compostable means materials capable of breaking down completely or decomposing to produce a soil product without toxic residue. These materials should be certified compostable under [Australian Standard AS 4736-2006 Biodegradable plastics – Biodegradable plastics suitable for composting and other microbial treatment or commonly known as– Industrial Composting or AS 5810-2010 Biodegradable plastics – Biodegradable plastics suitable for home composting – Home Composting–published by Standards Australia, as in effect from time to time.](#)

Event means any planned activity that occurs in a certain place, during a certain time, which involves a gathering of people and has some level of impact on the immediate surroundings.

Local Government Property has the meaning given to it in the Local Law.

Local Law means the relevant Town of Victoria Park Local Law. At the time of writing this Policy it included the Activities and Trading Thoroughfares Public Places Local Law 2000; Local Government Property Law 2000; and Health Local Law 2003.

Market Stall means a stand or booth where goods are sold at a market or event.

Permit has the meaning given to it in the Local Law.

Plastic means synthetic materials manufactured from fossil fuels such as oil and petrochemicals. Can be either soft, flexible or rigid.

Polystyrene means synthetic resin which is a polymer of styrene, used chiefly as lightweight rigid foams and films.

Public places has the meaning given to it in the Local Law.

Regulations means the [Environmental Protection \(Prohibited Plastics and Balloons\) Regulations 2018](#).

Serving material means any items that are distributed for the intended use as food or beverage serving and/or consumption aids, including but not limited to: plates, cutlery, take away food containers, hot/cold beverage cups and lids (including paper coffee cups with plastic lining or lids), drinking straws.

Single use means materials that are manufactured for disposable usage and an intended short lifespan.

Trader has the meaning given to it in the Local Law.

Thoroughfares has the meaning given to it in the Local Law.

Policy statement:

0.1. Single-use plastics (or disposable plastics) and polystyrene are used only once before they are thrown away or recycled. These items include, but are not limited to, straws, coffee stirrers, soda and water bottles and most food packaging.

0.2. Council acknowledges that widespread use, distribution and misuse of single-use plastics and polystyrene at events and facilities can have a significant impact on our environment; particularly as events are predominantly held outdoors.

0.3. The phasing out single use plastics and polystyrene products will:

- a. reduce the amount of plastics being disposed to landfill or ending up as litter in our community;
- b. help to reduce the degradation of the Australian marine environment including the Swan River;
- c. reduce the adverse impacts on the Town's environment and human health;
- d. educate the Town's community to shift away from single use plastic and polystyrene products;
- e. support businesses to embrace alternative options to single use plastic and polystyrene products and those already utilising alternatives; and
- f. reduce the carbon and greenhouse emissions associated with creating plastic from non-renewable oil resources.

Restrictions

1.4. Single-use plastic or polystyrene serving materials are not to be used, sold or distributed, where suitable, fit for purpose alternatives are available and in line with any ban as per the Regulations. —

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1.5. Bottled water is not to be provided at Town functions where potable drinking water facilities are available.

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1.6. All avoidable plastic and polystyrene packaging must not be used in the purchase, sale, distribution and transport of food or goods, unless required under other conditions or legislation.

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7. Plastic and polystyrene event materials are to be reused where possible, including event signage and promotional banners.

Suitable alternatives

4.8. Suitable alternatives to single-use plastic and polystyrene serving materials, packaging and other items must be:

- a. Compostable;
- b. Available; and
- c. Fit for purpose.

9. For more information on suitable alternatives, please refer to the [Plastic-Free Vic Park guide](#).

Exemptions

4.10. This Policy exempts single-use plastic items necessary to meet health and safety requirements, or where there are no suitable alternatives.

4.11. Unless necessary to satisfy other conditions of the permit, exemptions will require prior approval from the Town at the discretion of the Chief Executive Officer.

Related documents

[Council Policy 226 Recreation reserves - hire](#)

[Environmental Protection \(Prohibited Plastics and Balloons\) Regulations 2018](#)

[Plastic-Free Vic Park guide](#)

[Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000](#)
[Policy 226 Recreation reserves - hire](#)

[Plastic Free Vic Park guide](#)

Responsible officers	Environment Officer
Policy manager	Manager Technical Services
Approval authority	Council
Next evaluation date	April 2024

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	20/08/2019	Council	155/2019	Item 14.1
2	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
3	Administratively amended	24/08/2023	Delegation		

Policy number	Policy 302
Policy title	Investment
Strategic outcomes supported	CL1 – Effectively managing resources and performance CL3 - Accountability and good governance

Policy objective:

To provide guiding principles and financial controls for managing policy for the investment of the Town's surplus funds.

Policy scope:

This policy applies to all employees who actively manage the Town's cash and investments or have the responsibility for employees who actively manage the Town's cash and investments.

Policy definitions:

Nil-Standard and Poor (S&P) Ratings – These are an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation based on relevant risk factors.

Policy statement:

1. The ~~Council of the~~ Town of Victoria Park is committed to ensuring the Town's finances are managed appropriately, sustainably and transparently for the benefit of the community.
2. Council supports the investment of the Town's surplus funds, which seek to maximise the return to the Town whilst having due consideration for the risk and security of each investment; and ensuring the Town's liquidity requirements are met.
- 2.3. The Town requires all investment activities be managed with care, diligence and skill that a prudent person would exercise.

Practice Implications

1. ~~Implementation of practices to demonstrate the following:~~
 - a. ~~Preservation of capital (Investment management is to be undertaken in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk where applicable within identified threshold and parameters).~~
 - b. ~~Liquidity (There is to be sufficient liquidity to meet all reasonably anticipated cash flow requirements as and when they fall due without incurring significant costs due to the unanticipated sale of an investment).~~
 - c. ~~Investment return (maximise returns within Council's risk appetite. Investments are expected to achieve a market average rate of return in line with the Council's risk tolerance).~~
 - d. ~~Prudent financial management (Investment activities to be managed transparently with probity and good governance).~~

Approved Investments

1. Interest bearing term deposits with authorised deposit-taking institutions (ADI) as defined in the Banking Act 1959 (Commonwealth) section 5 for a term not exceeding three years;
2. Interest bearing deposits with the Western Australian Treasury Corporation (WATC) for a term not exceeding three years;
3. Bonds guaranteed by the Commonwealth Government or State or Territory for a term not exceeding three years.

All investments are to be in Australian currency.

Prohibited Investments

1. Investment of derivative based instruments;
2. Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

Risk Management Guidelines

To control the credit quality of the ADI invested portfolio, the following credit framework limits the percentage of the portfolio exposed to any credit rating category and exposure to an individual ADI counterparty.

<u>S&P Long term Rating</u>	<u>S&P Short Term Rating</u>	<u>Maximum % in Credit Rating Category</u>	<u>Maximum % in One Authorised Institution</u>
<u>AAA</u>	<u>A-1+</u>	<u>100%</u>	<u>60%</u>
<u>AA</u>	<u>A-1</u>	<u>100%</u>	<u>35%</u>
<u>A</u>	<u>A-2</u>	<u>40%</u>	<u>25%</u>

If any ADI's are downgraded to an extent they no longer comply they will be divested as soon as practical.

Environmentally and Socially Responsible Investment

The Town of Victoria Park acknowledges climate change and attempts to reduce its investments that fund the fossil fuel industry and contribute to greenhouse gas emissions. When exercising the power of investment, preference is to be given to investments with institutions that have been assessed to have no current record of funding fossil fuels, providing that doing so will secure a rate of return that is at least equal to alternative offered by other institutions and meeting the other objectives of this policy.

Related documents

Local Government Act 1995 - Section 6.14;
 Local Government (Financial Management) Regulations 1996;
 The Trustees Act 1962 – Part III;
[Banking Act 1995 \(Commonwealth\) – Section 5](#) and
 Australian Accounting Standards.

Responsible officers	Manager – Corporate Services Financial Controller
Policy manager	Chief Financial Officer
Approval authority	Council
Next evaluation date	March 2024

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	28/11/1995	Council	-	-
2	Amended	23/3/1999	Council	-	-
3	Amended	24/02/2009	Council	-	-
3	Reviewed	09/07/2013	Council	-	-
4	Amended	09/06/2015	Council	-	-
4	Reviewed	11/08/2015	Council	-	-
5	Amended	08/05/2018	Council	-	-
6	Reviewed and amended	20/08/2019	Council	148/2019	-
7	Amended	08/05/2018	Council	-	Item 14.3
8	Reviewed and amended	20/08/2019	Council	148/2019	Item 10.1
8	Reviewed	18/02/2020	Council	325/2020	Item 15.6
10	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
11	Reviewed	15/03/2022	Council	46/2022	Item 15.3
12	Administratively amended	24/08/2023	Delegation		