



TOWN OF  
VICTORIA PARK



## Ordinary Council Meeting Agenda – 15 December 2020

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**WE'RE OPEN**  
VIC PARK

Please be advised that an **Ordinary Council Meeting** will be held at **6.30pm** on **15 December 2020** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Mr Anthony Vuleta – Chief Executive Officer**  
8 December 2020

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# 1 Declaration of opening

## Acknowledgement of Country

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

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

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

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

*Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.*

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

# 2 Announcements from the Presiding Member

## 2.1 Recording and live streaming of proceedings

In accordance with clause 39 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, as the Presiding Member, I hereby give my permission for the administration to record proceedings of this meeting.

This meeting is also being live streamed on the Town's website. By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to public. Recordings are also made available on the Town's website following the meeting.

## 2.2 Public question time and public statement time

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 40 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then

speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

### **2.3 No adverse reflection**

In accordance with clause 56 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees.

### **2.4 Town of Victoria Park Meeting Procedures Local Law 2019**

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Meeting Procedures Local Law 2019*.

### **2.5 Mayor's report**

### **3 Attendance**

**Mayor**

Ms Karen Vernon

**Banksia Ward**

Cr Claire Anderson  
Cr Ronhhda Potter  
Cr Wilfred Hendriks

**Jarraah Ward**

Deputy Mayor Bronwyn Iffe  
Cr Vicki Potter  
Cr Jesvin Karimi

**Chief Executive Officer**

Mr Anthony Vuleta

**Chief Operations Officer**

Mr Ben Killigrew

**Chief Financial Officer**

Mr Michael Cole

**Chief Community Planner**

Ms Natalie Martin Goode

**Manager Development Services**

Mr Robert Cruickshank

**Manager Governance and Strategy**

Ms Bana Brajanovic

**Secretary**

Ms Natasha Horner

**Public liaison**

Ms Alison Podmore

#### **3.1 Apologies**

#### **3.2 Approved leave of absence**

**Banksia Ward**

Cr Luana Lisandro

**Jarraah Ward**

Cr Brian Oliver

## **4 Declarations of interest**

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

### **Declaration of financial interests**

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

### **Declaration of proximity interest**

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

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

### **Declaration of interest affecting impartiality**

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

## 5 Public question time

### 5.1 Response to previous public questions taken on notice at Ordinary Council Meeting on 17 November 2020

**Greg Davis**

1. *Are the lights at Rayment Park going to be replaced?*

Yes, replacement lights were recently ordered, however, it may take four to six weeks for them to arrive.

### 5.2 Response to previous public questions taken on notice at Agenda Briefing Forum on 1 December 2020

**Sam Zammit**

1. *Is there a program where vacant land that hasn't been cleared or brought up to standard for fire approval are checked?*

Yes, the Town has a program to inspect vacant land for compliance with firebreak requirements.

For inspections this year, the Town looked at properties of repeat offenders first. These were inspected at the beginning of November. Those not meeting the requirements were issued an infringement and a contractor was organised. These have now all been cleared.

For vacant blocks of people that were not repeat offenders, inspections commenced in the week of 9 November. Any not meeting requirements were issued a work order which gave two weeks to clear their block.

If not rectified after two weeks, the Town cleared the block and issued the owner with a bill and an infringement. This work is also now complete.

2. *How many views do the Town get for livestreaming?*

The combined viewing figures for the last six months are provided. Figures for individual meetings are not available.

The figures for archived views relate to the number of people that have viewed any of the meetings available online in that month. They are not specific to the meetings for that month.

<b>Month</b>	<b>Live views</b>	<b>Archive views</b>
<b>November</b>	167	163
<b>October</b>	101	125
<b>September</b>	255	299
<b>August</b>	101	116
<b>July</b>	191	157



<b>June</b>	197	215
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### **5.3 Public question time**

## **6 Public statement time**

## **7 Confirmation of minutes and receipt of notes from any agenda briefing forum**

### **Recommendation**

That Council:

1. Confirms the minutes of the Ordinary Council Meeting held on 17 November 2020.
2. Receives the notes of the Agenda Briefing Forum held on 1 December 2020.
3. Receives the notes of the Mindeera Advisory Group held on 11 November 2020.
4. Receives the notes of the COVID-19 Response Working Group held on 12 November 2020.
5. Receives the notes of the Access and Inclusion Advisory Group held on 13 November 2020.
6. Receives the notes of the Urban Forest Strategy Implementation Working Group held on 23 November 2020.
7. Receives the notes of the Lathlain Precinct Advisory Group held on 7 December 2020.

## **8 Presentation of minutes from external bodies**

### **Recommendation**

That Council:

1. Receives the Tamala Park Ordinary Council meeting minutes held on 8 October 2020.

## **9 Presentations**

### **9.1 Petitions**

### **9.2 Presentations**

### **9.3 Deputations**

## **10 Method of dealing with agenda business**

# 11 Chief Executive Officer reports

## 11.1 Memorandum of Understanding update

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Joshua Norris
<b>Responsible officer</b>	Anthony Vuleta
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

### Recommendation

That Council notes the annual Memorandum of Understanding (MoU) update report relating to the:

- Shire of Morawa
- City of South Perth
- Inner-City Council's Group

### Purpose

To provide Council an update relating to the Town's Memorandums of Understanding (MoU) and working relationships with the City of South Perth, the Shire of Morawa and the Inner-City Councils Group.

### In brief

- The Town has entered into a number of MoUs with metropolitan and regional Councils since 2016, with collaborative focus on key themes of information and resource sharing, improving effectiveness and efficiency of common service delivery and combined advocacy for key projects and issues.

### Background

- At the April 2016 Ordinary Council meeting, Council resolved to endorse the MoU between the Town of Victoria Park and the City of South Perth.
- At the June 2018 Ordinary Council meeting, Council resolved to endorse the Memorandum of Understanding (MoU) between the Town of Victoria Park and the Shire of Morawa and requested the administration to produce an annual report on the effectiveness, adherence and outcomes of the working relationship.
- At the February 2019 Ordinary Council meeting, Council resolved to support 'in principle' the MoU between the City of Perth, City of South Perth, City of Subiaco, City of Vincent and the Town of Victoria Park for the purpose of joint collaboration opportunities on strategic issues impacting local government. It further requested an annual report be presented to Council regarding the effectiveness, adherence (or any modifications to) and outcomes, relating to the terms of the MoU.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL01 – Everyone receives appropriate information in the most efficient and effective way for them	Timely reporting on outcomes and actions of collaborative working groups the Town has entered into agreements with.

## Engagement

Not applicable.

## Legal compliance

Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial					Low	
Environmental					Medium	
Health and safety					Low	
Infrastructure/ ICT systems/ utilities					Medium	
Legislative compliance					Low	
Reputation	Negative public perception should the MoU's entered into by the Town don't yield any results	Minor	Unlikely	Low	Low	Treat the risk through continued relationship fostering and engagement with all stakeholders
Service delivery					Medium	

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
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## Analysis

### Shire of Morawa

- The Town maintains a productive relationship with the Shire of Morawa and earlier this year sent four governance staff to Morawa to scope opportunities there were to assist the Shire.
- The Town explored the possibility of assisting the Shire with CEO Recruitment, however after consulting with WALGA; the potential risks of doing so prevented this from going ahead.
- The Town undertook significant work in the preparation of a Regulation 17 Risk Audit for the Shire of Morawa. The audit was endorsed by the Shire's Council in April 2020, marking a significant achievement for the relationship between the Town and Shire.
- In October 2020, the Shire appointed a new CEO who is due to commence in December 2020. The Town looks forward to continuing work with the Shire and a productive working relationship with the new CEO.

### City of South Perth

#### Rangers

- The City of South Perth and the Town of Victoria Park collaborated to construct a new Animal Care Facility (ACF) in South Perth, which officially opened 17 December 2014.
- Since the beginning of financial year 20-21 the Animal Care Facility (ACF) housed 43 animals impounded by the Town of Victoria Park. On average the impounded animals spent 1 day at the facility before being returned to their owner, rehomed or euthanized.
- The ACF also stores deceased animals until their owners can be found. Since the beginning of financial year 20-21, the Town of Victoria Park stored 8 deceased animals at the Facility.

#### Operations

- The Town and City of South Perth have agreed in principle to an MoU that covers the works and servicing of shared boundary roads. The MoU proposes the following:
  - a. For boundaries drawn in the middle of the road – cost responsibility to be shared equally for road/kerb/drainage upgrades or rehabilitation works. Footpath upgrade costs on either side to remain with the respective LGA.
  - b. For boundaries drawn on the side of Victoria Park – cost responsibility for Victoria Park only for costs associated with kerbing, footpath and drainage upgrades requirements on that side. The cost for road surface upgrade/rehabilitation for the road pavement will lie with South Perth.

- c. For boundaries drawn on the side of South Perth - cost responsibility for South Perth only for costs associated with kerbing, footpath and drainage upgrades requirements on that side. The cost for road surface upgrade/rehabilitation for the road pavement will lie with Victoria Park.
- The Town has continued to provide street sweeping 3 times per year to the City of South Perth.
- The City of South Perth nursery grows stock for the Town of Victoria Park to be used as part of our Urban Forest strategy implementation. Many of the plants grown are from the Town's own providence seed.

## Inner City Councils

### Mayor's and CEOs Working Group

- The Chief Executive Officer and the Mayor attended various meetings throughout 2020, together with the Cities of Perth, Vincent, Subiaco and South Perth, with the focus of the group revolving around:
  - a. Joint initiatives for a COVID-19 response and enforcement of social distancing directives
  - b. Mental health impacts of COVID-19
  - c. Local Recovery Coordination Group establishment
  - d. Unified advocacy items
  - e. Resource sharing
  - f. Secondments and traineeships
  - g. Governance and internal audit
  - h. Visit Perth tourism brand
  - i. Homelessness
- As at 2 April 2020, the CEO group initiated a weekly catch-up primarily to share information relating to COVID-19 responses and actions, with the aim of getting a consistent approach to how each local government was responding.
- The Town hosted the working group on 5 August 2020.

### Infrastructure and Transport Working Group

- The Infrastructure and Transport Working Group met several times throughout 2020. The topics of discussion were:
  - a. Finalising the major transport priorities for the inner-city area
  - b. Identifying infrastructure advocacy projects and overlaying them with a COVID-19 recovery lens
  - c. The appointment of a consultant to prepare an advocacy document for the group.
- A workshop with the appointed consultant (GTA Consultants) occurred on 24 November 2020 where the group determined key projects and policy priorities to be included. A draft advocacy document is now being prepared for review.

### Planning, Economic Development & Culture Working Group

- This group comprises the following sub-groups which meet regularly and report to the Planning, Economic Development & Culture Working Group:
  - a. Planning
  - b. Inner Perth Marketing Collective
  - c. Culture & Arts
  - d. Economic Development

## Planning

- The Planning sub-group undertook regular monthly meetings in 2020.
- The Inner-City Council Planning Working Group (ICCPWG) undertook a collaborative approach in the response to the COVID-19 pandemic whereby actions were delegated to each local government area in preparing documentation which could be adapted for each department as necessary.
- Some of the resources developed include:
  - a. Standard advice notes for development approvals relating to the extension of time for all applications as per the Minister's Notice
  - b. Letter templates to notify applicants of additional time
  - c. Development of change of use exemption policy
  - d. Exemption tracking sheet regarding Minister's Notice and change of use exemption policy
  - e. Preparation of flow chart for assessing and determining exemptions
- Significant progress in planning reform has been undertaken by the State Government in 2020, partially in response to the COVID-19 pandemic.
- Collectively, the ICCPWG has discussed and shared responses to the revised Residential Design Codes and proposed amendments to the Planning and Development (Local Planning Schemes) Regulation.
- A major change in the planning framework in 2020 has been the introduction of the State Development Assessment Unit (SDAU). The ICCPWG has met with the Western Australian Planning Commission to discuss process and expectations and collectively advocate for local government interests.
- The Town hosted the Planning sub-group meeting in October 2020.

### Inner Perth Marketing Collective

- The Inner Perth Marketing Collective met various times throughout 2020. The primary focus of the group was the finalisation of the 'Visit Perth' tourism destination brand, which was completed in July 2020.
- The Visit Perth website launched on August 28 2020 with a hype video shared across social media, highlighting businesses and attractions in the five local government areas. Individual local government videos were also created showcasing businesses in the area, and shared across on the Visit Perth Facebook page. This video reached 19,199 people and gathered 272 reactions, comments and shares.
- Subsequent to this, there has been significant additional content added by the Town, showcasing local businesses, events and attractions, and we continue to participate in joint campaigns around key themes and events throughout the year.

### Economic Development

- The Economic Development sub-group met monthly during 2020 (and more frequently during COVID-19), with discussions centering around:
  - a. COVID-19 response and recovery
  - b. A collaborative small business conference
  - c. Business surveys
  - d. Local business initiatives and challenges

### Corporate Services and Business Services Working Group

- Due to the COVID pandemic, the Internal Audit sub-committee have only met twice in 2020, with discussions centering around:
  - a. Potential shared resourcing arrangement for Governance and Risk between the Town and The City of Vincent
  - b. OAG Performance Audits on Governance
  - c. Updates on internal audits, internal audit plans and individual participants interim audit reports.

- It was agreed by the group in March to postpone all meetings until all attendees Council's moved into the recovery stage. The next meeting of this group is scheduled for Wednesday 25 November 2020.

## **Relevant documents**

Not applicable.

## 11.2 Workforce Plan 2020-2035

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Donna Smith
<b>Responsible officer</b>	Anthony Vuleta
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Workforce Plan 2020-2035 [11.2.1 - 22 pages]

### Recommendation

That Council endorses the amended Workforce Plan 2020-2035 resulting from the review conducted in accordance with regulation 19DA of the Local Government (Administration) Regulations 1996.

### Purpose

To present proposed changes resulting from the review of the Workforce Plan for consideration by Council.

### In brief

- The Town has conducted a review of the Workforce Plan and continue with in accordance with regulation 19DA (3C) of the Local Government (Administration) Regulations 1996, "develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning".
- The Town has conducted a review of the Workforce Plan and have made changes to the structure and content of the document.

### Background

1. The [Department of Local Government Sports and Communities \(DLGSC\) Integrated Planning and Reporting Framework and Guidelines](#) state that every two years, local governments are required to undertake a review of the Strategic Community Plan, alternating between a minor and major review. A minor review, according to the Departmental guidelines, is "primarily a desktop exercise and usually focuses on resetting the Workforce Plan".
  2. In June 2019, the Town endorsed a minor revision of the Strategic Community Plan 2017-2032. In line with the Departments Guidelines, the Town has updated the Workforce Plan to align with the reviewed Strategic Community Plan.
  3. The Workforce Plan is an internal business planning tool that identifies the capacity and capability needs of the Town to deliver the workload identified within the adopted Corporate Business Plan. The plan highlights workforce strategies that help shape the workforce to deliver services, operations, projects and initiatives for a local government within a defined period.
- The Integrated Planning and Reporting Framework (IPRF), the overarching umbrella which encompasses the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan, informing documents such as Asset Management Plans and the Workforce Plan, is a set of strategic and operational documents that the Town is required by legislation to prepare to plan for the future of its community. These documents include:



Document	Purpose
Strategic Community Plan	The Strategic Community Plan is a strategic document that provides direction for the Town (and the community) over a 10 to 15-year period. The Town's Strategic Community Plan was last endorsed in June 2019.
Corporate Business Plan	The Corporate Business Plan is an operational document that activates the Strategic Community Plan over a four-year period. The Corporate Business Plan was last endorsed in September 2020.
Long-term Financial Plan	The Long-term Financial Plan is a document that shows how the Town will be able to pay for managing its assets, carrying out capital works, and providing services over a 10-year period. The Long-term Financial Plan was last endorsed in September 2017. In accordance with DLGSC guidelines, the plan should be reviewed annually and through both the minor and major strategic reviews.
Asset Management Plans	Asset planning is intended to integrate the expected cost of looking after assets with long term financial planning. The Town's Asset Management Plan was last endorsed in June 2017. In accordance with DLGSC guidelines, the plan should be reviewed regularly.
Workforce Plan <b>This is the subject of review.</b>	Workforce planning is intended to ensure that the Town employs the right people to deliver the right asset management, service provision and capital works. The Town's Workforce Plan was last endorsed in June 2017. In accordance with DLGSC guidelines the plan should be reviewed regularly. This document is currently under review.

- During the March 2020 ordinary council meeting the Council did not support the workforce plan proposed. There were also no amendments or alternative motion adopted by the Council. As such a review of the workforce plan is still required under regulation 19DA (3C) of the Local Government (Administration) Regulations 1996, "develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning".

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
<b>CL5</b> - Innovative, empowered and responsible organisational culture with the right people in the right jobs.	The Town's workforce is developed and equipped to be agile to the ever-changing needs of the community.

## Engagement

Internal engagement	
Stakeholder	Comments
Elected Members	Information was presented at the 25 February 2020 Concept Forum regarding the review of the Workforce Plan and potential changes to be made. A draft WFP and list of 'Strategic Initiatives', with the proposed minor amendments, were made available to elected members.
Staff	Internal workshops were held with staff to gather information on current and future projects, works and trends within their field that were to the base start of the future FTE projections.
IPRF Steering Group	The IPRF Steering Group (comprised of C-Suite and relevant managers and officers) was regularly consulted on the direction and process for review of the WFP, in addition to acting as a sounding board for proposed changes.
OCM	The elected members at the March 2020 OCM did not endorse the 2020-2035 Workforce Plan. Administration has now revised their FTE predictions that formed the basis of the plan.

## Legal compliance

[Section 5.56\(1\) of the Local Government Act 1995](#)

[Local Government \(Administration\) Regulations 1996 REG 19DA](#)

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial		Minor	Moderate	Low	Low	Treat the risk by seeking Council endorsement of the FTE prediction there will not be a financial implication until FTE requests are formally

						submitted to Council.
Environmental	N/A					
Health and safety	N/A					
Infrastructure/ ICT systems/ utilities	N/A					
Legislative compliance	The Town will not be able to meet the requirement of completing a minor review.	Minor	Moderate	Low	Low	Treat the risk by seeking Council endorsement of the minor changes, this risk will be mitigated.
Reputation	Negative public perception towards the Town if there is no justification of FTE predictions.	Minor	Minor	Low	Low	Treat the risk by seeking Council endorsement of the FTE predictions, this risk will be mitigated.
Service delivery		Moderate	Moderate	Moderate	Medium	Treat the risk by seeking Council endorsement of the FTE prediction this will mitigate the risk of not delivering services to the community.

## Financial implications

<b>Current budget impact</b>	Not applicable, with the consideration that this report only addresses the review of the Workforce Plan.
<b>Future budget impact</b>	Additional resources requested of Council will be listed for consideration in future draft annual budgets.

## Analysis

4. The main changes made to the Workforce Plan are:
  1. Updated format
  2. FTE predictions for 1-5 years and for 6-15 years
  3. Identification of key focus areas to help build the capacity and capability of the workforce moving forward
5. Through consultation with the IPRF Steering Group and the C-Suite it was identified that the Workforce Plan needed to become a more succinct document that is focused at the strategic level. An example of this change was to remove operational outcomes from previous plans. The format of the Workforce Plan was developed using the Department of Local Government, Sport and Cultural Industries' Workforce Plan toolkit.

### FTE Predictions

6. During the review of the Workforce Plan, it was identified that Managers and Service Area Leaders (SALT) are to participate in an activity as subject matter experts to identify Full Time Equivalent (FTE) predictions and justifications for the next 5 years to 2025 and then for the following 10 years to 2035.
7. Strategic initiatives are plans of action which Town will use to achieve the Strategic Objectives contained within the Strategic Community Plan. The FTE predictions allow for the successful completions of all the strategic initiatives within the Corporate Business Plan in a timely manner.
8. The FTE predictions once finalised by the Managers and SALTs were then interrogated and scrutinised by their respective Chiefs. This has led to forecast FTE requirements within the WFP. The FTE predictions within the WFP allow for alignment to the Strategic Outcomes of the current Strategic Community Plan.

### Strategic Initiatives

9. Through the review of the WFP, it was identified that there is a need for strategic initiatives to help develop and build the capabilities and capacity of the workforce. These initiatives were consulted with the Elected Members at the February Concept Forum and were adjusted through feedback.
10. The key focus areas include: Leadership Effectiveness Strategy, Cultural Optimisation Strategy, Communication, Investing in our people / employee recognition, Innovation, Attraction and commitment, Disability Access and Inclusion, Indigenous Australians, Youth and Females.

## Next steps

11. The Workforce Plan will be rebranded by the Communications and Engagement service area, bringing it in line with the Town's recent brand refresh.
12. The next step for the Town's IPRF is the commencement of a major review of the Strategic Community Plan through a robust community engagement process. This will include a minor reset of the Workforce Plan.

## Relevant documents

[DLGSC IPR Framework and Guidelines](#)

## Further consideration

- The following two questions were asked and taken on notice at the Agenda Briefing Forum, held on Tuesday 1 December 2020. Responses to these questions have been noted below.

*Q1. What is the difference in FTE projections in this document compared to the document from March 2020?*

The revised Workforce Plan has a reduction of 25.1 FTE staff projections in total in comparison to the March 2020 Workforce Plan. The reduction is an outcome of rigorous interrogation of staff projections completed during workshops held with the Managers and C-Suite.

<b>FTE Projections</b>	<b>Current 2020</b>	<b>2020 - 2025</b>	<b>2025 - 2035</b>
<b>Current Workforce Plan</b>	213.1	229.7	248.4
<b>March Workforce Plan</b>	213.1	241.7	261.5
<b>Difference</b>		Reduced by 12 in the revised plan	Reduced by 13.1 in the revised plan

*Q3. Based on the proposed 209.7 FTE by 2025, does the Town know what proportion of FTE this represents per 1,000 residents for its forecasted population?*

It has been estimated that the population will increase to 44,433 in 2025. (Note this is the Australian Bureau of Stat's estimate and an 'official' population figure) Based on this population figure, the Town's estimated FTE per 1,000 residents would be 5.169 FTE in 2025.

## 11.3 South East Corridor Councils Alliance - Memorandum of Understanding

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Liam O'Neill
<b>Responsible officer</b>	Anthony Vuleta
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Draft SE Corridor Councils Alliance MOU [11.3.1 - 7 pages]

### Recommendation

That Council:

1. Endorses the memorandum of understanding with the City of Armadale, City of Canning and City of Gosnells to establish the South East Corridor Councils Alliance.
2. Authorises the Chief Executive Officer to sign the Memorandum of Understanding on behalf of the Town.

### Purpose

To obtain Council approval for the memorandum of understanding for the South East Corridor Councils Alliance (SECCA).

### In brief

- The Town has been working closely with the Cities of Canning, Gosnells and Armadale as a result of the many shared concerns and shared transport links.
- It is proposed to formalise this partnership through the adoption of an MoU to establish the South East Corridor Councils Alliance.

### Background

1. At its meeting held on 27 May 2020, the South East Corridor group considered a proposal to create a strategic partnership between the local governments of the south east corridor. As a result, an MOU has been prepared to formally establish the South East Corridor Councils alliance.
2. The South East Corridor of Victoria Park, Canning, Gosnells and Armadale share a common transport network based around the Albany Highway corridor and the Armadale rail line. The current group arose as a result of the shared concerns and shared history along the corridor including:
  - a. METRONET and the elevated rail line;
  - b. Crime and safety; and
  - c. Planning and density around train stations.
3. While the group currently only includes those Councils with the Armadale Rail Line travelling through their jurisdictions, with the proposal to extend the line to Byford, the Shire of Serpentine-Jarrahdale could be included in future. Likewise, the City of South Perth could be a future inclusion as a member of the South-East WALGA Zone.

## Strategic alignment

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	The alliance is focused on expanding economic opportunity delivering against this strategic outcome.

Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The alliance seeks to address and work collaboratively on issues such as density around train stations.
EN02 - A safe, interconnected and well maintained transport network that makes it easy for everyone to get around.	The alliance seeks to advocate for improvements to the transport network throughout the corridor.

## Engagement

Internal engagement	
Stakeholder	Comments
Chief Executive Officer	The CEO supports the proposed MOU.
Other engagement	
Stakeholder	Comments
South East Corridor Councils Alliance	The most recent meetings of Mayors and CEO's supported the proposed memorandum of understanding.

## Legal compliance

Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Unbudgeted financial costs arising from the MOU	Minor	Rare	Low	Low	Accept – There are no financial obligations associated with the MOU other

		than those that are unforeseen.
Environmental	Not applicable.	Medium
Health and safety	Not applicable.	Low
Infrastructure/ ICT systems/ utilities	Not applicable.	Medium
Legislative compliance	Not applicable.	Low
Reputation	Not applicable.	Low
Service delivery	Not applicable.	Medium

## Financial implications

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

## Analysis

4. The intent of the MoU is to create a partnership between the participating parties to explore possible collaboration opportunities on strategic issues impacting on local government. The MoU, while not legally binding, except in the case of confidentiality, sets up the working framework between the signatories.
5. The term for the MoU is for a period of three (3) years. That being said, as the MoU is non-binding, each party may terminate the MoU at any time during the term. Decisions made by parties to the MoU will be by consensus.
6. The objectives of the MoU is to:
  - a) collaborate on issues of mutual interest to enhance the outcomes of each organisation; and
  - b) discuss and explore opportunities and proposals to cooperate and collaborate in one or more of the following strategic priority areas of the SECCA:
    - i. Advocacy - Increase the sense of urgency and level of government investment in the strategic priorities through detailed analysis of issues, political policies and positioning of each party in order to inform the unified election cycle activities of the SECCA.
    - ii. Transport - Ensure that the opportunities created by investment in transport infrastructure are maximised to facilitate job creation, private investment and a diversity of land use opportunities such as transit orientated developments.



- iii. Infrastructure - Realise the potential of the Corridor's strategic activity centres through facilitating and advocating for the provision of essential infrastructure in order that a diversity of functionality, employment and educational opportunities are accessible to the community.
- iv. Economy and Employment - Through collaborative research understand the drivers and opportunities to facilitate the economic growth of the region and develop strategies to nurture and incubate entrepreneurship and regional employment self-sufficiency.
- v. Tourism - Actively promote the Corridor's tourism assets, investment potential and partnerships.
- vi. Environment - Retain and expand the urban forest canopies throughout the Corridor as well as the conservation and enhancement of the natural environment.
- vii. Education and Training - Increase employment through enhanced education and training access throughout the Corridor, promoting self-sufficiency.
- viii. Planning and Built Form - Improve the diversity, built form outcomes and timely delivery of housing, industrial, office, retail, health, entertainment and public open spaces throughout the Corridor.
- ix. Local Government Collaboration - Seek opportunities for major events, resource sharing, sub-regional planning, policy alignment and red tape reduction.
- x. Heritage and Culture - Preserve and promote the heritage and culture of the Corridor and its contribution to sense of place.

## **Relevant documents**

Not applicable.

## **Further consideration**

- 7. The report has been updated to acknowledge the other reasons besides METRONET that this partnership has arisen.

## 11.4 Advocacy Priorities 2021

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Carrie Parsons
<b>Responsible officer</b>	Anthony Vuleta
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

### Recommendation

That Council adopts the advocacy priorities for 2021 as listed in this report.

### Purpose

This report provides a list of projects in advocacy focus areas for the Town, that are to be adopted as agreed priorities for strategic and concentrated advocacy effort in 2021.

### In brief

- The progress of each advocacy priority adopted in 2020 was reviewed and deliberated on at the November 2020 Concept Forum, seeking direction on any continuing or new priorities needing advocacy in 2021.
- This report lists projects prioritised for advocacy in 2021 as agreed by Council at a November Concept Forum.
- These include the continuation of focused advocacy effort for the Edward Millen Redevelopment and McCallum Park Active Area projects and the inclusion of Lathlain Park Community and Sports Club (Perth Football Club), Burswood Station East Planning Framework and Public Realm, and the Archer / Mint Streetscape Improvement Plan.

### Background

1. There are many competing projects that require advocacy effort across the Town and local government with exponential growth occurring in the Perth metro area.
2. A strategic and proactive approach with a set of targeted annual priorities with specific focus is needed, to continue being successful in the advocacy space to bring key transformational projects to fruition and achieve social change in the Town.
3. In 2018 the Town formalised an internal advocacy framework, and in 2019 and 2020 Council adopted agreed priorities to ensure that key projects and social issues would be advanced and supported, conveyed to the public, and are strategically planned with advocacy effort tracked and evaluated. Council resolved to review advocacy priorities annually.
4. In 2020 adopted priorities included the Edward Millen Redevelopment, METRONET Precinct Planning, Release of Collected Waste via landfill levy, McCallum Park Active Areas and Access and Inclusion.
5. Council recently received a report with monthly tracked advocacy efforts made by the Town's project owner, subject matter experts, over the year on the five 2020 priority projects adopted for advocacy.
6. This report recommends the priority projects to adopt for advocacy priority in 2021.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL1 – Everyone receives appropriate information in the most efficient and effective way for them	Public adoption of advocacy priorities and shared information will likely encourage mutual support from the community and strategic partners.
CL3 - Well thought out and managed projects that are delivered successfully.	Advocacy efforts will assist with project awareness and delivery.
CL6 - Finances are managed appropriately, sustainability and transparently for the benefit of the community.	Advocacy wins will lessen the burden on the Town's budget and Long-Term Financial Plan.

Economic	
Strategic outcome	Intended public value outcome or impact
EC1 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	Securing third party funding and support for key projects will positively impact the Town's economic profile.

Environment	
Strategic outcome	Intended public value outcome or impact
EN1 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The Town needs to advocate for and plan future developments to respond to population growth and to meet State Government infill targets.

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	Advocacy efforts in the social impact space will assist in supporting a physically and mentally healthy community.
S03 - An empowered community with a sense of pride, safety and belonging.	Advocacy efforts will assist in supporting a safer and more accessible community.

## Engagement

Internal engagement	
Stakeholder	Comments
Town executive management team and Project Owners	Engaged through internal workshops and Concept Forum 24 November 2020
Town staff with specific subject matter expertise	Engaged to provide further project and advocacy effort details of shortlisted priorities.
Elected members	Engaged through information provided on the councillor portal and at Concept Forum 24 November 2020

## Legal compliance

[Section 2.7 Role of council](#)

[Section 2.10 of the Local Government Act 1995](#)

### Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	<p>Missed opportunities for funding and influencer support to effect change.</p> <p>Increased pressure on budget planning and rates, without other channels for financial support toward key projects.</p>	Moderate	Likely	High	Low	Treat with adoption of advocacy priorities and strategically plan targeted advocacy efforts toward achieving specific project advocacy goals.
Environmental	N/A				Medium	
Health and safety	N/A				Low	
Infrastructure/ ICT systems/ utilities	N/A				Medium	
Legislative compliance	N/A				Low	
Reputation	Ad hoc advocacy efforts and unsuccessful bids or poor impact in the social change space will reflect badly on the Town's role of advocating for and supporting its community.	Moderate	Likely	Low	Low	Adopt advocacy priorities and strategically plan targeted advocacy efforts toward achieving specific project advocacy goals.
Service	N/A				Medium	

delivery						
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## Financial implications

Current budget impact	Sufficient funds do not exist within the annual or forecasted budgets to deliver these projects. Although some budget forecasting has been considered to support delivery of the projects listed for advocacy prioritisation, significant gaps exist. The Town could absolutely not deliver or will experience extreme delays in delivering any of them without advocacy windfalls.
Future budget impact	While the Town does budget for annual and cyclical grant rounds open to Local Governments, successful stratified advocacy efforts will likely decrease pressure on budgeting cycles need for rate rises.

## Analysis

7. It continues to be important for Council to adopt advocacy priorities, with planned strategies and tactics that aim to take advantage of industry and state-based funding programs, on top of usual opportunistic efforts that are identified and acted upon over the year.
8. Projects selected for priority sit within key focus areas for the Town, as identified by the Advocacy Framework, which include:
  - a) infrastructure
  - b) integrated transport and movement
  - c) urban design
  - d) social impact
  - e) sustainability
9. They also align with outcomes in the Town's Strategic Community Plan and Long-Term Financial Plan. Projects for priority are selected on the basis of meeting the following criteria:
  - a) Key transformational project
  - b) Broad community benefit
  - c) Reduced barriers for the community to achieve
  - d) Future growth of local economy
  - e) High risk if not delivered or delayed
  - f) Could not be delivered without external funding or third-party influence or support
  - g) Presents a good number of opportunities to directly and indirectly engage decision makers
10. Council has given direction for the following projects to be adopted as Advocacy Priorities in 2021.
  - a) Edward Millen Redevelopment
 

The Town is implementing a strategy to realise the potential of the Edward Millen Hospital historical buildings at No. 999 Albany Hwy East Victoria Park. Realising commercial viability of a redevelopment and surrounding public open space, will require exploration of all funding options to balance the new permitted uses and wishes on the community. For the first time the precinct is available, to unlock the significant heritage buildings and expansive surrounds to be activated with; community, entertainment, recreation, educational, civic, heritage, cultural and creative opportunities, or for small-scale production purposes. This kind of activation will complement the Town's multimillion-dollar desired investment into the surrounding parklands, which will include new playgrounds, landscaping, soft scaping, hardscapes, heritage site interpretations, artworks and a performance stage and amphitheatre.

b) McCallum Park Active Areas

Taylor Reserve and McCallum Park are located on the foreshore of the Swan River. The large open spaces and stunning backdrop of the Swan River and Perth City skyline make the park a perfect place for recreational and social activities. In 2017 the Town commissioned the Taylor Reserve and McCallum Park Concept Report which provided the concept design for a variety of new spaces. Council has approved the project to proceed to detailed design. The Town is now seeking external partners to embrace this opportunity to collaborate and co-fund the project for the remaining capital funds required. The design provides a variety of exciting new high-quality spaces throughout the park creating a destination for local, state, national and international visitors. It will provide recreation opportunities for community and visitors from near and far to connect and participate through use of: "hype-court" art-style basketball courts, a BMX pump track, a skate/ scooter park, cultural activities and community events.

c) Lathlain Community and Sports Club (Perth Football Club)

This development will provide a functional, multipurpose, universally accessible community hub for community group access, anchored by Perth Football Club's administration, football operations, and community program delivery. It includes game day and event spectator seating and club membership spaces, to be shared for maximum use by both the club and the community. The development is anchored by the critical needs of the Perth Football Club for their accommodation, to meet current standards and building compliance, as well as address the broader requirements from the introduction of the women's Australian Rules football competition. The development is to be multipurpose and multiuse, so facilities and building uses can be shared, with occasional or seasonal club use for year-round broader access and uses by the local and wider community.

d) Burswood Station East Planning Framework and Public Realm

The Town has prepared a new draft planning framework for the Burswood Station East Precinct. The framework is the first step in redeveloping the area to a vibrant, urban neighbourhood and will be a core component of the Town meeting its infill dwelling targets. A critical part of this transformation is creating safe, pleasant public places that suit the needs of the local community. The draft planning framework will assist in the identification, design and funding of these public places and puts an emphasis on the impact buildings have on the quality of streets and public places they interact with. The draft planning framework comprises two parts - Scheme Amendment 82 will amend the Town's Local Planning Scheme to include new development objectives and basic development standards, and Local Planning Policy 40, will provide additional guidance on how development can meet the new objectives and basic development standards, as well as the concept designs for the streets, lanes and park the Town will ultimately construct.

e) Archer/Mint Streetscape Improvement Plan

Archer and Mint Streets form a critical north/south connection between the East Victoria Park Town Centre, Carlisle Station, Carlisle Town Centre and then Orrong Road and onto Belmont City Centre. The current street is not pedestrian/cyclist friendly and is unlikely to support private investment in the immediate and surrounding neighbourhoods. The Town has prepared a Streetscape Improvement Plan based on best practice design principles and rigorous community engagement. The design includes the following features.

- Reduced carriageway widths in aid of the pedestrian environment
- Protected bicycle lanes
- Improved crossing points, especially near the East Victoria Park Primary School
- Shared spaces in the Carlisle Town Centre
- Significant increases in street tree planting.

This is a transformative project for Carlisle and East Victoria Park that will make a significant contribution to the success of the future Carlisle Station METRONET precinct, pedestrian and cycling infrastructure and related public health benefits, potential private investment, and environmental outcomes associated with reduced carbon emissions and reduction in the urban heat island effect.

## **Relevant documents**

Not applicable.

## 12 Chief Community Planner reports

### 12.1 Residential Character Study Area Character Incentives and Heritage Areas

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Michael Hancock
<b>Responsible officer</b>	Robert Cruickshank
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Recommendations Report [12.1.1 - 94 pages] 2. Planning and Development Regulations 2015 Extract [12.1.2 - 6 pages]

#### Recommendation

1. That Council notes the report outlining a process for community nomination of heritage areas and possible incentives to encourage the retention of original dwellings.
2. That the CEO be requested to provide a further report to Council within three months of the adoption of a heritage list, with the report to provide a draft policy dealing with heritage areas including the ability for the community to nominate areas, as well as further considering the incentives for the retention of original dwellings outlined in this report.

#### Purpose

At the Ordinary Council Meeting held 19 May 2020, Council resolved to require a report to be presented no later than the December 2020 Ordinary Council Meeting to provide:

- A process for community nomination of Heritage Areas
- Investigate incentives to encourage the retention of original dwellings.

#### In brief

- The Town is proceeding with a local planning framework that seeks to maintain and improve the character of identified areas.
- To support the changing local planning framework, the appointed consultant, Element, recommended that the Town considers measures to encourage the retention and restoration of dwellings, and opportunities for the community to nominate areas for consideration as a heritage area.
- Opportunities to support the character of the district include community nominated heritage areas, and financial and non-financial assistance.
- This report outlines possible mechanisms for Council to consider. The implementation of measures in this report will require further investigation and possible budgetary commitments.

#### Background

1. At the Ordinary Council Meeting held September 2017, Council resolved to seek expressions of interest for an independent consultant(s) to undertake a community engagement project, review of Local Planning Policy 25 – Streetscape, and evaluate and recommend potential mechanisms for the retention of original dwellings and the protection of character streetscapes within the Residential Character Study Area.
2. Council subsequently appointed Element to undertake the project. The work undertaken by Element included consultation with the community on their views and aspirations for the Residential Character



Study Area. The overwhelming response was a supportive position of measures to protect and retain the character prevalent in the Residential Character Study Area (RCSA).

3. Based on the community sentiment, Element prepared a Recommendations Report (Attachment 1) and draft Local Planning Policy – Character Retention Guidelines.
4. The Recommendations Report made the following recommendations:
  - *Introduce a Special Control Area Character Retention Area over the RCSA requiring development approval for demolition of original dwellings and development visible from the street (recommend review by a planning lawyer to ensure no unintended consequences);*
  - *Revoke existing LPP 25 ‘Streetscape’ and adopt new draft Character Retention Guidelines applicable to development within the SCA; a condensed version of LPP 25 focusing only on key design elements that affect streetscape character and encouraging sustainable and innovative design outcomes with an element of character education;*
  - *Further investigate and facilitate a discussion regarding community-nominated Heritage Areas;*
  - *Consider implementing incentives to encourage the retention of original dwellings; and*
  - *Invest in public domain improvements to enhance the natural beauty and character of the area.*
5. At the 19 May 2020 Ordinary Council Meeting, Council received the Recommendations Report from Element, and resolved as follows:
 

*“Requests the Chief Executive Officer for future reports to be presented to Council for further consideration as follows:*

  - a) *A Town Planning Scheme Amendment to identify the Residential Character Area as a Special Control Area – by no later than the July 2020 Ordinary Council Meeting.*
  - b) *A new Local Planning Policy ‘Character Retention Guidelines’ to apply to the Residential Character Study Area – by no later than the August 2020 Ordinary Council Meeting.*
  - c) *A process for community nomination of Heritage Areas – by no later than the December 2020 Ordinary Council Meeting.*
  - d) *Investigating incentives to encourage the retention of original dwellings – by no later than the December 2020 Ordinary Council Meeting.”*
6. Reports have previously been considered by Council to address part (a) and (b) of the May 2020 Council resolution.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	The recommendations contained in the Recommendations Report were significantly informed by the community engagement undertaken by Element.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Possible financial incentives have the potential to impact the Town’s budget.
CL09 - Appropriate devolution of decision-making and service provision to an empowered community.	Community nominated heritage areas could be a community decision-making exercise.

## Environment

Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The development of community nominated heritage areas and incentives will potentially assist owners of heritage and character buildings in maintaining and preserving the Town's character.

## Engagement

Internal engagement	
Stakeholder	Comments
Finance	Some of the recommendations from the Recommendations Report prepared by Element have implications for the Town's budget. In this regard, the Urban Planning Service Area have liaised with the Finance Service Area to determine the possible financial impact. Comments to this effect have been provided in the table contained as part of paragraph 26 of this report.

## Legal compliance

<b>Legislation</b>	<ul style="list-style-type: none"> <li>• <b>Planning and Development Act 2005</b></li> <li>• <b>Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)</b></li> <li>• <b>Town Planning Scheme No.1 (TPS1)</b></li> </ul>
<b>State Government policies, bulletins or guidelines</b>	<ul style="list-style-type: none"> <li>• State Planning Policy 7.3 – Residential Design Codes Volume 1</li> <li>• State Planning Policy 7.3 – Residential Design Codes Volume 2</li> <li>• State Planning Policy 3.5 – Historic Heritage Conservation</li> </ul>
<b>Local planning policies</b>	Nil
<b>Other</b>	Nil

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	This report presents no current financial risk, however if Council decides to further investigate any of the items outlined in the report the possible financial risk would need to be	Minor	Possible	Medium	Low	Treat risk by undertaking detailed investigation prior to implementing any items outlined in this report.

	considered at that time.						
Environmental	This report does not present any immediate environmental impacts. Each item listed may present their own environmental impact, such impact would need to be investigated prior to implementation.	Minor	Possible	Medium	Medium	Treat risk by undertaking detailed investigation prior to implementing any items outlined in this report.	
Health and safety	Nil	Nil	Nil	Nil	Low	Nil	
Infrastructure/ ICT systems/ utilities	Nil	Nil	Nil	Nil	Medium	Nil	
Legislative compliance	Appropriate consideration to the relevant legislation and adoption processes will be given in the event any items require further investigation.	Minor	Possible	Medium	Low	Treat risk by further considering legal implications prior to the implementation of any items outlined in this report.	
Reputation	The Town is encouraging owners of character dwellings to retain their buildings. The community may have an expectation for assistance in their maintenance.  Further, the community may determine community nominated heritage areas are a desirable outcome for	Moderate	Likely	High	Low	Treat risk by undertaking further investigation into various incentives for landowners to maintain their property.	

	locations both inside and outside of the RCSA SCA.					
Service delivery	Nil	Nil	Nil	Nil	Medium	Nil

## Financial implications

<b>Current budget impact</b>	Nil.
<b>Future budget impact</b>	This report does not recommend further work to be undertaken at this stage, instead, this report is providing information on possible areas for consideration for Council. It is noted that some of the recommendations may have future budget impacts should Council decide to proceed with items in this report.

## Analysis

### Existing and Proposed Framework

7. The Town is currently undertaking several projects relating to the heritage and character of the Town's built form, these are:

Document	Outcome	Status
Local Heritage Survey (LHS) – previously known as the Municipal Heritage Inventory (MHI)	The Town is currently reviewing the LHS. The LHS is a non-statutory document that identifies individual buildings within the Town that have cultural heritage significance and their various levels of importance. The LHS offers no statutory protection for buildings.	The Town's MHI, which was adopted in 2000, is now under review. A draft revised MHI, now called a LHS, will be the subject of community consultation in early 2021.
Heritage List	Those buildings on the LHS having the greatest heritage significance will be recommended for inclusion on the Heritage List. The Heritage List offer statutory protection to buildings contained on the list.	Not yet commenced. To be progressed following adoption of the LHS.
Scheme Amendment 88 – Special Control Area	To establish a Special Control Area over the Residential Character Study Area which requires development approval for all development that is visible from the street and	Initiated by the Council. Consultation to commence in early 2021.

	<p>development approval for the demolition of dwellings constructed prior to 1 January 1946.</p> <p>Properties within the SCA are not afforded direct protection by being within the SCA, but rather development approval will be required in certain instances therefore allowing an assessment of the streetscape contribution to be made.</p>	
Character Retention Guidelines	<p>To provide a policy framework in support of the Special Control Area. The guidelines will provide a framework for determining the acceptability of any works proposed to a building within the Special Control Area. The guidelines are a non-statutory document which are designed to be read supplementary to the Special Control Area.</p>	<p>Draft accepted by Council, to be consulted in conjunction with Scheme Amendment 88.</p>

8. The above table outlines the Town's current and proposed framework for character and heritage retention. The framework outlined provides recognition and increased protection for individual buildings (Heritage List) and broad character areas (Special Control Area).
9. The rationale for considering heritage areas in addition to other measures proposed is that a heritage area: (a) identifies areas of significance, not individual buildings; and (b) provides statutory protection of buildings within the area. Conversely properties on a heritage list are afforded statutory protection, but the protection relates to individual buildings rather than buildings within a defined area, while a Special Control Area relates to an area of significance but does not provide statutory protection.
10. It is important to note that areas outside of the RCSA may also exhibit character worthy of retention. Currently, there is no formal process to recognise these in the planning framework, other than in the LHS, which does not provide any statutory protection to buildings. Further, the planning framework does not enable the Town to tailor guidelines to reflect the unique character of these areas.
11. It is anticipated that areas designated as heritage areas would be areas containing a concentration of buildings that have a distinct or identifiable character that warrants their protection (eg. Buildings within a particular street block). Accordingly it would be proposed that a set of specific guidelines/controls would be prepared to reflect the characteristics of the area, in addition to any more generalised guidelines that would apply.

### **Designation of Heritage Areas**

12. The process for formally designating an area as a heritage area is outlined at Schedule 2, Part 3, Clause 9 of the Regulations, which is contained at Attachment 2. The process can be summarised as follows:



### **Community Nomination of Heritage Areas**

13. As part the Recommendations Report, Element provided the following commentary relating to the community nomination of heritage areas:

## Community Nomination of 'Heritage Area(s)'

### Aims and Rationale

Given the community sentiment to retain original dwellings and acknowledging other feedback to the contrary, the Town could consider community-nominated character streets as smaller Heritage Areas, in place of Town-led Heritage Areas (refer below).

### Implementation

Similar to the process adopted by the City of Vincent, residents would have the opportunity to gather neighbour support for nominating their street for character protection (Vincent use a nominal 40 per cent of landowners of a street or portion of a street being happy to proceed). Once nominated, the Town would then work with the landowners of the nominated area to develop draft 'guidelines' (LPP) on character retention from a heritage perspective prior to following the due planning process of advertising and adoption. The guidelines would apply in addition to any policy covering the RCSA and prevail in the event of inconsistency.

### Potential Implications

#### Positive:

Is a bottom-up partnership in influencing built form and character outcomes. It has the opportunity to create policy that has 'shared ownership' of both the local government and select residents that take great pride in, and respect, their character homes and streetscape.

#### Negative

The possible negative implications of this approach include:

- The potential for there be no statutory protection of valued character or heritage should no streets be nominated;
- The preparation of potentially vastly different or conflicting guidelines for streets within an area considered to share a collective character; and
- The sheer number of guidelines all focusing on similar intents and objectives and the time lag it may take for all to come into operation.

It is recommended that a draft revised streetscape policy be advertised for both wider community comment and targeted consultation to those residents that have expressed a genuine desire for the original dwellings in their street to be retained (gathered from confidential street address information in the survey). The idea of community-nominated Heritage Areas can then be explained further to these residents. Seeking assistance from a specialist heritage consultant and community engagement facilitator could help bring residents and the Town together to work constructively on the task at hand.

14. It should be noted that for designated heritage areas, provisions exist in the Regulations relating to:
  - (a) varying any site or development requirements to enhance or preserve heritage values in a heritage area; and
  - (b) the ability to issue a heritage conservation notice.

### **Use of Heritage Areas in the City of Vincent**

15. Since the Regulations were gazetted, few local governments have completed the process of designating an area as a heritage area. The City of Vincent is one example.
16. In September 2015 the City of Vincent adopted local planning policy 7.5.15 – Character Retention Areas (LPP 7.5.15).
17. The policy makes provision for both character retention areas (CRA) and designated heritage areas. A character retention area is a defined area which has a particular characteristic and cohesiveness worthy

of retention. A CRA will be considered a heritage area where satisfied through a Heritage assessment, prepared by a Heritage Architect, that it has particular qualities worthy of a higher level of protection.

18. Through work undertaken by heritage consultants, 20 streets within the City have been identified as potential character retention areas.
19. A CRA or heritage area may be nominated in writing by the City or a member of the public, however the City will only consider a nomination where at least 40% of owners of affected properties support the nomination.
20. Once an area is nominated, the City facilitates workshops with landowners to develop draft guidelines prior to following due processes.

### **Process for Designated Heritage Areas Town of Victoria Park**

21. Having regard to the process adopted by the City of Vincent and the requirements of the Regulations it is suggested that a basic process for the Town's consideration of heritage areas would be:

- (a) a nomination is put forward by the Town or a member of the community. A minimum of 40% of owners of affected properties must agree to the nomination for it to proceed.
- (b) the Town appoints a Heritage Consultant to undertake an assessment to assess the heritage significance of the area and determine whether the area warrants consideration as a heritage area.
- (c) then follow the requirements of the Regulations including formally community consultation and consideration of public submissions.

### **Incentives for Retention of Original Dwellings**

22. A further recommendation of the Recommendations Report prepared by Element for the RCSA is to investigate opportunities for incentives to encourage the retention of original dwellings.
23. It is important to note, the Recommendations Report was prepared and received by the Town prior to the full impact of COVID-19 being understood. In this regard, some incentives may not be considered as financially viable as they may otherwise have been.
24. To consider the opportunity to encourage the retention of original dwellings through the use of incentives this report will categorise incentives into two main categories, being financial and regulatory (non-financial). It is possible a combination of these incentives may be considered by Council.

### **Financial Incentives for Original Dwellings**

25. An approach taken by several local governments in Western Australia is to provide heritage grants and heritage rates concessions. Comparable local governments which have taken this approach include the Cities of Subiaco, Vincent and Bayswater.
26. Four main financial incentives are suggested for consideration in the Recommendations Report. These are described in the table below, as well as including preliminary comments from the Town's Finance Team:

**Recommendation**

**Element Comments**

**Finance Comments**



<p>Waiver/refund of development application fees</p>	<p>Planning fees could be waived in whole or part where the streetscape contribution of an original dwelling is retained as part of development.</p> <p>Last financial year approximately 112 development applications were received that involved an original dwelling.</p> <p>Based on an approximate average development application fee of \$480 per application the potential budget impact is approximately \$53,760 per annum.</p>	<p>This could be managed by the Planning team. Financial Impact will be loss of revenue from applications and internal resourcing cost.</p>
<p>Maintenance grants</p>	<p>Local government financial assistance for maintenance of original dwellings (e.g. dollar for dollar up to an agreed cap) (typically used for places on a Heritage List).</p> <p>Other comparable local government areas maintain an annual budget of \$20,000 - \$50,000 per annum for the allocation of maintenance grants.</p>	<p>An option for implementation of this recommendation would be to initiate grant funding programs for maintenance of heritage buildings. Financial impact will be increased operational expenditure and internal resourcing cost.</p>
<p>Rate Concession</p>	<p>Owners of properties containing original dwellings could apply for a conditional rates concession to assist with the maintenance of their property (typically used for places on a Heritage List).</p> <p>Given the large number of properties in the RCSA, any meaningful reduction in rates would have a significant financial implication for the Town.</p> <p>As the Town currently does not have an endorsed Heritage List or any designated heritage areas, the budget implication for this option remains unknown. Once the Heritage list has been endorsed a budget impact could be estimated.</p>	<p>This could be managed by the Finance rates team. Consideration would need to be given around the Local Government Act and regulations and the Town's ability to implement rates discounts or concessions. Financial impact will be decreased rate revenue which will impact overall revenue from rates available for annual budget and internal resourcing cost.</p>
<p>Sustainability retrofit package</p>	<p>A number of environmentally sustainable products offered at discounted value (e.g. solar panels, rain water tanks, high performance glazing) where an application retains an original dwelling and demonstrates it achieves exceptional character contribution in line with policy objectives.</p>	<p>This could be managed within the Environment service area by implementing a program to allow for subsidies or grants, similar to the Security Incentive Scheme currently offered. Financial impact will</p>

be increased operational expenditure and internal resourcing cost.

27. As outlined above, a number of local governments in metropolitan Perth offer some form of financial assistance for the retention and preservation of heritage/character. Typically, the comparable local governments provide a variety of financial support for heritage buildings.
28. The below table demonstrates the financial assistance offered (green) and not offered (red) at the Cities of Subiaco, Vincent and Bayswater.

Type of assistance	Subiaco	Vincent	Bayswater
Funding for restoration work/urgent conservation work	Green	Red	Red
Heritage loan subsidy	Green	Red	Red
Heritage grant scheme for works	Green	Green	Green
Waiver of planning/building fees	Red	Red	Green

29. As demonstrated above, the most common funding arrangement is direct heritage grants. The funds available vary between the local government areas, though range from \$4,000 to \$5,000 maximum available grants per building project.
30. Although criteria vary between each local government areas, general trends observed include:
- a) A 50% contribution up to the maximum grant available.
  - b) The building must:
    - (i) Be listed on the State Register of Heritage Places; or
    - (ii) On a Heritage List; or
    - (iii) On the local government’s Municipal Heritage Inventory; or
    - (iv) Identified by the local government as having a heritage significance; or
    - (v) Not received funding previously, or not within a specified timeframe; or
  - c) Works must be restorative in nature and reflect the character of the building/area.
  - d) Completed within a specified timeframe.
31. The recommendations report from Element includes a suggestion to investigate financial assistance in regard to sustainability and retrofit packages for original dwellings. An example of this was not observed in other local governments.
32. It is possible sustainability retrofit packages could be included in a heritage grants package should Council proceed with such incentives.

## Regulatory Non-Financial Incentives for Original Dwellings

33. The Recommendations Report prepared by Element identifies a number of opportunities to provide non-financial support to owners of original dwellings, being:

Relaxation provision	The express ability for the local government to relax any standard within the policy where an original dwelling is retained (similar to existing heritage provision within the Regulations);
Transferrable development rights	Bonuses in density or similar to other property within the Town for proposals that retain Original dwellings;
Technical advice	The provision of subsidised pre-lodgement professional advice for properties containing Original dwellings to assist with design solutions;
Smaller infill development	Similar to City of Fremantle's recent Amendment 63 where smaller site areas are permitted for certain lots, in return for retaining an Original dwelling.

34. Several local government areas provide a variety of non-financial regulatory incentives to the owners of heritage/character dwellings. Of the above recommended possible incentives, two are somewhat more achievable in the short to medium term, being the provision of technical advice and the relaxing of provisions.

35. As mentioned previously, the Regulations, schedule 2, part 3, clause 12 permits the local government to vary any site or development requirements of the Scheme in relation to properties on a heritage list or in a heritage area, to:

- (a) Facilitate the built heritage conservation of a place entered in the Register of Places under the *Heritage of Western Australia Act 1990* or list in the heritage list
- (b) Enhance or preserve heritage values in a heritage area.

36. The Town currently has a limited number of buildings included on the Register of Heritage Places, however no heritage list adopted under the Town Planning Scheme.

37. The current review of the MHI/LHS is intended to then result in the preparation and adoption of a heritage list. Furthermore, in the event the Town proceeds with creating heritage areas the Regulations provide inbuilt capacity to apply scheme provisions in a flexible manner.

38. The City of Subiaco provide a heritage advisory service where owners of buildings which meet certain criteria can access the services of a professional Heritage Architect. The City of Subiaco have established this as a free service for owners of relevant buildings with the City covering the costs. This service operates in a similar capacity to the Town's Design Review Panel. The City of Subiaco allocates \$10,000 per year to cover this service.

39. Of the recommendations, transferrable development rights and smaller infill development are more complex in nature.

40. Based on the desktop survey undertaken for this report, in Western Australia only the City of Perth maintains a policy to transfer plot ratio from one site to another.

41. Plot ratio is the calculation that determines how large a building can be compared to the size of a parcel of land. For example:
42. A plot ratio of 1:1 means for every 1m<sup>2</sup> of land area, 1m<sup>2</sup> of building area is permitted. Further, a plot ratio of 3:1 would mean for every 1m<sup>2</sup> of land area, 3m<sup>2</sup> of building area is permitted. Therefore, a lot with a plot ratio of 3:1 that is 1,000m<sup>2</sup> could have a building with 3,000m<sup>2</sup> in area.
43. The City of Perth local planning policy relating to plot ratio applies to heritage buildings or buildings located within a heritage area. The policy allows up to 90% of a possible plot ratio to be transferred from one building to another, subject to City of Perth approval.
44. The City of Perth policy allows the owners of the donor site and the transfer site to negotiate the terms of the transfer from one site to another, this may include a monetary amount.
45. The City of Perth have advised the policy received substantial interest when first adopted in 2004, however interest is less common more recently. This could indicate that many of the buildings of heritage significance have already transferred their plot ratio to another site.
46. The City of Perth indicated the availability of other development bonuses diminishes the effect of the transfer of plot ratio.
47. The Town maintains a number of existing policies that assist decision making for plot ratio and height variations.
48. There is the potential that developers may not be willing to pay for transferred plot ratio where other avenues for increased plot ratio exist, such as through the delivery of exception design outcomes.
49. Further, the purchase of plot ratio may diminish the incentive for developments to demonstrate exceptional design where discretion for bonuses is no longer being sought.
50. The City of Fremantle recently completed Amendment 63 to their Local Planning Scheme No. 4.
51. The scheme amendment allows lots to be subdivided at a higher density than ordinarily permitted under the designated density coding, subject to specified provisions. The scheme amendment takes the form of a Special Control Area over a number of areas within the district.
52. The Special Control Area stipulates provisions which cannot be varied and is supported by a dedicated local planning policy.
53. A similar approach could be implemented by the Town to encourage the retention of original dwellings, whilst providing a variety of housing options within the district.
54. Such an approach would require a scheme amendment, with the final decision maker being the Minister for Planning, and in any event is inconsistent with the Town's Draft Local Planning Strategy.
55. Town staff consider a combination of incentives to maintain the character and heritage of the area should be given further consideration. These are:

Incentive	Reason
Heritage grants	Heritage grants could be applicable to dwellings only contained on a heritage list or within a designated area.  This is considered a preferable financial incentive as a fixed amount can be set and budgeted for, and not be variable in nature such as rates concessions or waiving development application fees.
Heritage advisor	Professional advice from a Heritage Architect would assist landowners in preparing sympathetic designs. The advice could be provided by a

	Heritage Architect engaged by the Town in the same manner as the Design Review Panel. This service could be only made available to landowners whose buildings are listed on a heritage list or within a designated heritage area, or even any property in the RCSA if additional funding was available.
Relaxed provisions	A revised LPP 25 or new local planning policy could outline circumstances where development standards can be varied in order to enable the retention and improvement of the retained original dwelling.

56. It is considered that each of these incentives most appropriately relates to properties on a heritage list or in a heritage area. It is recommended that these incentives be further considered at the time that Council considers adopting a heritage list, likely to be in the 2021/22 financial year.

### Relevant documents

Not applicable.

### Further consideration

57. A question was raised at the Agenda Briefing Forum in relation to an item in the Recommendations Report prepared by Element, where in relation to the recommendation to prepare a new draft LPP Character Retention Guidelines, it is stated:

*“Avoid development that mimics styles of architecture from the past and instead uses the design of the original dwellings to influence and inspire design.”*

58. The intent of this recommendation is that development should not copy existing architecture, but should instead be designed in a way that is respectful and compatible with existing architecture. For example, new development in a street containing original dwellings should not be designed to copy the existing dwellings, but should incorporate design features and elements that are compatible with the existing dwellings.

## 12.2 Proposed amendment (time frame extension) to development approval for unlisted use (temporary property sales suite)

<b>Location</b>	Victoria Park
<b>Reporting officer</b>	Sturt McDonald
<b>Responsible officer</b>	Robert Cruickshank
<b>Voting requirement</b>	Absolute Majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Subject site - 53 and 55 Canning Hwy - Location map - Aerial photo [12.2.1 - 1 page]</li> <li>2. Consultation_( Previously approved)_plans_-_55 Canning Highway VICTORIA PA K_-_5.2019.374.1 [12.2.2 - 6 pages]</li> <li>3. Submission (anonymised) [12.2.3 - 1 page]</li> <li>4. Site Inspection Photos - 452 - 55 Canning Highway VICTORIA PARK [12.2.4 - 5 pages]</li> <li>5. 2019 Notice of Approval - letter &amp; plans - 55 Canning Highway VICTORIA PAK - 5.2019.374.1 [12.2.5 - 11 pages]</li> </ol>

<b>Landowner</b>	Kingsfort VP Pty Ltd
<b>Applicant</b>	Sheldon Turner – Total Project Management
<b>Application date</b>	10/08/2020
<b>DA/BA or WAPC reference</b>	DA 5.2020.452.1
<b>MRS zoning</b>	Urban Zone and Primary Regional Road Reserve
<b>TPS zoning</b>	Residential
<b>R-Code density</b>	R80
<b>TPS precinct</b>	Precinct Plan P4 – McCallum Precinct
<b>Use class</b>	Unlisted Use (Temporary Property Sales Suite)
<b>Use permissibility</b>	At Council's discretion
<b>Lot area</b>	1,392m <sup>2</sup>
<b>Right-of-way (ROW)</b>	Not applicable
<b>Municipal heritage inventory</b>	Not applicable
<b>Residential character study area/weatherboard precinct</b>	Not applicable

## Surrounding development

Residential development, located between Canning Highway and McCallum Park and Taylor Reserve. Public carpark in close proximity, at the southern end of McCallum Lane. Street parking also available along Taylor Street and Garland Street. Refer to site aerial at Attachment 1.

## Recommendation

That Council approves, by absolute majority, the application for Amendment to Development Approval (DA ref: 5.2020.452.1) submitted by Total Project Management for time extension for Temporary Property Sales Suite (Unlisted Use) and Signage at No. 53 (Lot 31) and No. 55 (Lots 32 and 33) Canning Highway, Victoria Park, in accordance with the provisions of the Town of Victoria Park, Town Planning Scheme No. 1 and the Metropolitan Region Scheme, subject to the following conditions:

- 1.1. Condition No. 1 of development approval DA Reference No. 5.2019.374.1 dated 19 November 2019 being modified to read as follows:

"This development approval is valid until 19 November 2021, after which time the use shall cease operation, unless further development approval is granted. On or prior to the end of this period, the sales suite structure, signage and associated works are to be permanently removed from the Lot.

- 1.2. Remainder of development complying with development application DA Reference No. 5.2019.374.1 approved on 19 November 2019.

### Advice Notes

AN1 Advice previously provided in relation to development approval DA Reference No. 5.2019.374.1 dated 19 November 2019 remains applicable.

## Purpose

At its meeting of 19 November 2019, Council resolved that a Temporary Property Sales Suite be approved on a time limited basis for 12 months at the above-mentioned property (ie. until 19 November 2020)

The Town has received an application to extend the approval timeframe by a further 12 months.

As the approved development is an 'Unlisted Use (Temporary Property Sales Suite)', the Town's staff do not have the delegation to determine the proposed amendment, and accordingly, the matter is referred to Council for determination.

## In brief

- The approval previously issued by Council (DA ref: 5.2019.374.1) relates to a temporary structure at the rear of 53-55 Canning Highway facing McCallum Lane. This structure is used for the purpose of a sales suite for an approved apartment building at the site. Signage was also approved, advertising the apartment development on the site.
- The applicant is seeking an extension to the temporary approval by an additional period of 12 months.
- A temporary property sales suite is not a defined use under the Town's Town Planning Scheme No.1 and is therefore considered as an 'Unlisted Use'.

- Determination of an application for an 'Unlisted Use' (and amendments to an Unlisted Use) is at Council's discretion having regard to the objectives of the zoning and the appropriateness of the land use.
- The application is recommended for approval.

## **Background**

1. On 20 May 2019, a development application for 23 Multiple Dwellings was lodged with the Town for 53-55 Canning Highway, Victoria Park. At its meeting held on 15 August 2019 the Metro Central Joint Development Assessment Panel (JDAP) conditionally approved the proposal.
2. The Town received a proposal for property sales signage and a temporary sales suite in late July 2019. Following the provision of additional information and consultation taking place, Council approved the Temporary Property Sales Suite as an 'Unlisted Use' at its Meeting of 19 November 2019 (DA ref: 5.2019.374.1). This approval was on a time limited basis for 12 months (ie. until 19 November 2020).
3. In March 2020 a viewing platform was erected on site, giving prospective buyers the opportunity to experience indicative views of the yet-to-be-constructed apartment development. In accordance with Local Planning Policy 32 – 'Exemptions from Development Approval' a viewing platform that is in place for less than 90 days does not require development approval. In July 2020, the Town wrote to the applicant outlining that the viewing platform had remained on site for more than 90 days and that the viewing platform was therefore no longer exempt from needing Development Approval.
4. A retrospective application for Development Approval (DA ref: 5.2020.452.1) for the viewing platform was lodged 10 August 2020. Following receipt of this, the applicant was advised that a viewing platform was also an 'Unlisted Use' when considered from a land use perspective. It would therefore be subject to community consultation in accordance with Local Planning Policy 37.
5. It was noted by Officers that the time limited approval for the sales office was within a few months from ending. Advice was sought from the applicant regarding their intentions to either remove the sales office or apply for a timeframe extension. If it were the latter, it would be practical to undertake community consultation on both the viewing platform and the sales office timeframe extension simultaneously.
6. Between August and September 2020, the applicant advised that the viewing platform was being dismantled and removed from the site. It therefore no longer formed part of the application. Furthermore, it was requested that the timeframe for the approved sales office be extended by an additional 12 months. Rather than require a separate application be submitted, it was accepted that this could simply form part of the same development application already in the Town's systems (DA ref: 5.2020.452.1).

## **Application summary**

- An existing approval allows for an Unlisted Use (Temporary Property Sales Suite) to operate from the site. This approval is subject to a number of conditions, including hours of operation, landscaping and requirements advised by Main Roads.
- The application received seeks to extend the approval timeframe by a further 12 months. This requires a modification to the condition of approval regarding the approval timeframe.



## Applicants submission

7. The applicant has provided the following explanation/justification in relation to the extension sought: "Reason for the extension sought is due to slower than anticipated sales rates due to the property market and the ~6 months of Covid impacts earlier this year. The govt stimulus has assisted with sales recently however additional time is required to reach Kingsfort's presales target for senior debt funding."

## Relevant planning framework

<b>Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Planning and Development Act 2005</i></li> <li>• <i>Planning and Development (Local Planning Schemes) Regulations 2015</i></li> <li>• Town Planning Scheme No.1 (TPS1)</li> <li>• TPS1 Precinct Plan P4 – 'McCallum Precinct'</li> </ul>
<b>Local planning policies</b>	<ul style="list-style-type: none"> <li>• Local Planning Policy 3 – Non-Residential Uses In or Adjacent to Residential Areas</li> <li>• Local Planning Policy 32 – Exemptions from Development Approval</li> <li>• Local Planning Policy 37 – Community Consultation on Planning Proposals</li> <li>• Local Planning Policy 38 – Signs</li> </ul>

## General matters to be considered

<b>Town Planning Scheme No. 1</b>	<p>In assessing this application, Council is to have regard to the following general provisions of the Scheme:</p> <ul style="list-style-type: none"> <li>• Clause 28 'Determination of application for an unlisted use'; and</li> <li>• Clause 30A 'Determination of application for advertisement'.</li> </ul>
<b>TPS precinct plan statements</b>	<p>The following statements of intent contained within the Precinct Plan are relevant to consideration of the application:</p> <p><i>"The McCallum Precinct's role as a major node of recreational and leisure activity, with adjacent commercial and residential uses will be enhanced. Further development will also serve to enhance and promote the precinct as a tourist attraction on the basis of its waterfront setting.</i></p> <p><i>Development will be concentrated in two areas. Further commercial development will be encouraged in the area centered around Berwick Street/Canning Highway intersection. Uses such as offices and showrooms are considered to be appropriate. High density, high quality residential uses will be encouraged in the second area which follows the alignment of Canning Highway, and backs onto the Park."</i></p>
<b>Local planning policy objectives</b>	<p>The following objectives of Local Planning Policy 3 – Non-Residential Uses In or Adjacent to Residential Areas are relevant in determining the application.</p> <p><i>(a) to ensure non-residential uses are compatible with the residential character, scale and amenity of surrounding residential properties</i></p> <p><i>(b) to provide for non-residential uses which serve the needs of the community;</i></p>

	<p><i>(d) to minimise the impacts of non-residential development through appropriate and sufficient management of car parking and traffic generation, noise, visual amenity and any other form of emissions or activities that may be incompatible with surrounding residential uses;</i></p> <p><i>(e) to ensure that the appearance and design of non-residential development is compatible with surrounding residential properties and the streetscape in terms of building size and scale, the provision of adequate landscaping treatments, the retention of existing mature trees and the suitable design and location of advertising signage;</i></p> <p><i>(f) to maintain and enhance the amenity of residential environments through ensuring appropriate landscaping treatments, location of car parking and vehicular access legs, and the protection of visual privacy when considering applications for non-residential development;</i></p>
<p><b>Deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015</b></p>	<p>The following are relevant matters to be considered in determining the application:</p> <p><i>(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</i></p> <p><i>(g) any local planning policy for the Scheme area;</i></p> <p><i>(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development</i></p> <p><i>(n) the amenity of the locality including the following -</i></p> <ul style="list-style-type: none"> <li><i>(i) environmental impacts of the development;</i></li> <li><i>(ii) the character of the locality;</i></li> <li><i>(iii) social impacts of the development.</i></li> </ul> <p><i>(s) the adequacy of -</i></p> <ul style="list-style-type: none"> <li><i>(i) the proposed means of access and egress from the site; and;</i></li> <li><i>(ii) arrangements for the loading, unloading, manoeuvring of vehicles;</i></li> </ul> <p><i>(y) any submissions received on the application</i></p>

## Planning assessment

8. A planning assessment was undertaken as part of the previous development application (DA ref: 5.2019.374.1). The considerations applicable to the 12 month extension are broadly the same as those applicable to the original assessment.
9. The table below summarises the planning assessment of the proposal against the provisions of the Town of Victoria Park Town Planning Scheme No.1, the Town's local planning policies and other relevant documents, as applicable. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the detailed assessment section following from this table.

<b>Non-residential development</b>		
<b>Planning element</b>	Permissibility/deemed-to-comply	Requires the discretion of the Council
<b>Land use</b>		X
<b>Plot ratio</b>	X	
<b>Building height</b>	X	
<b>Street setback</b>		X
<b>Side setback</b>	X	
<b>Car parking</b>		X
<b>Vehicle access</b>	X	
<b>Signs</b>		X

Based upon the above table, the following development standards require the discretion of Council.

<b>Element</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Variation</b>
<b>Street Setback</b>	1m	Minimum 0.3m	0.7m
			Supported

10. The proposed street setback variation is supported for the following reasons:

- The minimum 0.3m measurement is to the universal access ramp and decking only. The majority of the sales suite (i.e. verandah) is located 1.9m from the property boundary to McCallum Lane. The minor setback variation is considered to be appropriate for its location. This was supported by Council in its approval in 2019.
- The structure is being considered on a temporary basis only.

<b>Element</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Variation</b>
<b>Car parking</b>	Council discretion	3 car bays	N/A
			Supported

11. No parking standard exists within Local Planning Policy 23 – Parking for temporary sales suite. This matter is therefore subject to a judgment call of what is considered appropriate.

12. Town staff view the provision of three car bays as appropriate.

One car bay was originally proposed by the applicant back in 2019. The provision of one bay was considered to be insufficient to cater for the car parking demand for the proposed land use. This was subsequently addressed via a condition of development approval and now three bays are provided – two for the exclusive use of customers and one for the exclusive use of staff.

Element	Requirement	Proposed	Variation
Signs	One sign per lot	Two signs on one lot	One additional sign
			Supported

13. The sales office features two signs facing Canning Highway in lieu of one. Clause 30A 'Determination of application for advertisement' is discussed in further detail in the Officer Comments section. This was supported by Council in its approval in 2019.

Element	Permissibility	Recommendation
Land use	<p>A Temporary Property Sales Suite is not listed in Town Planning Scheme No.1 and is therefore classified as an 'Unlisted Use'.</p> <p>Approval of an Unlisted Use is at the Council's discretion having regard to the objectives of the zoning and the appropriateness of the land use.</p>	Supported

14. The 'Unlisted Use' of a Temporary Property Sales Office is supported on the basis that it is inoffensive, temporary and ultimately assists in facilitating the development of the high-quality apartment building that will positively contribute to the area. The land use and recommended conditions relating to the amenity of the locality, was considered and supported by Council in its approval in 2019.

## Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The proposed land use facilitates the financing and subsequent construction of an apartment development on the site of which the Town's Design Review Panel commented that <i>"the design is an elegant solution to a difficult site"</i> .

## Engagement

External engagement	
Stakeholders	Owners and occupiers of surrounding properties
Period of engagement	8 October 2020 – 29 October 2020 (21 days)
Level of engagement	2. Consult

<b>Methods of engagement</b>	Written submissions, notification signage on-site and Your Thoughts (the Town's online engagement tool)
<b>Advertising</b>	<p>Advertising of the proposal comprised of letters being sent to owners and occupiers of surrounding properties (within 100m radius) and signage installed on the site.</p> <p>LPP 37 indicates that an Unlisted Use should also be advertised by way of public notices being placed in the Southern Gazette newspaper. In this instance, it was considered that letters to directly surrounding property owners and occupiers, supplemented by a sign on-site was sufficient.</p>
<b>Submission summary</b>	One (1) submission was received, requesting additional car parking and that the site be tidied of rubbish.
<b>Key findings</b>	One (1) submitter requests additional car parking and that the site be tidied of rubbish. It is noted this submission did not state an objection to the proposed timeframe extension.

## Risk management considerations

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	N/A	-	-	-	-	-
Environmental	N/A	-	-	-	-	-
Health and Safety	N/A	-	-	-	-	-
Infrastructure/CT systems/Utilities	N/A	-	-	-	-	-
Legislative compliance	The proponent has a right of review to the State Administrative Tribunal against Council's decision, including any conditions.	Moderate	Likely	High	Low	Accept
Reputation	Negative public perception towards the Town may result if the sign is approved or	Moderate	Possible	Medium	Low	Accept

	refused depending upon their perspective					
Service delivery	Approval may set a precedent for similar future temporary sales office proposals to be submitted to the Town.	Moderate	Possible	Medium	Medium	Accept

## Financial implications

<b>Current budget impact</b>	Should the applicant be aggrieved by the Council's decision they have a right of review to the State Administrative Tribunal. If the applicant were to exercise this right, then there may be financial implications for the Town in terms of representation to defend Council's decision.
<b>Future budget impact</b>	Not applicable.

## Analysis

15. The recommendation for approval and the approval issued by Council in 2019 both reflect a view that the variations to planning requirements were considered to be reasonable and appropriate. The considerations applicable to the 12 month extension of the land use are broadly the same as those applicable to the original assessment.

### Land Use

16. In determining an application for an Unlisted Use, Council is to exercise its discretion to determine if the use meets the objectives and purposes of the zoning, with consideration to the matters outlined within deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015.

17. The proposed land use is considered to be inoffensive in nature, not resulting in adverse impacts to the area or adjoining neighbours in terms of noise, traffic generation (noting the proposal outlines that weekday activities would be by appointment only), emissions or other activities that would may be incompatible with surrounding residential areas. The proposal is therefore consistent with the requirements of Local Planning Policy 3.

18. Display and information/sales suites are commonly developed as part of large residential projects. The proposed temporary use of a temporary property sales suite will assist in gaining pre-sales to facilitate the redevelopment of the site, as per the approved apartment development.

19. In relation to the above, it is noted that the land use is proposed to be in place for an additional 12 months (a total period of 24 months).

## Signage

20. The proposal as originally submitted in July 2019 sought to erect many more signs on site. The applicant was subsequently advised that this number of signs were unlikely to be supported under the policy.
21. The applicant amended their proposed signage in 2019 to be limited to only the two signs in a 'v' shape
22. The following table contains an assessment of the signage against the considerations listed within Clause 30A of the Town Planning Scheme.

<b>TPS1 – Clause 30A considerations</b>	<b>Officer comment</b>
(a) the impact of the sign on the quality of the streetscape where it is to be displayed and more generally of the district;	The proposed signs are not considered to adversely impact the amenity of the locality. It is noted that Canning Highway is a traffic oriented corridor.
(b) whether the size of the sign appropriately relates to the architectural style, design and size of a building on which the sign is to be displayed, and in measuring the size of a sign a polygon shall be taken immediately around the text, graphics or image of the sign and not the entire background, except where the finish or colour of the background differs substantially from the background against which the sign is to be displayed.	The size of the signs is considered to be appropriately proportional to the size of the property and existing structures on site.
(c) whether the colour scheme and materials of the sign are compatible with the architectural style and design of a building on which the sign is to be displayed;	Not applicable. The sign is freestanding rather than affixed to a building.
(d) whether the colour scheme and materials of the sign are compatible with the overall architectural style and design of the area or precinct in which the sign is to be displayed; and	The colours and materials of the sign are considered to be appropriate to the area and are generally inoffensive.
(e) how many signs are on the land where the sign will be displayed.	<p>While two signs are proposed, the majority of the people who are likely to view the signs (motorists) will generally see only one sign at any given time.</p> <p>The two signs proposed are arguably comparable to a double-sided single sign, and do not constitute a 'proliferation of signage' which is something the Town would seek to avoid as outlined within <i>Local Planning Policy 38 – Signs</i></p>

## Car parking

23. No local planning policy prescribes an applicable car parking ratio requirement for this proposed land use. In the absence of policy prescription, but car parking remaining a valid consideration in terms of impacts of the proposed land use on the locality, Council must consider the proposal on its merits.
24. It is considered that one bay is insufficient to cater for the demand on car parking posed by the given land use. While it could be argued that an equivalent "Office" land use under Local Planning Policy 23 – Car Parking requires only 1 bay per 40m<sup>2</sup> of office space, it should be noted that one real estate agent could be tending to multiple prospective buyers at any given time. Assuming each party drove to the site, the land use results in a demand of at least 3 bays.

25. It is noted that both the Ellam Street carpark (at the southern end of McCallum Lane) and street-parking along Taylor Street and Garland Street are in close proximity to the site. While an application for a land use should not solely rely on public car parking, its availability and proximity is a relevant factor for Council to consider when evaluating the proposed operation (and/or likely impact) of a land use in a location
26. In 2019 when community consultation was undertaken in relation to the original application (DA ref: 5.2019.374.1), two submissions were received. Both contended that insufficient carparking was proposed. The community consultation more recently undertaken for the 12 month extension currently under consideration (DA ref: 5.2020.452.1) yielded only one submission. This submission requested the provision of additional parking, but did not object to the timeframe extension.
27. The abovementioned submission requested that the universal access bay be replaced with two standard bays – as these would be more frequently used. The Town will not direct the applicant to do this, as such a course of action would be contrary to the Disability Discrimination Act.
28. The abovementioned submission indicated that the sales office staff member uses the customer bay rather than the staff bay located behind the sales office. The applicant has been advised that this is contrary to the conditions of approval and that the two customer parking bays are for the exclusive use by customers. This reminder has reportedly been passed onto the sales office operator.
29. Council Officers are of a view that, subject to the staff correctly parking in their allocated bay, car parking for this land use is adequately provided for.

#### Building appearance

30. Assessment of the original application (DA ref: 5.2019.374.1) placed great scrutiny in design of the structure and the amenity of the locality. No objections or concerns have been received by submitters in 2020 regarding the appearance of the structure and a site visit has confirmed that the appearance of the sales suite is far superior to the "Sea-Container" like appearance that had previously been feared.
31. Concerns in relation to litter on site raised by the submitter have been relayed to the applicant. No current conditions of development approval relate to this.

#### Setback

32. The minor setback variation is considered to be appropriate for its location. This was supported by Council in its approval in 2019 and the structure is being considered on a temporary basis only.

### **Relevant documents**

Town of Victoria Park Town Planning Scheme No. 1 - <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-2>

Local Planning Policy 3 – Non-Residential Use in or Adjacent to Residential Areas - <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>

Local Planning Policy 23 – Parking Policy - <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>

Local Planning Policy 37 – Community Consultation on Planning Proposals - <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>



## 12.3 Adoption of Arts and Culture Plan

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Yvette Coyne
<b>Responsible officer</b>	Paul Gravett
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Arts and Culture Plan [12.3.1 - 49 pages] 2. Arts and Culture Plan Public Submission Summary [12.3.2 - 6 pages]

### Recommendation

That Council endorses the Town of Victoria Park Arts and Culture Plan, as at attachment one.

### Purpose

To present the Town of Victoria Park Arts and Culture Plan 2020 contained in attachment one for Council endorsement.

### In brief

- The Arts and Culture Plan is a guiding document which outlines the vision for arts and culture in the Town of Victoria Park and provides strategic direction for the type and level of support for art and cultural activities and infrastructure.
- Community engagement including workshops and surveys have informed the plan. The plan was advertised for public comment and is now presented for adoption.

### Background

1. The requirement for an Arts and Culture plan was highlighted by the now dissolved Community Development Committee who recognised that a clear plan was vital to delivering high quality arts and culture outcomes for the community.
2. The Town's Corporate Business Plan 2017-2022 identifies the following outcome:

#### S4: A place where all people have an awareness and appreciate of arts, culture, education and heritage.

Strategic Initiative	Action	2018	2019	2020	2021	2022	Responsible Area
S4.1: Promote local art and culture within the Town.	S4.2: Develop an Arts and Cultural Plan					✓	Community Development

3. A request for quotation (RFQ) was advertised and distributed on 21 February 2019, with a closing date of 14 March 2019. Consulting company Element were appointed to assist with delivering community engagement and the draft plan.
4. During July – August 2019, desktop research and a baseline audit of the Town's art and cultural offerings and demographic was prepared before the community engagement phase commenced.

Community engagement consisted of three stakeholder meetings (with the Victoria Park Centre for the Arts, John Curtin Gallery and the Aboriginal Advisory Group).

5. An initial Arts and Culture Survey was published on 21 October 2019. Community groups, residents and stakeholders, as well as the wider public, were invited to provide a response by 28 November 2019.
6. Two community workshops were held. On 19 November 2019, 14 community members attended a creative think tank workshop that focused on creative cities. On 20 November 2019, 16 local culture/art providers attended a separate think tank on creating the link between arts, culture and economics.
7. Stakeholder outputs including the workshop and survey results informed the direction for draft vision, values and objectives.
8. The draft vision, values and objectives were presented to Elected Members at the concept forum on 25 February 2020.
9. The draft Arts and Culture Plan was developed further to include strategic actions, based on the vision, values and objectives.
10. The draft Arts and Culture Plan was released for public comment on 25 August 2020 for a period of three weeks, closing on 13 September 2020.

## Strategic alignment

Social	
Strategic outcome	Intended public value outcome or impact
S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	The plan intends to map out five years of strategic actions and deliverables to achieve this outcome.

## Engagement

Internal engagement	
Stakeholder	Comments
Community Development	Consultation and management of the community and internal engagement and drafting of the plan.
Place Planning	Consultation to understand linkages and opportunities related to Place Plans.
Communications	Consultation relating to advertising and promotion and community engagement.
Finance	Procurement management of the RFQ.
Elected Members	Elected members were briefed at a Concept Forum, and were provided the Draft Arts and Culture Plan for comment prior to advertising for public comment.

External engagement	
Stakeholders	Comments
Stakeholders	Local artists, community groups, local creative stakeholders.
Period of engagement	1. Survey 1: Arts and Culture Survey 21 October-28 November 2019

	<ol style="list-style-type: none"> <li>2. Workshops &amp; Stakeholder Meetings: November 2019</li> <li>3. Survey 2 Public comment on Draft Arts and Culture Plan: 25 August - 13 September 2020</li> </ol>
Level of engagement	2. Consult
Methods of engagement	<ul style="list-style-type: none"> <li>• Stage 1: Initial Arts and Culture Survey</li> <li>• Stage 2: Two community workshops (30 people). Three face to face stakeholder meetings.</li> <li>• Stage 3: Draft Arts and Culture Plan - online survey and submission form.</li> </ul>
Advertising	<ul style="list-style-type: none"> <li>• Direct email</li> <li>• Social media platforms</li> <li>• Targeted advertising across digital platforms</li> <li>• Town's Vibe newsletter</li> <li>• Community newspaper</li> <li>• Your Thoughts Page</li> </ul>
Submission summary	<ul style="list-style-type: none"> <li>• 222 informed participants</li> <li>• 7 completed surveys and submissions received via Your Thoughts</li> <li>• 1 submission received via email.</li> </ul>
Key findings	<ul style="list-style-type: none"> <li>• 7 completed surveys, with 6 supportive of the plan, and 1 supportive but having concerns.</li> <li>• 1 submission received via email supportive of the plan.</li> </ul>

## Legal compliance

Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Administration of Town funds that do not meet the scope and intention of the Arts and Culture Plan.	Minor	Possible	Moderate	Low	TREAT - consider budget request as part of annual budget deliberation process.
Environmental	Not applicable.					
Health and safety	Not applicable.					
Infrastructure/ ICT systems/	Not applicable.					

utilities	
Legislative compliance	Not applicable.
Reputation	<p>The Town is not able to deliver on the actions outlined in the Arts and Culture Plan</p> <p>Minor Possible Moderate Low</p> <p>MONITOR implementation of the actions and adjust timing on an annual basis based on resources and budget.</p>
Service delivery	Not applicable.

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	If Council endorse the Arts and Culture Plan, actions within the plan will inform future budget requests.

## Analysis

11. The Town of Victoria Park’s vision is to be a dynamic place for everyone, with a strategic outcome of being a place where all people have an awareness and appreciation of arts, culture, education and heritage. According to the Department of Local Government, Sport and Cultural Industries, engagement in culture and the arts has the capacity to enrich and transform individuals, communities, and environments. It is fundamental to human existence, especially to our history, identity, creativity and desire for place and enjoyment.
12. The Arts and Culture Plan is the culmination of stakeholder and community engagement resulting in an action-based plan for the Town’s arts and cultural offerings. Places with appropriate cultural infrastructure and creative spaces encourage people to linger longer and participate within the life of the community, whilst creating a vibrant and dynamic place. It is widely recognised that there is a strong link between culture and tourism, and how a vibrant and dynamic community can enhance a city’s or town’s reputation and branding as a destination of choice for entertainment, art and culture.
13. The Arts & Culture Plan is intended to be aligned with the Town’s Strategic Community Plan 2017 – 2032, specifically:
  - S3 – An empowered community with a sense of pride, safety and belonging; &
  - S4 – A place where all people have an awareness and appreciation of arts, culture, education and heritage.
14. The plan has a clear and actionable vision, focus areas, projects and initiatives that can be planned, budgeted and delivered over a five (5) year period. These vision and actions have been informed directly from community engagement workshops and stakeholder meetings.

15. Feedback from surveys, community workshops and stakeholder meetings directly informed the five focus areas in the draft Arts and Culture Plan. It was noted that across the different methods of engagement similar themes of identity, community connectedness, supporting emerging and established artists, and lack of Aboriginal representation were highlighted in each engagement method. Taking on board comments from the community engagement, this evolved into the five focus areas that are listed in the draft Arts and Culture Plan:
- a. Create an inclusive and connected community of cultural practitioners within the Town;
  - b. Develop and grow local talent: attract, retain and support the creative community;
  - c. Diversify the cultural offering, ensuring representation of the Town's unique community;
  - d. Grow an engaged audience base consisting of residents and visitors from Perth's wider metro area and nationally; and
  - e. Facilitate a sense of belonging and pride in place, showcasing the Town's unique assets and telling local stories through a precinct-based approach.
16. It is recommended that Council endorses the Town of Victoria Park Arts and Culture Plan.

## **Relevant documents**

Not applicable.

## **Further considerations**

17. In determining how the Arts Awards have been considered, extensive community engagement was undertaken during the engagement phase of the Arts & Culture Plan. Comments from community workshops and surveys indicated more opportunities were required for local artists to showcase their work. There were a number of comments in the workshops and submissions specifically about creating an opportunity for local artists, by way of an awards program. As a number of local governments have a visual arts award which usually creates an opportunity for acquisition to their collection, there was reference made that the Town's awards should have a point of difference. From the plan: *'Awards will need to differentiate from similar programs at nearby South Perth and Melville through theming or artforms, for example focusing on photography or sculpture as a point of difference.'*
18. In terms of referencing the "the Town of Victoria Park (the Town)" and thereafter "the Town" within the document, a further review and refinement will be undertaken with changes to be made by the Town's Communications team in January 2021.

## 12.4 Roundtable Safety Forum Outcome

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Mathew Owens
<b>Responsible officer</b>	Natalie Martin Goode
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

### Recommendation

That Council:

1. Notes the outcomes of the Roundtable Safety Forum.
2. Notes proposed expenditure of \$2,200 for a reprint of the Who to Call? flyer and distribution to households in the Town.
3. Endorses the increase of the Sensor Light rebate under the Security Incentive Scheme program from \$40 to \$80, effective from 1 January 2021.
4. Notes the re-implementation of the Suburb Safety Sessions project as a Social Recovery initiative to support local community-led suburb-based crime prevention and neighbourhood watch groups.

### Purpose

The purpose of this report is to provide an update on the outcomes of the Community Safety Forum held 23 September 2020.

### In brief

- The Community Safety Roundtable was held on 23 September 2020.
- Three key themes were identified from feedback provided by community who attended the Forum.
- The Town is proposing to implement a variety of actions to address key themes raised.
- The Town continues to implement the Safer Neighbourhoods Plan 2017-2022 as a means of enhancing levels of community safety.

### Background

1. Council endorsed resolution 329/2020 at the Ordinary Council Meeting 18 February 2020
  - a. That Council requests the Chief Executive Officer to:
    - i. 1. Hold a public Community Safety Forum by 30 June 2020, for the purpose of allowing the community to discuss their concerns and ideas for improving community safety in the Town.
    - ii. 2. Invite key stakeholders to the Community Safety Forum , including, but not limited to: i. WA Police Minister; ii. Kensington Police; iii. Victoria Park MLA Ben Wyatt; and iv. Neighbourhood Watch WA.
    - iii. 3. Provide a report to Council in March outlining details of the proposed event, and any costs that may require a variation to the 2019/20 Annual Budget.
    - iv. 4. Provide a report to Council within 60 days of the holding of the Forum.
2. Council endorsed resolution 345/2020 at the Ordinary Council Meeting 17 March 2020

- a. The Council approve a budget variation for \$2,000 to deliver a community safety forum, prior to the end of the 2019/20 financial year, unless that proves to be contrary to federal or state government recommendations prohibiting the holding of an event, prior to 30 June 2020.
3. Council endorsed resolution 423/2020 at the Ordinary Council Meeting 16 June 2020
  - a. Due to COVID-19, extends the timeline to deliver a Community Safety Forum from 30 June 2020 to 31 December 2020, unless proved contrary to federal or state government recommendations prohibiting the holding of an event.
  - b. Requests that the Chief Executive Officer presents a further report back to Council on the outcomes of the Community Safety Forum within 60 days of it being held.
4. The Officer in Charge at Kensington Police Station was invited 11 August 2020 and confirmed attendance 11 August 2020.
5. The State Neighbourhood Watch Coordinator was invited 11 August 2020 and confirmed attendance 11 August 2020.
6. The Hon Michelle Roberts MLA, Minister for Police was invited 11 August 2020 and sent apologies on 17 August 2020.
7. The Hon Ben Wyatt MLA, Member for Victoria Park was invited 11 August 2020 and sent apologies on 25 August 2020.
8. A TryBooking event site was established to manage attendance due to ongoing COVID restrictions, with 23 registrations received.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	The recommended actions are clear and effective responses to the community feedback that was received at the community safety round table.
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	The recommendations are an effective use of the Town's resources to address community priorities and key themes raised at the community safety round table.

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	The ongoing efforts of the Town to address real and perceived safety of the Town have a positive impact on the brand of the Town as a place to visit.

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	The most effective crime prevention and neighbourhood watch groups are community-led. The Town should support community to establish local crime prevention and neighbourhood watch groups.

## Engagement

Internal engagement	
Stakeholder Relations	Feedback on awareness campaign and <i>Who to Call?</i> flyer redesign.
Operations	Feedback on current Town lighting projects.
Governance	Feedback on current Town committee structure.
External engagement	
Stakeholders	Community Members of the Town
Period of engagement	23 September 2020
Level of engagement	2. Consult
Methods of engagement	Community Safety Roundtable held at the Town's Administration building
Advertising	<p>9 September - TV sliders and posters at Administration Building, Library and leisure facilities;</p> <p>11 September – Website event listing, Facebook event listing</p> <p>16 September - Facebook post</p> <p>18 September – Reminder post within Facebook event to register</p> <p>17 September - Editorial in Southern Gazette p. 3, Ad in Southern Gazette p. 8</p> <p>19 September - Twitter post, LinkedIn post:</p> <p>21 September - Article in e-VIBE:</p> <p>22 September - Facebook video shared from Western Australia Police Facebook page with a link to the Community Safety Roundtable</p>
Submission summary	11 community members, 9 adults and 2 children
Key findings	<p>1. Awareness of reporting issues to WA Police 131 444 or 000, and Crimestoppers 1800 333 000 or <a href="https://www.crimestopperswa.com.au/make-report/">https://www.crimestopperswa.com.au/make-report/</a></p> <p>2. Lighting and night time safety in the Town's residential areas</p> <p>3. Reinstating the Community Safety Committee</p>

## Other engagement



Stakeholder	Comments
Kensington Police	Snr Sgt Beros – Officer in Charge Kensington Police Station, and Sgt Camp – Team 2 Investigations Kensington Police, attended and provided an update on the Kensington Police Sub-District. This update included current crime trends and how the community can assist WA Police Force.
Neighbourhood Watch	WA State Co-ordinator attended and provided an update on the current Neighbourhood Watch principles and approach. Provided information on a variety of ongoing programs and Crimestoppers.
Member for Victoria Park	Apologies submitted 25 August 2020
Minister for Police	Apologies submitted 17 August 2020

## Legal compliance

Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	N/A					
Environmental	N/A					
Health and safety	N/A					
Infrastructure/ ICT systems/ utilities	N/A					
Legislative compliance	N/A					
Reputation	Town takes no meaningful action on key themes	Moderate	Likely	High	Low	Treat - Implement the identified actions in response to key themes raised at Community Safety Roundtable based on priority, effectiveness and capacity
Service delivery	Town implements Community Safety	Major	Likely	High	Medium	Treat - The Town maintains its

	Committee and does not consider additional resourcing, and or service output impacts on safer neighbourhoods portfolio	current approach of supporting local suburb-based crime prevention and neighbourhood watch groups.  Prioritisation process implemented to address impacts on service delivery in the event of a Community Safety Committee being established.
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## Financial implications

<b>Current budget impact</b>	<ul style="list-style-type: none"> <li>• Sufficient budget exists within WO4355 – Community Education for the redesign, reprint, and distribution of the Who to Call? Flyer. Reprint and distribution costs are estimated at \$2,200.</li> <li>• Sufficient budget exists for an increase of \$40 to \$80 to the security sensor light rebate through WO4354- Security Incentive Scheme, however the increased rebate may lead to the Town expending available funds faster.</li> <li>• Sufficient budget exists for re-implementing the Suburb Safety Sessions through the COVID Recovery funding endorsed by Council.</li> <li>• Sufficient resources exist to help establish local crime prevention and neighbourhood watch groups.</li> <li>• Sufficient resources do not exist to maintain existing service delivery levels in the event the Community Safety Committee being re-established.</li> </ul>
<b>Future budget impact</b>	The increased security sensor light rebate amount may result in the Town expending available Security Incentive Scheme funds faster than normally experienced

## Analysis

1. The Community Safety Roundtable was held at the Town’s Administration Building on 23 September 2020
2. In attendance:
  - (a) Mayor Vernon
  - (b) Deputy Mayor Ife
  - (c) Councillor Karimi
  - (d) Councillor Anderson
  - (e) Councillor Hendriks
  - (f) Snr Sgt Beros - Officer in Charge Kensington Police Station
  - (g) Sgt Camp - Team 2 Investigations Kensington Police

- (h) Neighbourhood Watch State Coordinator
  - (i) Safer Neighbourhoods Officer – Town of Victoria Park
  - (j) 11 community members, 9 adults and 2 children
3. Mayor Vernon, WA Police Service, Neighbourhood Watch and the Town provided a brief update to the community attendee's before moving onto a Q&A session.
  4. The roundtable event provided the opportunity for each attendee to voice their concerns and ask questions of the representatives from the Town, WA Police and Neighbourhood Watch.
  5. Several matters and concerns were operational. These matters were responded to at the roundtable and then actioned / followed up by Town officers the following day.
  6. Three key themes were consistent from the roundtable feedback:
    - (a) Awareness of reporting issues to WA Police Force 131 444 or 000, and Crimestoppers 1800 333 000 or <https://www.crimestopperswa.com.au/make-report>
    - (b) Lighting and night time safety in the Town's residential areas
    - (c) Consideration of reinstating the Community Safety Committee

### **Safer Neighbourhoods Plan 2017-2022**

7. Council endorsed the Safer Neighbourhoods Plan 2017 – 2022 (the Plan) at the Ordinary Council Meeting 13 June 2017.
8. Key priority areas within the Plan include:
  - (a) Crime prevention through environmental design, with a focus on improving lighting infrastructure and sightlines throughout the Town
  - (b) Increasing security for residents, businesses and community while expanding the regulatory powers of the Town to address crime and antisocial behaviour
  - (c) Support and encourage inclusive and socially connected streets and neighbourhoods
  - (d) Concentrate on priority offences
  - (e) Target specific locations of interest.
9. By working with local community and partner agencies the Town has implemented a variety of strategies to address real and perceived crime problems.
10. This proactive approach has resulted in a variety of well subscribed community-based programs to assist residents to improve their own home and street safety and security.
11. Official Neighbourhood Watch groups and unofficial crime prevention community groups have established themselves through support of the Town. These groups are providing valuable feedback to the community, Town, WA Police and other crime prevention agencies. Maintaining the approach established in the Plan will lead to continued success in making the Town a safer place.
12. The Plan commits the Town to a partnership approach to address the crime priority areas of the community. Town Officers regularly meet and communicate with WA Police, neighbouring Local Government Officers, neighbourhood watch and crime prevention groups, community service providers, and RooForce to ensure the strategic direction of the Town's services are in alignment with the priorities of these agencies. RooForce in particular shares valuable weekly information regarding their service delivery to the Town, WA Police, and other stakeholders. The partnership approach is crucial to link the strategic direction of all agencies and the operational delivery of services to the community.

### **Awareness of reporting**

13. The Town proposes to address this key theme through a redesign and reprint of the Who to Call? flyer, and distribution to all households in the Town. The Who to Call? flyer was developed in 2015 and lists agencies that have an impact on crime, safety and general neighbourhood maintenance.
14. The Town has an ongoing program for marketing community safety and crime prevention services it delivers. Marketing will continue to promote content that encourages and educates residents and community to report issues to the appropriate agency.

### **Lighting and safety at night**

15. The Town is investing in residential street lighting through the State Underground Power Project (SUPP), Network Renewal Underground Power Project (NRUPP) and various other street and laneway lighting projects. Street lighting is primarily designed to illuminate the road only, and less so the verge, footpath and front of properties. Street lighting does reach the verge and footpath but this is not its primary purpose.
16. The sensor light rebate in the Security Incentive Scheme is an effective method to support community to increase residential lighting for the front of properties, verges and footpaths. As such, the funding amount contributed via this program is proposed to be increased from \$40 per light to \$80 per light. The annual maximum amount per property will remain at \$200 per financial year, or \$250 for valid concession card holders. The current security incentive scheme budget for 2020/21 is \$20,000.
17. Encouraging residents and property owners to install sensor lighting will contribute to an overall increase in night time lighting. Residents and community members are encouraged to install lighting on their property to make their neighbourhood a safer place. The Town is well positioned to support the community achieve this objective through the Security Incentive Scheme.

### **Re-instating a generic Town-wide community safety committee**

18. The Town is having success with a local suburb place-based approach through the Neighbourhood Watch and various crime prevention groups that operate within the Town, as well as the Street Meet and Greet program.
19. Groups / residents are implementing community-led events, share crime prevention information unprompted, and assisting victims of crime to recover after an offence.
20. These groups will be directly engaged in the reimplementation of the Suburb Safety Sessions project. The Suburb Safety Sessions project has been approved for re-implementation as a Social Recovery action under the COVID Response Working Group.
21. Re-instating a generic Town-wide community safety committee is not supported by Officers at this time due to several factors including:
  - (a) a focus on maximising capacity and impact of local suburb place-based approaches to deliver grassroots action, and then sharing the information and feedback at strategic levels with the Town's community safety partner agencies such as WA Police
  - (b) the Town is receiving excellent feedback and intelligence about opportunities to improve community safety through its current forums and networks, including the Roo Force outreach service
  - (c) the resources required to sustain this committee would reduce the capacity of Town officers to implement actions within the Safer Neighbourhoods Plan
  - (d) community members who attended the roundtable would be encouraged to participate in the existing groups, and directly invited to the upcoming Suburb Safety Sessions for their particular suburb. The tentative dates for upcoming sessions are January for Bentley and East Victoria Park, February for Carlisle and Victoria Park, and March for Lathlain and Burswood. The St James session held in March 2020 was attended by over 50 local residents, and representatives from Cannington Police Station and the City of Canning. The St James/ Bentley/ Wilson Crime Prevention Group

provided positive feedback regarding the workshop, and begun sharing more proactive crime prevention information and initiatives unprompted.

## **Relevant documents**

Not applicable.

## 12.5 Adoption of Mindeera and Access and Inclusion Advisory Group Terms of Reference

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Katie Schubert
<b>Responsible officer</b>	Paul Gravett
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Mindeera Advisory Group Terms of Reference [12.5.1 - 3 pages] 2. Access and Inclusion Advisory Group Terms of Reference [VJGG] [12.5.2 - 3 pages]

### Recommendation

That Council:

1. Endorses the terms of reference for the Mindeera Advisory Group as included in attachment one.
2. Endorses the terms of reference for the Access and Inclusion Advisory Group as included in attachment two.
3. Endorses a term of 24-month membership for the Access and Inclusion Advisory Group and the Mindeera Advisory Group.
4. Appoints one additional elected member to the Access and Inclusion Advisory Group.

### Purpose

To endorse the terms of reference for the Mindeera Advisory Group and the Access and Inclusion Advisory Group as included in attachments one and two respectively.

### In brief

- At the 20 October 2020 Ordinary Council Meeting, Council resolved:

*That Council:*

*1. Appoints the following persons to the Mindeera Advisory Group available community member positions:*

- a. Kelsi Forrest*
- b. Veronica Forrest*
- c. Trevor Vaughan*
- d. Dyland Collard*
- e. Wanjie Song*
- f. Xanthe Shaw*
- g. Flavia Pardini*
- h. Hannah McGlade*

*2. Appoints no more than three elected members to the Mindeera Advisory Group.*

*3. Appoints the following persons to the Access and Inclusion Advisory Group available community member positions:*

- a. Petrina Scott*
- b. Asile Wong*

*4. Requests that the Chief Executive Officer presents a further report back to Council by the December 2020 Ordinary Council Meeting with its proposed terms of reference for the Mindeera and the Access and Inclusion Working Group.*

- On 11 November 2020, the newly formed Mindeera Advisory Group met for the first time. At this meeting the draft terms of reference were discussed.
- On 13 November 2020, the newly formed Access and Inclusion Advisory Group met for the first time. At this meeting the draft terms of reference were discussed.
- Requested changes by both groups have been confirmed as meeting governance requirements.
- After the updated terms of reference were recirculated, the Mindeera Advisory Group have subsequently agreed for the document to be submitted to Council for endorsement.
- The Access and Inclusion Advisory Group have collectively agreed for the document to be presented Council for final endorsement.

## **Background**

1. At the 21 July 2020 Ordinary Council Meeting, Council resolved to establish the Access and Inclusion Advisory Group and the Mindeera Advisory Group, and an expression of interest process was undertaken.
2. At the 18 August 2020 Ordinary Council Meeting, five community members and two elected members (Cr Luana Lisandro and Cr Claire Anderson) were appointed and re-advertising for expression of interest occurred for the Access and Inclusion Advisory Group.
3. At the 18 August 2020 Ordinary Council Meeting, one community member was appointed and re-advertising for expression of interest occurred for the Mindeera Advisory Group.
4. At the 20 October 2020 Ordinary Council Meeting, two additional community members were appointed to the Access and Inclusion Advisory Group.
5. At the 20 October 2020 Ordinary Council Meeting, eight additional community members and three elected members (Cr Luana Lisandro, Cr Ronnhda Potter and Deputy Mayor Bronwyn Ife) were appointed to the Mindeera Advisory Group.
6. On 11 November 2020, the first Mindeera Advisory Group meeting was held. The draft terms of reference were presented to the Group.
7. As per the Council resolutions and draft terms of reference, the Mindeera Advisory Group shall be comprised of the following members:
  - a. Nine community members selected following an Expression of Interest process;
  - b. Three elected members; and
  - c. Four Town officers. Additional officers and guests may be invited based on meeting agenda and priorities.
8. On 13 November 2020, the first Access and Inclusion Advisory Group meeting was held. The draft terms of reference were presented to the Group.
9. As per the Council resolutions and draft terms of reference, the Access and Inclusion Advisory Group is the following members:
  - a. Seven community members selected following an Expression of Interest process;
  - b. Two elected members; and

- c. Four Town officers. Additional officers and guests may be invited based on meeting agenda and priorities.
10. On 13 November 2020, after requested changes by the Mindeera Advisory Group and additional governance advice, the terms of reference were recirculated to the group for consideration. Consensus was reached via email.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	Community members have the opportunity to be engaged and provide advice on plans and strategies.

Social	
Strategic outcome	Intended public value outcome or impact
S02 - An informed and knowledgeable community.	Town plans and strategies are driven and informed by the community.
S03 - An empowered community with a sense of pride, safety and belonging.	Community members have the opportunity actively participate in the development and delivery of Town plans and strategies.
S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	Community members have to opportunity to provide expertise advice during the development and delivery of Town plans and strategies.

## Engagement

Internal engagement	
Governance	Advice provided on the terms of reference and overall requirements within <i>Policy 101 Governance and Council advisory and working groups</i> .

External engagement	
Stakeholders	Access and Inclusion Advisory Group and Mindeera Advisory Group
Period of engagement	n/a
Level of engagement	2. Consult
Methods of engagement	Draft terms of reference were included with the meeting agenda. The documents were discussed at each groups' initial meeting. Revised terms of reference were emailed to Mindeera Group members for consideration / feedback.
Advertising	n/a



Submission summary	n/a
Key findings	<p>Two changes requested from the Access and Inclusion Advisory Group in points 3 and 4.</p> <p>With several changes requested from the Mindeera Advisory Group including requests for proxies, guests, distribution of agendas and minutes and appointment of new members, additional advice was sought from Governance. Based on this advice and requests, additional minor changes were made to points 3, 4, 6, 11, 13, 14 and 16 of the terms of reference.</p>

## Legal compliance

Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Additional required officer time for administrative support for disbanded and reinstating group.	Minor	Likely	Moderate	Low	Provision of a 24-month term for both Advisory Groups.
Environmental	Not applicable.					
Health and safety	Not applicable.					
Infrastructure/ ICT systems/ utilities	Not applicable.					
Legislative compliance	Not applicable.					
Reputation	Risk that aspects of the DAIP and RAP will not be delivered due to limited community consultation during group transition times.	Moderate	Possible	Moderate		Provision of a 24-month term for both Advisory Groups.
Service delivery	Not applicable.					

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	Nil.

## Analysis

11. On 11 November 2020 the first Mindeera Advisory Group meeting was held. The main item for discussion was the draft terms of reference. This was provided as pre reading along with the agenda.
12. The following changes were proposed by the Mindeera Advisory Group.
  - a. Extension of the group membership and terms of reference from the original endorsed term of 12-months to 24-months. As the group has taken some time to establish, members were concerned that the group would disband as they gain momentum. Therefore, it was proposed to extend the membership term to enable a longer period for consistency and effectiveness. It was identified that elected members will be reallocated to all advisory and working groups as part of the election process, rather than aligned with community membership timeframes.
  - b. Request for proxies when a member is unable to attend. Unfortunately, proxies are unable to be included as members were appointed through an Expression of Interest process, which has been endorsed by Council. However, group members will have the opportunity to provide advice, thoughts, and guidance before meetings when they are unable to attend. This information will be brought to the group for consideration when determining consensus on a topic at hand.
  - c. Request to include the ability to have guests at meetings. Included in memberships (Point 4) and Point 17 allows the groups to invite guests.
  - d. Request to include information on how members exit and enter the group. Ideally the group would have preferred the ability to appoint new members. The group is unable to appoint new members directly, however replacements can be sought through an Expression of Interest process and Town officers would undertake this if the group requires. Point 6 has been added to include exiting and appointment of new members.
  - e. The group may require more meetings than bi-monthly – ‘or as needed’ has been included in Point 11.
  - f. Request to include contacting Town officer if unable to attend a meeting or with agenda items. Point 13 and 14 now include this.
  - g. Request to circulate agendas and minutes to the group directly, not just on the website. This has been included in Point 16.
13. With additional requested changes by the group and additional governance advice, the terms of reference were recirculated to the group for consensus. The members agreed via individual correspondence with officers for the document to go to December 2020 Ordinary Council Meeting for final endorsement.
14. On 13 November 2020 the first Access and Inclusion Advisory Group meeting was held. The main item for discussion was the draft terms of reference. This was provided as pre reading along with the agenda.
15. Two changes were proposed by the group.
  - a. Extension of the group membership and terms of reference from the original endorsed term of 12-months to 24-months. As the group has taken some time to establish, members were concerned that the group would disband as they gain momentum. Therefore, it was proposed to extend the membership term to enable a longer period for consistency and effectiveness. It was identified that

elected members will be reallocated to all advisory and working groups as part of the election process, rather than aligned with community membership timeframes.

- b. Group membership to comprise of three elected members, instead of the current two appointed elected members. *Policy 101* allows up to three elected in advisory groups.
16. With these amendments to the terms of reference, the members collectively agreed for the document to be presented to December 2020 Ordinary Council Meeting for final endorsement.

## **Relevant documents**

[Policy 101 Governance of Council Advisory and Working Group](#)

## 12.6 Urban Forest Strategy Implementation Working Group - Recommended Appointments

<b>Location</b>	Town-wide
<b>Reporting officer</b>	David Doy
<b>Responsible officer</b>	David Doy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Attachment 1 - UFS IWG 2021 EOI Assessment Matrix [12.6.1 - 1 page]

### Recommendation

That Council:

1. Appoints up to three elected members to the Urban Forest Strategy Implementation Working Group.
2. Appoints the following persons to the available community member positions:
  - a. Ben Whitehouse
  - b. Ngairé Howard
  - c. Rowena Skinner
  - d. Heather Johnstone
  - e. Nadia D'Hart
  - f. Emma Monk
3. Notes that the following officers have been appointed to the group:
  - a. Chief Community Planner
  - b. Manager Place Planning
  - c. Manager Infrastructure Operations
  - d. Senior Place Leader (Urban Forest)
  - e. Parks Technical Officer
4. Notes the terms of reference for the Urban Forest Strategy Implementation Working Group will be developed in the first meeting of the new group and presented to Council in early 2021.

### Purpose

To finalise the membership of the Urban Forest Strategy Implementation Working Group (UFSIWG) and note the draft Terms of Reference that will be collaboratively developed at the first meeting of the working group.

### In brief

- At the Ordinary Council Meeting held on 20 October 2020 Council resolved to establish a UFSIWG, endorsed the composition of the group and endorsed the selection criteria for an expression of interest process to select the community members of the group.
- On 2 November 2020, an Expression of Interest process commenced to appoint members of the community to UFS IWG for the 2021 calendar year. This Process closed on 16 November and 8 applications were received.
- A panel of officers independently scored the applicants against each of the qualitative selection criteria based solely on the responses to the Expression of Interest. 6 community members who best

demonstrated the criteria were selected by the panel, with each panel member scoring the same 6 applicants highest.

- A draft Terms of Reference will be presented to the UFSIWG and workshopped at their first meeting. This will then go to council for endorsement.

## Background

1. The Urban Forest Strategy Implementation Working Group was formed in December 2019 with the members developing a Terms of Reference that prescribed a 12-month term for the group.
2. The group has collaborated with Town staff and provided valuable advice and recommendations on a wide range of UFS implementation activities and processes over the last 12 months.
3. At the 19 May 2020 OCM, Council adopted Policy 101 Governance of Council Advisory Groups and adopted a motion that Council ratify the appointment of the members of the Urban Forest Strategy Implementation Working Group and the Terms of Reference of the Urban Forest Strategy Implementation Working Group until the end of their term on 31 December 2020.
4. At the 20 October 2020 Council resolved to establish a UFSIWG, and requests that the Chief Executive Officer presents a further report by December 2020 back to Council with a recommendation on community member appointments in line with the selection criteria and process endorsed at that OCM.
5. The Urban Forest Strategy Implementation Working Group is not a decision-making body. It collaborates with particular Town staff and suggest ideas and techniques, however its main role is the provision of advice and recommendations on various proposals which helps inform operational decisions by staff.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	The Urban Forest Strategy Implementation Working Group has been a valuable contributor of recommendations and advice that have enabled successful first year of implementation actions and processes.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	An open and transparent expression of interest process has been employed. A panel of officers from outside the UFS project has independently assessed each applicant against the endorsed criteria.
CL09 - Appropriate devolution of decision-making and service provision to an empowered community.	The group has built upon the community knowledge base and drawn from local knowledge to guide urban greening in the Town. This has allowed community leaders in this field a direct and meaningful role in guiding the direction and methods employed by the Town.

Environment	
Strategic outcome	Intended public value outcome or impact
EN07 - Increased vegetation and tree canopy.	The group has improved the outcomes of Urban Forest implementation activities that have led to increases in the amount of additional canopy delivered and in the expansion of vegetated areas through Town.

## Engagement

Internal engagement	
Assessment Panel Member 1 – Governance Advisor	Participated in the assessment of applicants.
Assessment Panel Member 2 – Coordinator Urban Planning	Participated in the assessment of applicants.
Assessment Panel Member 3 – Place Leader (Transport)	Participated in the assessment of applicants.
Governance	Provided advice on the Expression of Interest process.

External engagement	
Stakeholders	Local Community
Period of engagement	Two weeks: 2 November to 16 November
Level of engagement	Involve
Methods of engagement	Online web form housed on the Urban Forest webpage for all interested Town of Victoria Park residents to complete. The webpage also contained information on the criteria to apply.
Advertising	The Town's social media channels were utilized to advertise the opportunity. Emails were sent to existing UFS IWG members alerting them to the process and asking it be shared amongst their networks.
Submission summary	8 applications received

Key findings	6 selected applicants were very strong in their demonstration of the selection criteria.
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## Legal compliance

Not applicable

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable	Moderate	Likely	High	Low	
Environmental	Not applicable				Medium	
Health and safety	Not applicable				Low	
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	
Legislative compliance	Not applicable				Low	
Reputation	Appointed members do not understand the role of the UFSIWG, or their responsibilities as a member.				Low	ACCEPT the risk and focus on informing members of their role in the working group.
Service delivery	Not applicable				Medium	

## Financial implications

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

## Analysis

- The first year of the Urban Forest Strategy Implementation Working Group has been highly successful and issue free. Town staff have appreciated the collaborative manner in which the group has functioned and have valued recommendations from the community members.

7. The Urban Forest Strategy Implementation Working Group is one of the approaches that contributes to the Town's Urban Forest Strategy's being viewed as best practice in community led urban greening as evidenced by the recent state and nation wide media exposure it has received.
8. 6 applications have been received that received high scores in the assessment process and demonstrated the selection criteria very well. Two applications were received which did not provide suitable demonstration that they met the criteria. Please refer Attachment 1 - UFS IWG 2021 EOI Assessment Matrix.
9. The selection process highlighted the high caliber of the applicants. Town officers are confident those selected are well placed to collaborate with the Town in delivering Urban Forest actions that are of immense value to the current and future Town of Victoria Park community.

## **Relevant documents**

[Policy 101 Governance of Council Advisory Groups](#)



## 12.7 Adoption of the Business Advisory Group Terms of Reference

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Lisa Tidy
<b>Responsible officer</b>	David Doy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Terms of Reference - Business Advisory Group [12.7.1 - 3 pages]

### Recommendation

That Council endorses the terms of reference for the Business Advisory Group as included in attachment 1.

### Purpose

To endorse the terms of reference for the Business Advisory Group as included in attachment 1.

### In brief

- On 14 October 2020 the first Business Advisory Group (BAG) meeting was held and the draft terms of reference was discussed.
- Pending a single change, there was consensus in the BAG that the document go to December OCM for final endorsement.

### Background

1. At the Ordinary Council Meeting (OCM) held on 18 February 2020, Council resolved to establish a Business Advisory Group, and an expression of interest process was subsequently undertaken to attract new members.
2. At the 18 August 2020 OCM, the BAG membership and draft terms of reference was endorsed.
3. On 14 October 2020, the first BAG meeting was held. The draft terms of reference were presented to the Group.

### Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	The terms of reference guide the Business Advisory Group members on their role and methods of engagement with the Town.
CL03 - Well thought out and managed projects that are delivered successfully.	Business Advisory Group members are aware of the level of involvement and feedback they will be required to provide on Town projects and initiatives.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	There is a governance process for the Business Advisory Group to ensure members and Town staff are aware of their role and the agreed processes.

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	Business Advisory Group members are aware of their role in supporting the Town's strategic economic outcomes.

## Engagement

Internal engagement	
Governance	Advice provided on the terms of reference and impact of <i>Policy 101 Governance and Council advisory and working groups</i> .

External engagement	
Stakeholders	Business Advisory Group members
Period of engagement	n/a
Level of engagement	2. Consult
Methods of engagement	The draft terms of reference was included with the meeting agenda for pre reading. The document was discussed at the 14 October 2020 Business Advisory Group meeting.
Advertising	n/a
Submission summary	n/a
Key findings	Minor change was requested to Clause 14.

## Legal compliance

Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable				Low	
Environmental	Not applicable				Medium	
Health and safety	Not applicable				Low	

Infrastructure/ ICT systems/ utilities	Not applicable					Medium
Legislative compliance	Not applicable					Low
Reputation	Not applicable					Low
Service delivery	Business Advisory Group does not adhere to the terms of reference, resulting in project/ service delivery delays.	Insignificant	Unlikely	Low	Medium	ACCEPT the risk and deal with an issue if it arises.

## Financial implications

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

## Analysis

4. On 14 October 2020 the first Business Advisory Group meeting was held. One of the items for discussion on the inaugural agenda was the draft terms of reference, which is contained in attachment 1. Just one (1) change was proposed to Clause 14 (the term meeting minutes changed to meeting notes), which has been amended to reflect that feedback. No other feedback was provided.
5. The members approved the document to go to December OCM for final endorsement.

## Relevant documents

[Policy 101 - Governance and Council Advisory and Working Groups.](#)

## 12.8 Final Approval for Scheme Amendment 82 to Town Planning Scheme No. 1

<b>Location</b>	Burswood
<b>Reporting officer</b>	Carly Pidco
<b>Responsible officer</b>	David Doy
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Amendment 82 to TPS 1 - Schedule of Submissions [<b>12.8.1</b> - 7 pages]</li> <li>2. Summary of YourThoughts Survey - Burswood Station East Local Planning Framework [<b>12.8.2</b> - 5 pages]</li> <li>3. Amendment 82 to TPS 1 - Schedule of Modifications [<b>12.8.3</b> - 4 pages]</li> <li>4. Amendment 82 to TPS 1 - Scheme Amendment Report (Public Advertising Version) [<b>12.8.4</b> - 34 pages]</li> <li>5. Draft Local Planning Policy 40 Burswood Station East Precinct Design Guidelines and Public Realm Improvements (Public Advertising Version) [<b>12.8.5</b> - 66 pages]</li> </ol>

<b>Landowner</b>	Multiple
<b>Applicant</b>	Not applicable
<b>Application date</b>	Not applicable
<b>DA/BA or WAPC reference</b>	PLA/7/82
<b>MRS zoning</b>	Urban
<b>TPS zoning</b>	Office/Residential
<b>R-Code density</b>	R80
<b>TPS precinct</b>	Burswood Precinct
<b>Use class</b>	Not applicable
<b>Use permissibility</b>	Not applicable
<b>Lot area</b>	Not applicable
<b>Right-of-way (ROW)</b>	Multiple
<b>Municipal heritage inventory</b>	Not applicable

<b>Residential character study area/weatherboard precinct</b>	Not applicable
<b>Surrounding development</b>	Major transport corridors (Graham Farmer Freeway, Great Eastern Highway and the Armadale/Thornlie rail corridor) abut all boundaries of Burswood Station East. Beyond these, residential development is located to the west, east and south. The northern tip is approximately 70m from the Swan River foreshore, and the south-western corner is opposite a substantial carpark utilised by Crown Perth.

## Recommendation

That Council:

1. Notes the submissions received in respect to Amendment No. 82 to the Town of Victoria Park Town Planning Scheme No. 1 and endorses the response to the submissions as contained in the Schedule of Submissions, in accordance with Regulation 41(2) of the Planning and Development (Local Planning Schemes) Regulations 2015
2. Supports Amendment No. 82 to the Town of Victoria Park Town Planning Scheme No. 1 for Final Approval with Modifications as contained in the Schedule of Modifications, in accordance with Regulation 41(3)a of the Planning and Development (Local Planning Schemes) Regulations 2015, as follows:
  1. Reserving the land known as No. 1 Griffiths Street (Lot 9 on Diagram 3983) and No. 17 and 21 Stiles Avenue (Lots 10 and 11 on Diagram 3983) as a Town of Victoria Park Scheme Reserve for Parks and Recreation, and removing the Office/Residential zoning.
  2. Amend Precinct Plan P2 Sheet A as follows:

Precinct Plan P2 Sheet A:  
Office/Residential Zone

Remove the existing text and replace with:

"Additional Statement of Intent for Burswood Station East Sub-Precinct

The land incorporated in Sheet A of Precinct Plan P2 Burswood Precinct comprises the Burswood Station East Sub-Precinct. Burswood Station East should be redeveloped primarily as an area of high quality and medium to high density residential, office and commercial uses, reflective of an eclectic urban village that fosters activity, connections and vibrant public life for residents. In particular:

- a. Public places such as parks, reserves, streets and lanes should be used, maintained and enhanced so that they create a high level of public amenity.
- b. Uses and public facilities that promote pedestrian interest, activity, safety and

connectivity at street level are encouraged throughout Burswood Station East.

- c. Ground floor design will provide vibrant, human-scale, fine-grain streetscapes that contribute to the overall character of the precinct.
- d. Multi-storey development should be designed and proportioned to break up the visual presence of the development and provide a 'human scale' of development at street level;
- e. Development should be designed to allow spaces to be adapted over time, particularly at the ground-floor level. Adaptive re-use is encouraged where this contributes to interest, vibrancy and improved building façade and public realm outcomes.
- f. Buildings should be designed to maximise solar access and minimise the impact of wind on the public realm.
- g. Development design will contribute to creation of a highly-functional transit-oriented development, including through housing and land use mix, building façade design and car parking provision.
- h. All buildings should strive to be innovative and reflect and accommodate modern business premises and offer a wide range of housing types and price points.
- i. All new development should be designed in accordance with 'Crime Prevention Through Environmental Design' principles.
- j. Buildings should be designed to achieve best practice for environmental sustainability through innovative design, construction and management.
- k. Office and Commercial land uses should be the predominant land use in development fronting Great Eastern Highway.
- l. Public spaces, local roads, pathways and development should include opportunities for urban greening."

Precinct Plan P2 Sheet A:  
Development Standards

Remove the existing text and replace with:

"1. General

All development shall be generally consistent with the provisions of the Local Planning Policy adopted for the Burswood Station East sub-precinct.

Multiple Dwelling development and Mixed Use development will be in accordance with the R-AC3 standards of State Planning Policy 7.3 Residential Design Codes Volume 2, except where varied in this Precinct Plan, the Scheme Text or any relevant local planning policy.

Grouped Dwelling and Single Dwelling development will be in accordance with the R80 standards of State Planning Policy 7.3 Residential Design Codes Volume 1, except where varied in this Precinct Plan, the Scheme Text or any relevant local planning policy.

## 2. Building Height and Plot Ratio

The base maximum building height in Burswood Station East is 6 storeys. The base maximum plot ratio in Burswood Station East is 2.0.

The abovementioned base building height limit and base plot ratio limit may be varied to allow development in excess of the base maximum building height and base maximum plot ratio provided that the proposed development:

- a. is consistent with the building height and plot ratio provisions of the Local Planning Policy adopted for Burswood Station East sub-precinct; and
- b. complies with the flight contours surrounding Perth Airport as set out under the Airports (Protection of Airspace) Regulations 1996 (as may be amended or replaced from time to time).

## 3. Building Setbacks

### Primary and Secondary Streets

The main building line for ground floor development adjacent to primary or secondary streets will be setback 0 metres from the street boundary. Setbacks in excess of 0 metres may be

considered at the discretion of the Local Government where consistent with the Sheet A Burswood Station East Sub-Precinct objectives and a local planning policy for the precinct.

#### Laneways and Rights of Carriageway

All laneways and rights of way should be a minimum width of 7.0m. Where development occurs on a laneway less than 7.0m in width, the development should be setback appropriately to allow the ultimate width to be achieved overtime. The resultant ground floor setback area to a laneway, up to 4.5m above ground level, should be provided as an easement in gross to the Town as a condition of any development approval.

(ie if an existing laneway is 5.0m wide, all new development should be setback a minimum 1.0m from the existing laneway boundary. If land on the opposite side of the lane has been redeveloped, and the laneway is now 6.0m in width, new development should be setback 1.0m to accommodate the ultimate 7.0m width).

#### 4. Car Parking

The maximum number of car parking bays provided as part of any development will not exceed a ratio 0.06 bays per m<sup>2</sup> of parent lot area, consistent with car parking design provisions of a local planning policy adopted for the Burswood Station East sub-precinct

#### 5. Landscaping for Non-Residential Development

Development that does not include a residential component will provide a minimum of 10% of the site area as a landscaped area, to include an area with a minimum dimension of at least 3.0m as a deep soil area (as defined in SPP7.3 Residential Design Codes Volume 2) for the planting of canopy trees. The local government may exercise its discretion and approve developments with lesser or alternative landscaping provision where the development involves reuse of an existing building and the existing site layout prevents consistency with this requirement.



Precinct Plan P2 Sheet A: Environmental Note					Replace "Department of Environmental Protection" with "Department of Water and Environment Regulation"
Precinct Plan P2 Sheet A: Reserves					Text to be removed.
Precinct Plan P2 Sheet A: Map					Designate No. 1 Griffiths Street (Lot 9 on Diagram 3983) and No. 17 and 21 Stiles Avenue (Lots 10 and 11 on Diagram 3983) as "Parks and Recreation" Reserve
Precinct Legend	Plan	P2	Sheet	A:	Add the "Parks and Recreation" zone

## Purpose

The purpose of this report is to obtain Council support for final approval (with modifications) of Scheme Amendment No. 82 to Town Planning Scheme No. 1, which relates to the Burswood Station East precinct.

## In brief

- Burswood Station East is a prime growth opportunity within the Town of Victoria Park local government area. The precinct is identified for mixed-use, transit-oriented development in the Burswood Peninsula District Structure Plan and the Town's draft Local Planning Strategy.
- A draft planning framework to guide redevelopment of the precinct in line with these objectives has been prepared and initiated by the Council. The draft framework comprises Scheme Amendment No. 82 to Town Planning Scheme No. 1 ("Scheme Amendment 82") and draft Local Planning Policy 40 ("draft LPP 40").
- The draft planning framework was advertised to the community and relevant statutory bodies from 8 July to 7 September 2020. The advertising period yielded 28 survey responses and 6 written submissions from the community, as well as written submissions from City of Belmont, Main Roads WA, Public Transport Authority and Water Corporation. The draft framework was also reviewed by the Town's Design Review Panel.
- Several amendments have been made to the draft planning framework in response to submissions received. These amendments have been workshopped internally with development services, finance and operations. Scheme Amendment 82 as modified is now recommended for final approval. Draft LPP 40 is undergoing further refinement primarily to adjust the document's structure and ease of use prior to being presented to Council for final approval.

## Background

1. The BSE Precinct is currently zoned "Office/Residential" under TPS1 with a general development standard of maximum 15m building height and 2.0 plot ratio.
2. At its meeting of 21 May 2019, the Council resolved to initiate Scheme Amendment 82. The Scheme Amendment retains the current Office/Residential zoning but proposes amendments to the Precinct Plan for the BSE Precinct (Precinct Plan P2 Burswood Precinct Sheet A) to facilitate future redevelopment of the area.
3. It was anticipated that Scheme Amendment 82 would be advertised concurrently with a complementary Local Planning Policy, to be finalised while waiting for formal consent to advertise from the WAPC. This was received in August 2019. In the meantime, through the Local Planning Policy

process it was noted that a significant obstacle to realisation of the precinct vision is the poor quality of public realm in Burswood Station East and implementation challenges transitioning from a highly-fragmented, light industrial/commercial development pattern to a contemporary mixed-use development.

4. At a Concept Forum meeting in October 2019, Council considered the issue of how public realm quality relates to the development vision for Burswood Station East and supported administration investigating a "Public Realm Fund" model for incorporating public realm upgrades into the Local Planning Policy.
5. At its meeting of 18 February 2020, the Council resolved to endorse draft Local Planning Policy 40 Burswood Station East Precinct Design Guidelines and Public Realm Improvements for public advertising. Advertising was slightly delayed from intended due to the onset of the COVID-19 pandemic and its impact on communications volume.
6. Scheme Amendment 82 and Draft LPP 40 were advertised for public comment from 8 July 2020 to 7 September 2020, in accordance with the advertising requirement for a complex Scheme Amendment in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

## Application summary

- Scheme Amendment 82 seeks to affect the following changes to Town Planning Scheme No. 1:
  - Formal reservation of the land known as Stiles-Griffiths Reserve for 'Parks and Recreation';
  - Amendments to the Precinct Plan for Burswood Station East to guide future development; and
  - Amending the Zoning Table to make Single Dwellings in Burswood Station East a discretionary use rather than permitted use (in response to the consultation process).

## Relevant planning framework

<b>Legislation</b>	<a href="#">Planning and Development Act 2005 (WA)</a> <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015 (WA)</a> Town of Victoria Park Town Planning Scheme No. 1
<b>State Government policies, bulletins or guidelines</b>	<a href="#">Burswood Peninsula District Structure Plan</a> <a href="#">State Planning Policy 7.0 Design of the Built Environment</a> <a href="#">State Planning Policy 7.3 Residential Design Codes (Volume 1 and Volume 2)</a> <a href="#">State Planning Policy 3.7 Planning in Bushfire Prone Areas</a> <a href="#">State Planning Policy 5.4 Road and Rail Noise</a> <a href="#">State Planning Policy 4.2 Activity Centers for Perth and Peel</a> <a href="#">Development Control Policy 1.6 Planning to Support Transit Use and Development</a> <a href="#">Development Control Policy 2.3 Public Open Space in Residential Areas</a> <a href="#">Position Statement: Expenditure of Cash-in-lieu of Public Open Space October 2020</a>
<b>Local planning policies</b>	Local Planning Policy 35 Policy Relating to Development in Burswood Station East
<b>Other</b>	<a href="#">Town of Victoria Park Public Open Space Strategy</a> Town of Victoria Park Draft Local Planning Strategy

## Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	Scheme Amendment 82 provides broad requirements within the Scheme Precinct Plan to facilitate transition of Burswood Station East to a high-amenity, mixed-used precinct.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Formal reservation of the land known as Stiles-Griffiths Reserve will preserve this land as a green space for future residents.

## Engagement

Internal engagement	
Stakeholder	Comments
Urban Planning	Written comments were received. A meeting was held with several statutory and strategic planners to discuss the advertising response and modifications to the Scheme Amendment 82 were not recommended.
Design Review Panel	Scheme Amendment 82 and Draft Local Planning Policy were considered by the Town's Design Review Panel. The Panel considered that the parking ratio in the Scheme Amendment was appropriate to a Transit Oriented Development.

External engagement	
<b>Stakeholders</b>	Land owners and occupiers within the Burswood Station East precinct. Public authorities considered likely to be affected by the Amendment.
<b>Period of engagement</b>	8 July 2020 to 7 September 2020
<b>Level of engagement</b>	2. Consult
<b>Methods of engagement</b>	Written submissions and YourThoughts (the Town's online engagement tool).  An informal online meeting with industry professionals was also held to discuss the proposed Public Realm Fund in Draft LPP 40.
<b>Advertising</b>	Notices published in the Southern Gazette. Documents displayed at the Town's administration building and public library. Direct mailout to land owners, occupants and public authorities. Advertisements on the Town's YourThoughts platform, main website and Facebook page.
<b>Submission summary</b>	7 written submissions were received, 6 in support and 1 neutral. 4 written submissions from public authorities were received, 3 in support and 1 neutral.

	28 responses to a YourThoughts survey were received.
<b>Key findings</b>	Responses were generally supportive of the Scheme Amendment and/or Draft LPP 40 overall. Several identified very specific concerns which are addressed in the Table of Submissions. Survey respondents gave the widest variety of views, however, recurring themes were a desire for the Burswood Station to be upgraded and agreement that public realm improvements are important for the precinct's future (refer to Attachment 1 and Attachment 2).

## Risk management considerations

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Service delivery	Additional traffic information being provided in support of Scheme Amendment not accepted by DPLH.	Major	Unlikely	Medium	Medium	TREAT the risk by proactively communicating with DPLH and Main Roads WA to ensure traffic information does not hinder finalisation of Scheme Amendment.

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	The Scheme Amendment does not have a future budget impact.

## Analysis

- The majority of feedback received through the public advertising process related to draft LPP 40, which contains more detailed guidance for building design and public realm improvements. Survey respondents and submitters were generally supportive of Scheme Amendment 82.
- Over the course of several meetings at an officer level, the Department of Planning, Lands and Heritage (DPLH) Staff have flagged concerns that Scheme Amendment 82 should be put on hold until finalisation of the draft Local Planning Strategy and new Local Planning Scheme. This position is formally communicated in the DPLH's letter providing consent to advertise Scheme Amendment 82 dated 26 August 2019. The following analysis is offered in view of the officers' concerns:

- a) The Town's draft Local Planning Strategy has significantly progressed since August 2019 and it is anticipated public advertising will occur in early 2021. Scheme Amendment 82 is consistent with the draft Local Planning Strategy's vision and actions for the Burswood Station East precinct.
- b) It is not proposed to change the zoning of the Burswood Station East precinct (with the exception of formally reserving the Stiles-Griffiths reserve). The land has long been zoned for future Office/Residential development, but this has not been fully realised in part due to the lack of detailed guidance for development (to be addressed in draft LPP 40).
- c) The formal reservation of the land known as Stiles-Griffiths Reserve is consistent with the Town's adopted Public Open Space Strategy. It does not impact the existing use of the land as a passive recreation area and will have negligible impact on servicing of the area.
- d) Changes to the residential density coding are primarily a response to State Planning Policy 7.3 Residential Design Codes Volume 2 ("SPP7.3 Volume 2"), which was adopted after preparation of the current Scheme Precinct Plan. SPP7.3 Volume 2 applies specifically to Multiple Dwellings (apartments) and Mixed Use development while Volume 1 applies to Single Houses and Grouped Dwellings (townhouses/villas). The existing R80 density coding is retained for development types subject to Volume 1.
- e) The increase in baseline potential development intensity is not substantially greater than what is permitted under the existing Scheme Precinct Plan. The current maximum plot ratio is 2.0 and this remains the maximum plot ratio for development that will not utilise the Development Incentives for Community Benefit provisions in draft LPP 40.
- f) The potential baseline maximum height of buildings is slightly increased under Amendment 82 from that permitted under the current Precinct Plan. Currently, maximum permitted height is 15 metres which equates to roughly four storeys utilising Table 2.2 of SPP7.3 Volume 2. The proposed maximum height is six storeys. This is significantly lower than several existing developments in Burswood Station East and does not conflict with the airspace requirements for Perth Airport. Overshadowing, visual privacy, building separation, building depth and building setback requirements contained in the Residential Design Codes and draft LPP 40 can ensure that any proposed six-storey development does not negatively impact the amenity of neighbouring properties.
- g) The Burswood Peninsula District Structure Plan contemplates 4,500 dwellings for the precinct. A simple mathematical model has been prepared utilising the absolute minimum standards for apartment yield in Residential Design Codes Volume 2 (a highly conservative approach). Using this model, the planning framework is capable of yielding a maximum of approximately 3,200 dwellings using the baseline standards of 6 storeys and 2.0 plot ratio. The mathematical model does not account for nuances that will impact design and ultimate yield such as building articulation, variations in apartment size or mix, irregular lot shapes, or setbacks for visual privacy. Therefore, the model is considered to provide the theoretical upper limit to potential yield and actual yield using the baseline proposed in the Scheme Amendment will not approach the capacity for the area determined in the Burswood Peninsula District Structure Plan.
- h) The Development Incentives for Community Benefit provisions of draft LPP 40 attempt to bridge this gap. The requirements for additional yield range both providing exceptional development standards and mitigating potentially negative impacts from more intense development, including waste management, provision of additional landscaping or open space, and activating the

precinct's under-utilised laneways. The parking cap will also work to minimise undue impacts from increased traffic.

9. One modification to the Scheme Amendment is proposed in response to feedback received. The proposed provision "The main building line for any development four storeys and higher will be setback a minimum of 3.0m behind the main building line of the corresponding ground storey" in the Scheme Precinct Plan is to be removed in response to comments from the Public Transport Authority, to ensure there is ample flexibility for designing for noise attenuation.
10. The recommended modification is minor in nature and provided primarily to ensure adequate flexibility for compliance with other statutory requirements. Regulation 42 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides that a local government *may* advertise proposed modifications to a complex Scheme Amendment if it is of the opinion that the modification is significant. The proposed modifications are not considered to be significant and further public advertising of the Scheme Amendment is not recommended.
11. While Scheme Amendment 82 and draft LPP 40 are designed to complement each other, the two instruments have greatly different functions. Scheme Amendment 82 provides the overarching precinct objectives, zoning and critical baseline development standards. Draft LPP 40 provides detailed design guidance and flags the need for public open space and public realm upgrades. Scheme Amendment 82 will require final approval from the Minister for Planning, Lands and Heritage and gazettal before it comes into effect, which will take several months, while final adoption of draft LPP 40 is a decision of Council. Recommending approval of Scheme Amendment 82 prior to finalising modifications to draft LPP 40 will have negligible impact on the overall implementation of the new local planning framework for Burswood Station East.

## **Relevant documents**

Nil.

## 12.9 Old Spaces New Places Project #3 - Preferred Location Selection

<b>Location</b>	Victoria Park
<b>Reporting officer</b>	Leigh Parker
<b>Responsible officer</b>	David Doy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Shortlisted Location Maps [<b>12.9.1</b> - 3 pages]</li><li>2. Place Possibilities Maps [<b>12.9.2</b> - 3 pages]</li><li>3. Project Consultant's Engagement Summary Report [<b>12.9.3</b> - 71 pages]</li><li>4. Community Survey 2 Submission Comments Schedule [<b>12.9.4</b> - 28 pages]</li></ol>

### Recommendation

That Council:

1. Acknowledge the significant community support for the progression of concept planning for a public realm upgrade at all three shortlisted locations identified under the Town's third Old Spaces New Places Project.
2. Endorse Location 3 (being the intersection of Albany Highway with Mackie and Rushton Streets) to proceed to the concept design stage.
3. Support Location 1 (being the intersection of Albany Highway with Leonard Street) and Location 2 (being the intersection of Albany Highway with McMaster and Harvey Streets) forming part of the Old Spaces New Places program of future public realm works, with their potential funding and timing to be considered in the Long-Term Financial Plan and Volume 7 - Victoria Park Place Plan.

### Purpose

To consider the outcomes of the community engagement undertaken to date in relation to the Town's third Old Spaces New Places project and to select a preferred location to proceed to concept design.

### In brief

- The Town has completed the first stage of its Old Spaces New Places Project No. 3, which seeks to develop a concept plan for a new public realm improvement at one of three shortlisted locations (intersections) along Albany Highway in Victoria Park.
- The community engagement has indicated a high level of community support for a public realm improvement across all 3 shortlisted locations.
- It is recommended that Location 3 (intersection of Albany Highway with Mackie and Rushton Streets) proceed to concept design stage, and that Location 2 (with Memorial Gardens) and Location 1 form part of the Old Spaces New Places program of future public realm works.

### Background

1. Old Spaces, New Places (OSNP) is a program targeting locations within the Town that can be renewed and upgraded for greater community use and benefit. This is the third project to be progressed as part of the OSNP program and will be located along the western end of Albany Highway within Victoria Park.

2. OSNP3 represents an exciting opportunity to create an urban space that enhances user experience and provides a civic heart and meeting space for the local community. This project aims to:

Confirm the location of the public realm improvement from a shortlist of locations; and

Prepare and approve a design concept for a public realm improvement and new urban space for the chosen location that can transition to detailed design and construction.

3. Local community group, The Vic Park Collective, has prepared the *'Streets Ahead Action Plan – Albany Highway Urban Public Spaces Victoria Park & East Victoria Park | 2019 – 2022'* (Streets Ahead) to advocate for incremental improvements to Albany Highway, Victoria Park and East Victoria Park, including the delivery of public realm improvements and/or new urban spaces at key intersections along Albany Highway. The action plan was informed by a high level of community engagement and includes a series of Quick Wins, Short and Medium Term Actions to achieve a vision for the Vic Park portion of Albany Highway, coined the 'Vic Park High Street'.
4. While not an adopted strategy of the Town of Victoria Park, the Town has been actively progressing and considering a broad range of the actions advocated by Streets Ahead as part its third OSNP project, and has arrived at the nominated shortlist of three potential locations for the delivery of a public realm improvement:
  - Location 1 – The intersection of Leonard Street and Albany Highway, which interfaces with the entry to the Victoria Park Central shopping centre;
  - Location 2 – The intersection of Albany Highway with Harvey Street and McMaster Street, which interfaces with Memorial Gardens; and
  - Location 3 – The intersection of Albany Highway with Mackie Street and Rushton Street, which serves as a transition/entry point into the heart of the Victoria Park commercial, hospitality and retail precinct.
5. OSNP3 is aligned with the actions contained in the Town's adopted Public Open Space Strategy (POSS), Urban Forest Strategy (UFS) and the Victoria Park Place Plan. The POSS and the UFS identify the need for public realm improvements to Albany Highway that promote active transport modes, increased greening and tree canopy, tourism and recreation opportunities, local employment and street activation. The Victoria Park Place Plan specifically identifies the OSNP3 project in the 2020 and 2021 financial year. The project has also been identified 'Revive' and 'Thrive' initiatives contained in the 'Restart Vic Park' COVID-19 Response Strategy, which aim to support investment and reactivation of the local economy, and support social connection and interaction.
6. OSNP3 commenced in March 2020 with a spatial analysis and opportunity identification workshop being completed by the project team with the input of expertise from a range of internal service area subject matter experts.
7. The public launch and engagement activities (originally scheduled to commence in April) were postponed due to the COVID-19 pandemic, as direct engagement and collaboration with the local community, in particular local businesses and community groups, was considered critical to the successful delivery of the project.
8. Following the partial easing of State Government COVID-19 restrictions/lock down measures, the public launch and engagement activities for the project commenced in late July 2020.
9. From late July to early September the Town sought community input to identify the attributes and features of the public realm to prioritise in the creation of a new urban space at each of the locations.



The activities included stakeholder interviews, a community survey, onsite tour and community walkshop (walking workshop). These led to the establishment of community-driven visions, guiding place principles and place possibilities (high level conceptual ideas for change) for each of the shortlisted locations.

10. The visions, guiding place principles and place possibilities were then presented to the broader community for feedback as part of an online survey in October 2020, which also asked respondents to select their preferred location to proceed to concept design stage.
11. The Town engaged a consultant to facilitate the engagement activities for the project and prepare the concept plan for a public realm improvement at the Town's preferred location. The project consultant has prepared an Engagement Summary Report (Attachment 3) which provides a breakdown of the key findings from all engagement activities carried out to date, an evaluation of the shortlisted locations and recommendation on the preferred location/s to proceed to concept design stage.
12. The officer recommendation is broadly consistent with that of the consultant (finding that all shortlisted locations have merit), although budgetary and staff resourcing limitations have led to a modified timeline for delivery being recommended.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL02 - A community that is authentically engaged and informed in a timely manner.	A robust and comprehensive engagement programme has informed the selection of the recommended location to proceed to concept design stage, as well as the vision and place principles for all shortlisted locations. These will be used to guide the concept design phase of the current project, as well as recommended future OSNP projects.
CL03 - Well thought out and managed projects that are delivered successfully.	This project was delayed and has adapted to the challenges of the COVID-19 pandemic. Key learnings from prior OSNP projects have informed the engagement approach and will assist in the successful delivery of the concept design phase.
CL07 – People have positive exchanges with the Town that inspires confidence in the information and the timely service provided.	The direct engagement between Town staff, Elected Members and community has provided an opportunity for positive exchanges, sharing of ideas, understanding and trust development.

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	Improvements to the Albany Highway public realm will increase its attraction as a destination, encouraging locals and visitors to socialise and enjoy local goods and services on offer from surrounding businesses. The location of the improvement at the western end of Albany Highway will also serve as an entry statement into the Town of Victoria Park,

	providing a sense of arrival into the heart of the Victoria Park retail, commercial and hospitality precinct.
EC02 – A clean, safe and accessible place to visit.	Safety, cleanliness and accessibility from both a crime/antisocial behaviour (CPTED principles) and a universal access perspective are key aspects to be embedded at concept design phase for the project.

<b>Environment</b>	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The upgrade of the selected public realm location will increase its amenity and destination attraction to the benefit of the surrounding community. This may serve as a catalyst, encouraging landowners to consider investment and optimisation of their land.
EN03 – A place with sustainable, safe and convenient transport options for everyone.	Community engagement outcomes have identified traffic calming and improvements to pedestrian safety and accessibility as key priority improvement areas for all shortlisted locations.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Urban greening and increased tree canopy have been identified as key improvements across all shortlisted locations, as reflected in the community-driven place principles that will be used to guide the concept design for the selected location during the next phase of the project.
EN07 - Increased vegetation and tree canopy.	

<b>Social</b>	
Strategic outcome	Intended public value outcome or impact
S01 – A healthy community.	The outcomes for the project (should the completed concept proceed to detailed design and construction) is to create a place for community exchange, socialisation and activity, in synergy with surrounding local businesses.
S02 – An informed and knowledgeable community.	The community has been involved as part of a co-design process to inform the future visions and place principles for the shortlisted locations. The community's continued involvement during the design concept stage will facilitate further collaboration with Town staff and the project consultant team.
S03 - An empowered community with a sense of pride, safety and belonging.	The collaborative design process will empower the local community and result in a sense of ownership and pride in the future direction and quality of their place.
S04 - A place where all people have an awareness and appreciation of arts, culture, education and heritage.	Arts, culture and heritage featured prominently in the community's desired vision for a public realm improvement and will be explored during concept design stage of the project.

## Engagement

Internal engagement	
Stakeholder	Comments
C-Suite	Have been informed on the progress and postponed scheduling of the project due to COVID-19 restrictions. Have indicated continued support for the project, particularly in light of its potential to support the 'Revive' and 'Thrive' objectives of the Town's 'Restart Vic Park' COVID-19 Response Strategy.
Parks	Were involved in the spatial analysis and opportunity identification workshop conducted at commencement of the project and are supportive of measures to increase tree canopy and greening along Albany Highway and improve accessibility/connection to Memorial Gardens. Have also indicated support for master-planning of Location 2 with Memorial Gardens, subject to extensive engagement with the Victoria Park-South Perth RSL Sub Branch given the significance and history of the war memorial at the site and its continued use for commemorative services and other civic events.
Engineering	Were involved in the spatial analysis and opportunity identification workshop conducted at commencement of the project and have indicated support for measures to calm/slow traffic, improve pedestrian safety and accessibility. Have also been informed of the progress of the project and likely timeframe for preparation of the concept plan and its potential transition to detailed design and implementation phase, pending Council approval and capital works funding.
Community Development	Were involved in the spatial analysis and opportunity identification workshop conducted at commencement of the project. Are supportive of opportunities to create a new public realm improvement that supports social wellbeing, and provides opportunities for community interaction, safety, events and the appreciation of arts, history and cultural heritage.

External engagement - Stage 1 - Establish visions and guiding place principles (July to Sep 2020)	
Stakeholders	Local residents, property owners, businesses and community groups
Period of engagement	A) Stakeholder interviews – 28 July to 12 August 2020 B) Community Survey 1 – 28 July to 12 August 2020 C) Community 'Walkshop' (walking workshop) - 5 September 2020 (3 hours duration)
Level of engagement	2. Consult (Stakeholder interviews and Community Survey 1) 3. Involve (Community 'Walkshop')
Methods of engagement	Stakeholder interviews, online survey (hard copy available upon request), workshop. Refer to pages 10 and 11 of consultant's Engagement Summary Report (Attachment 3)
Advertising	<u>Direct methods</u> - Approx. 1500 letters to local property owners, residents, businesses and community groups, emails to all registered participants or submitters, reminder emails to

	<p>prior submitters and community groups for Walkshop participation, 20 telephone calls to stakeholders across the shortlisted locations;</p> <p><u>Online</u> - Town website, Your Thoughts engagement hub, social media posts;</p> <p><u>In person</u> – Two street walks by Town staff. These involved short casual conversations, hand delivery of letters to local businesses, requests to display shopfront posters, and a reminder postcard drop for survey submissions and Walkshop participation.</p>		
<p>Submission summary</p>	<p>10 comprehensive stakeholder interviews;</p> <p>20 telephone calls to business owners and land owners across the shortlisted locations; and</p> <p>45 responses to Community Survey 1 (all submissions provided in-principle support of a public realm improvement for at least one of the shortlisted locations):</p> <ul style="list-style-type: none"> <li>• Location 1 - 32 supporting change; 13 not supporting change</li> <li>• Location 2 - 38 supporting change; 7 not supporting change</li> <li>• Location 3 - 35 supporting change; 10 not supporting change</li> </ul> <p>Community 'Walkshop' – 27 self-nominations, 15 attendees at workshop.</p>		
<p>Key findings</p>	<p>Refer to the following pages of the consultant's Engagement Summary Report (Attachment 3) for a breakdown of key findings of the stage 1 engagement activities:</p> <ul style="list-style-type: none"> <li>• Stakeholder interviews - pages 14 to 16;</li> <li>• Community Survey 1 – pages 18 to 25;</li> <li>• Community 'Walkshop' - pages 26 to 32.</li> </ul> <p>At a high level, key findings are as follows:</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 20%;">Stakeholder interviews (12)</td> <td> <p>Location 1 – Supportive of a public realm improvement that provides/facilitates:</p> <ul style="list-style-type: none"> <li>• Attraction of visitors and customers</li> <li>• Beautification and improved amenities</li> <li>• Increased street life and pedestrian foot traffic</li> <li>• Improved public safety/reduced antisocial behaviour</li> <li>• Reduced conflicts between pedestrians, buses, delivery and private vehicles</li> </ul> <p>Location 2 - Supportive of a public realm improvement that provides/facilitates:</p> <ul style="list-style-type: none"> <li>• Integration and increased use of Memorial Gardens</li> <li>• Potential partnership arrangements with local businesses</li> <li>• Beautification and improved amenities, including celebration of local history and indigenous cultural heritage</li> <li>• Increased street life and pedestrian foot traffic</li> <li>• Considers implications for property maintenance as a result of increased tree canopy</li> <li>• Considers vehicle movements for businesses with specialist/large vehicles and accessibility for taxis</li> </ul> <p>Location 3 – Supportive of a public realm improvement that provides/facilitates:</p> <ul style="list-style-type: none"> <li>• Celebration of location as a destination and entry point to the Town, day and night</li> <li>• Beautification and improved amenities, including celebration of local history and indigenous cultural heritage</li> <li>• Improved cyclist amenities and connections</li> </ul> </td> </tr> </table>	Stakeholder interviews (12)	<p>Location 1 – Supportive of a public realm improvement that provides/facilitates:</p> <ul style="list-style-type: none"> <li>• Attraction of visitors and customers</li> <li>• Beautification and improved amenities</li> <li>• Increased street life and pedestrian foot traffic</li> <li>• Improved public safety/reduced antisocial behaviour</li> <li>• Reduced conflicts between pedestrians, buses, delivery and private vehicles</li> </ul> <p>Location 2 - Supportive of a public realm improvement that provides/facilitates:</p> <ul style="list-style-type: none"> <li>• Integration and increased use of Memorial Gardens</li> <li>• Potential partnership arrangements with local businesses</li> <li>• Beautification and improved amenities, including celebration of local history and indigenous cultural heritage</li> <li>• Increased street life and pedestrian foot traffic</li> <li>• Considers implications for property maintenance as a result of increased tree canopy</li> <li>• Considers vehicle movements for businesses with specialist/large vehicles and accessibility for taxis</li> </ul> <p>Location 3 – Supportive of a public realm improvement that provides/facilitates:</p> <ul style="list-style-type: none"> <li>• Celebration of location as a destination and entry point to the Town, day and night</li> <li>• Beautification and improved amenities, including celebration of local history and indigenous cultural heritage</li> <li>• Improved cyclist amenities and connections</li> </ul>
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	<ul style="list-style-type: none"> <li>• Reduced conflicts between pedestrians and other street users (alfresco dining, deliveries, etc.)</li> <li>• Improved access and safety for pedestrians, including elderly and children.</li> </ul>
Community Survey 1 (45 submissions)	<ul style="list-style-type: none"> <li>• All submissions provided in-principle support for change at at least 1 of the shortlisted locations.</li> <li>• Strong level of support at each location, with results only marginally differing.</li> <li>• Primary user groups and uses to be prioritised for each location broadly consistent and varied, indicating a desire for a diversity of activities/functions and user groups (all ages and abilities) to be catered for across all locations.</li> <li>• Pedestrian movement (walking) identified as the 'most important' travel mode across all locations.</li> <li>• Very strong level of support for adoption of guiding place principles from the Vic Park Collective's Streets Ahead Action Plan to guide the concept design, across all locations.</li> </ul>
Community 'Walkshop' (15 attendees)	<ul style="list-style-type: none"> <li>• Participants were broadly supportive of the place principles prioritised in responses to Community Survey 1, with the additional inclusion of 'Fine grain' (Location 1) and 'Heritage Rich' (Locations 2 and 3) being selected.</li> <li>• Location 1 - Appreciation of indigenous culture/art identified as an additional use; Live music and performance removed as a potential use at this location.</li> <li>• Selection of a broad range of design elements (pictures of potential future elements/features) which will be used to inform the concept design for the preferred location (and other locations should they proceed as part of later Old Spaces New Places projects).</li> <li>• Generally positive response to the place possibilities developed by the project consultant team for each of the shortlisted locations, with a number of specific constraints, issues and opportunities identified by attendees for each location to be addressed at concept design stage for the chosen location.</li> </ul>

<b>External engagement - Stage 2 - Preferred location survey (October 2020)</b>	
Stakeholders	Local residents, property owners, businesses and community groups
Period of engagement	2 to 18 October 2020
Level of engagement	2. Consult
Methods of engagement	Online survey (hard copy available upon request) - presented the visions, guiding place principles and place possibilities developed by the consultant with community input from the stage 1 engagement activities. The survey also

	requested respondents to select their preferred location to proceed to concept design stage, and included the option of not supporting any of the locations.		
Advertising	<p><u>Direct methods</u> - Approx. 1500 letters to local property owners, residents, businesses and community groups across the shortlisted locations, emails to all registered participants and prior submitters, reminder emails to prior submitters and community groups.</p> <p><u>Online</u> - Town website, Your Thoughts engagement hub, social media posts;</p> <p><u>In person</u> – Two street walks by Town staff. These involved short casual conversations, hand delivery of letters to local businesses, requests to display Stage 2 (preferred location survey) shopfront posters, and a reminder postcard drop.</p>		
<b>Submission summary - preferred location selection</b>	110 submissions received, with 107 selecting a preferred location to proceed to concept design stage.		
	<b>Location 1</b>	<b>Location 2</b>	<b>Location 3</b>
A) Total number of supporting submissions (107 total) Note: Zero submissions were received stating they did not support any of the locations	37 (35%)	40 (37%)	30 (28%)
B) No. supporting submissions from local businesses at same location (8 total)	1 business	2 businesses	5 businesses
C) No. supporting submissions from local businesses not from the same location (4 total)	0	3 businesses (1 from Location 1 and 2 from Location 3)	1 business (from Location 2)
D) No. supporting submissions from businesses who either did not disclose a location or are not located at one of the locations (9 total)	3 businesses	5 businesses	1 business
E) Total no. business supporting submissions (=B+C+D) (21 total)	4 (19%)	10 (48%)	7 (33%)
F) No. of non-business community supporting	33 (38%)	30 (35%)	23 (27%)

submissions (=A-E) (86 total)				
<b>Key findings</b>	Refer to pages 33 to 51 of the consultant's Engagement Summary Report (Attachment 3) for a detailed breakdown of outcomes from Community Survey 2. Summary is provided below.			
	<b>Location 1</b>	<b>Location 2</b>	<b>Location 3</b>	
Overall support level (refer submissions breakdown above)	Strong levels of support for a public realm improvement across all locations (Only marginally separated by 10 submissions overall in terms of preferred location to proceed to concept design stage).			
Level of business support (refer submissions breakdown above)	Least supported by local businesses	Most business submissions overall; only fair level of support from businesses at same location.	Second highest number of business submissions. Highest number of supporting submissions from businesses at same location.	
<b>Place Analysis findings</b> (from across all 110 submissions):	<b>Location 1</b>	<b>Location 2</b>	<b>Location 3</b>	
	- Vision	69% support	79% support	76% support
	- Place Principles	78% support (average)	82% support (average)	80% support (average)
	- Place possibilities/key moves	68% support (average)	67% support (average)	74% support (average)
	Highly supported place possibilities/key moves	- More alfresco dining, greening and public art; - Improved pedestrian crossings by raising intersection to footpath level and slowing vehicle speeds (shared space treatment)	- Redesign of retaining walls to Harvey St interface with Memorial Gardens to improve sightlines and integrate piazza space with park; - Median street tree planting along Albany Highway to slow vehicles and increase tree canopy	- Widening of existing footpaths to improve pedestrian accessibility and movement; - Shared space treatment of the intersection to slow vehicles, increase shading and greening, create wider footpaths and alfresco opportunities.
Key concerns raised in relation to place possibilities and least supported key moves	- Potential relocation and integration of existing bus stops near this location received mixed support (64% support);	- Historical significance of Memorial Gardens walls; - Tree planting species selection in view of	- If area becomes too popular could result in increased parking in front of dwellings. - Transformation of 5 car bays along Rushton	

	<p>- Potential Removal of 7 parking bays and turning Leonard Street to one-way at the intersection (with a left and right hand turn onto Albany Highway only) received mixed support (51% and 55% support).</p>	<p>allergens from existing Plain Trees;  - Potential removal of 13 car bays and part or full closure of Harvey Street through access to Shepperton Road to create public piazza space received mixed support (61% and 62% support).</p>	<p>St to an occasional informal performance space at night received the lowest support of the key moves identified at this location (65% support).</p>
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**Other engagement – local community organisations**

Stakeholder	Comments
Vic Park Collective	Were invited and provided survey responses during both stages of community engagement as well as participated in the Community Walkshop. Are supportive of public realm improvements at all locations but selected Location 3 as their preferred location to proceed to concept design stage.
Connect Victoria Park	Were invited and provided survey responses during both stages of community engagement as well as participated in the Community Walkshop and had informal discussions with Town officers. Indicated enthusiasm for the project particularly if Location 3 is pursued and leads to improved safety, accessibility and amenity outcomes for their residents, members and the general community.
Victoria Park Primary School	Were invited to participate during both stages of engagement with the school administration indicating willingness to be involved and provide feedback. Notwithstanding a formal survey submission or other comments were not received in relation to the project. Opportunity to be involved during concept planning stage for the selected location will be provided, particularly in the event that Location 3 be endorsed by Council as the preferred location to proceed to concept design stage.
Ursula Frayne Catholic Primary School	Were invited to participate during both stages of engagement, with several staff members indicating general interest and enthusiasm for the project via in person meetings or email. Notwithstanding a formal survey submission or other comments were not received in relation to the project. Opportunity to be involved during concept planning stage for the selected location will be provided.
Victoria Park - South Perth and Districts RSL Sub Branch	Were invited to participate and share their thoughts specifically in relation to Location 2, adjacent to Memorial Gardens. Telephone contact was made with the organisation where a willingness to engage with the Town and consider potential change was communicated. Notwithstanding, a formal survey submission was not received in relation to the project, although it was communicated that the timing of consultation had coincided at a time of health-related issues and other priorities.



## Legal compliance

Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Infrastructure& Financial	Design of a concept plan that is technically difficult to implement or is financially unviable.	Moderate	Likely	High	Low	- Clear communication with the design consultant team to consider practicality, construction impacts, and ability to implement as key factors.
Health and safety	Nil	Nil	Nil	Nil	Low	Nil
Environmental	Nil	Nil	Nil	Nil	Medium	Nil
ICT systems/ utilities	Nil	Nil	Nil	Nil	Medium	Nil
Legislative compliance	Nil	Nil	Nil	Nil	Low	Nil
Reputation	Raising community expectations for a design concept without committed capital works budget allocation.	Minor	Possible	Moderate	Medium	- Early explanation of the future stages required prior to commitment of capital funds. - Exploration of external funding opportunities. - Investigation of dividing the project cost across multiple capital budget streams.
Reputation	Delayed implementation of the concept plan while Council pursues other priorities.	Minor	Unlikely	Low	Low	- Exploration of external funding opportunities. - Ongoing clear communication with local

						businesses and the surrounding community.
Service delivery	Nil	Nil	Nil	Nil	Medium	Nil

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	<p>Detailed costings from the concept plan prepared for the recommended location 3 (detailed design and construction) will inform the Long-Term Financial Plan and Council will be able to determine when the next stage proceeds as part of future budget processes.</p> <p>Progressing with Locations 1 and 2 as part of the OSNP program can also be factored into Long-Term Financial Planning.</p> <p>The Victoria Park Place Plan will include the timing of these pieces of work once established in the process outlined above.</p> <p>Future maintenance costs are unknown at this stage with the concept design still to be prepared.</p> <p>Investment in the public realm in this portion of Albany Highway is likely to contribute to the potential for future development in the immediate surrounds which would have a positive impact on rates growth.</p>

## Analysis

### COVID-19 pandemic and level of business engagement

13. Due to the COVID-19 pandemic and State health requirements, several interviews were conducted over the phone as some businesses were temporarily closed and/or owners were unavailable for face-to-face conversations. The timing of the engagement activities amongst the broader contextual backdrop of the ongoing COVID-19 pandemic and more immediately pressing economic challenges, may have also 'watered down' the ability of the engagement to capture the attention and priorities of the local business community.
14. The added complexity of COVID-19 and restrictions are likely to have impacted the quantity of survey's undertaken across the locations, and it was challenging to contact property owners in Location 1. In particular, language barriers, lack of on-site management or business owners, and international property ownership led to communications and engagement materials having to be delivered to front of house staff, which may have reduced the ability of key messaging to reach all of its intended recipients as effectively as desired.
15. In an effort to encourage participation and stakeholder involvement amidst these circumstances, letters inviting participation during each of the online Community Surveys were hand-delivered to local businesses by Town staff at each location as well as Connect Victoria Park and Victoria Park Primary

School. These enabled face to face informal discussions with trading businesses and community groups regarding the project, and were followed up with invitations to put up posters in shopfront windows, and post card drops by Town staff to remind and encourage survey submissions and participation in the Community Walkshop event. It also allowed Town staff to personally reiterate the importance that local business input has to the successful delivery of the project and that further opportunities would be available to receive their further input during concept planning for the chosen location once it is selected by the Town.

### **Evaluation of Location Options**

16. The project consultant has provided an evaluation of the location options, identifying a number of risks and potential opportunity losses should concept planning not proceed for each of the shortlisted locations. The evaluation of the options is detailed in pages 53 to 60 of the Engagement Summary Report (Attachment 3).
17. With consideration of all the input and feedback received from property owners, businesses, residents and community groups to date, as well as the technical considerations and place analysis, the project consultant has provided the following recommendation for the Town's consideration and determination by Elected Members;
  - a. That location 1 and Location 3 both proceed to concept planning, and Location 2 is further considered through a separate 'master planning' process that includes Memorial Gardens;
  - b. If only one location option can proceed to concept planning, then it is recommended that Location 3 is pursued; and
  - c. In the next phase of the project, it is also recommended that urban design key moves are trialled on the chosen location/s prior to finalisation of the concept plan. I.e. allow the community to see how parking could be transformed into a public space and imagine its future uses and amenity.
18. The Town's Place Planning Officers have considered the evaluation provided by the project consultant and are broadly in agreement with its findings. In particular, the community's desire for Location 2 to proceed (having received the highest level of support to proceed to concept planning) relates to a strong desire to see improvements and greater integration of this location with Memorial Gardens itself, which is beyond the scope and available funding for the current project.
19. The expanded project area would require a broader master-planning process that includes the park land itself and close collaboration with community groups, in particular the local Victoria Park and South Perth RSL sub-branch, given the history and significance of the site. Further internal engagement would also be necessary with Parks and Community Development given the location also serves as an important venue for a number of significant Town-run events.
20. In view of the above, Location 2, while having very significant and potentially transformative benefits to Albany Highway and the broader community if it were to also include Memorial Gardens, is not recommended to proceed, being beyond project scope and available funding. It is instead recommended that the project form part of the Old Spaces New Places program of future public realm works, with potential funding and timing to be considered in the Long Term Financial Plan and Place Plans. It is also noted that the preparation of a masterplan for the future of Memorial Gardens is a recommendation of the Town's POSS.
21. Setting Location 2 aside, this leaves Locations 1 and 3 for consideration to proceed to concept planning as part of the current project. Proceeding with concept planning for both locations (while recommended by the project consultant) is also beyond the scope and available funding so has not been recommended. The following comparison is made between the engagement outcomes across Locations 1 and 3;

**Location 1**

**Location 3**

Level of support overall	35% (37 submissions)	28% (30 submissions)
Level of business support	19% (4 businesses, including only 1 business at the same location) Least supported by local businesses	33% (7 businesses, including 5 businesses at the same location) Second highest number of business submissions. Highest number of supporting submissions from businesses at same location.
Level of non-business related community support	38% (33 submissions) Highest level of community support	27% (23 submissions) Lowest level of community support
Place Analysis findings:	(based on all 110 responses to Community Survey 2)	
Vision	69% support	76% support
Place Principles	78% support (average)	80% support (average)
Place Possibilities	68% support (average)	74% support (average)

22. Having regard to the above, the following observations are made:
- While Location 1 has received a marginally higher level of overall and non-business related community support, it is the least supported by businesses generally or at the same location, in comparison to all other locations;
  - Location 3 has received the highest level of business support from businesses at the same location;
  - Location 3 has received a higher level of support than compared to Location 1, in terms of the vision, guiding place principles and identified place opportunities.
23. As highlighted previously, local business support is considered critical to the successful delivery of a public realm improvement at any of the shortlisted locations. This will play a critical role in stakeholder 'buy in' during the proceeding concept development stage, and the ability of businesses to 'see out' and look beyond the disruption (however well-managed the impacts may be) during the potential construction/implementation process, to realise the project's ultimate benefits.
24. Community support for all shortlisted locations was strong, and the marginally higher level of support provided to Location 1 is not considered to outweigh the critical importance of local business support or the potentially contentious removal of car parking bays or conversion of the end of Leonard Street to one-way traffic movement in an attempt to create additional space for pedestrians. In particular, the acceptance or otherwise of these place possibilities or other changes to the public realm at Location 1 remain largely unknown due to the low level of engagement achieved with businesses at this location.
25. Location 1 sits opposite the busiest entry (in terms of pedestrian foot traffic) to the Victoria Park Central shopping centre and would greatly benefit from improvement to pedestrian crossings, increased tree canopy and alfresco dining opportunities, traffic calming and other amenity improvements. However, the potential timing of works would benefit from coinciding with any major upgrade or redevelopment of the shopping centre site in future in order to minimise disruption to surrounding businesses during construction and achieve optimal public realm outcomes through negotiation and collaboration with the owner (currently Vicinity Centres) during the design and development application stages (although the appetite and timing of any potential major upgrade or

redevelopment is unknown, particularly given the recent uncertainty and heightened risk brought on by the COVID-19 pandemic).

26. It is considered that Location 3 represents the most practical and feasible location option to proceed to concept planning stage, having received a much higher level of business support, and higher levels of community support for the vision, place principles and place opportunities at this location.
27. Notwithstanding the above, Location 1 has still enjoyed a high level of community support and similarly to Location 2 has been recommended to form part of the OSNP program of future public realm works, with potential funding and timing to be considered in the Long Term Financial Plan and Place Plans.

### **Potential benefits to be realised through endorsement of Location 3**

28. The endorsement of Location 3 to proceed to concept planning represents a significant opportunity to capitalise upon the already successful hub of active frontages and vibrant day and night hospitality and retail uses at this location, providing further opportunities for alfresco dining, greening and increased tree canopy and improved safety and accessibility for pedestrians, cyclists and people of all ages and abilities.
29. The State Government's commitment to a new cyclist and pedestrian bridge connecting the Town and City of Perth via Heirisson Island, in tandem with the Town's major capital investment toward delivery of the McCallum Park Active Area, as well as planned cycle lane improvements at this end of Albany Highway, are strategically significant projects that can be harnessed and further capitalised upon through investment in a public realm improvement at Location 3 that prioritises pedestrian movement, cycling and accessibility. This will have flow on effects for businesses at this location but also upstream along Albany Highway and to residents and businesses within the surrounding area.
30. The existing intersection environment at Location 3 (similar to Locations 1 and 2) is dominated by traffic noise and dynamic, often fast, private vehicle movements, which has been raised in community submissions and by stakeholders as unsafe for pedestrians, particularly children from Victoria Park Primary School, elderly community members accessing services or living within accommodation provided by Victoria Park Connect, and those with limited mobility.
31. A public realm improvement at Location 3 also has the significant benefit of providing this location with potential landmark status, serving as an entry point to the Town of Victoria Park and raising the attraction and destination value of the western end of Albany Highway to the benefit of local businesses and the surrounding residents and community members they provide their goods and services to. It may also catalyse landowner and business investment in shopfront and building upgrades, as well as the future redevelopment of surrounding properties, some of which have significant development potential.
32. A public realm improvement at Location 3 also has potential to lift the level of civic pride and community significance of the place, not just being an economically successful destination, but also providing a space for the community to appreciate the Town's local history, enjoy public art and/or performances and celebrate indigenous cultural heritage.
33. Having regard to the above factors, the recommendation of the project consultant and the outcomes of all community engagement activities carried out to date, Location 3 is recommended to proceed to concept design stage as the Town's third Old Spaces New Places project.

### **Further considerations**

34. Following the agenda settlement for the 1 December 2020 ABF, the Town's administration responded to an invitation from the RAC to submit an expression of interest to participate in their Reconnect WA: Transforming Streets and Spaces Trial. This initiative provides up to \$1 million of funding to partner with local governments in the delivery of high-impact, strategically significant projects that can be shaped

through a co-design process with the community to enhance and reimagine streets and public spaces. RAC is proposing to contribute up to \$500,000 at up to 50% of the total cost of a qualifying project (to be match funded by the local government) and may also consider an additional contribution towards communication and promotion.

35. The Town's administration believes the third Old Spaces New Places project to be a strong contender for funding under this initiative and has submitted an expression of interest requesting a 50% contribution (\$500,000 based on a broad estimate of \$1 million for design and construction) to fund its design and staged construction. It is anticipated that the Town will be notified of the outcome of its expression of interest in the coming weeks or early January 2021. This will then inform further conversation with Elected Members about the future programming of OSNP3 related works.
36. The following question was asked at the 1 December 2020 Agenda Briefing Forum:

*What the disbenefits would be of progressing location two to a concept design phase instead of a masterplan phase?*

Location 2 interfaces with Memorial Gardens which is identified as requiring a concept plan in the Town's POSS (see page 30 of Appendix in the Town's POSS). The report and supporting Engagement Summary Report in Attachment 4 recommends that a concept plan for Location 2 should be combined with a concept plan for Memorial Gardens. This would then create a larger piece of work which would require the following (but not be limited to):

- a. Further detailed and broader engagement;
- b. Further analysis including consideration of the interface with the eastern and northern buildings (the northern building is the Town's Civic and Administration Centre). The design of Memorial Gardens would likely need to be informed by its future;
- c. Potential commercial opportunities, design opportunities and constraints, and future use of Memorial Gardens;
- d. Other focus areas outlined in the Town's POSS and Land Asset Optimisation Strategy.

Despite this recommendation, there is a timing and funding disbenefit for this option in that it becomes a larger, more costly and more complex piece of work if combined. It is still deemed by the Town to be an important project that should take place in the future as part of the Old Spaces New Place program.

The disbenefits of Location 2 proceeding on its own (ie. Independent of Memorial Gardens) are (but might not be limited to):

- a. Not integrating the existing war memorial and mature landscaping with the Location 2 concept;
- b. An activation/events approach not being developed and informed by an integrated design between Memorial Gardens and Location 2;
- c. Not considering additional amenities and facilities in Memorial Gardens that compliment Location 2;
- d. Not considering the relationship of activities and uses between Memorial Gardens and Location 2 which includes the adjacent land uses (ie. the future of the Town's Civic and Administration Centre on the northern border).

## **Relevant documents**

[Volume 7 - Victoria Park Place Plan](#)

[Town of Victoria Park Public Open Space Strategy](#)

[Streets Ahead Action Plan \(Vic Park Collective\)](#)

[Restart Vic Park COVID-19 Response Strategy](#)

## 13 Chief Operations Officer reports

### 13.1 TVP/20/06 Tree Maintenance and Associated Works

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Gregor Wilson
<b>Responsible officer</b>	Ben Killigrew
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>2020-11-25 - Probity Certificate - Town of Victoria Park - TV P-20-06 [13.1.1 - 2 pages]</li><li>CONFIDENTIAL REDACTED - TV P 20-06 Evaluation Report- Final [13.1.2 - 60 pages]</li></ol>

#### Recommendation

That Council awards two contracts associated within tender TVP/20/06 Tree Maintenance and Associated Works with the terms and conditions as outlined within each respective contract, as each offer has been evaluated as the most advantageous to the Town:

- Separable Portion A) for Tree Pruning services only, to Beaver Tree Services Aust Pty Ltd (ABN 78 083 584 788).
- Separable Portion B) for Tree Establishment services only, to Baroness Holdings Pty Ltd trading as Tree Planting and Watering (ACN 614 676 550).

#### Purpose

To seek Council approval to appoint the preferred contractors to perform relevant parts within the separable portions of the Tree Maintenance and Associated Works as the value of the tender exceeds \$250,000. It is estimated that the contracts will cost in the order of \$7–8 million dollars over the 5-year maximum possible term of the contracts.

#### In brief

- TVP/20/06 was advertised in the West Australian on 23 September 2020 and released via the Tenderlink portal on the same day. It closed at 2pm on Tuesday 13 October 2020.
- Suppliers were requested to provide a schedule of rates for Tree Maintenance and Associated Works with the option of two separable portions for:
  - tree pruning and removal works, and
  - tree planting and establishment.
- The approved municipal funding allocation for this item is \$1,400,000 - \$1,800,000 per annum. The contracts will be awarded for a period of three (3) years from the start date, with two possible extensions of one (1) year each, subject to satisfactory performance of the Contractor.
- Five submissions were received for separable portion A. All were deemed compliant.
- Three submissions were received for separable portion B. All were deemed compliant.
- One contractor made a submission for both portions.



- An evaluation of the tender submissions against the prescribed criteria has been completed and it is recommended that Council accepts the submission made by Beaver Tree Services Aust Pty Ltd (ABN 78 083 584 788) for separable portion A), and Baroness Holdings Pty Ltd trading as Tree Planting and Watering (ACN 614 676 550) for separable portion B), and enters into a contract with each to perform the works as required.

## **Background**

1. The Town has over 17,000 verge trees and 5,000 park trees.
2. In previous years, there was a single contract for these works, with both maintenance and tree establishment combined. When the existing tender went to the market five years ago, only two compliant submissions were received. Town Officers decided to split the tender into tree maintenance works separate from tree establishment works, in order to encourage more submissions and obtain better value for money for ratepayers.
3. The result has been 8 submissions over the two portions and a drop in costs in the schedule of rates for the required services, a good outcome for the Town and one that means that the overall proposed budget for these services will remain similar to previous years even though the number of trees and related works will increase following the implementation of the Urban Forest Strategy.
4. These trees require maintenance for safety, compliance with utility clearances, tree health and aesthetic appeal.
5. Tree pruning is carried out systematically in 11 precincts based on tree audits, as well as a reactive list, tree removals and storm damage works.
6. The Urban Forest Strategy (UFS) has an implementation plan, part of which is increased tree planting to bring the Town's canopy coverage from 10% to 20% over time.
7. TVP/20/06 for Tree Maintenance and Associated Services was split into two (2) separable portions as opposed to the existing tender that covers all areas as one contract. This was done to allow for multiple contractors to submit tenders and achieve best "Value for Money" for the Town.
8. Portion A relates to tree pruning, tree removals, mulching, stump and root grinding and pest control. The anticipated cost is \$1,200,000 per annum.
9. Portion B relates to Tree/shrub establishment including watering, application of wetting agents and fertilisers, planting of trees and tree well maintenance. The anticipated value of the contract is \$400,000 per annum.

## **Compliance criteria**

- Tender submissions must comply with the advice provided under the compliance criteria, as indicated in section 1.10.1 and 6.3 of the tender documents.

## **Evaluation process**

11. An Evaluation Plan was prepared and endorsed by the Evaluation Team prior to commencing the evaluation
12. The evaluation was conducted with oversight from an independent Probity Advisor due to the high value of the tender. A probity certificate from the probity advisor has been provided as an attachment to this report. The full evaluation report contains commercial information and as such is a confidential attachment.

## Qualitative criteria

Tenders were assessed on the following criteria

Criteria	Weighting
Service Delivery Plan Relevant Experience	20%
Key Personnel Skills and Resources	15%
Demonstrated Understanding	15%
Occupational Health and Safety	10%
Price	40%

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Ensure transparency and good value for money by going through a public tender process.

Environment	
Strategic outcome	Intended public value outcome or impact
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Maintenance of tree clearances from utilities, pedestrians and traffic for public safety. Preserving the health of the Towns living assets.
EN07 - Increased vegetation and tree canopy.	Planting and watering to establish new tree canopy growth.

## Engagement

Internal engagement	
Stakeholder	Comments
Procurement	Provided advice and acted as a probity advisor throughout the process.
Parks staff	Provide feedback on tender document and current practices.
UFS Coordinator	Provide feedback on tender documents.

## Legal compliance

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

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

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Failing to comply with financial requirements under the act relating to procurement	Moderate	Likely	High	Low	Go through a public tender process as per requirements
Environmental	Failure to comply with environmental requirements of works	Moderate	Possible	Moderate	Medium	Works management plans to be submitted by the successful contractor
Health and safety	Potential injuries from tree management practices	moderate	Possible	High	Low	OHS management plans to be provided by the successful contractor
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	
Legislative compliance	Failing to comply with utility clearance requirements	High	Likely	High	Low	Appoint appropriate contractor(s)
Reputation	Not applicable				Low	
Service delivery	Failure to maintain trees for safety and clearance	High	Likely	High	Medium	Appoint appropriate contractor(s)

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	With the likely increase in tree numbers, budgets in subsequent financial years regarding tree maintenance and watering budgets will increase proportionate to the number of trees planted and requiring removal/pruning.

In addition, with the UFS focus on preserving existing trees, additional costs will likely be incurred pruning and maintaining larger trees and the management and repair of Town infrastructure being impacted by them.

## Relevant documents

[Council policy FIN4 Purchase of Goods and Services.](#)

## Analysis

13. Due to the value of the tender being over \$1,000,000, an external probity advisor was formally engaged to provide probity oversight and compliance with relevant legislation and Town's Procurement policy requirements. A probity certificate is provided in attachment. The detailed evaluation report is also provided as a confidential attachment.
14. The assessment of the submissions was formally undertaken by a panel that included:
  - Streetscapes Supervisor
  - Senior Place Leader Urban Forest
  - Finance Manager
15. The Town received five submissions for Separable portion A and three submissions for Separable portion B. The submissions were all deemed compliant.
16. An evaluation was conducted as per the Evaluation Plan.
17. Price assessment was carried out using quantity estimates multiplied by the schedule of rates the tenderers provided, to provide a total to be used for the price weighting.
18. For both Separable Portion A and B, once the pricing was reviewed and combined with the qualitative scores, the Panel were happy to accept the highest-ranking Tenderers as the Preferred Tenderers.
19. The evaluation of the submissions against the quantitative and qualitative criteria resulted in the rankings shown below. (Top 3 rankings only)

### Separable Portion A: –

Tenderer	Beaver Tree Services	Kennedy Tree Services	Tree Care
RANKING	1	3	2

Recommendation - Beaver Tree Services

Estimated Value of \$5,070,001.32 over a period of 5 Years

### Separable Portion B: –

Tenderer	Baroness Holdings	Beaver Tree Services	Psyco Sands
RANKING	1	3	2

Recommendation - Baroness Holdings

Estimated Value of \$1,273,920 over a period of 5 Years

## 13.2 Deed of Variation - Local Government House Trust

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Peter Scasserra
<b>Responsible officer</b>	Jon Morellini
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL REDACTED - Deed of Trust 2002 LGHT [13.2.1 - 50 pages] 2. CONFIDENTIAL REDACTED - Deed of Variation new version draft [13.2.2 - 5 pages]

## Recommendation

That Council:

1. Consent to the proposed amendments to the Local Government House Trust as outlined in the draft Deed of Variation – Local Government House Trust, and
2. Authorise the Mayor and Chief Executive Officer to execute relevant documentation notifying the Western Australian Local Government Association of Council's decision on this matter.

## Purpose

To seek Council consent to a Deed of Variation for the Local Government House Trust as requested by the Western Australian Local Government Association (WALGA).

## In brief

- WALGA is seeking consent from the Town of Victoria Park for a variation to the Trust Deed for the Local Government House Trust in order to assist the Trust's income tax-exempt status.
- The Trust Deed amendments set out in the Deed of Variation are based on legal advice and are intended to assist the Trust's income tax-exempt status by strengthening the position that the Trust is a State/Territory Body (STB).
- The Town is a Unit Holder and Beneficiary to the Local Government House Trust and holds two unit shares in the Trust.
- As stated by the Deed, the Trust requires the consent of at least 75 percent of all beneficiaries in order to execute the variation.
- The proposed Deed of Variation is presented to Council for consideration and it is recommended that the Council consent to the Draft Deed of Variation – Local Government House Trust as attached to this report (noted as "Deed of Variation new version draft").

## Background

1. The Local Government House Trust is a unit trust created for the purpose of providing building accommodation for WALGA. Since January 2014 the Trust has provided WALGA with accommodation at 170 Railway Parade West Leederville.
2. The Trust's Board of Management is seeking a variation to the Trust Deed in order to assist the Trust's income tax-exempt status.
3. As stated in the Deed, the Trust required consent of at least 75% of all beneficiaries in order to execute the Deed of Variation.
4. The Town is a unit holder and a beneficiary to the Trust and as a beneficiary, the Town is requested to consent to the proposed Deed of Variation by a resolution of Council.

5. The current Trust Deed commenced in 1993 and was amended in 2002 to reflect the merger of the Local Government Association of Western Australia and the Country Shire Council's Association into a single association, being WALGA.
6. The current Trust Deed declares WALGA as Trustee and unitholders as Beneficiaries, with the Trustee holding property and associated monies 'upon Trust' and in proportion to the units provided.
7. The commencement date of the current Deed is 17 February 1993, with a vesting date 79 years from commencement, which means that the Trust ends in 2072.
8. The Trust is exempt from income tax on the basis of being a State/Territory Body pursuant to Division 1AB of the Income Tax Assessment Act 1936.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	With the endorsement of the Deed of Variation, the Town will be abiding by correct and accountable governance for the benefit of ratepayers.

## Engagement

Internal engagement	
C-Suite	C-Suite have considered the proposal and collectively agree with the amendments in the Deed of Variation.
Property Development and Leasing	Have reviewed and provided input into the report.

## Legal compliance

[Income Tax Assessment Act 1936 Volume 1 Part 3 Division 1AB](#)

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	If the Deed of Variation is not approved then the Local Government House Trust may not maintain its tax exemption status. And may incur tax costs.	Unknown financial tax impact.	Unlikely	Cannot Calculate	Low	TREAT risk by agreeing to the Deed of Variation.
Environmental	Not Applicable					

Health and safety	Not Applicable					
Infrastructure/ ICT systems/ utilities	Not Applicable					
Legislative compliance	If the Deed of Variation is not approved then the Local Government House Trust may not maintain its tax exemption status under the Income Tax Assessment Act 1936.	Minor	Unlikely	Low	Low	TREAT risk by agreeing to the Deed of Variation.
Reputation	Not Applicable					
Service delivery	Not Applicable					

## Financial implications

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

## Analysis

9. Legal advice obtained by WALGA identified that the Trustee's ability to retire and appoint a new Trustee might affect the Trust's classification as a State/Territory Body. This view, while based upon highly technical grounds, is a risk nonetheless.
10. Subsequently, the Deed of Variation aims to strengthen the position that the Trust is a State/Territory Body through the following amendments:
11. Removing the existing Trustee's power to retire and appoint a new Trustee (Clause 2.1 and 2.2 (22.3) of the Deed of Variation),
12. Enabling the Beneficiaries to appoint and remove a Trustee (Clause 2.2 (22.4) of the Deed of Variation), and
13. Ensuring the Board of Management is the 'governing body' of the Trust (Clause 2.3 of the Deed of Variation).
14. The three proposed amendments when applied to the relevant clauses inserted by the Deed of Variation dated 5 June 2002 will subsequently read as follows:
15. Variation 2.1 - Amends clause 22.1 to point to the additional clause:

22.1 Any Trustee of the Trust may retire as Trustee of the Trust. Subject to clause 22.3, the right to appoint any new or additional Trustee or Trustees of the Trust is hereby vested in the retiring or continuing trustee. A corporation or incorporated association may be appointed as Trustee of the Trust.

16. Variation 2.2 - Inserts two new clauses:

22.3 The retiring or continuing trustee shall only be entitled to appoint any new or additional trustee of the Trust with the consent of not less than 75% of the Beneficiaries.

22.4 The Beneficiaries may at any time by Special Resolution:

- a. remove a Trustee from the office as Trustee of the Trust; and
- b. appoint such new or additional Trustee.

17. Variation 2.3 - Inserts a new clause 13A

13A Delegation to the Board of Management

Unless the Beneficiaries otherwise direct (such direction to be given by not less than 75% of the Beneficiaries), the Trustees shall delegate all of the powers authorities and discretions contained in subclauses (a) to (x) of clause 12 to the Board of Management. The Trustees shall, at the direction of the Board of Management, do such things as may be necessary to give effect to the exercise of a power, authority or discretion by the Board of Management.

18. Variations 2.1 and 2.2 outlined above remove powers granted to the Trustee in the 2002 Deed of Variation resulting from the merger to a single Association representing WA Local Governments. These amendments which previously facilitated the transfer of trusteeship to the then new Western Australian Local Government Association are removed, but with the clarification that the appointment of any new or additional trustee must be with the consent of the beneficiaries.

19. Variation 2.3 intends to confirm that power rests with the Board of Management. As the Board of Management comprises Local Governments, this satisfies the requirements of a State/Territory Body for tax purposes. This amendment reflects the actual operation of the Trustee in implementing the decisions of the Board of Management whilst retaining sufficient operational discretion to place and renew investments and pay suppliers.

20. WALGA's legal advice concludes that these amendments provide greater power to beneficiaries through the Board of Management, and as such, it is anticipated that they will be considered acceptable.

21. Officers of the Town has considered the proposed amendments to the Trust Deed and do not believe the variation will have any impact or pose any risk to the Town, and therefore have recommended that Council consent to the proposed Deed of Variation.

## **Relevant documents**

Not applicable.



### 13.3 Petition: Intersection of Burlington St & Leichardt St Proposed Improvements

<b>Location</b>	St James
<b>Reporting officer</b>	Richard Gale
<b>Responsible officer</b>	John Wong
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

**Recommendation**

That Council:

1. Receives the report in response to the petition from residents regarding the intersection of Leichardt Street and Burlington Street received by Council at the September 2020 Ordinary Council Meeting.
2. Notes the actions that officers have taken at the intersection since initial concerns were raised with the Town.
3. Requests the CEO to monitor the intersection over the next 2 years and consider further changes and upgrades if required.

### Purpose

The purpose of this report is to present the Town’s response to the petition received by Council at September 2020 OCM which states the following:

*Investigate & consider making changes to the road layout & intersection of Leichardt & Burlington Streets in St James. The petitioners are concerned both streets are used by increasing volumes of traffic as “short cuts” or “rat runs” with motorists ignoring current Stop Signs. The residents are worried it will only be a matter of time before there will be a serious accident resulting in property damage and/or injury or death.*

*As part of the Town’s investigation & consideration of changes to the street layout we ask that the attached documentation (causation/ risk assessment & treatment options) compiled by the Petitioners to be taken into account.*

*We request the Town liaise with the lead petitioner where possible to arrive at an effective workable solution acceptable to all parties. Should budgetary constraints prevent short term changes, we ask that traffic modelling underpinning the Town’s decision be maintained and updated for future budget deliberations.*

### In brief

- The Town must gain Main Roads Western Australia (MRWA) approval for changes to line markings and signage on local roads.
- As a result of a previous resident requests dated 30<sup>th</sup> June and 8<sup>th</sup> August 2020, the Town undertook a review and gained approval from MRWA to improve delineation and priority at the intersection by installing new signs and line marking, these have been implemented in mid-November 2020.
- The petition received by Council at the September 2020 Ordinary Council Meeting reiterated the need for staff to investigate the intersection of Leichardt Street and Burlington Street and consider making

changes the road layout. At the time, staff were already in the process of liaising with Main Roads Western Australia to improve the legibility of the intersection.

- Analysis of crash history identified a common issue of drivers potentially not realizing that Leichardt Street had priority over Burlington Street failing to stop and give way at the intersection.
- Recently acquired traffic data indicates that “rat-running” and high average traffic speed do not appear to be contributing factors to crashes at this location.
- The Town’s Traffic Intervention Warrant assessment system does not indicate a need for more significant intersection configuration modifications at this stage. However, it is proposed to undertake another review at the end of 2021.

## Background

1. Existing Situation: Burlington Street and Leichardt Street are classified as Local Access Roads under the control of the Town of Victoria Park. By definition, this category of road is “to provide access to abutting properties with amenity, safety and aesthetic aspects having priority over the vehicle movement function. These roads are bicycle and pedestrian friendly.” The intersection of Burlington Street and Leichardt Street is a four-way intersection. The intersection was previously set up under Stop Control arrangement (i.e., Stop signs in place), however, recent upgrade works prior to the petition being lodged triggered a requirement for the intersection to be converted into Give Way control in order to meet Australian Standards and MRWA requirements.
2. The following changes were installed in mid-November 2020 in order to improve delineation at the intersection and reinforce priority:
  - (a) installation of advance warning signs ‘Give Way Ahead’
  - (b) installation of two ‘Give Way’ signs on either side of the intersection (previously one Stop sign on either side)
  - (c) installation of unbroken and broken separation lines on both give-way approaches to the intersection
  - (d) installation of yellow bi-directional raised reflectors
  - (e) installation of a wider give way line on the pavement
3. Crash History: A review of the recent crash history from the MRWA database has been conducted at the subject intersection for the five-year period to the end of December 2019. The database listed 3 “thru thru” and 1 “other” crashes during the 5 years. These crashes were all intersection crashes and typically right-angle crashes with vehicles from adjacent approaches. This 5 year period would include data from before the conversion from Stop to Give Way control and the installation of additional regulatory traffic signs and line marking.
4. Traffic Data: The below tables show surveyed traffic data for the intersection of Burlington Street and Leichardt Street. Typically, the maximum desirable traffic volume of these roads is 3,000 vehicles per day as recommended by the WA Planning Commission Liveable Neighbourhoods policy.

### Burlington St (Alday St – Leichardt St)

Count Date	Average Week Day Traffic (AWT)	Average Week Day Traffic AM Peak Vol	Average Week Day Traffic PM Peak Vol	85 <sup>th</sup> Percentile (Km/h)	AWT Bicycle
2020 (September)	666.4	46	60.2	46.44	4.8

2010	670	54 (ADT)	61 (ADT)	48.2
2004	555	40.2 (ADT)	49.2 (ADT)	48.2

Leichardt St (Burlington St Abany Hwy)					
Count Date	Average Week Day Traffic (AWT)	Average Week Day Traffic AM Peak Vol	Average Week Day Traffic PM Peak Vol	85 <sup>th</sup> Percentile (Km/h)	AWT Bicycle
2020 (September)	910	60	72.6	51.12	1.2
2016	565	37.4	44.6	46.8	1
2013	464.4	31.2	36.8	49.7	

## Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN02 - A safe, interconnected and well maintained transport network that makes it easy for everyone to get around.	Improve signs and line marking at the intersection in order to improve safety for all road users.

## Engagement

Internal engagement	
Stakeholders	Comments.
Street Improvement	Provided technical support.

Other engagement	
Main Roads WA	Provided technical support.
Residents who raised road safety concerns prior to Officers receiving this petition	Corresponded with local residents regarding the concerns raised and the solutions proposed.
Lead Petitioner	Received petition, subject of this report, (raising similar concerns previously raised by other residents) while the above mentioned design solutions were progressing.

## Legal compliance

Road Traffic Code 2000

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
<b>Health and safety</b> Harm or injury to people with potential time loss and/or medical care.	The recently installed intervention treatments have no impact.	Major	Possible	High	Low	Review recently installed intervention treatments when 2020 and 2021 crash data is released.
<b>Reputation</b> Media exposure that may or may not impact reputation and image and may or may not require action or intervention.	Negative public perception towards the Town may result if the Town doesn't properly investigate and respond to petition request.	Moderate	Unlikely	Medium	Low	Respond to petition and investigate issues raised.
<b>Financial</b>	NA				Low	
<b>Environmental</b>	NA				Medium	
<b>Infrastructure/ ICT Systems/ Utilities</b>	NA				Medium	
<b>Legislative Compliance</b>	NA				Low	
<b>Service Delivery</b>	NA				Medium	

## Financial implications

<b>Current budget impact</b>	nil
<b>Future budget impact</b>	Nil unless further actions are required following monitoring and assessment, in which case these works will be considered in future budgets

## Analysis

5. **Crash Mitigation:** The resident petition received provided a level of validation of crash safety issues recorded for the intersection of Burlington Street and Leichardt Street. The recorded and recently reported crashes indicate a trend of “thru thru” crashes. This indicates that drivers are either not realizing that Leichardt Street has through priority over Burlington Street or they are failing to stop and give way. As the previous signs and line marking provided at this intersection were minimal, the first step taken was to install additional signs and line marking as recently completed. The newly installed signs and line marking is considered a vast improvement on the existing in terms of delineation and high lighting intersection priority. These changes should have a positive impact on reducing the number of crashes and near misses at this intersection.
  
6. **Traffic Data Review:** A comparative review shows traffic growth along Leichardt Street but static growth along Burlington Street. It was also found that traffic average traffic speed is in line with the posted speed limit. The peak hour traffic volume is usually within 10% of the total daily traffic thus rat-running is not a significant issue at this location. Furthermore, there is no trend of crashes occurring during peak times when rat-running is most prominent. Thus, the traffic data indicates that crashes are not exasperated by “rat-running” traffic or high average traffic speeds.
  
7. **Warrant Assessment:** The Towns Traffic Intervention Warrant system denotes this site as a “Minor Technical Problem Site”. The action response is “consider minor physical treatments if appropriate and for review again after 2 years”. At this stage, it not recommended that the intersection layout is modified any further. The Town proposes to undertake further reviews of this intersection at the end of 2021 and 2022. These reviews with updated data may trigger a need for further action in accordance with the Towns’s warrant system. If warranted, future funding opportunities such as Black Spot funding may be considered for this project.

## 13.4 QTVP/20/09 - Gas Energy Supply to Aqualife Centre

<b>Location</b>	East Victoria Park
<b>Reporting officer</b>	Jayde Robbins
<b>Responsible officer</b>	John Wong
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

### Recommendation

That Council accepts the submission from and authorises award of contract to Electricity Generation and Retail Corporation trading as Synergy (ABN 58 673 830) for the supply of gas to Aqualife Centre under the following contractual arrangements:

- a) Contract Term of two (2) years with the option of three, one-year extensions
- b) Pricing as contained within Synergy submission.

### Purpose

The purpose of the report is to consider and award the contract for gas supply to Aqualife. The acceptance of any tendered offers and the subsequent awarding of such contracts are to be determined by Council.

### In brief

- Submissions were invited for the supply of gas to the Aqualife Centre for a two (2) year period through the Western Australian Local Government Association (WALGA) Preferred Supplier Arrangement eQuotes reference VPR368382 posted on 17 September 2020. October 2020.
- The Request for Quotation closed on 5 October 2020 and the Town received three (3) submissions as follows:
  - Alinta Sales Pty Ltd
  - Perth Energy Pty Ltd
  - Synergy
- Suppliers were requested to provide a bundle price per gigajoule for the supply and delivery of the requested Gas Energy.
- An evaluation of the Quote submissions against the Town's compliance criteria and price has been completed and it is recommended that Council accepts the submission made by Synergy and awards the contract for the supply of gas to Aqualife Centre for a period of two years with a commencement date of 1<sup>st</sup> January 2021.
- Sufficient budget exists within the operating/maintenance budget for this facility, for the gas supply costs under this contract.
- Submissions were requested to provide addition information to the request for quotation in relation to any options for carbon offset. All submissions have responded there is not currently any sustainability offset options associated with a gas contract. Other solutions are currently being investigated.

### Background

1. The Town's Aqualife Centre uses gas supplies to heat the swimming and leisure pools within the Centre.

2. Due to the high volume of gas used at Aqualife it is classed as a "contestable site", and therefore the Town can go to market for gas supply.
3. The value of the total contract over two years with the option of three further one-year extensions is likely to exceed \$250,000.
4. The previous contract with Kleenheat gas has expired, however has been extended on a three-month contract extension expiring 31<sup>st</sup> December 2020.
5. A report was presented to November Agenda Briefing Forum for award of this contract, however late information was received relating to one of the submissions, which was followed up by the Senior Procurement Officer and validated by WALGA. This required the evaluation panel to review the new information, re-evaluate the tender and submit a revised recommendation for consideration at December Ordinary Council Meeting.

## Compliance criteria

6. The Town went through WALGA e-Quotes preferred supplier's arrangement. All suppliers are pre-qualified against major compliance and qualitative criteria. These requirements are in addition to the robust prequalification process that the suppliers on the WALGA Preferred Supply Arrangement been through as conducted by WALGA, on behalf of Members. Suppliers were requested to provide a bundle price per gigajoule.
7. Price should include all applicable fees and charges.

## Evaluation process

8. As the tender was submitted through WALGA panel there was no need to do a qualitative assessment as the suppliers are all pre-qualified.
9. All submissions were evaluated against the Town's compliance criteria by the Senior Procurement Officer, and all submissions were deemed compliant.
10. The submissions were assessed against price only as follows:

<b>Price</b>	<p>Weighting 100%</p> <p>The price criterion was assessed based on a lump sum cost for using the estimated 13,000 Gigajoules of gas per year.</p> <ul style="list-style-type: none"> <li>▪ A bundle price per gigajoule to supply gas based on the use of 13,000 Gigajoules of natural Gas per year.</li> <li>▪ Price should include all applicable fees and charges.</li> </ul>
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## Strategic alignment

<b>Civic Leadership</b>	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	The expected costs associated with this contract is within the allocated maintenance and operating budget. The Town is seeking best value for money through tendering for contestable gas supply at the Aqualife Centre.

<b>Environment</b>	
Strategic outcome	Intended public value outcome or impact

EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	The Aqualife centre provides recreational services to the Town and the wider community. Reliable gas supply ensures the service is maintained at an acceptable level for the community.
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Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	The Aqualife centre provides a community site for social interaction of various groups and demographics, as well as health benefits to patrons utilising the facility.

## Engagement

Internal engagement	
Asset Planning	Budget control, tender/specification development
Procurement	Provided advice and acted as a probity advisor throughout the process.
Business Services	Aqualife Manager and team on the operational obligations of the tender.

## Legal compliance

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

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

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Revenue reduction	Moderate	Likely	High	Low	Treat – Award Tender
Environmental	Not applicable				Medium	
Health and safety	Not applicable				Low	
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	
Legislative compliance	Not Applicable				Low	



Reputation	Community complaints, media exposure	Moderate	Likely	High	<i>Low</i>	Treat – Award Tender
Service delivery	Disruption to facility, possible closure	Moderate	Likely	High	<i>Medium</i>	Treat – Award Tender

## Financial implications

<b>Current budget impact</b>	<p>The provision of QTVP/20/09 Gas Energy Supply for Aqualife Centre is estimated to cost \$291,304 over a two-year contract term and exceeds the \$250,000 tender requirements, therefore requiring Council approval.</p> <p>Sufficient funds exist within the annual budget to address this recommendation.</p>
<b>Future budget impact</b>	<p>Future financial budgeting covering operating and maintenance costs, including gas supply, for the Aqualife facility have been included in the long term financial plan.</p>

## Analysis

11. The Town received a total of 3 submissions. All 3 submissions were deemed compliant.
12. The assessment of the submissions was undertaken by a panel that included:
  - Building Officer
  - Coordinator Strategic Assets
  - Leisure Facilities Operations Manager
13. The submissions were assessed 100% on price as the suppliers were pre-qualified through the WALGA e-quote panel service.
14. The submissions were ranked overall as below:

Company	Ranking
Alinta Sales Pty Ltd	3
Perth Energy Pty Ltd	2
Synergy	1

## Relevant documents

[Council Policy 301 Purchasing](#)

## 13.5 Proposed future options for the recovery of organic material (garden organics and food organics) from the Town's waste

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Jonathan Horne
<b>Responsible officer</b>	John Wong
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Organics Recovery System for OCM [<b>13.5.1</b> - 25 pages]</li> <li>2. FOGO Modelling summary for OCM [<b>13.5.2</b> - 27 pages]</li> <li>3. Proposed Team Structure [<b>13.5.3</b> - 1 page]</li> <li>4. CONFIDENTIAL REDACTED - Detailed FOGO modelling for Option 2C and RRFA exit- Confidential [<b>13.5.4</b> - 78 pages]</li> </ol>

### Recommendation

That Council:

1. Endorses the introduction of an organics collection and processing system (OCAPS) in a two-staged approach, with the initial stage accepting Garden Organics (GO) in a "third bin", and the subsequent stage accepting Food Organics and Garden Organics (FOGO) in a third bin.
2. Lists for consideration in future Budgets the introduction of the OCAPS focusing initially on Garden Organics collection service being made available to all rated residential properties commencing in 2022.
3. Lists for consideration in the draft 2021/22 Annual Budget the establishment of a Waste and Environment management area within the Town including a request for three further full-time equivalent positions from FY2021/22 to adequately resource the management of the OCAPS and other ongoing strategic waste management issues in line with the Town's Strategic Waste Management Plan and the new State Waste Plan.

### Purpose

To seek Council's endorsement of the proposed introduction of the proposed OCAPS (three bin waste system) and note the required planning, budgetary and resource changes to allow for its implementation and ongoing management.

### In brief

- As part of its membership of the Mindarie Regional Council (MRC), the Town endorsed a long-term Resource Recovery Facility Agreement (RRFA) between the MRC and Biovision (Suez) to process general municipal waste collected by the member councils into organic material. The RRFA runs from 2009 for 20 years.
- Approximately 90% or more of the Town's general municipal waste is consistently delivered to the RRF to be processed into soil conditioner. This translates into the highest rate (if not equal highest) of waste diversion from landfill among all of the MRC member councils.
- The operation of the Resource Recovery Facility (RRF) has essentially been executed in line with the RRFA. However, over recent years there have been significant changes in the waste practices of major individual MRC member councils, and the strategic direction being driven through the State Government. This has resulted in substantially less organic material being available for RRF processing

from the general municipal waste stream, to the point where it became important to assess whether it is still operationally or economically desirable to continue running the RRF in its current form.

- It is anticipated that the MRC will reach a decision on the extent of future commitment that affects the long-term viability of the RRFA through its February 2021 council meeting. Considering that the RRFA has less than ten years of contract life, it is only a matter of time before it reaches a terminal point and the RRF will then cease taking input from MRC member councils.
- With such a final determination of the future of the RRF and it ceasing to accept material from MRC member councils in future, the Town will need to examine the best way forward for its municipal waste disposal, noting the State Government direction for the implementation of three bin FOGO waste systems by 2025.
- The decision on when to adopt a three bin GO or FOGO system and whether a GO or FOGO service charge should be imposed is reviewed in this item. Based on the factors involved, the current preference is to conduct a two-staged approach with the introduction of a GO system with no service charge applicable, followed by a FOGO system subject to the future determination whether a FOGO service charge will be necessary. An organizational review is also recommended to address staffing capabilities.

## Background

1. In keeping with a desire to reduce its landfill waste, and along with other members of the MRC, the Town endorsed the MRC to enter into a contractual agreement to process waste at the "back end" of processing. At the time of considering waste diversion in Western Australia in the first decade of the current century, limited sorting of general municipal waste was being undertaken.
2. The method of converting general municipal waste into organic material at the final stage (just prior to landfill) through an engineering process represented an advanced solution at that time and was considered to be best practice.
3. Because of the large capital costs involved with creating a RRF, a long-term contract (over 20 years) was required to ensure that sufficient safeguards were in place to ensure ongoing operational viability. Consequently, the RRFA was negotiated between MRC and Biovision (Suez) and endorsed by the MRC member councils.
4. The RRF was built with the capability of having its operational life extended beyond the 20-year period through programmed maintenance and timely replacement of the relevant key component infrastructure. This is still an option open to MRC, should member councils decide to commit to the required financial investment and waste tonnage delivery.
5. Due to the changes in waste practices adopted by the member councils in moving to three bin collection systems, and the recent strategic direction being made by the State Government to implement the three-bin FOGO system by 2025, the level of organic waste content within the general municipal waste stream being made available for RRF processing has reduced markedly. The reduction to the waste diversion rate (away from landfill) resulting from this lower organic content represents a significant potential problem for RRF's long term operation.
6. Options for RRF long-term future operations have been considered with MRC member councils through strategy workshops at the MRC, including the conversion of the RRF into a FOGO plant. With the successful trial of FOGO processing by the RRF, external consultants considered the repurposing of the RRF into a FOGO processing plant to be the most beneficial longer-term option financially, but this was not considered by a number of member councils to be a realistic option as they were already

- opting to deal with organic waste material directly at an individual level (with long term contracts with GO processing private contractors being put in place).
7. Other future options for the RRF were also considered. With MRC member council endorsement, the MRC is expected to resolve to pursue the preferred course of action in its February 2021 council meeting.
  8. Depending on the level of future commitment from MRC member councils to keep the RRF operating into the future, it is only a matter of time before the RRF stops receiving general municipal waste for organic processing. The Town must therefore consider the options to extract organic material from the general municipal waste stream (MSW).
  9. It is estimated that the landfill gate fee charged by MRC will be significantly reduced after the close down of the RRF. There is also the value of the RRF plant and the land that it sits on that could be cashed out to further benefit the member councils.
  10. The State Government's Waste and Resource Recovery Strategy 2030 (WARRS) gives direction on the implementation of three-bin FOGO systems by 2025 as the best way to pursue resource recovery prior to any residual waste treatments such as the waste to energy treatment where residual waste is incinerated to generate electricity. The WARRS has tied in the concept of only allowing residual waste treatment (from waste to energy systems) from the municipal waste stream (MSW) after FOGO processing as from 2020.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	To pursue a waste management system in line with community expectations, while applying financial controls on meeting environmental objectives from the choice of the waste management treatment.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	For Council to be seen to be responsibly addressing the issue of organic material collection and treatment.

Environment	
Strategic outcome	Intended public value outcome or impact
EN4 - A clean place where everyone knows the value of waste, water and energy.	To pursue a waste management system in line with community expectations while applying financial controls on meeting environmental objectives from the choice of the waste management treatment.

## Engagement

Internal engagement	
Stakeholder	Comments
Technical Services	Review and provide input to assess impacts on Town

Finance	Review the financial impacts of options
Elected members	Overview of options available

Other engagement	
Stakeholder	Comments
MRC Member Council Officers	Mostly recommended to implement GO collection first and no increase in waste charge for GO services. Organics bin presentation rate of 35% to 50% of residential properties.
MRC staff	Provided confidential estimated future gate fees and other relevant information to assist with the planning process of the implementation of the organics collection system
EMRC	Has outdoor windrowing FOGO processing capability but is limited to a certain tonnage per year.
SMRC member councils	Information such as where FOGO is being processed is unclear.
Community waste-related feedback from Co Creating Our Future Community Forum and the Climate Emergency Plan Community Survey	<p>Feedback received included:</p> <ul style="list-style-type: none"> <li>• Remove organics from waste stream.</li> <li>• Divert green/food waste from landfill.</li> <li>• Being proactive with recycling and composting to reduce unnecessary landfill</li> <li>• The Town to facilitate food waste collection and composting.</li> <li>• Support for FO/GO three-bin system</li> </ul>
WALGA	Discussing the scope of the future contract.
Waste Authority	Discussing eligibility options under the Better Bins Plus funding program (Landfill waste levy).

## Legal compliance

Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Adoption of FOGO will result in significantly higher costs than GO. Currently estimated to	Major	Likely	High	Low	Avoid - Consider adoption of FOGO as a two staged approach – with GO

	be \$788,000 p.a. in operating cost.						as stage 1 and FOGO as stage 2
Financial	Funding for the capital cost relate to the purchase of the red lid bins	Moderate	Possible	Medium	Low		Treat-Seek further clarification from Waste Authority prior to adoption of budget
Environmental	Adoption of GO as interim stage may result in Waste to Energy not being available/having levies applied for residual waste treatment.	Moderate	Possible	Medium	Medium		<b>Treat</b> – review State government approach to other councils for residual waste treatment where not using FOGO. Advocate as required
Environmental	Adoption of GO as an interim stage will likely result in a lower waste diversion rate than FOGO	Moderate	Possible	Medium	Medium		Treat – Recognise cost is significantly higher for FOGO; and educate residents on the rational for the 2 stage approach and raising the diversion rate
Health and safety	Not applicable				Low		
Infrastructure/ ICT systems/ utilities	Not applicable				Medium		
Legislative compliance	The State government waste strategy has not been legislated yet, but legislation on levies/treatment of residual waste may be introduced.	Moderate	Possible	Medium	Low		Accept
Reputation	Potential for Town to be seen as not progressive enough in opting for a two staged approach (GO/FOGO) on waste treatment	Possible	Moderate	Medium	Low		<b>Treat</b> – gain support for 2 two stage approach based on financial constraint: and the need to develop strategy sufficiently

						flexible to avoid a future change in direction such as that experienced by other MRC member councils.
Reputation	Potential for the Town to be seen to not be engaging with the community on the organics collection and processing system	Possible	Moderate	Medium	Low	<b>Treat-</b> To reinforce the outcomes from the previous community engagement forums held by the Town which established that there is an appetite for the introduction of a suitable organics system, as also supported by the number of emails that have been received enquiring about the three-bin system; and that the State government has also based its advocacy to roll out the three-bin system based on its own research.
Service delivery	Insufficient resource to manage the changeover to a GO/FOGO system in terms of logistics and waste education, along with the implementation of the recommendations within the Waste Plan (incorporating elements of the Strategic Waste Management Plan).	Moderate	Unlikely	Moderate	Medium	<b>Treat -</b> Review the Work Force Plan and annual budget/s to ensure adequate resource will be available. At least three new full-time employees have been identified as being required to be recruited incrementally over the new few years.

## Financial implications

<b>Current budget impact</b>	<p>Operating budget requirement (pro rata for FY 20/21) of \$50,000 per year for the first three-five years to support a waste education program. Funds to be listed for consideration in the mid-year budget review pending endorsement of this report.</p> <p>Approval of a new position (1 full-time equivalent/FTE) for a Waste Education Officer as listed in the draft Work Force Plan will also be listed for consideration in the mid-year budget review pending approval of this report.</p>
<b>Future budget impact</b>	<p>Future year budgets will be required to be amended to take into account the interest and repayment schedule for any major expenditure related to the RRF. This loan expense is intended to be funded through the expected future reduction in the MRC landfill gate fee.</p> <p>Future budgets are also subject to extra costs expected for additional collection activity (the third bin collection) and the type of collection undertaken.</p> <p>In addition to the extra operational cost considered in this report, it is anticipated that further full-time equivalents are required, namely a Sustainability Officer, a Waste Management Officer and a Managerial position (Manager, Waste and Environment) to be listed for consideration in the draft Annual Budget for 2021-22.</p>

## Analysis

11. There are a number of relevant factors to be considered in relation to the decision on the best option for the Town to pursue the extraction of organic material from the MSW through an organics collection and processing system (OCAPS) or three bin waste system. The analysis reviews these in the following paragraphs.
12. **Extract of organic content for GO or FOGO within the existing MSW.** Based on a previous review of the composition of MSW for the Town undertaken through the MRC in 2017/18 (winter and summer samples) garden waste accounted for around 30.5% (by weight), and food waste accounted for around 16.4% (by weight). Other minor organic wastes (wood, straw, other putrescible material) brought the total organic composition weight to just over 50%. This is consistent with generally accepted organic composition averages for MSW.
13. While it follows that the overall weight composition undertaken in the previous sampling indicates that 51% (GO 34%, FO 17%) exists in organic material for both garden and food waste, it does not necessarily mean that this will be fully extracted in the waste diversion. This will depend on the willingness of residents to commit to a sustained approach in changing behavior for waste separation, as well as the waste education efforts that the Town will need to implement.
14. However, based on an expected high level of interest and willingness for behavior change, it is reasonable to assume that upwards of 80% of the potential organic material currently in the MSW waste stream will be extracted in the waste separation process undertaken at the source. For a FOGO system, this will equate to around 41% of MSW (51% x 80%); for a GO system, this will equate to around 27% (34% x 80%) of MSW. It is noted that this will likely improve as residents become used to



the changes when combined with ongoing waste education. These expected rates of waste diversion have been subsequently used as the basis to apply to tonnages in determining the costs for processing in the operational expenses for GO and FOGO systems.

15. The anticipated results on extraction of organic material noted above are based on the collections of material for all 15,700 residential properties within the Town. The Waste Authority guidelines and experience of other councils suggest that the best results for the extraction of GO from properties are likely to come from those properties which have an area greater than 400 square metres. These properties are generally considered to offer the best opportunity for garden organic collection when comparing the relative garden areas to dwelling size: properties less than 400 square metres, or Multi Unit Development (MUDs) properties, have relatively less requirement for garden organic waste (and in the case of high-density MUDs are more likely to have separate contractual arrangements in place to take garden organic waste away). Review of the property size and density within the Town has revealed that there are around 6,000 properties which have block sizes equal to or greater than 400 square metres. Consequently, these properties offer the best opportunity for GO collection.
16. It follows that the balance of 9,700 properties will not offer a relatively high return of GO material per property. While acknowledging this, there are significant drawbacks to only targeting those properties with an area in excess of 400 square metres. The distribution of these larger size properties within the Town is fairly wide ranging, and it follows there will be confusion among residents on the equity/ collection details of some residences having a third organics bin, and other relatively close neighbouring properties not attracting the bin. The collection costs for material also rely on a certain number of bin lifts, and with the likely lower volume numbers of bin lifts being generated for the lower base property listing, the unit costs of collection are anticipated to be significantly higher.
17. It should also be noted that experience with other councils suggests that the presentation rate for GO material is around 50% - 55%; and consequently the actual bin lifts for all properties are only likely to exceed a theoretical 6,000 property collection by some 30%. This allows contractors to be relatively assured of sufficient volume in bin lift numbers to offer likely lower bin lift rates.
18. For these reasons, any movement to organics collection is recommended to be based on a full conversion of properties rather than a targeted selection based on area size. Waste education will be required as early as practical and at a very high impact level to ensure that the contamination rate stays low and that residents do not unnecessarily place partially filled garden organics bins on the verge as the contractor will charge the Town on a per bin lift basis and may impose a penalty for unacceptable high level of contaminations.
19. The current waste diversion rates being achieved through the RRF plant for the Town are noted in the draft local government waste plan endorsed by Council in the September 2020 round of meetings. Table 10 of the draft waste plan (base year 2017/18) indicates that 46% of MSW (classed as mixed waste) is recovered (diverted) through the RRF plant, although this figure will reduce as the level of organic material feed is reduced. In theory, applying the expected tonnages for a third bin system for all properties (at 80% of maximum theoretical tonnages) will result in a fall in the level of overall MSW diversion if other residual (i.e. after initial third bin separation) waste diversion is not available to the Town. This may occur until a full FOGO system is adopted, as further discussed below in the notes on residual waste treatment. However, this will only be a temporary drop in waste diversion (in any case) until FOGO is fully adopted and residual waste treatment options become available. Note that the current diversion rate is relatively high because the RRF is still operating effectively and accepting the bulk of the Town's general waste stream (around 90% or more).
20. At the same time as extraction of the organic material from MSW collection, experience from movement to a three-bin system for local governments also indicates that there may be an uplift in the recycling effort, so that the amount of the waste going into the yellow recycling bin may increase. Previous details from the MRC composition sampling indicated that some 26% of the Town's MSW contained recyclable materials (paper, cardboard, plastic, glass and cans etc. – as per Table 11 of the draft local government waste plan). It follows that there is some potential for some cost reduction/waste diversion of MSW. However, the experience of the Town has also been that a better

effort in recycling may be difficult to achieve, and it is for this reason that no specific allowance has been made for this aspect in its costing assumptions (although noting that there is some potential upside). It is also noted that the Container for Change initiative would reduce the amount of recyclable items in the recycling bins.

21. **Likely operational and capital costs of GO or FOGO systems.** In looking at the operational costs for GO or FOGO systems for the Town, there are two main areas to be considered, and these are presented in the attachment detailing expected changes to operational costs.
22. The information presented to Elected Members at the November 2020 Concept Forum considers the potential additional imposition on the Town through the need to fund the future costs associated with the future of the RRFA. The extra costs of any required loan funding service are expected to be offset by the expected future savings in MRC gate fees (compared to current fees) *applied to the whole of the waste tonnage produced by the Town and sent to the MRC*. In essence, based on an indicated future gate fee of around \$140 per tonne after the RRF had ceased operating, the expected savings will produce a break even result within ten years of loan funding service.
23. The attachment to this report considers the extra annual operational costs which are applicable to the tonnages of GO or FOGO under a three-bin system for these materials. There are extra costs for the additional fortnightly service (collection of a third bin, effectively completed on a fortnightly basis), extra education costs for the third bin change, extra costs for treatment of the GO or FOGO material (expected gate fees applied to tonnages), and supplementary kitchen caddy bin costs (FOGO only). Offsetting these extra costs are any effective savings in gate fees for GO or FOGO material (***any reductions being applied against the lower average expected gate fees after the RRF had reached the end of its operation***). Allowances have also been made for an expected reduction in verge waste processing.
24. In calculating the extra operational costs and offsetting savings in rates for processing GO or FOGO, the assumptions on total reductions (extracts) for organic material have been used and applied against total MSW tonnages for the Town. In other words, the calculations are based around the expectation that FOGO will attract about 41% of total MSW, and GO will attract around 27% of total MSW. In essence, there is a higher indicative cost for processing FOGO (\$150 per tonne) compared to GO (\$58 per tonne), and FOGO also attracts supplementary costs for fully compostable kitchen caddy bags (for use in temporary storage of food scraps). Effectively, the current indication for FOGO is that there is a premium of around \$788,000 per year to be met when adopting a full FOGO system over the currently recommended full GO option (which currently indicates a potential saving of around \$33,000).
25. The current pricing position for the adoption of GO or FOGO is noted in the preceding paragraph. However, the cost of processing FOGO may change based on representations being put to the State government on the partial release of the surplus funds from the State waste levy. The MRC and the Town have been advocating that the surplus accessible in the State controlled waste levy be made available to potentially provide a subsidy against the cost of processing FOGO through the RRF – and which would provide the only fully indoor plant capable of processing FOGO material. (It is noted that the Southern Metropolitan Regional Council (SMRC) partly processes FOGO for Melville, Fremantle and East Fremantle councils at its plant in Canning Vale, however, final processing has been undertaken at external windrow areas in the outer metropolitan area). While this use of surplus funds may reduce the expected cost of FOGO processing, the position of the State government has not been determined yet, and it is considered to be unlikely to be adopted to effect a reduction in the FOGO processing cost.
26. It should also be noted that the current position for costs related to GO or FOGO are based on existing market costs for processing. While noting that the processing rates for GO are markedly lower than FOGO processing, there has been some market indication that the cost of GO processing could rise sharply. The scenario that the cost of GO processing becomes less favourable compared to FOGO processing would need to be determined and reviewed through the tendering process available to the Town.
27. For both the GO and FOGO processes, extra costs will be incurred for the **capital costs** of bin purchase. Expected costs are also summarized in the attachment, which shows the recommended approach for

GO and subsequent FOGO. While noting that the costs for FOGO are likely to be inflated by the need to purchase kitchen caddy bins for food scraps, the only subsidy currently available for a three-bin system is related to the capital purchase of bins *specifically for FOGO collection*. This capital purchase subsidy is available to councils on a sliding scale (from \$23 per bin in 2021/22 to \$15 per bin in 2025/26). It is noted however that a subsidy may still be available to the Town where it initially adopts a GO system which is later reverted to a FOGO system (at a lower rate due to the passage of time) – this would need to be clarified. This subsidy program (Better Bins Plus) is funded by the State waste levy surplus.

28. Another consideration in relation to the capital costs for bin purchases is the choice for a replacement of the whole bin or only the lid. In the colour scheme for the three-bin system (either GO or FOGO) the bin used for collection of garden or food organics is a lime green bin with lime lid. If the Town were to follow this scheme the current dark green bin would be replaced by a new lime green bin; however, this would require the whole bins to be sent for recycling, rather than only the lids. While the replacement of bins and total recycling of those discarded bins may be easier, the replacement of only the lids does provide a likely more attractive economic cost and better environmental outcome if the work can be achieved efficiently. This would need to be further reviewed before implementation, but currently, the cost analysis assumes that a lid replacement (only) will be employed, but with some allowance for replacement of bins where a total replacement is required.
29. **Markets for GO and FOGO.** Currently, the metropolitan market for GO is well established; and presents as material suitable for resale in the general commercial market. The recouping of value from resale by commercial operators allows the gate fee for processing GO to be kept at a low level compared to FOGO. Markets for FOGO have not been established to the point where commercial resale value is readily realizable. It follows that until there is an established market for the ultimate produce processed through FOGO, the gate fee for GO will continue to be markedly lower than FOGO.
30. **Switchover to GO and FOGO.** The change from the current system to a three-bin system will involve some change in behavior from households. An adoption to a three bin GO system will only involve a relatively simple change as garden organic material would be the only acceptable material. There is therefore an argument that any further change at a later date would be easier to implement as a change to a three-bin system has already been made. On the other hand, residents may not feel that changing over from GO to FOGO in a relatively short time (potentially over two to three years if the Town is to meet the 2024/25 timeline for the introduction of FOGO) is required, and a single (and larger) change is required.
31. **Internal resources.** Regardless of the adoption of GO or FOGO systems, additional community education on the new system and other associated waste and recycling initiatives including worm farming and home composting programs will be required, and some allowance has been made for its introduction in the form of a project cost with some aspects of these programs envisaged to be embedded in the scope of the future GO and FOGO collection and processing contracts. However, beyond that, there will be a requirement for ongoing resources to address not only the introduction and operational activities (including recurrent education) associated with the third bin system, but also strategic waste issues arising from the adoption and ongoing implementation of the recently approved Waste Plan (adopted by Council in September 2020), as well as the recent deletion of general waste education activities undertaken by the MRC (these have been subsequently decentralized to the individual MRC member councils) and the implementation of actions identified in the Town's Strategic Waste Management Plan (SWMP).
32. It is therefore also prudent for the Town to consider the current staffing resources devoted to waste management to address the likely extra requirements following a decision to introduce the new system. An organizational review in this area is also sought to be endorsed. A recent review undertaken revealed that three more full-time employees will be required to be recruited incrementally over the next few years
33. **Treatment of residual waste.** To meet the longer-term targets within the WARRS on the levels of waste recovery required for local governments, it will also be necessary to consider the treatment of the

remaining waste contained within MSW. Therefore, after the initial separation of garden or food material in MSW, the issue of treatment of the remaining (residual) waste needs to be reviewed. There are some alternatives that may be considered (an example is pyrolysis, or treatment of waste at extremely high temperatures to produce useful carbonaceous residues – it is noted that the Town has reviewed this method, and while it has promise, has found that this treatment is unlikely to reach the stage of being a commercial reality in the foreseeable future). However, the most commercially viable and realistic treatment will be the waste to energy (WTE) plants that are nearing completion in the Kwinana (end of 2021) and East Rockingham (2023) areas.

34. As referred to in the background section, the State government WARRS notes that the recovery of energy should only come from residual waste as from 2020. The strategy requires that this residual waste **only** be derived after the implementation of a three bin FOGO system. While noting this requirement, there are a number of councils (in particular the Rivers Regional Council – South Perth, Armadale, Canning and Gosnells councils) that have opted not to adopt a three-bin service on economic grounds, instead entering into long term arrangements for the supply of MSW to the Kwinana WTE plant. To bypass the direction from the State government on this aspect, these councils will likely be relying on the timing of the WTE agreements that have been entered into – being prior to the approval of the WARRS.
35. In addition, the Cockburn council has recently indicated that it will be sending the contents of its general MSW to a WTE plant, even though it is only following a three bin GO system.
36. The State government has not yet indicated what action it may take on waste supplied to WTE plants from those local governments which do not comply with the direction on residual waste (only coming after FOGO separation) under the WARRS, or whether such action will be different for those local governments which do not have any three-bin system in place but have early agreements in place, as opposed to those which may have only three bin GO systems in place. If additional levies or other actions are to be taken by the State government in relation to the question of treatment of residual waste, this will need to be factored into future decision making by the Town.
37. **Logistics and tendering requirements.** If the Town is to initially adopt a three bin GO system for all households (excluding commercial properties), the current dark green bin will be replaced by the smaller 140 Litre red lid bin (for general waste) and a suitable garden organic bin (current dark green bins with only a lime green lid change, or whole new lime green bins). The red lid bin will still contain food organic material, and so will continue to be collected on a weekly basis (effectively replacing the current dark green bin collection); and an additional collection will be required for the garden organic material on a fortnightly basis.
38. Under the current contract, the contractor will collect these smaller red lid bins on a weekly basis for households reverting to GO; and continue to collect the current dark green bins for those commercial properties not covered for GO. There would be some logistical changes for the contractor to accept and implement.
39. The additional collection for the garden organic material bin will be considered to be contracted out or otherwise procured as appropriate. From a procurement perspective, this new service may be seen as a separate and additional service to the existing collections but officers will continue to investigate the procurement options with assistance from WALGA. Any tendering required will also need to consider the future period for a switchover to a three bin FOGO system (where the smaller red bin would revert to being collected on a fortnightly basis as it would **not** contain food organics, whereas the lime green lid bin/lime green bin would then be collected weekly as it does contain food organics).
40. **Summary.** Based on the current differential in pricing of GO and FOGO, there are significant savings (potentially \$788,000 per year) to be achieved in adopting the recommended GO system for all 15,700 residential properties prior to future implementation of FOGO to meet the WARRS timelines. There are also ready markets for the GO material, and the changeover for the initial period will not involve a large change as the only acceptable material under a GO system will be garden organic material. However, it is recognized that there are drawbacks to this approach, the main one being the likely temporary drop in MSW diversion.

41. This will involve the full introduction of GO collection to all residential properties (approximately 15,700) from 2022, and a further change to collect FOGO for all residential properties anticipated from 2025 or as per State Government requirements subject to a future determination on the necessity of imposing a FOGO service charge.
42. Other factors come into play, including the approach to be taken by the State government on residual waste actions/levies, the change in market prices for processing GO/FOGO (and bin lift rates), and any applicable subsidies that may apply. These may affect the Town's approach to the issue in the medium to longer term. However, at this stage officers recommend that a two-stage approach to the full implementation of FOGO be adopted, initially to GO and then FOGO to meet the 2024/25 WARRS timelines.
43. As the total estimated cost for the collection and processing of GO materials is lower than the current cost of processing general waste at the RRF, a net annual saving is expected for waste collection and processing, and as such, no service charge is recommended for the implementation of the GO service.

## Relevant documents

Council adopted Strategic Waste Management Plan ([https://www.victoriapark.wa.gov.au/About-Council/Council-documents/Strategic-Waste-Management-Plan?BestBetMatch=strategic%20waste%20management\[d13b95b2-5146-4b00-9e3e-a80c73739a64|4f05f368-ecaa-4a93-b749-7ad6c4867c1f\]en-AU](https://www.victoriapark.wa.gov.au/About-Council/Council-documents/Strategic-Waste-Management-Plan?BestBetMatch=strategic%20waste%20management[d13b95b2-5146-4b00-9e3e-a80c73739a64|4f05f368-ecaa-4a93-b749-7ad6c4867c1f]en-AU))

WARRS 2030 ([https://www.wasteauthority.wa.gov.au/images/resources/files/2019/10/Strategic\\_Direction\\_-\\_Waste\\_Avoidance\\_and\\_Resource\\_Recovery\\_Strategy\\_2030.pdf](https://www.wasteauthority.wa.gov.au/images/resources/files/2019/10/Strategic_Direction_-_Waste_Avoidance_and_Resource_Recovery_Strategy_2030.pdf))

Waste Authority guidelines for the Better Bins Plus subsidy funded from the state waste levy revenue ([https://www.wasteauthority.wa.gov.au/images/resources/files/Better\\_Bins\\_Plus\\_Go\\_FOGO\\_-\\_Funding\\_guidelines.pdf](https://www.wasteauthority.wa.gov.au/images/resources/files/Better_Bins_Plus_Go_FOGO_-_Funding_guidelines.pdf))

## Further consideration

- Further discussions with Waste Authority staff revealed that the Better Bins Plus funding can be applied for in February and March of each year prior to the implementation of FOGO services in the following financial year. The funding is intended to assist Councils to fund the various expenses associated with the implementation of the FOGO service including material purchases and waste education support.

## 13.6 Kent St Sand Pit - Opportunities and Considerations Report

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Brendan Nock
<b>Responsible officer</b>	John Wong
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Kent St Sand Pit Design Opportunities and Considerations Report FINAL [13.6.1 - 47 pages]

### Recommendation

That Council:

1. Receive the draft Kent St Sand Pit Opportunities and Considerations Report.
2. Approve the release of the draft Kent St Sand Pit Opportunities and Considerations Report for community information and feedback and to inform the development of a concept plan.
3. Request the CEO to present the concept plan to Council in May 2021.

### Purpose

To present the Kent St Sand Pit Opportunities and Considerations Report for endorsement of Council for use as the project mandate, with the next stage of the project being community feedback to inform a concept design.

### In brief

- The Town has developed an Opportunities and Considerations Report for Kent St Sand Pit. Remaining within the boundaries of the current planning framework (Parks and Recreation Reserve) and following the direction set by previous recommendations and decisions regarding the site, this report provides information on design options for rehabilitation of the site to inform future site planning.
- Overarching goals include revegetation of the site, the establishment of paths to facilitate public access and integrating the site with the Kensington Bushland. Additional features to enhance amenity and experience are also proposed to add public amenity value.
- Use of the site for recreational and cultural purposes, with revegetation being a strong focus, would enhance Kensington Bushland and create amenities for the Town's community and visitors.

### Background

1. Part of Lot 705 (63) Kent Street Kensington, commonly referred to as the Kent Street Sand Pit or Tip Site (the site), the land parcel includes Bush Forever Site 48 - Kensington Bushland, Harold Rossiter Reserve and Kensington Police and Citizens Youth Club.
2. The history of the site is not well documented but is generally thought to have been used as a sand quarry, domestic landfill and for the storage of building materials, construction and road sweeping waste and as a discharge area for run off.
3. A Crown Grant in Trust document issued in 1913 states that the land is leased for 999 years under the Land Act 1898 to the Victoria Park Municipal Council. The document also states that "the said piece of Parcel of Land hereby demised shall at all times during the said term be used by the Lessee solely for the purposes of Municipal Endowment". 'Municipal Endowment' means the Town of Victoria Park can lease the land, subject to lease conditions and zoning, to provide a source of income to benefit the Council.

4. The State Government has in the past utilised portions of the Lot 705 for the Kent St High School, South Kensington Special School, St John Ambulance and the Kensington Fire Station.
5. The site is currently zoned Parks and Recreation under the provisions of Town Planning Scheme No.1 (TPS1).
6. At the 19 November 2019 OCM, in response to a petition received from the Friends of Jirdarup Bushland requesting the revegetation of the Kent Street Sand Pit as part of the Jirdarup Bushland Precinct, the following resolution was made:

*That Council:*

*1. Receives the report in response to the petition submitted by the Friends of Kensington Bushland on 15 October 2019 requesting the revegetation of a portion of Lot 705 (63) Kent Street, Kensington (commonly known as the Kent Street Sand Pit) which forms a part of the Jirdarup Bushland Precinct.*

*2. Endorses the preparation of a report to rehabilitate and revegetate the Kent Street Sand Pit ensuring the recommended options for the site:*

- a) Is consistent with its zoning as a Parks and Recreation Reserve under the provisions of Town Planning Scheme No.1.*
- b) Considers the past recommendations and decisions made in relation to the Kent Street Sand Pit site.*
- c) Culminates in a plan for the Kent Street Sand Pit site including (but not limited to):*
  - i. Design considerations (if any)*
  - ii. Site preparatory works*
  - iii. Environmental considerations*
  - iv. Community engagement*
  - v. Funding, staging and delivery considerations*

Under the direction of the Department of Water and Environmental Regulation (DWER), the Town has over the past few years, undertaken a series of Preliminary and Detailed Site Investigations (PSI/DSI) on Kent St Sand Pit, the aim of which was to assess, measure, map and detail the extent of the contamination on-site including in the soil, groundwater and related gases. These investigations resulted in DWER re-classifying the site from "Contaminated – Investigation Required" to "Remediated for Restricted Use".

This classification means that the site is contaminated and has been remediated such that it is suitable for passive recreational use, subject to the implementation of the site management plan (developed June 2017). This site management plan guides future management procedures for the Site, primarily if any works were to take place.

At the 15 October 2019 OCM Council requested for the Administration to prepare a report by November 2019 addressing the requests made in a petition from the Friends of Kensington Bushland to *rehabilitate and revegetate the Kent Street Sand Pit.*

At the 19 November 2019 OCM, Council endorsed the preparation of a report to rehabilitate and revegetate the Kent Street Sand Pit ensuring the recommended options for the site:

- a) Is consistent with its zoning as a Parks and Recreation Reserve under the provisions of Town Planning Scheme No.1.
- b) Considers the past recommendations and decisions made in relation to the Kent Street Sand Pit site.
- c) Culminates in a plan for the Kent Street Sand Pit site including (but not limited to):
  - i. Design considerations (if any)
  - ii. Site preparatory works
  - iii. Environmental considerations
  - iv. Community engagement
  - v. Funding, staging and delivery considerations

The Town has developed an Opportunities and Considerations Report for Kent St Sand Pit, in consultation with the Friends of Jirdarup Bushland (as the submitters of the petition). Remaining within the boundaries of the current planning framework (Parks and Recreation Reserve) and following the

direction set by previous recommendations and decisions regarding the site, this report provides information on possible design options for rehabilitation of the site to inform future site planning.

## Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	The conversion of the site to public open space for recreational and cultural purposes, with revegetation being the prime focus, would not only protect and enhance the adjacent precious remnant Kensington Bushland but also potentially create an excellent amenity for the Town's community and wider visitors.
EN07 - Increased vegetation and tree canopy.	Given the size of the site, the revegetation of Kent St Sand Pit would contribute significantly to the Town's canopy cover.

## Engagement

Internal engagement	
Stakeholder	Comments
Staff	Representatives from Parks, Place Planning, Engineering, Natural Areas and Environment were included in a working group to oversee the development of the Kent St Sand Pit Opportunities and Considerations Report.

External engagement	
Stakeholders	Comments
Stakeholders	Friends of Jirdarup Bushland.
Period of engagement	13 June 2020 – Workshop 7 September – 4 October – feedback on the draft Kent Street Sand Pit Opportunities and Considerations Report
Level of engagement	4. Collaborate
Methods of engagement	Workshop Written submissions
Advertising	N/A
Submission summary	1 submission was received from the collective Friends of Jirdarup Bushland. Overall, the Friends are very happy with the document, as it clearly outlines and encourages the conservation aspect of this revegetation project.



Key findings	Primarily the opportunities that were identified are centered around revegetation of the site with native plants and the establishment of paths to facilitate public access and integrate the site with the Jirdarup Bushland Precinct. Additional features to enhance amenity and experience were then contributed to add value to the designed outcome.
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**Note:** The Town contacted the (now) Mindeera Advisory Group (formerly Aboriginal Engagement Advisory Group) about the development of the Kent Street Sand Pit Opportunities and Considerations Report. Feedback was invited from the group but nothing was received.

It is intended that broad community consultation inclusive of the Mindeera Advisory Group and the wider community will be undertaken under the next phase of the project, Concept Planning.

## Legal compliance

Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	As the land is owned by the Town under a 999-year lease and was gifted to provide financial endowment there is the potential for loss of alternative revenue and other social benefits as a result of not exploring options outside of the current Parks and Recreation Zoning.	Major	Possible	High	Medium	Continue to gauge the preference of the Town's community in terms of potential revenue generation and social outcome opportunities to offset a portion of the rates revenue.
Government taking back portion of endowed land	Precedent for the State Government to take back endowment land as they required.	Major	Possible	High	Medium	Liaison and negotiation with State and Federal Government

		regarding future plans for the site.
Environmental	Not applicable	
Health and Safety	Not applicable	
Infrastructure/ICT Systems/Utilities	Not applicable	
Legislative Compliance	Not applicable	
Reputation	Not applicable	

## Financial implications

<b>Current budget impact</b>	<p>Sufficient funds exist within the annual budget to address this recommendation.</p> <p>The Town has an existing budget under WO 1959 \$30,000 for a Concept Plan.</p>
<b>Future budget impact</b>	<p>Pending approval of the future concept, a detailed design and tender documentation phase will be undertaken. Costs for this will be brought to Council during consideration of the FY21/22 budget.</p> <p>Subsequently, pending Council approval, funding for construction will be required from Town's budget and potentially external sources to develop the site.</p> <p>A high-level opinion of probable costs (OPC) for proposed features and works is ~\$960k and is provided within Appendix C within the Opportunities and Considerations Report. This estimate will likely change following the delivery of the concept and detailed design.</p>

## Analysis

11. Opportunities and considerations relevant to the redevelopment of the site were determined from a review of background information and consultation with representatives of the Town and Friends of Jirdarup Bushland.
12. Primarily the opportunities that were identified are centered around revegetation of the site with native plants and establishment of paths to facilitate public access and integrating the site with the existing Kensington Bushland. Additional features to enhance amenity and experience were then contributed to add value to the design outcome.

13. Considerations which may include constraints or aspects that may need to be accommodated in the future generally include the following:
- The site's zoning as Parks and Recreation.
  - The site's classification under the Contaminated Sites Act 2003 as remediated for restricted use and associated limitations posed by the Site Management Plan (SERS 2017).
  - Variability in soil conditions across the site due to historical land use.
  - Lack of existing available water supply within the site to facilitate revegetation.
  - Weed infestation within the site that may inhibit revegetation.
  - The necessity to create safe public spaces.

14. Opportunities and Considerations are expanded upon within the tables below:

<b>Considerations Assessment</b>	
Zoning	<p>Zoning limits potential use to:</p> <ul style="list-style-type: none"> <li>passive recreation</li> <li>active sporting pursuits</li> <li>cultural and or community activities</li> <li>activities promoting community education.</li> </ul> <p>Note there is no intention to include opportunities for active sporting pursuits within the site.</p>
Contamination	<p>Remediated for restricted use means it is suitable for passive recreational use, subject to the implementation of the Site Management Plan (SERS 2017).</p>
Stormwater	<p>Existing basins are connected to the local stormwater network and may need to be retained. In particular, the larger basin in centre of site will require modification to ensure public safety and enhance amenity once access to the site is permitted.</p>
Bushland restoration	<p>Modified soils and entrenched weed populations may limit short to medium-term restoration outcomes.</p> <p>Current knowledge and restoration techniques cannot guarantee restoration of Banksia woodland ecosystem. That is, it may not be feasible to recreate banksia woodland as it occurs within adjacent Kensington Bushland over short timeframes. However, commencing restoration will in the very least act to extend, buffer and integrate the site to adjacent areas of remnant bushland.</p>
Antisocial behaviour	<p>Important that spaces do not encourage antisocial behaviour.</p>
Irrigation	<p>The site does not have a water source and requires that water cannot be drawn from a surficial aquifer below the site (Site Management Plan (SERS 2017)).</p>
Residual bitumen / hard stand	<p>Small areas of bitumen hardstand could limit revegetation outcomes Where they occur. Removal or covering with imported fill may be considered to lessen the potential influence of residual hardstand.</p>

Weeds	Two broad categories of weeds occur in the site that requires control to facilitate restoration: 'woody' and 'grass and herb'.
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<b>Opportunities Assessment</b>	
Bushland restoration	With the goal to integrate the site with the Jirdarup Bushland Precinct.
Urban forest creation	Existing trees to mostly be retained, with new trees planted providing significant opportunity for the Town to increase canopy.
Passive recreation	Focus on the local community, walkers/dog walkers, appreciation of nature.
Local access	Interconnected path network across the Jirdarup Bushland Precinct.
Fauna habitat creation/enhancement	Black Cockatoo foraging habitat, Rainbow Bee-Eaters habitat, understory for lizards, quenda, provision of bird waterers, "insect hotels".
Education	Meeting areas, signage.

15. Based upon identified opportunities and considerations, recommended design options are illustrated in concept landscape design in Appendix B of the Kent Street Sand Pit Opportunities and Considerations Report.

16. The concept landscape design components include the following:

- a. Primary entry point and parking area adjacent Harold Rossiter Park access.
- b. Secondary entry points of Baron Hay Court to the south and adjacent to the Harold Rossiter Park clubrooms to the north.
- c. A network of primary and secondary paths integrating the site to the Kensington Bushland
- d. Restoration areas where native vegetation of similar composition to Kensington Bushland is proposed to be planted according to four habitat types.
- e. Feature locations that provide shade and may comprise seating, shelters, viewing platforms simple 'nature play' installations, or fauna habitat features such as bird waterers or insect hotels.
- f. Infrastructure options comprising a boardwalk, amphitheatre, mounded landform, stairs and ramps.

17. Utilising the site for recreational and cultural purposes, with revegetation being a strong focus, the design components outlined will enhance Kensington Bushland and create an amenity for the Town's community and visitors.

18. The Kent St Sand Pit Opportunities and Considerations Report acts as a project mandate for the progression of future design for the site. Building on the outcomes of the Kent St Sand Pit Opportunities and Considerations Report, the next stage of the project would involve preparation of a Concept Plan for the site. Whilst yet to be determined, it is anticipated that this would typically involve the following milestones:

- M1 Develop appropriate request for quotation documentation and go out to market
- M2 Review existing information and build on Kent St Sand Pit Opportunities and Constraints Report, feedback from the Friends of Jirdarup Bushland and the wider community

M3 Establishment of Working Group (composition to be determined)  
M4 Liaison with Mindeera Advisory Group on the future design  
M5 Preparation of initial Concept Design, based on M2  
M6 Town staff workshop  
M7 Revised draft developed  
M8 Liaison on design with Mindeera Advisory Group and Friends of Jirdarup Bushland  
M9 Revised draft for consideration of Working Group, approval to be released for elected member feedback and community consultation  
M10 Community Consultation, including community workshop  
M11 Concept Forum  
M12 Collation and assessment of consultation feedback received from respective consultations  
M13 Preparation of final draft Concept Design  
M14 Working Group and Mindeera Advisory Group approval of final draft  
M15 Report to Council  
M16 Final Concept Plan Contract Documentation - delivery of digital contract drawings and specification

## **Relevant documents**

Not applicable.

## 14 Chief Financial Officer reports

### 14.1 Schedule of Accounts for October 2020

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Bonnie Hutchins
<b>Responsible officer</b>	Stuart Billingham
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Payment Summary Listing - October 2020 [ <b>14.1.1</b> - 9 pages]

#### Recommendation

That Council:

1. Confirms the accounts for 31 October 2020 as included in the attachment, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.
2. Confirms the direct lodgement of payroll payments to the personal bank accounts of employees, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.

#### Purpose

To present the payments made from the municipal fund and the trust fund for the month ended 31 October 2020.

#### In brief

- Council is required to confirm payments made from the municipal fund and the trust fund each month, under Section 13 of the Local Government (Financial Management) Regulations 1996.
- The information required for Council to confirm the payments made is included in the attachment.

#### Background

1. Council has delegated the Chief Executive Officer the authority to make payments from the municipal and trust funds in accordance with the Local Government (Financial Management) Regulations 1996.
2. Under Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, each payment is to be noted on a list compiled for each month showing:
  - (i) the payee's name
  - (a) the amount of the payment
  - (b) the date of the payment
  - (c) sufficient information to identify the transaction
1. That payment list should then be presented at the next Ordinary Meeting of the Council, following the preparation of the list, and recorded in the minutes of the meeting at which it is presented.
2. The payment list and the associated report was previously presented to the Finance and Audit Committee. Given this Committee's scope has changed to focus more on the audit function, the payment listings will be forwarded to the Elected Members ahead of time. Any questions received prior to the

finalisation of the report will be included along with the responses within the Schedule of Accounts report for that month.

- The list of accounts paid in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996 is contained within the attachment and is summarised below.

Fund	Reference	Amounts
<b>Municipal Account</b>		
Automatic Cheques Drawn	608795 – 608802	8,495
Creditors – EFT Payments		4,877,788
Payroll		1,084,401
Bank Fees		34,927
Corporate MasterCard		6,354
		<b>6,011,965</b>

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	The monthly payment summary listing of all payments made by the Town during the reporting month from its municipal fund and trust fund provides transparency into the financial operations of the Town
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The presentation of the payment listing to Council is a requirement of Regulation 13 of <i>Local Government (Financial Management) Regulation 1996</i> .

## Legal compliance

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

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

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Misstatement or significant error in Schedule of accounts.	Moderate	Unlikely	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and external audits.
	Fraud or illegal transactions	Severe	Unlikely	High	Low	Treat risk by ensuring

						stringent internal controls, and segregation of duties to maintain control and conduct internal and external audits.
Environmental	Not applicable					
Health and safety	Not applicable					
Infrastructure/ICT systems/utilities	Not applicable					
Legislative compliance	Not accepting schedule of accounts will lead to non-compliance.	Major	Unlikely	Medium	Low	Treat risk by providing reasoning and detailed explanations to Council to enable informed decision making. Also provide the Payment summary listing prior to preparation of this report for comments.
Reputation	Not applicable					
Service Delivery	Not applicable					

## Financial implications

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

## Analysis

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



## Relevant documents

[Procurement Policy](#)

## 14.2 Financial Statements for the month ending October 2020

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Bonnie Hutchins
<b>Responsible officer</b>	Stuart Billingham
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Financial Statements for the month ending October 2020 [ <b>14.2.1</b> - 42 pages]

### Recommendation

That Council:

1. Accepts the Financial Activity Statement Report – 31 October 2020 as attached.
2. Notes that the Town’s final opening financial position (1 July 2020) is subject to final audit.

### Purpose

To present the statement of financial activity reporting on the revenue and expenditure for the period ended 31 October 2020.

### In brief

- The financial activity statement report is presented for the month ending 31 October 2020.
- The report complies with the requirements of Regulation 34 (financial activity statement report) of the Local Government (Financial Management) Regulations 1996.
- The financial information as shown in this report does not include a number of end-of-financial year adjustments that are still yet to occur, as well as the final approval by the Auditor. The figures stated should therefore not be taken as the Town’s final financial position for the period ended 31 October 2020.

### Background

1. Regulation 34 of the Local Government (Financial Management) Regulations 1996 states that each month, officers are required to prepare monthly financial reports covering prescribed information, and present these to Council for acceptance. Number all paragraphs from here on, not including tables.
2. As part of the monthly financial reports, material variances are reported. Thresholds are set by Council and are as follows:

#### Revenue

Operating revenue and non-operating revenue – material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment has been provided.

#### Expense

Operating expense, capital expense and non-operating expense – material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and in these instances, an explanatory comment has been provided.

3. For the purposes of explaining each material variance, a three-part approach has been applied. The parts are:
- (a) **Period variation**  
Relates specifically to the value of the variance between the budget and actual figures for the period of the report.
  - (b) **Primary reason(s)**  
Explains the primary reason(s) for the period variance. Minor contributing factors are not reported.
  - (c) **End-of-year budget impact**  
Forecasts the likely financial impact on the end-of-year financial position. It is important to note that figures in this part are 'indicative only' at the time of reporting and may subsequently change prior to the end of the financial year.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	To make available timely and relevant information on the financial position and performance of the Town so that Council and public can make informed decisions for the future.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	Ensure the Town meets its legislative responsibility in accordance with Regulation 34 of the <i>Local Government (Financial Management) Regulations 1996</i> .

## Engagement

Internal engagement	
Service Area Leaders	All Service Area Leaders have reviewed the monthly management reports and provided commentary on any identified material variance relevant to their service area.

## Legal compliance

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

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Misstatement or significant	Moderate	Unlikely	Medium	Low	Treat risk by ensuring daily

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

## Financial implications

<b>Current budget impact</b>	Commentary around the current budget impact is outlined in the Statement of Financial Activity, forming part of the attached financial activity statement report.
<b>Future budget impact</b>	Not applicable.

## **Analysis**

4. The Financial Activity Statement Report – 31 October 2020 complies with the requirements of Regulation 34 (Financial activity statement report) of the Local Government (Financial Management) Regulations 1996. It is therefore recommended that the Financial Activity Statement Report – 31 October 2020 be accepted.

## **Relevant documents**

Not applicable.

## 15 Committee Reports

### 15.1 Adoption of Policy 116 Sponsorship

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Liam O'Neill
<b>Responsible officer</b>	Carrie Parsons
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	{attachment-list-do-not-remove}

#### Recommendation from the Policy Committee

That Council:

1. repeals Policy 307 Sponsorship by private companies on Town property including events as attachment 1.
2. amends Policy 114 to delete:
  - a. "Sponsorship" from the Policy scope
  - b. the definition of "sponsorship" from the policy definitions; and Clauses 31 to 40, inclusive.
  - c. "Practice 114.3 Sponsorship by the Town" from the related documents and that the policy be renumbered accordingly.
3. adopts Policy 116 Sponsorship as attached attachment 3.

### Purpose

To separate the processes for sponsorship from Policy 114 Community Funding and incorporate the relevant provisions of Policy 307 Sponsorship by private companies on Town property into the new policy.

### In brief

- Council, at its 20 October 2020 meeting resolved to request a report to the Policy Committee to separate sponsorship from Policy 114 Community Funding which will also incorporate Policy 307 Sponsorship by private companies on Town property including events.
- Issues of grants and sponsorship were highlighted as issues of concern in the Inquiry into the City of Perth and the recommendations of that inquiry are incorporated in the proposed policy.
- In undertaking this review the Town has looked holistically at what Sponsorship seeks to achieve in comparison to the systems of community, business and other grants, donations and subsidies.
- At its core, sponsorship is intended to be a more commercial return on investment transaction, not a grant or subsidy with capacity building intent, and the policy is prepared accordingly.

### Background

1. Under Policy 001 Policy Management and Development, a policy response was identified as required due to:
  - (i) new or changing industry and organisational standards
  - (a) community need or expectation
  - (b) as a result of a Council resolution.

1. Council at its meeting on 20 October 2020 resolved to separate the processes for sponsorship from Policy 114 Community Funding and incorporate the relevant provisions of Policy 307 Sponsorship by private companies on Town property into the new policy.
2. The Inquiry into the City of Perth highlighted a number of concerns relating to grants and sponsorship and provided a series of recommendations to improve processes.
3. The Town in its 2020-2021 first sponsorship round, allocated \$46,384 of sponsorship. The overall budget is \$100,000. The second round for receiving applications will open in January 2021.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Having a robust sponsorship policy ensures the Town can appropriately manage its finances.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	Recognising the need for a revised sponsorship policy demonstrates sound and accountable governance.

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	Sponsorship is intended to make the Town a more desirable place for commerce and tourism.

Social	
Strategic outcome	Intended public value outcome or impact
S04 - A place where all people have an awareness and appreciate of arts, culture, education and heritage.	Sponsorship arrangements are focused on delivering an awareness and appreciate of arts, culture, education and heritage.

## Engagement

Internal engagement	
Stakeholder	Comments
C-Suite	C-Suite provided guidance around what the sponsorship program is envisaged to deliver.
Stakeholder Relations	Stakeholder relations provided significant input into the draft policy.
Community Development	Community Development provided application, evaluation and procedural guidance of previous and current sponsorship, grants and subsidies considered.
Governance	Provided advice in relation to the policy around ensuring the management of gifts, conflicts of interest and probity in the sponsorship process.

## Legal compliance

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

### Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Financial loss as a result of a sponsorship arrangement that does not benefit the Town.	Minor	Possible	Medium	Low	Treat by maintaining an effective and appropriate sponsorship policy.
Environmental	Not applicable.				Medium	
Health and safety	Not applicable.				Low	
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Conflicts of interest relating to sponsorship are not managed appropriately.	Minor	Possible	Medium	Low	Treat by establishing appropriate processes to manage conflicts of interest relating to sponsorship.
Reputation	The Town's enters into a sponsorship arrangement with an organisation that attracts negative media attention or return on investment is not perceived as value.	Moderate	Possible	Medium	Low	Treat by ensuring all risks are assessed in relation to possible sponsorship parties and maintain ability to refuse future sponsorship based on meeting acquittal criteria and terminate agreement for acting contrary to the agreement or Town's values.
Service delivery	Not applicable.				Medium	



## Financial implications

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

## Analysis

4. In considering a new policy for sponsorship the Town gave consideration to what sponsorship is intended to achieve. Specifically, sponsorship, unlike community funding, is intended to be a reciprocal commercial arrangement that benefits the Town as an organisation, and the community. This distinguishes the way sponsorship is evaluated, from a commercial return on investment, brand and reputation, benefit and economic impact perspective, as well as a broader community benefit perspective.

### Managing conflicts of interests

5. A core consideration in developing a new sponsorship policy has been around addressing the findings and recommendations arising from the Inquiry into the City of Perth. In particular findings around the acceptance of tickets from sponsored organisations by elected members who would then vote to renew sponsorship to the same organisation, without declaring a financial interest. Based on the wording contained in Policy 114 Community Funding, the proposed policy reinforces the need to appropriately manage interests in respect of sponsorship.
6. This proposed policy also seeks to go further and address two core concerns around sponsorship:
  - o the receipt of a personal benefit, by elected members or employees, as a result of a sponsorship arrangement, which could give rise of financial interest; and
  - a) the attendance at events by elected members and the CEO where it forms part of the expectations of the sponsorship arrangement, such as presenting a sponsored award at an awards ceremony.
7. In addressing personal benefit, the policy proposes that no sponsorship can be accepted or awarded where it will result in direct personal benefit to an elected member or employee. Similarly, if it provided direct personal benefit to the directors or employees of the other organisation. This is intended to ensure, that where a sponsorship arrangement includes as an example, free tickets for each elected member to attend an event, that this would not be considered by the Town. What it does allow for however, is tickets to an award ceremony, or conference, where the Town is invited to attend or present, in addition to sponsorship benefits that might be included within an agreement.
8. In the case of attendance at an event where it does form part of the expectations of the sponsorship arrangement, the Town's Policy 024 Event Attendance, and the relevant provisions of the *Local Government Act 1995* applies. This means if a sponsorship arrangement will result in elected members or the CEO to attending an event, event attendance approval should be sought alongside the approval for the sponsorship arrangement. Obtaining event attendance approval removes any financial interest associated with the event, in accordance with section 5.62(1B) of the *Local Government Act 1995*.

### Managing sponsorship arrangements

9. The Town has also considered how sponsorship arrangements should come about. Currently the Town awards sponsorship by application through an open funding round program, like other community funding programs. Sponsorship in the private sector often comes unsolicited and an open round system doesn't allow for the Town to take opportunities where commercial benefit is foreseeable. The proposed policy seeks to address this by recognising instead, three different means of sponsorship being awarded.

- o Through the current open round system, where organisations apply in a competitive round;
  - (a) Through an unsolicited offer, where an organisation seeks funding throughout the year or seeks to sponsor a Town activity; or
  - (b) Through the Town actively seeking to sponsor an organisation.
10. Regardless of the way the sponsorship application is initiated, all sponsorship arrangements will be assessed against the criteria and have all risks considered by the sponsorship panel and are subject to approval by Council.
11. All sponsorship arrangements must have a written agreement which sets out:
- o the Town's expectations of the sponsorship;
  - (a) that the Town can terminate the sponsorship for breaches of the agreement or actions by the other organisation that are contrary to the Town's values; and
  - (b) the requirement for the organisation to provide an acquittal of the funding provided by the Town or else be required to repay the funding, or be deemed ineligible for future sponsorship.
12. No sponsorship arrangement can provide more than one third of the total funding for delivery of an event or initiative. This is to ensure the organisation is not entirely reliant on the Town sponsorship alone, and that the event is genuinely funded.
13. All sponsorship arrangements must have an evaluation report prepared following the sponsorship arrangement concluding. This evaluation report will be considered as a part of any renewal of a sponsorship arrangement.

#### Subsequent policy amendments

14. As a result of the adoption of this policy it is recommended to repeal Policy 307 Sponsorship by private companies on Town property including events. The provisions of this policy are captured in the new policy. The current policy can be found at attachment 1.
15. It is also recommended to make amendments to Policy 114 Community Funding. These amendments remove the current references to sponsorship. The amendments are shown as tracked changes on attachment 2.

## Relevant documents

[Policy 001 Policy management and development](#)

[Policy 024 Event attendance](#)

## 15.2 Review of Policy 204 Plant containers on commercial paved areas and Policy 209 Paving of verges in commercial areas

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Ellie Van Rhyn
<b>Responsible officer</b>	David Doy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Policy 204 Plant containers on commercial paved areas [<b>15.2.1</b> - 3 pages]</li> <li>2. Policy 209 Paving of verges in commercial areas [<b>15.2.2</b> - 2 pages]</li> <li>3. Policy 204 Improvement of verges or footpaths adjacent to commercial properties - Tracked changes [<b>15.2.3</b> - 5 pages]</li> <li>4. Policy 204 Improvement of verges or footpaths adjacent to commercial propertie [<b>15.2.4</b> - 3 pages]</li> </ol>

### Recommendation from the Policy Committee

That Council:

1. Repeals:
  - a. Policy 204 Plant containers on commercial paved areas, as at attachment 1;
  - b. Policy 209 Paving of verges in commercial areas, as at attachment 2.
2. Adopts Policy 204, Improvement of verges or footpaths adjacent to commercial properties, as at attachment 4, subject to the following amendments:
  - a. The definition of applicant be amended be deleting the words 'or other improvement'
  - b. In the definition of applicant, remove the comma between "paving" and "plant", and insert the word "or".

### Purpose

To review the content of Policy 204 and Policy 209, to combine these two policies in to one, and to ensure clear, concise and consistent information is provided.

### In brief

- Both Policy 204 'Plant containers on commercial paved areas' and Policy 209 'Paving of verges in commercial areas' relate to methods of aesthetically improving verges adjacent to commercial properties.
- The content of Policy 209 is duplicated both in Policy 204 and in the existing Street Verge Guidelines.
- To ensure policy content is clear, concise and consistent, it is recommended that these two policies are combined into Policy 204, and the prescriptive statements are addressed in the Street Verge Guidelines.

### Background

1. Policy 204 'Plant containers on commercial paved areas' was most recently reviewed and amended in August 2019. It relates to the placement of plant containers on commercial paved areas. The policy statement details the size, design, plant material, quantity, location, approvals, cleaning, costs and

damage related to the placement of plant containers on commercial paved areas. The policy scope, however, currently relates to the paving of verges in commercial areas.

- Policy 209 'Paving of verges in commercial areas' was most recently reviewed and amended in August 2019. The title of the policy relates to the paving of verges in commercial areas, however the policy objective, scope and statement of Policy 209 all relate to the placement of plant containers on verges in commercial areas.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL04 - Appropriate information management that is easily accessible, accurate and reliable.	Information is currently duplicated across Policies 204 and 209. By combining their content appropriate information can be provided that is accurate, reliable and located within one policy.

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	The changes made to Policy 204 and Policy 209 look to provide clear guidance on the improvements permissible to verges of commercial properties. These improvements will look to ensure that these verges provide clean, safe and accessible places to visit.

Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	Improvements to the verges adjacent to commercial properties can result in good design outcomes and contribute to the character of the street and the public realm. The changes proposed to the two policies look to provide guidance that ensures that these verges put people first.

## Engagement

Internal engagement	
Street Improvement	Input in to revised policy. Support the proposed changes and recommendation.
Technical Services	Input in to revised policy. Support the proposed changes and recommendation. Support the intent to update the Street Verge Guidelines to reflect the technical requirements that were removed from the policy.
Operations	Input in to and drafting of the revised policy. Support the proposed changes and recommendation.
Place Planning	Review lead. Support the proposed changes and recommendation.

## Legal compliance

[Section 2.7 \(2b\) of the Local Government Act 1995](#)

[Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 Consolidated](#)

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable				Low	
Environmental	Not applicable				Medium	
Health and Safety	Unacceptable paving or planting containers result in damage to pedestrians or Town assets.	Minor	Unlikely	Low	Low	ACCEPT guidelines provided to avoid potential risk.
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	
Legislative Compliance	Plant containers may not be compliant with the requirements of the proposed policy document.	Minor	Unlikely	Low	Low	ACCEPT the Town reserves the right to remove the containers at any time.
Reputation	Not applicable				Low	
Service delivery	Not applicable				Medium	

## Financial implications

<b>Current budget impact</b>	None.
<b>Future budget impact</b>	None.

## Analysis

- Policy 204 and Policy 209 both relate to improvements that can be made on the verges of commercial properties.
- As they currently stand, there is duplicated information, contradictory information, and information missing from these two policies.
- To simplify the policies and to allow for ease of use, the two policies are recommended to be combined and the information clarified.

6. The content of Policy 209 'Paving of verges in commercial areas' currently relates entirely to the placement of containers on commercial verges. It is therefore recommended that the content of this policy be covered in the revised Policy 204, and that Policy 209 be repealed.
7. To more accurately describe this revised policy, it is recommended that Policy 204 'Plant containers on commercial paved areas' be renamed to 'Improvement of verges or footpaths adjacent to commercial properties'.
8. The objective of the revised Policy 204 is therefore recommended to be updated to refer to the aesthetic improvement of areas immediately adjacent to a commercial property, involving both paving or placing plant containers on the verge or footpath.
9. The scope of Policy 204 'Plant containers on commercial paved areas' currently refers to the paving of verges in commercial areas. This is proposed to be updated to cover both paving and placing plant containers on the verge.
10. The definition of Applicant has been added to clarify that this may be the property owner, business owner, tenant or other body associated with the property.
11. The definition of Commercial property has been added to clarify what properties this policy relates to.
12. The definition of Verge has been added to align to the Activities on Thoroughfares and Trading in Public Places Local Law 2000 definition.
13. The definition of Footpath has been added to align to the Activities on Thoroughfares and Trading in Public Places Local Law 2000 definition.
14. The policy statement has been updated to more accurately reflect the combined policy, being to allow for and encourage aesthetic enhancements to verge areas or footpaths immediately adjacent to commercial properties, be it paving or placing plant containers.
15. Currently, the Town's requirements of street verges, including paving of verges adjacent to commercial properties, are covered in the Town's Street Verge Guidelines. It is recommended that the policy refer to these Street Verge Guidelines.
16. The policy statement of Policy 204 currently includes the Town's requirements for the size, design, plant material, quantity, location and cleaning relevant to placing plant containers on the verge. To be consistent with the paving of verges, it is recommended that these requirements be removed from the policy and added to the Town's Street Verge Guidelines.
17. The requirements of the plant containers added to the Town's Street Verge Guidelines have been updated to align to the Activities on Thoroughfares and Trading in Public Places Local Law 2000.
18. The policy statement of Policy 204 currently includes the Town's requirements for maintenance, costs, damage and indemnification relevant to placing plant containers on the verge. It is recommended that these statements remain in the policy, with edits to be relevant to both plant containers and paving.

### Next Steps

19. The Town's Street Verge Guidelines will be updated to include the relevant plant container requirements that have been removed from Policy 204 prior to the updated Policy 204 being implemented.

## Relevant documents

Policy 204 'Plant containers on commercial paved areas' - <https://www.victoriapark.wa.gov.au/About-Council/Policy-library/Policy-204-Plant-containers-on-commercial-paved-areas>

Policy 209 'Paving of verges in commercial areas' - <https://www.victoriapark.wa.gov.au/About-Council/Policy-library/Policy-209-Paving-of-verges-in-commercial-areas>

## Further considerations

20. During the Policy Committee meeting, a question was asked regarding the suitability of existing plant containers, specifically with regards to those sitting within six (6) metres of an intersection.
21. Should the revised Policy 204 be adopted, the requirements for plant containers will be included in the updated Town's Street Verge Guidelines. The guidelines document still allows a degree of flexibility to the Town given that each location and situation is different. The updated guidelines provide advice on plant containers that are within 6m from an intersection or crossover and provide greater detail regarding setback and pedestrian access requirements. Plant containers that do not strictly adhere to the guidelines are still capable of approval by the Town (given every location is different and potential constraints within the public realm exist that often require a bespoke assessment) as long as the provisions of the Activities on Thoroughfares and Trading in Public Places Local Law 2000 is adhered to. Existing plant containers can also be assessed by the Town's compliance team to ensure compliance with this Local Law. The Town continues to reserve the right to remove the containers or paving at any time.
22. Following feedback from the Town's insurance company, the Indemnity clause of Policy 204 has been updated to state: 'If a liability arises out of the actions of the applicant, then the applicant will indemnify the Town against all claims resulting from that action. If a liability arises out of the Town's negligence then it is the Town that will manage the claim.'

## 15.3 Review of Policy 206 Temporary vehicle stands at building sites

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Amadeus Rainbow
<b>Responsible officer</b>	Michael Cole
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	{attachment-list-do-not-remove}

**Recommendation from the Policy Committee**

That Council, effective from the commencement of the Vehicle Management Local Law 2020:

1. Repeals existing Policy 206 Temporary Vehicle Stands at Building Sites as attachment 3
2. Adopts amended Policy 352 Parking work zones at building sites as at attachment 1

### Background

1. At its meeting on 21 April 2020, Council adopted a work plan to complete the review of a number of policies. Policy 206 Temporary Vehicle Stands at Building Sites was one of the policies identified for review.
2. Temporary authorised work zones/vehicle stands adjacent to building sites may be provided as required for demolition and/or during the construction period for the delivery of materials to the site.
3. Written applications to be submitted 2 weeks prior to commencement of the work zone being required. Application to define the site, day of week and time of day
4. Temporary authorised work zones/vehicle stands can assist with keeping the road network free of conflicts and obstructions
5. From a safety point of view, it can prevent private vehicles being parked in close proximity to a building site limiting interaction of unauthorised vehicles or persons adjacent to the site
6. Temporary work zone signage will be installed to allow enforcement.

### Strategic alignment

Environmental	
Strategic outcome	Intended public value outcome or impact
EN2 – A safe, interconnected and well-maintained transport network that makes it easy for everyone to get around.	Regulating and allowing the parking in front of building sites, reduces congestion and inconvenience to road users by helping keep the road networks clear.
EN5 – Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	Facilitating temporary delivery areas and drop off points helps allow for the appropriate materials to be accessed for building purposes, and increases the safety factor for workers and the general public.



## Engagement

Internal engagement	
Stakeholder	Comments
Compliance Officer	Review of policy and how it currently operates
Town Rangers	Reviewed policy, offered feedback on current practices
Ops staff	Analysis of how current policy operates and any pitfalls
Planning Officers	Approval of DRAFT policy

## Legal compliance

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

[Activities on Throughfares and Trading in Throughfares and Public Places Local Law 2000](#)

[Parking and Parking Facilities Local Law 2008](#)

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable					
Environmental	Material being incorrectly delivered onto verges/parks	Low	Possible	Low	Medium	Provide designated area
Health and safety	Failure to allow designated delivery areas causing traffic hazards	Medium	Possible	Medium	Low	Allow for designated delivery/short term storage area in appropriate hardstand location
Infrastructure/ ICT systems/ utilities	Not applicable					

Legislative compliance	Failure to update policy stops ability to enforce rules	Low	Likely	Medium	Low	Update policy to allow for enforcement
Reputation	Inconsistent application of rules	Low	Possible	Low	Low	Follow revised policy
Service delivery	Not applicable					

## Financial implications

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

## Analysis

7. Changes to the policy are set out in the below table.

Clause	Proposed	Reason
Policy Statement: Clauses 1 through to 16	Reworded in more detail	Allows for stronger enforcement of any breaches
New section: Signage to be implemented	Examples of standard signage	To provide an example of minimum signage requirement

8. The current policy's intent was to allow for temporary delivery and storage area for building/construction sites, to improve safety and minimize impeding the road network.
9. The policy has been reviewed for consistency of application against existing practice. Minor amendments have been made to clarify terminology and other requirements in providing conditions for Temporary Vehicle Stands at Building Sites, as outlined with the attached Policy 206 Temporary Vehicle Stands at Building Sites.
10. The Town has looked at how other local governments manage parking at building sites and found that the Town of Cambridge have a very similar policy in terms of conditions and signage requirements.

## Relevant documents

Not applicable.

## Further consideration

11. The version of the policy attached has been corrected as requested by the Policy Committee.

## 15.4 Review of Policy 210 Free Trade Area

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Frank Squadrito
<b>Responsible officer</b>	John Wong
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	{attachment-list-do-not-remove}

### Recommendation from the Policy Committee

That Council adopts the amendments to Policy 210 Free Trade Area as in attachment 2.

### Purpose

To review the content of Policy 210 – Free Trade Area and ensure it provides appropriate high-level information and strategic direction to applicants wishing to apply for approval.

### In brief

- This policy applies to occupiers of premises within the Town who are eligible to undertake activity within the Free Trade Area, in accordance with the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* (the Local Law).
- The Free Trade Policy supports the activation of place making initiatives within the Town.
- The current policy provides high level objectives and strategic intent without going into details of compliance matters. Furthermore, guiding information is provided on the Towns website when applicants are applying for approval to use footpaths and other designated areas directly in front of the business for free trade purposes.

### Background

0. The adoption of the free trade policy was first endorsed by Council on the 9 May 2017 and was later amended in August 2019. The changes in 2019 were implemented across all policies to better reflect governance practices and ensure policies provided high level objectives rather than operational guidelines.
1. At its meeting on 21 April 2020 Council adopted a work plan to complete the review of a number of policies. Policy 210 - Free Trade Area was one of the policies identified for review.
2. The free trade area was previously administered by the Town's Health Department through Outdoor Eating Licensing fees (Alfresco Dining) which were abolished given that free trade also covered the display of goods within a designated area of the thoroughfare.
3. The Town's Activities on Thoroughfares and Trading in Throughfares and Public Places Local law 2000, Part 5 Division 1 applies to stallholders. In effect, by providing consent to stallholders to trade within the public thoroughfare, they are required to comply with the terms & conditions set by the Local Government and obligations in the Local Law.

## Strategic alignment

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	Greater activation and vibrancy of local centres ultimately supports a variety of economic outcomes for the business and the Town.

  

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	Providing legible and clear policy objectives empowers local businesses to take advantage of free trade opportunities and promotes local business

## Engagement

Internal engagement	
Stakeholder	Comments
Place Planning	Involved in policy review and supportive of amendments.
Operations	Supports the minor changes and would like to see random audits undertaken by the compliance team.

## Legal compliance

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

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Non compliance to the Towns terms and conditions by business owners can leave the Town vulnerable in terms of insurance claims	Minor	Possible	Medium	Low	Treat – through regular onsite inspections high risk issues can be mitigated
Environmental	Not applicable.				Medium	
Health and safety	Fixtures and furniture within the	Moderate	Possible	Medium	Low	Transfer – Business owners

	public thoroughfare maybe a hazard to pedestrians if free trade areas are not maintained					are responsible for the upkeep and maintenance of Free Trade Area. Complaints by the general public will be responded to by the Town in consultation with the business owner
Infrastructure/ ICT systems/ utilities	Not applicable.				Medium	
Legislative compliance	Policy must align with the Town's Activities on Thoroughfares and Trading in Thoroughfares Local Law.	Minor	Unlikely	Low	Low	Accept – Guidelines need to be updated regularly to reflect changing needs of stakeholders
Reputation	Not applicable.				Low	
Service delivery	Delays in processing applications for businesses can lead to frustration if complex issues arise	Minor	Possible	Medium	Medium	Accept – In some circumstances delays cannot be avoided

## Financial implications

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

## Analysis

- The Town has reviewed Policy 210 – Free Trade Area and have included two new clauses as detailed in the table below. Additionally, minor changes to define the spatial requirements of the free trade area are included.

Clause	Proposed	Reason
Policy objective	Wording such as "designated areas" or "other appropriate locations" needs to be included.	Free trade areas can extend out beyond the footpath or pedestrian thoroughfare zone. A good example is the use of parklets in car parking bays as a dining area.  Definition of "designated area" also included.
New clause 4 added	Applicants are required to agree to the terms and conditions associated with the Free Trade Area permit application process.	This clause strengthens the policy by ensuring applicants are informed of their responsibilities and duty of care as a stallholder in the Town.
New clause 5 added	Any proposals by Business owners/proprietors to extend the footprint of the free trade area or alter levels within the public thoroughfare directly in front of the business shall be assessed on a case by case basis. If approved, costs for modifications shall be borne by the applicant.	Even though requests to alter levels of pathways or increase the footprint of free trade areas by installing additional hardstand or paving extensions is not common, the costs and resource implications can be significant for Council. The policy needs to raise awareness of this issue and ensure expectations are managed

5. Since 2017, records show the Town has issued 48 free trade permits. It's likely that the number of Businesses participating in the Free Trade initiative is significantly higher than what's been recorded. An explanation for this is that some businesses may still be operating under the previous Alfresco licensing and not aware of the changeover to Free Trade. An audit will need to be undertaken over the next 3-6 months to target those businesses that do not have the appropriate permits.
6. The Town of Victoria Park is committed to supporting businesses, with 'free trade areas' outside commercial shop fronts within the Town. Previously an installation fee mainly to cover the administrative and installation costs related to setting up a free trade area but as part of the Restart Vic Park COVID-19 Response Strategy, this fee for a free trade area has been abolished. Applications for a free trade area permit do not attract a fee now.

## Relevant documents

[Policy 210 – Free trade area](#)

[Policy 211 - Parklets and alfresclets](#)

[Free trade area permit application - Webpage portal](#)

## 15.5 Interim Audit Report 2019-2020 Financial Year

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Bonnie Hutchins
<b>Responsible officer</b>	Stuart Billingham
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	{attachment-list-do-not-remove}

### Recommendation from the Audit and Risk Committee:

That Council:

1. Accepts the matters and comments arising from the Auditor's 2019-2020 Interim Audit.
2. Supports the Management Responses to those matters as contained within the body of the attached report.

### Purpose

This report is to present the findings of the Interim audit, together with the responses from Management for the Committee's review and acceptance.

### In brief

- The 2019-2020 Interim audit was conducted by the Auditors appointed by the Auditor General's Office. The Interim Audit is primarily concerned with a review of internal controls, policies, procedures and management's compliance with those controls. The interim audit reports on an exception basis for those items that require management's attention. The interim audit began in mid-June 2020.

### Background

1. Each year, as part of Council's audit process, an interim audit is undertaken to ascertain areas of potential review associated with Council's financial systems / processes. The advice received through the interim audit is then assessed by Management who note the comments and take action as required.
2. Management has reviewed the matters raised and consider them to be appropriate and have either already resolved or recognised actions to be taken.
3. These matters raised by the Auditor, and Management's response to each matter, are listed within the 2019-2020 Interim Audit Results for the year ending 30 June 2020 report which is attached.
4. It is noted that the presentation of this report is much later than expected. Delays are attributed to the late start of the interim audit by the Auditor General's Office and these delays are consistent local government wide. All requirements by the Town were completed in a timely manner and did not cause delays.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Ensure Town meets its legislative responsibility in accordance with part 7 of the <i>Local Government Act 1995</i>

## Engagement

Internal engagement	
All Service Areas	All Service areas were engaged as part of the Interim audit process and the auditors were provided access to the relevant staff members for consultation.

## Legal compliance

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

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Management not implementing auditor recommendations which will lead to poor financial management and control.	Major	Unlikely	Moderate	Low	TREAT risk by adopting an internal program with a focus area on high-risk financial processes and activities. Consider the impacts of the recommendation on resource/system requirements and once resources and/or systems are available, implement recommendations
Environmental	Nil					



Health and safety	Nil
Infrastructure/ ICT systems/ utilities	Nil
Legislative compliance	<p>Council not accepting auditor recommendation which may leave the Town open to fraud, error or non-compliance</p> <p>Moderate      Unlikely      Moderate      Low</p> <p>TREAT risk by providing reasoning and detailed explanations to Council to enable informed decision making.</p>
Reputation	Nil
Service delivery	Nil

## Financial implications

<b>Current budget impact</b>	Budget allocated within the 2020/2021 budget is sufficient to implement the auditor recommendations
<b>Future budget impact</b>	Not applicable

## Analysis

- Management are content with the audit findings and will implement the recommendations as noted within the management's response. These are found within the attachment under "Management Comment" following each matter. It is therefore recommended that the Audit committee support the management responses to the matters identified during the interim audit as attached.

## Relevant documents

Not applicable.

## 15.6 CEO's Update: Strategic Risk Review

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Natalie Ong
<b>Responsible officer</b>	Anthony Vuleta
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	{attachment-list-do-not-remove}

### Recommendation from the Audit and Risk Committee:

That Council:

- 1) Notes that the newly identified strategic risks presented at the previous Audit & Risk Committee meeting of 14 September 2020 have been further assessed and are recommended for inclusion on the Town's Strategic Risk Register:
  - a) Significant external disruptive events - cyberactivity.
  - b) Significant external disruptive events - current and future pandemics.
- 2) Notes a proposed reprioritisation of the Internal Audit Program schedule for 2020-2021, which factors in the Office of the Auditor-General's Information Systems external audit being undertaken over October-November 2020 and changes in the external risk environment.
- 3) Notes business improvements to implement the Town's Risk Management Framework and processes.

### Purpose

To present an update to the Audit & Risk Committee on the Town's strategic risks and Internal Audit Program as a follow-up to the Chief Executive Officer's bi-annual strategic risks report which was presented to the Audit & Risk Committee on 14 September 2020.

### In brief

- At the Ordinary Council Meeting of 18 February 2020, Council requested the Chief Executive Officer (CEO) to present a bi-annual report to the Audit Committee on the status of the Town's strategic risks, with the first report to be submitted in September 2020.
- On 14 September 2020, the CEO's inaugural bi-annual report on the Town's strategic risks was presented to the Audit & Risk Committee including newly identified strategic risks. Feedback from the Audit & Risk Committee was received at the meeting on the proposed strategic risks.
- The feedback was taken into consideration and the descriptions of the proposed strategic risks have been improved for clarification and the Strategic Risk Register has been updated accordingly.
- It is anticipated that the strategic risks identified will also inform strategy development within the Strategic Community Planning process.

## Background

1. At the Ordinary Council Meeting of 18 February 2020, Council requested that the Chief Executive Officer present a bi-annual report to the Audit Committee on the status of the Town's strategic risks.
2. The CEO presented the first bi-annual report on strategic risks to the Audit & Risk Committee on 14 September 2020. Feedback from the Committee on the newly identified risks was incorporated into the strategic risk assessment, including improvements to the description of a number of strategic risks for clarification.
3. The Town's C-Suite has since concluded the strategic risk review in early November 2020. The outputs of the review include strategic risks which have emerged and escalated since the disruptions wrought by the onset of the COVID-19 pandemic earlier this year.
4. The outcomes of the strategic risk review will be captured in the Strategic Risk Register with a further update provided to the Audit and Risk Committee for noting.
5. The table below summarises the status of strategic risks recorded in the Strategic Risk Register including two newly identified proposed risks. The residual risk rating takes into account existing controls, using the Risk Management Framework assessment criteria. The Town's Administration is responsible for identifying and actioning treatments as part of the operational management of the Town's business. Note that the register is a living document as the risk management process is on-going, with the register being updated as new risks are identified or existing risks de-escalated, in between the formal bi-annual review periods.

REF	RISK DESCRIPTION	CAUSES	CONSEQUENCE	RESIDUAL RISK RATING
1	Failure to take action to reduce the Town's impact on climate change within the community.	Lack of leadership on climate change. Lack of planning to mitigate the impacts of climate change. Lack of funding and resources to undertake climate change actions. Lack of community support.	Council not seen as a leader in mitigating climate change. Lack of impact on climate change. Financial impact. Damage to reputation.	<b>EXTREME</b>
2	Failure to take action to reduce the Administration's impact on climate change.	Lack of leadership on climate change. Lack of planning to mitigate the impacts of climate change. Lack of funding and resources to undertake climate change actions. Lack of community support.	Council not seen as a leader in mitigating climate change. Lack of impact on climate change. Financial impact. Damage to reputation.	<b>HIGH</b>
3	Non-compliance with Council's governance obligations	Lack of resource and capacity to meet Governance obligations. No appropriate and on-going training.	Adverse findings by integrity bodies. Public censure of the Council. Dismissal of the Council and/or staff.	<b>MEDIUM</b>

	under the Local Government Act.	Low staff and elected member understanding of obligations. Lack of expert knowledge in the legislation.	Damage to Council's and the Town's reputation. Financial loss.	
4	Failure to maintain a sustainable long-term financial position.	Lack of adequate planning for future maintenance and renewal/replacement of assets. Increase in operating expenditure outgrowing rates growth.	Inability to fund renewal of assets and resulting deterioration of assets leading to decline in community satisfaction.	MEDIUM
5	Dissolution of Mindarie Regional Council (MRC).	Members withdrawing from MRC making it unviable for remaining members. Members failing to deliver their processable waste to MRC. Decisions of majority members being in conflict with Town of Vic Park interests. An operation of the MRC becomes financially unviable.	Significant financial impact. Damage to reputation. Loss of strategic waste advisory services. Loss of community waste education service.	MEDIUM
6	Failure to detect and prevent occurrences of fraud and corruption.	Lack of appropriate processes and systems to detect and prevent fraud and corruption. Poor culture. Lack of integrity. Lack of appropriate policies and procedures relating to whistleblowing and public interest disclosures.	Damage to Council's and the Town's reputation. Occurrence of fraud and corruption resulting in financial loss. Adverse findings by integrity bodies. Public censure of the Council. Dismissal of the Council and/or staff.	MEDIUM
7	Boundary change	Dissatisfaction with the Town as a governing body by constituents. Dissatisfaction with the Town's provision of services by constituents. Lack of association with the Town's place identity. Forced amalgamation or boundary change.	Reputational damage. Loss of revenue from rates. Disruption to service delivery. Loss of community identity. Loss of influence.	LOW
8	Failure to meet the infrastructure needs of future growth	Lack of long-term planning for infrastructure. Lack of long-term planning for funding infrastructure needs. Lack of delivery of future infrastructure.	Community dissatisfaction. Reputational damage. Disincentive for people coming to the Town. Disintegration of the social fabric of the community.	LOW

	requirements		Environmental and property damage. Financial impact.	
9 New proposed risk	Significant external disruptive events such as cyberactivity.	Cyber-attack (also exacerbated by pandemic disruption)	Lost or stolen data, ransomware leading to financial loss, stolen data etc.	<b>MEDIUM</b>
10 New proposed risk	Significant external disruptive events - current and future pandemics.	Failure to respond to and recover from pandemic event.	Operational disruption/loss of service delivery. Loss of staff.	Under assessment

6. The strategic risk review also included an assessment of the external risk environment, which highlighted a heightened risk of fraud and corruption due to opportunities created by pandemic disruptions. This necessitated a re-prioritisation of the internal audit schedule in the Internal Audit Program, involving these proposed changes:
- Fraud and Corruption Reporting/Soft Integrity audits originally scheduled for May 2021 will now be moved forward to February 2021, in recognition of heightened fraud and corruption risks.
  - The Information Security/Misuse of Information audits originally scheduled for February 2021 will now be moved back to May 2021 as the focus area and scope of these audits are similar to the Office of Auditor-General's Information Services audit performed at the Town in October to November 2020. This will also allow the Town time to implement improvements from the OAG recommendations.
7. The Town's Administration has implemented a risk management cycle which commenced with the strategic risk review undertaken by C-Suite. The risk assessment and treatment process has been cascaded down reporting lines as part of an organisation-wide operational risk review. This operationalises the Risk Management Framework assessment criteria adopted by Council.
8. Operationally, business improvements supporting the implementation of the risk management process so far include:
- (i) improved guidance material in the form of a management practice and the inclusion of additional contextual information to complement the approved Risk Management Framework criteria, and
  - (a) electronic risk registers
  - (b) ongoing efforts to integrate risk management with the business and service planning and delivery as part of Integrated Planning and Reporting processes.

## Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The regular review, reporting and monitoring of risks is part of good risk management practice and ensures accountability, commitment to continuous improvement and a bias for action.

## Engagement

Internal engagement	
Stakeholder	Comments
C- Suite	Workshops to review strategic risks and identify emergent risks.
Managers	Workshops to cascade down the risk assessment and treatment process.
Technology & Digital Strategy	Advice on progressing a risk management solution in line with the organisation's technology and digital strategy

Other engagement	
Stakeholder	Comments
Local Government sector and broader industry	Cross-sector environmental scan and research to research best practice approaches in risk management in local government and industry, locally, nationally and overseas. This included an assessment of the external risk context.

## Legal compliance

Not applicable

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not having a regular strategic risk reporting regime to the Audit & Risk Committee as part of an actively	<i>Major</i>	<i>Likely</i>	<i>High</i>	<i>Low</i>	Regularly review strategic risks as part of good business-as-usual practice and ensure regular
Environmental						
Health and safety						
Infrastructure/						

ICT systems/ utilities	maintained Strategic Risk Register increases the risk and possibility of significant risks not being identified and managed in timely fashion across all risk impact categories, especially in a rapidly changing and dynamic environment.	reporting to the Audit & Risk Committee.
Legislative compliance		
Reputation		
Service delivery		

## Financial implications

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

## Analysis

9. The Audit and Risk Committee's Terms of Reference include the following function: "Obtain and review regular risk reports, which identify key risks, the status and effectiveness of risk management systems, and report back to Council on any adverse trends identified, and any risks that need further attention".
10. The Strategic Risk Register has been updated with the status of risk treatment actions to address identified strategic risk events as part of the strategic risk review. Additional strategic risks have emerged since the Strategic Risk Register was last adopted by Council in February 2020 and have been included as new proposed risks in this report.
11. Together with the COVID-19 pandemic, accelerating cybersecurity risks and changes in geopolitics are impacting on the business of local government in Australia. In addition, the publication of the report into the inquiry into the City of Perth in August 2020 highlighted culture and leadership as key factors for organisational dysfunction, and provides valuable lessons learnt for all local governments in terms of identifying risk areas to address.
12. The identification of heightened fraud and corruption risks in the time of pandemic, as well as the OAG Information Services audit conducted in October to November 2020 has triggered a re-prioritisation of the Internal Audit Program schedule for 2020-2021.
13. It is anticipated that the strategic risks identified will also inform strategy development within the Strategic Community Planning process with further business integration and operationalisation of risk treatment actions.

## Relevant documents

Policy 004 Risk Management

Risk Management Framework

Audit and Risk Committee Terms of Reference

Department of Local Government, Introduction to Risk Management, accessed 18 August 2020

DLGSCI (2020), Report of the inquiry into the City of Perth

Jones, T. (2020), KPMG, COVID-19: Local Government Response Plan, accessed 18 August 2020

PWC (2020), 2020 Global Risk Study, accessed 18 August 2020

Sheppard, M. (2020), KPMG, COVID-19: Business and economic implications, accessed 18 August 2020

Sheppard, M. (2020), KPMG, COVID-19: Governance, Risk & Controls, accessed 18 August 2020

## Further consideration

14. The Audit and Risk Committee queried "independent members" of the Committee and the best practice suggestion under point two on page 13 of the attachment to the report - "*Council's Audit and Risk Committee has an independent chair and comprise a majority of independent members*". This has since been clarified by Administration. Under s7.1 of the *Local Government Act 1995*, the Audit Committee is to be established consisting of three or more persons. Members of the audit committee of a local government are to be appointed by the local government and at least 3 of the members, and the majority of the members, are to be elected members. The table has been updated accordingly.



## **16 Applications for leave of absence**

## 17 Motion of which previous notice has been given

### 17.1 Revocation of confirmation of September 2020 Ordinary Council Meeting minutes

In accordance with clause 4.3 of the Town of Victoria Park Standing Orders Local Law 2011, Mayor Karen Vernon has submitted the following notice of motion.

#### Motion

That Council revokes the Council decision in regard to the confirmation of the minutes from the Ordinary Council Meeting held on 15 September 2020, as confirmed at the Ordinary Council Meeting held on 20 October 2020.

#### Reason

Cr Vicki Potter's declarations for item 12.3 – Draft Local Planning Policy – Character Retention Guidelines and item 12.2 – Residential Character Study Area Scheme Amendment were recorded as impartiality interests. These interests were declared as financial interests at the meeting and should have been recorded as so.

#### Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	Minutes are the official record of a meeting and are required to be kept by legislation. To enable these minutes to be amended to reflect the meeting, elected members must revoke the previous decision.

## Officer response to notice of motion

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Amy Noon
<b>Responsible officer</b>	Bana Brajanovic
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	1. Revocation motion [ <b>17.1.1</b> - 1 page]

## Officer comment

1. The error in the minutes was discovered by Governance following confirmation by Council. A revocation motion must be passed for the error to be corrected.
2. Following the revocation being resolved by Council, the minutes will be amended and re-submitted for confirmation at the February 2021 Ordinary Council Meeting.

## Legal compliance

[Section 5.22 of the Local Government Act 1995](#)

[Regulation 10 of the Local Government \(Administration\) Regulations 1996](#)

## Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable				Low	
Environmental	Not applicable				Medium	
Health and safety	Not applicable				Low	
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	
Legislative compliance	Elected members don't support the revocation, leading to the minutes remaining as an incorrect record of the meeting.	Insignificant	Rare	Low	Low	Revoke the decision of Council to confirm the minutes.
Reputation	Not applicable				Low	

Service delivery	Not applicable	Medium
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## Financial implications

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

## Relevant documents

[Ordinary Council Meeting minutes – 15 September 2020](#)

- 18 Questions from members without notice**
- 19 New business of an urgent nature introduced by decision of the meeting**
- 20 Public question time**
- 21 Public statement time**
- 22 Meeting closed to the public**
  - 22.1 Matters for which the meeting may be closed**
    - 22.1.1 Engagement of Consultant for Annual CEO Performance Review Process**
  - 22.2 Public reading of resolutions which may be made public**
- 23 Closure**