TOWN OF VICTORIA PARK

Ordinary Council Meeting

Agenda – 17 August 2021

WE'RE OPEN
VIC PARK

Please be advised that an **Ordinary Council Meeting** will be held at **6:30 PM** on **Tuesday 17 August 2021** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Mr Anthony Vuleta – Chief Executive Officer
12 August 2021

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1 Declaration of opening

Acknowledgement of Country

Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.

I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

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

Presiding member	Deputy Mayor Bronwyn Ife
Banksia Ward	Cr Claire Anderson Cr Ronhhda Potter Cr Wilfred Hendriks Cr Luana Lisandro
Jarrah Ward	Cr Vicki Potter Cr Brian Oliver Cr Jesvin Karimi
Chief Executive Officer	Mr Anthony Vuleta
Chief Operations Officer	Ms Natalie Adams
Chief Financial Officer	Mr Michael Cole
Chief Community Planner	Ms Natalie Martin Goode
Manager Development Services	Mr Robert Cruickshank
Manager Governance & Strategy	Ms Bana Brajanovic
Secretary	Ms Natasha Horner
Public liaison	Ms Alison Podmore

3.1 Apologies

3.2 Approved leave of absence

Mayor	Ms Karen Vernon

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 Responses to previous public questions taken on notice at Ordinary Council Meeting held on 20 July 2021

Vince Maxwell

1. *At March Ordinary Council Meeting, a footpath was raised and I was given a response that it would be fixed during July school holidays, when will it be fixed? It is at the intersection of Berwick Street and Kent Street, on the corner closest to the Rotary Residential College.*

The Kent Street footpath repair was undertaken on 3 August 2021. The intended repair time frame was affected by adverse weather events and competing priorities.

5.2 Responses to previous public questions taken on notice at Agenda Briefing Forum held on 3 August 2021

Vince Maxwell

1. *Who will build the proposed alternate access for ROW 54?*

The developer will be responsible for building the proposed access.

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 20 July 2021.
2. Confirms the minutes of the Special Council Meeting held on 2 August 2021.
3. Confirm the minutes of the Annual Meeting of Electors held on 28 July 2021.
4. Receives the notes of the Agenda Briefing Forum held on 3 August 2021.
5. Receives the notes of the Special Agenda Briefing Forum held on 19 July 2021.
6. Receives the notes of the Macmillan Precinct Masterplan working group held on 15 July 2021.

8 Presentation of minutes from external bodies

Recommendation

That Council:

1. Receives the minutes of the Special Mindarie Regional Council Meeting held on 8 July 2021.
2. Receives the minutes of the Metro Inner-South Joint Development Assessment Panel meeting held on 8 July 2021.

9 Presentations

9.1 Petitions

9.2 Presentations

9.3 Deputations

10 Method of dealing with agenda business

Recommendation

That the following items be adopted by exception resolution, and the remaining items be dealt with separately:

a) 11.1 – Reporting on outcomes of Council resolutions
b) 12.1 - Adoption of Draft Revised Local Planning Policy 37 - Community Consultation on Planning Proposals
c) 12.2 - Adoption of Draft Revised Local Planning Policy 2 'Home-based Businesses'
d) 12.3 - Amendment to Local Planning Policy 38 'Signs'
e) 12.4 - Proposed Revocation of Local Planning Policy No. 26 - Boundary Walls
f) 12.5 – Youth Plan
g) 12.6 - Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants Application: Fletcher Park
h) 14.1 - McCallum Park / Taylor Reserve Precinct Parking & Accessibility Review
i) 14.2 - Financial Statements for June 2021
j) 14.3 - Schedule of Accounts for June 2021
k) 15.2 - Review of Waste removal and collection policies 257, 258 & 259

11 Chief Executive Officer reports

11.1 Reporting on outcomes of Council Resolutions

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Simple majority
Attachments	1. Council Action Status Update TEMPLATE [**11.1.1** - 1 page]

Recommendation

That Council:

1. Endorse the inclusion of Council Resolutions Status Reports as follows:
   a) Outstanding Items – all items outstanding; and
   b) Completed Items – items completed since the previous months' report to be presented to each Ordinary Council Meeting, commencing October 2021.
2. Endorse the format of the Council Resolutions Status Reports as shown in Attachment 1.

Purpose

To present Council with information on how a Council Resolutions Status Report can be implemented, including the format of the proposed report.

In brief

- On 20 July 2021, Council requested the Chief Executive Officer to introduce a Status Report on Council Resolutions and provide information on how this can be implemented.
- The Town's current minute taking software can provide this information, as shown in Attachment 1 with no additional cost to the Town.
- It is proposed to implement this report in October 2021 to allow for staff to be informed and trained in the new process.

Background

1. On 20 July 2021, Council resolved as follows:

   That Council requests the Chief Executive Officer:

   1. To introduce a Status Report on Council Resolutions to be an agenda item for every Ordinary Council Meeting, which covers ordinary resolutions, resolutions on elected member motions, and resolutions approving action on electors' motions;

   2. To report to Council at the August Council meeting on implementing such a report, including how it will be included in the agenda, and a template for the format of the Status Report.

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	The community can follow the progress of Council resolutions in a convenient summary format.
CL04 - Appropriate information management that is easily accessible, accurate and reliable.	A status report on Council resolutions delivered at every meeting will allow the community to easily access information about the progress of those resolutions.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The community will be able to keep track of the completion of the Council's resolution by the Town.

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	N/A				Low	
Environmental	N/A				Medium	
Health and safety	N/A				Low	
Infrastructure/ ICT systems/ utilities	N/A				Medium	
Legislative compliance	Not providing a Council Resolutions Status Report to Council and the community does not enable elected members to have consistent oversight of the Town's progress in actioning the Council's resolutions and the community to easily access information about	Minor	Low	Low	Low	TREAT risk by providing a Council Resolutions Status Report to Council and the community.

	the progress of those resolutions.	
Reputation	N/A	Low
Service delivery	N/A	Medium

Financial implications

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

Analysis

2. The Governance and Strategy team have investigated reporting on the progress of Council resolutions.
3. The ability to report on the progress of Council Resolutions already exists within the Town's minute taking software, DocAssembler. In the format shown in Attachment 1, the report is the standard template; therefore, no additional costs are required to implement this.
4. The reporting in DocAssembler is automated therefore limited additional workload is anticipated. The Status Report as shown in Attachment 1 will include all Council resolutions (inclusive of elected member motions and resolutions from Annual Meeting of Electors).
5. The *Town of Victoria Park Meeting Procedures Local Law 2019* does not provide for inclusion of a new agenda item therefore, an officer report will need to be included under the Chief Executive Officer reports section of the agenda, for each Agenda Briefing Forum and Ordinary Council Meeting with following two attachments:
    a. Council Resolutions Status Reports Outstanding Items – all items outstanding; and
    b. Council Resolutions Status Reports Completed Items – items completed since the previous months' report.
6. It is proposed to submit the report through the Agenda Briefing Forum to provide elected members the opportunity to ask questions in relation to the Council Resolutions Status Reports.

    The introduction of this reporting is proposed to commence at the October Agenda Briefing Forum and Ordinary Council Meeting. This will allow sufficient time to inform and train staff in new processes.
7. The inclusion of a standing agenda item for status updates will be considered as part of the new Meeting Procedures Local Law, which is currently being drafted.

Relevant documents

Not applicable.

11.2 Sponsorship Funding

Location	Town-wide
Reporting officer	Community Development Officer – Grants, Donations and Administration
Responsible officer	Manager Stakeholder Relations
Voting requirement	Simple majority
Attachments	Nil.

Recommendation

That Council endorse the following sponsorship funding applications:

1. Movies by Burswood (Inc) t/as Telethon Community Cinemas - $17,500
2. Royal Society for the Prevention of Cruelty to Animals - Western Australia -$1,213 (In Kind)
3. Rotary Club of Victoria Park Western Australia Incorporated - $4,416 (In Kind)

Purpose

To provide Council with oversight of the sponsorship applications and assessments for Council endorsement.

In brief

- The Town's sponsorship funding program enhances opportunities for collaboration and partnerships between the Town, private enterprise, and community to complement the Town's strategic objectives and increase economic vibrancy by raising the profile of the Town.
- The sponsorship round opened on 5 July 2021 and closed 30 July 2021.
- The Town received eight applications for sponsorship funding valued at $98,624.
- The Town's Sponsorship Assessment Panel has assessed all submissions.
- Three applications are recommended for Council approval valued at $23,129 ($17,500 cash and $5,629 in-kind).

Background

1. In December 2019, the Town undertook a review of all funding round practices and procedures to improve efficiencies and transparency of the Vic Park Funding Program. This review initiated a project to procure a funding platform to manage the Town's funding rounds.
2. At the December 2020 Ordinary Council meeting, Policy 116 – Sponsorship was adopted by Council.
3. Further to the adoption of Policy 116 – Sponsorship at the December 2020 Ordinary Council meeting, Council endorsed the Chief Executive Officer to establish a panel of no less than three members to assess all eligible sponsorship application submissions. The panel is to assess applications against the requirements and assessment criteria and present a report to Council for endorsement.
4. In making a recommendation to Council, the Sponsorship Assessment Panel (SAP) will provide the following information to ensure Council can make accurate, timely and transparent decisions:

   (a) Details of all applications inclusive of title, project scope, amount of assistance applied for (ex GST), evaluation and score.

   (b) Information provided will be inclusive of successful, unsuccessful and ineligible applications.

5. To ensure that the SAP continues to be fit-for purpose and remain meaningfully engaged, membership for the panel positions were recruited via direct approach to ensure the appropriate skills, knowledge and experience could be applied to the assessment process.
6. Due to potential conflicts with Policy 011 – Elections, implications related to the planning and delivery timing of sponsorship activities and Council reporting timeframe requirements, officers are providing elected members with sponsorship assessment recommendations direct to the August 2021 Ordinary Council meeting, rather than via the Agenda Briefing Forum process.

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.	Funds are managed with full, accurate and timely disclosure of financial information relating to Council. Town grant funds are maximised by seeking the greatest possible benefit to the community within the available monetary resources.
CL09 - Appropriate devolution of decision-making and service provision to an empowered community.	Accountability to the local community for decisions, actions and services. Commitment to good governance and transparency of Town funds.

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	To provide community with access to resources, knowledge and technology in a transparent and timely manner.

Engagement

Internal engagement	
Sponsorship Funding Assessment Panel	Panel evaluation
Community Development	Consultation and management of grant and sponsorship administration
Stakeholder Relations	Consultation relating to advertising and promotion

External engagement	
Stakeholders	All community
Period of engagement	Sponsorship Round 1 – opened 5 July 2021, closed 30 July 2021.
Level of engagement	1. Inform
Methods of engagement	Local newspaper advertising Town's website Town's social media platforms – Facebook, Linkedin, Twitter Town's e-newsletter Flyers and posters Digital advertising Direct email to previous applicants/organisations expressing an interest in the opportunity
Advertising	Local newspaper advertising Town's website Town's social media platforms – Facebook, Linkedin, Twitter Town's e-newsletter Flyers and posters Digital advertising
Submission summary	Eight Sponsorship submissions were received
Key findings	Sponsorship • Eight Sponsorship submissions met the Town's criteria • Three submissions are recommended for endorsement as Sponsorship

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	Loss of funds if selected programs are cancelled and funds spent are not redirected or used for its intended purpose.	Minor	Unlikely	Low	Low	TREAT - Ensure the evaluation of sponsorship requests are robust and provide elected members sufficient information in their decision-making process.

Environmental	Not applicable				Medium	
Health and safety	Not applicable				Low	
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	
Legislative compliance	Not applicable				Low	
Reputation	The community perceive there is little or no return on investment.	Moderate	Possible	Medium	Low	TREAT - Ensure the evaluation of sponsorship requests are robust and provide elected members sufficient information in their decision-making process.
Service delivery	Not applicable				Medium	

Financial implications

Current budget impact	The budget allocation for Sponsorship in 2021/2022 is $75,000.
Future budget impact	Not applicable

Analysis

7. The Vic Park Funding program including sponsorship was widely promoted across various platforms and used a range of communication methods to reach their target audiences.
8. The sponsorship program was accessible via the online Smartygrants platform for applications on the Town's website.
9. The Town delivered a free grant writing workshop to the community on 14 July 2021. The workshop provided the community with information on the following:
   (a) An introduction to grants, including what they are, information on where to access and an explanation of eligibility and assessment criteria
   (b) The process of best practice project planning to prepare for grant success
   (c) Information on how to address grant criteria
   (d) An explanation of the grant writing approach including an overview of what are assessors looking for and how you give them what they need.

10. The application form consisted for five questions with a maximum weighting score of five points per question. With four panel members scoring across the five criteria, the maximum score available is 100.
11. The Town's internal Sponsorship Funding Assessment Panel consisted of four Town officers:
    (a) Manager Community
    (b) Manager Stakeholder Relations
    (c) Coordinator, Events, Arts and Funding
    (d) Place Leader, Economic Development.
12. Applications were assessed individually and then reviewed within a formal panel meeting by the Town's Sponsorship Funding Assessment Panel members as per Policy 116 – Sponsorship, and the criteria outlined for the sponsorship program.
13. The assessment questions and criteria are outlined in the tables below:

Assessment Questions

Assessment Criteria Questions	Weighting per question per panel member
Question 1- Collaboration Does the application maximise opportunities for collaboration between the Town and the organisation?	20% weighting • Five points per panel member • Total of 20 points available
Question 2- Council's Strategic Objectives Does the sponsorship arrangement assist in meeting the Town's strategic objectives as set out in the Strategic Community Plan?	20% weighting • Five points per panel member • Total of 20 points available
Question 3 - Increase Economic Vibrancy Does the sponsorship arrangement increase economic vibrancy by raising the profile of the Town?	20% weighting • Five points per panel member • Total of 20 points available
Question 4 - Complement Town's Marketing and Communications Objectives Does the sponsorship arrangement complement the Town's marketing and communications objectives?	20% weighting • Five points per panel member • Total of 20 points available
Question 5 - Reciprocal benefit Does the Town and community receive reciprocal benefit from the sponsorship arrangement beyond modest acknowledgement?	20% weighting • Five points per panel member • Total of 20 points available
	Total score weighting for five questions = 100% Total score available = 100 points

Assessment Criteria

Assessment Criteria
• The application has been fully completed and received by the Town in accordance with the sponsorship requirements.
• The application is clear and includes realistic objectives and timeframes.
• The applicant's mission, objectives and products do not conflict with the values and objectives of the Town.
• The applicant is not requesting explicit endorsement of the applicant itself, or product.
• Any conflict of interest has been declared and assessed as reasonable.
• The sponsorship meets all funding eligibility requirements (i.e. acquittal of previous grants)
• The applicant can obtain appropriate approvals, permits, insurances and licenses.
• The Town reserves the right to discuss an application with a third party, if necessary, to assist in assessing the application.
• Provision of $10 million liability insurance.

14. The sponsorship funding attracted eight applications, requesting a combined total of $98,624.
15. Three of the eight applications were recommended to Council for endorsement with the requested funding total of $23,129 ($17,500 cash and $5,629 in-kind) of the $75,000 available.

Sponsorship – successful applications

16. Funding recommended. Project details and panel scoring are outlined in the table below.

Applicant	Funding requested What will the Sponsorship be used for?	Panel score Total (out of 100)	Requested funding
Movies by Burswood (Inc) t/as Telethon Community Cinemas	**Gold Sponsorship – Telethon Community Cinemas**	60	$17,500

To assist in the presentation of Telethon Community Cinemas' 21st season of family-focused cinema in the Burswood Parklands. The event is staffed by over 300 volunteers. The season will run from December 2021 to April 2022.

The Community Cinemas are a fundraising platform for many community organisations including the Lathlain Primary School and Amazon Swimming Club.

Telethon Community Cinemas also liaise with the Town in coordinating events such as indigenous, cultural and inclusion evenings and have provided the venue and volunteers at no cost to the Town.

Television

- Logo tagging on all Television Commercials produced for SevenWest Perth advertising campaign.

Screen Advertising

- Individual partner 15 second digital film advertisement across all screenings and all venues.
- Option to change advertisement at beginning of each month (deadlines apply).
- Additional 45 second screen advertising December to promote Town of Victoria Park.
- Significant partner acknowledgement on Sponsor's reel across all screenings and all venues throughout the entire season.

Internet

- Logo placement on Telethon Community Cinemas' website.
- Link to partner's homepage.

Activations and Promotions

- Opportunity to deliver a wide range of campaign activations and promotions at all venues and online via the Telethon Community Cinemas' website.
- Access to the Activation Planning Team.

EDM

- One agreed advertorial or promotional profile on Telethon Community Cinemas eNewsletter.

Materials

	• Significant billing logo in season report, posters, programs, and all collateral marketing materials. **Tickets:** • 50 x double passes for any Sunday to Thursday session excluding No Free Pass screenings (can be divided by over two separate screenings if desired). • 150 x single in-season complimentary gate admissions excluding No Free Pass screenings. • Two x double passes to Opening Night Gala Event. **Print** • Logo acknowledgement on posters distributed meeting places across metropolitan Perth.	

Assessment Panel comments:

- Not just a one-day event – exposure over multiple events/timeframes.
- Potential to consider as a long-term partnership – moving to a three-year Partnership Agreement/Memorandum of Understanding.
- As this competes with Telethon Family Festival, the movies have more opportunities and value add due to the number of sessions, timings and repeat engagement available.
- Application clearly highlights the benefit of the partnership and the flexibility for other benefits pending future activations and events.
- Opportunity to have a Town of Victoria Park question asked as part of the surveys conducted.
- Alignment to Strategic Community Plan objectives is not explicitly answered but objectives that the sponsorship will achieve will meet Strategic Community Plan objectives.

The panel recommends project funding of $17,500.

17. Funding recommended. Project details and panel scoring are outlined in the table below.

Applicant	Funding requested What will the Sponsorship be used for?	Panel score Total (out of 100)	Requested funding
Rotary Club of Victoria Park Western Australia Incorporated	**In-kind Sponsorship for Victoria Park Markets** The Rotary Club of Victoria Park runs the Victoria Park Markets which are held weekly on Sunday mornings at John Macmillan Park. They are requesting in-kind sponsorship for the hire costs of the park, supply of power and promotion and marketing for 48 weeks. The Rotary Club of Victoria Park provide market stalls to the Town at no cost and are flexible with the booking dates for the Town. In the past year, the Town has used the markets for consulting with the public and to run events such as the Mental Health Week Stall and Bike Repair Session. The Town has also had a Kite Making Stall and a Boomerang Workshop.	75	$4,416 (in-kind)

Assessment Panel comments:

- Small investment outlay for positive opportunities.
- The benefits the markets provide, for both the Town and the community, seems greater than the in-kind support they are requesting.
- The markets provide a great place for people to connect, musicians to gain experience, artists and makers to sell their wares.
- Consider an ongoing three-year Partnership Agreement/ Memorandum of Understanding with the Rotary Club of Victoria Park and the Town.

The panel recommends project funding of $4,416 (in-kind).

18. Funding recommended. Project details and panel scoring are outlined in the table below.

Applicant	Funding requested What will the Sponsorship be used for?	Panel score Total (out of 100)	Requested funding
Royal Society for the Prevention of Cruelty to Animals – Western Australia (RSPCA)	**In-kind Sponsorship for Million Paws Walk** The sponsorship objective is to optimise responsible dog ownership/management in the local community through the Millions Paw Walk event. RSPCA are requesting in-kind sponsorship for the hire costs of Callum Park and Taylor Reserve, utility fees and notification letters for the Millions Paw Walk event. Goals of the Partnerships program are to: • Provide opportunities to develop partnerships between the Town, government agencies, business, community groups and the local community • Enable groups and individuals to maximise their development opportunities • Provide an equitable means by which community groups can access funding • Provide a process for distributing funds to meet defined outcomes • Involve stakeholders in a shared approach to the development of projects and services in the Town. The Town will be recognised as a sponsor with logo placement on all promotional materials, including posters, flyers and RSPCA website. The event will be staffed by local Rangers to share important pet ownership messages with the walking audience. There will be a 20% discount code for Town of Victoria Park staff members. A 20% discount code for Town of Victoria Park residents. There will be a variety of different stall holders, vending and VIPs attending the walk along with the participants which would include residents.	60	$1,213 (in-kind)

	The provision of the shared marquee with City of South Perth assists in providing the Town with a key presence at the event.	

Assessment Panel comments:

- The event provides excellent value considering the total sponsorship request is $1213 (in-kind).
- The provision of shared marquee with City of South Perth and Rangers assist in providing the Town with a key presence at the event and enhanced cross border collaboration.
- Low-level, feel-good opportunity and linkages to key messaging and areas which can typically be problematic, for example, responsible animal ownership.
- Sponsorship is for a small amount of in-kind support compared to the benefit for the Rangers to engage with the community.

The panel recommends sponsorship funding of $1,213 (in-kind).

Sponsorship – unsuccessful applications

19. Funding not recommended. Project details and panel scoring are outlined in the table below.

Applicant	Funding requested What will the Sponsorship be used for?	Panel score Total (out of 100)	Requested funding
Awards Australia Pty Limited	**Naming Rights Partner – 7NEWS Young Achiever Awards** The sponsorship is for the Town to become a naming rights partner for a category of the 7NEWS Young Achiever Awards. Awards Australia Pty Ltd offered the Town Statewide branding across television through their media partners the Seven Network and GWN7. **Reciprocal benefit from sponsorship arrangement** • 10 x free tickets to Gala Dinner ($1,400). • Inclusion on television advertisement. campaign aired across Seven Network and GWN7 (more than $150,000 airtime value). • Branding on Young Achiever Awards printed materials. • Branding on Young Achiever Awards website and social media.	8	$12,995

Assessment Panel comments:

- The awards offer limited value to the Town of Victoria Park.
- Not recommended - as the brand would be diluted on the scale of the awards at State level.
- The awards are not linked or aligned geographically or project wise with the Town. It is more suited to State based organisations that are delivering on a wider scale.
- The application does not contain sufficient detail and focuses broadly on the media value and does not demonstrate how it achieves all the objectives.

The panel does not recommend sponsorship funding.

20. Funding not recommended. Project details and panel scoring are outlined in the table below.

Applicant	Funding requested What will the Sponsorship be used for?	Panel score Total (out of 100)	Requested funding
Bonsai Society of Western Australia Incorporated	**9th World Bonsai Convention 2022 - Crown Perth, Burswood.** The sponsorship funding is for the 9th World Bonsai Convention on 13-16 October 2022 at Crown Perth. The sponsorship funding will allow free entry to the Town of Victoria Park ratepayers to view the exhibition and public demonstrations at the convention. The funding will assist with the promotion of the event and towards the venue hire of the exhibition rooms. Promote the Town of Victoria Park through in-kind support using the Town of Victoria Park website and social media. Enable promotion of the Town of Victoria Park on all promotion of the exhibition including road signage, through social pages on Facebook and website for BSWA and World Bonsai Convention and World Bonsai Exhibition and Town of Victoria Park's social media and website. Small flags would be made for businesses front shop windows to welcome visitors and promote the exhibition.	34	$15,000 + $1,000 (in-kind)

	Town of Victoria Park banners to be displayed at the exhibition in recognition of the support for the Town.

Assessment Panel comments:

- Niche event with no clear benefit or connection to the Town of Victoria Park community.
- There is minimal alignment and linkages to key objectives and priorities.
- While the application has some benefits listed, this is a large sponsorship amount with some confusion over what is included. Additionally in-kind support for signage and promotion is also required.
- The application does not align with the demographics in the Town.

The panel does not recommend sponsorship funding.

21. Funding not recommended. Project details and panel scoring are outlined in the table below.

Applicant	Funding requested What will the Sponsorship be used for?	Panel score Total (out of 100)	Requested funding
Channel 7 Telethon Trust	**Telethon Family Festival – Sunday 17 October 2021** The sponsorship funding is for the Telethon Family Festival which will be held inside Optus Stadium on Telethon Weekend (Sunday 17 October 2021). The festival is supported by naming rights sponsor Coles with major sponsor Bankwest. The festival includes a collection of commercial store holders including HBF and APM. **Promotional and Marketing benefits to the Town detailed below:** • Town of Victoria Park logo included on 30 TVC, four-week campaign media valued at $53,600. • Town of Victoria Park logo included in press campaign, minimum four insertions media valued at $90,000. • 7News Feature story of the event – Immeasurable. • Town of Victoria Park logo included in electronic direct mail to Telethon Database approximately 70,000 contacts.	56	$25,000

	• Dedicated social media post thanking Town of Victoria Park. Min value $1,000. • Town of Victoria Park logo included on reserve of festival map valued at $2,000. • Town of Victoria Park logo included on signage at the event valued at $10,000. • Acknowledgement of Town of Victoria Park during Telethon Live Broadcast valued at $2000. • Opportunity to activate at the event valued at $10,000.

Assessment Panel comments:

- The event is located inside the Optus Stadium venue which is only accessible to paying attendees.
- The event will provide little vibrancy to the Town and the wider community.
- The application clearly highlights how they align to Strategic Community Plan, but does not provide an overview of flow on economic benefits to other areas in the Town.
- The Town is unlikely to be the only local government sponsoring this event which will dilute associated benefits.
- Preference for the Telethon Community Cinema application over this application.
- Opportunity to activate at the event valued at $10,000 but event activation costs and resourcing would be in addition to the sponsorship provided.

The panel does not recommend sponsorship funding.

22. Funding not recommended. Project details and panel scoring are outlined in the table below.

Applicant	Funding requested What will the Sponsorship be used for?	Panel score Total (out of 100)	Requested funding
Equestrian in the Park Incorporated	**Equestrian in the Park** The sponsorship funding is for the Equestrian in the Park on Saturday 27 November 2021 at the Burswood Park. **Promotional and marketing benefits to the Town:** • Coverage in intrastate and national industry publications including Hoofbeats and Equestrian Life. • Recognition on strong social media advertising campaign (Value - $1,000 per post). • Town of Victoria Park themed jump in the equestrian arena (Value - $3,300). • Town of Victoria Park branding a free half page advertisement (to be provided by the Town of Victoria Park) placed in event programs (Value $750). • Features in all marketing as a major sponsor. • Town of Victoria Park signage and branding to be placed around the event site (Value – Five signs @$1,000 per sign = $5,000). • Town of Victoria Park to feature on the official website and Facebook page and emails blasts as a major sponsor to all Equestrian Western Australian members (Value - $2,000). • Town of Victoria Park logo featured on the mega screen at the event (Value - $2,000). • A unique piece of regalia – a riders shirt signed by Australian Representative Riders (including Olympians) including the Town of Victoria Park logo (Value - $1,000). • 50 Complimentary Ford Lounge tickets (Valued at over $4,000). For use by the TOVP to give away in a competition to residents via their social media channels, or as an incentive to ratepayers that pay their rates on time. • 50% Discount code for Town of Victoria Park Residents and Rate Payers to the Family Zone and Trade Village at the event so that	54	$10,000

	the TOVP can broadcast via their social media channels. • 10% Discount code for Town of Victoria Park residents and ratepayers for all other marketing options at the event so that the TOVP can broadcast via their social media. • Town of Victoria Park can provide promotional material to be placed in Riders Packs.	

Assessment Panel comments:

- The event clearly highlights the benefits to the Town, but is isolated to the Peninsula area, giving limited opportunity for flow on benefits for the wider Victoria Park area.
- Some potential collaboration but as a one-off specialised event, this is limited.
- Proposal does not clearly outline alignment with the Town's Strategic Community Plan.
- Not aligned to target markets - is a niche market.
- This event is not aligned to any deliverables or objectives for Place areas.

The panel does not recommend sponsorship funding.

23. Funding not recommended. Project details and panel scoring are outlined in the table below:

Applicant	Funding requested What will the Sponsorship be used for?	Panel score Total (out of 100)	Requested funding
WA Apartment Advocacy	**Associate Sponsorship at various Apartment and Home Show Events** Associate sponsorship is for the following: • Launch of the National 2021 Apartment Owner Research Results at a Development Conference on 3 September 2021. • 2022 Apartment Awards of Excellence. • Vic Park Street Fair with the Tiny House. • Perth Home Show with the Tiny House. • Create a series of TV campaigns for run on Channel Seven. • Assist the Town with community engagement with the Council's infill plans. **Sponsorship benefit:** • The free tradeshow booth at the developer and lot owner conference is worth $2,500.	49	$11,500

	• Placement of the logo on all collateral and distribution valued at $10,000. • Placement of logo on e-news and four stories per annum valued at $4,000. • Placement of logo on television advertisements valued at $200,000. • Placement of logo on double page press advertisement for apartment awards.

Assessment Panel comments:

- While the application clearly outlines the benefits, it is not clear how the sponsorship will further benefit the Town. The Town has already provided previous sponsorship funding of $10,000 (2018/19), and $5,000 (2019/20).
- There are other local government sponsors which dilutes our investment.
- Difficult to determine whether the applicant is seeking support to sell more apartments or to improve housing outcomes.
- This application is aligned to advocacy and support of small apartments which has been delivered in the past two years of sponsorship, unlikely that further impacts will be made with another year of support.
- This proposal does not outline how it will increase the vibrancy or profile of the Town.

The panel does not recommend sponsorship funding.

24. The Town recommends the following tabled applications for endorsement by Council.

Sponsorship Recommended

Applicants:	Project	Amount
Movies by Burswood Incorporated t/as Telethon Community Cinemas	Gold Sponsorship – Telethon Community Cinemas	$17,500
Rotary Club of Victoria Park Western Australian Incorporated	Victoria Park Markets	$4,416 (in-kind)
Royal Society for the Prevention of Cruelty to Animals – Western Australia (RSPCA)	Million Paws Walk	$1,213 (in-kind)
Total		**$23,129**

Sponsorship Not Recommended

Applicants:	Project	Amount
Awards Australia Pty Ltd	Naming Rights Partner –7NEWS Young Achiever Awards	$12,995
WA Apartment Advocacy	Associate Sponsorship at various Apartment and Home Show events	$11,500
Channel 7 Telethon Trust	Telethon Family Festival	$25,000
Bonsai Society of Western Australia	9th World Bonsai Convention 2022	$15,000 $1,000 (in-kind)
Equestrian in the Park Incorporated	Equestrian in the Park	$10,000
Total		**$75,495**

25. Subject to Council endorsement, the successful sponsorship applicants will be notified of the decision within five business days of Council resolution.
26. If an applicant is not satisfied with the endorsed outcome, a complaint can be formally lodged via the Town's Customer Service Delivery Management Practice and complaints guidelines within 14 days of notification of successful and unsuccessful applications. Information on how to lodge a complaint will be contained within the letter and outlined in the Vic Park Funding section on the Town's website.
27. The Town encourages unsuccessful applicants to contact the Town for feedback to support future applications.
28. Successful sponsorship applications are required to complete the Town's acquittal reporting documentation within three months of completion of the program or event sponsored.
29. The Town will release another round of sponsorship funding in early 2022 in an effort to utilise the remaining $51,871.

Relevant documents

Policy 116 - Sponsorship

12 Chief Community Planner reports

12.1 Adoption of Draft Revised Local Planning Policy 37 - Community Consultation on Planning Proposals

Location	Town-wide
Reporting officer	Senior Planning Officer
Responsible officer	Manager Development Services
Voting requirement	Simple majority
Attachments	1. Draft Amended LPP 37 Community Consultation on Planning Proposals [**12.1.1** - 15 pages] 2. Schedule of Submissions [**12.1.2** - 2 pages] 3. Existing LPP 37 'Community Consultation on Planning Proposals' [**12.1.3** - 12 pages] 4. Minutes of Ordinary Council Meeting held 20 April 2021 [**12.1.4** - 8 pages]

Recommendation

That Council:

3. Adopts amended Local Planning Policy 37 'Community Consultation on Planning Proposals' (LPP 37) as modified and contained within Attachment 1; and
4. Requests the Chief Executive Officer to arrange for publication of notice of the adoption of amended LPP 37 in accordance with deemed clause 87 of the of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Purpose

To consider the recommended adoption of draft amended Local Planning Policy 37 'Community Consultation on Planning Proposals' (LPP 37), which has been revised to reflect recent amendments to Town Planning Scheme No. 1 and the State Planning Framework.

In brief

- Existing LPP 37 has been revised and broadened in scope to ensure it is consistent with recently gazetted changes to the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), Volumes 1 and 2 of the Residential Design Codes WA and recent amendments to the Town's local planning scheme (the Scheme).
- The revised provisions provide clarity and certainty to the community and the Town's officers as to the duration and methods of consultation that will be undertaken in relation to new, amended or repealed instruments of the Town's local planning framework, as well as applications for development approval.
- One (1) supporting submission raising concerns was received in response to the community consultation and public advertising of the draft amended policy.
- Additional minor modifications have been made to in response to recently gazetted changes (2 July 2021) to the 'Deemed-to-Comply' requirements of Volume 1 of the Residential Design Codes WA, the concerns raised in the single supporting submission, and to clarify that public notices of a planning proposal must be published/displayed the day prior to commencement of the consultation period.

- It is recommended that draft revised LPP 37 (as further modified by Council officers) be adopted by the Council.

Background

1. Existing LPP 37 was last amended in December 2018, following its review by the Urban Planning service area, as detailed in the Ordinary Council Meeting Minutes of 11 September 2018 and 11 December 2018.
2. Amendments to the Regulations were gazetted in December 2020 with the stated goals of streamlining development approval processes, reducing unnecessary 'red tape' and helping to support the State's economic recovery.
3. The majority of changes to the Regulations commenced operation as of 15 February 2021 and has resulted in a number of local planning policies being reviewed and amended as a result of the changes. LPP 37 is the fourth local planning policy to be reviewed as a result of the amended Regulations.
4. A number of additional changes to the State and local planning framework have occurred since the last review of LPP 37, including recent amendments to the Town's local planning scheme and the gazettal of Volume 2 of the Residential Design Codes WA, which applies to mixed use development and multiple dwellings on land with a density coding of R40 and above.
5. In view of the above changes to both the State and local planning frameworks, the review and amendment of existing LPP 37 was completed.
6. The detailed breakdown of recommended changes to LPP 37 is contained in the Minutes of the Ordinary Council Meeting held on 20 April 2021 (refer Attachment 4), where consent to publicly advertise the draft amended policy was granted by Council.
7. In May 2021, the Western Australian Planning Commission (WAPC) announced the completion of its interim review of Volume 1 of the Residential Design Codes WA which applies to single houses, grouped dwellings, and multiple dwellings on land with a density coding of R35 and below. These changes took effect on 2 July 2021 and have resulted in minor additional modifications being made to amended LPP 37.

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 development of a LPP that ensures community consultation and public advertising of planning proposals is undertaken in accordance with State legislative requirements, and provides clarity and certainty to the community, the development industry, property owners and Town officers.
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	The review and development of LPPs that ensure the processing, assessment and determination of planning proposals is undertaken in a consistent and objective manner.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The review of the Town's LPPs to ensure they remain relevant, effective and consistent with current legislative requirements and the State Planning Framework.

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 LPPs that facilitate appropriate planning proposals for development and land use within the Town, while providing the opportunity for community input into the decision-making process in relation to significant proposals or where variations are being sought to relevant development standards or policy requirements which may have external amenity impacts.

Social	
Strategic outcome	Intended public value outcome or impact
S02 - An informed and knowledgeable community.	The development of LPPs that provide clarity to the community about the circumstances and manner in which they will be informed and consulted in relation to planning proposals within the Town.

Engagement

Internal engagement	
Stakeholder	Comments
Place Planning	The draft amended policy has been distributed to Place Planning officers for internal review and comment, with none being received. It is noted that the reporting officer (who undertakes duties across both the Place Planning and Urban Planning service areas) did not expect any significant internal feedback given the heavily administrative nature of the policy, with the proposed changes having minimal (if any) impacts from a place perspective. No further feedback was received during the community consultation period.
Community Engagement	The draft amended policy was distributed to Community Engagement for internal review and comment with no feedback being received. Significant feedback was not anticipated in relation to the proposed changes given heavily administrative nature of the policy and as it deals primarily with statutory advertising requirements governed by State legislation. No further feedback was received during the community consultation period
Urban Planning	As the primary users and administrators of the policy from an organisational perspective, Urban Planning officers have reviewed and provided feedback on the amended provisions, format and layout of the draft revised policy.

External engagement	
Stakeholders	General community, property owners and residents.
Period of engagement	21 days (6th to 27th May 2021)
Level of engagement	2. Consult
Methods of engagement	• Publication of notice in the Southern Gazette on 6th May 2021 • Hard copy displays at Council's Library and Administration Building • Online consultation and invitations to submit comments via the Town's 'Your • Thoughts' consultation hub • Social media posts on the Town's Facebook page
Advertising	As above
Submission summary	One (1) submission (via Your Thoughts) in strong support of the amended policy, raising concerns. A response to the matters raised in the submission is contained within Attachment 2 to this report. Your Thoughts activity summary: 19 page visits; 10 document downloads, 1 submission.
Key findings	The proposed amendments to LPP 37 have not raised any significant concern within the community.

Legal compliance

Planning and Development (Local Planning Schemes) Regulations 2015

The adoption or amendment of a Local Planning Policy is to be undertaken in accordance with deemed clauses 4 and 5 of the Regulations, including:

- Publication of a notice in accordance with deemed clause 87;
- Community consultation for a period of not less than 21 days after the day on which the notice is first published: and
- Consideration of public submissions and a Council resolution to proceed with the new or amended policy with or without modifications, or not to proceed.

As per deemed clauses 4(5) and 6(b), the adoption of a new or revised local planning policy, or the revocation of an existing local planning policy, takes effect upon publication of a notice in accordance with deemed clause 87.

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	Nil	Nil	Nil	Nil	Low	N/A

Environmental	Nil	Nil	Nil	Nil	Medium	N/A
Health and safety	Nil	Nil	Nil	Nil	Low	N/A
Infrastructure /ICT systems/ utilities	Nil	Nil	Nil	Nil	Medium	N/A
Legislative compliance and Reputation	Continued application of an existing policy that does not provide adequate guidance in relation to the current planning framework, contains superseded provisions and/or is inconsistent with State legislative requirements.	Low	Likely	Medium	Low	Council adopt draft revised LPP 37.
Service delivery	Nil	Nil	Nil	Nil	Medium	N/A

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	The passing of this recommendation is not anticipated to result in any direct future budget impacts.

Analysis

8. Council officers have further considered the provisions of LPP 37 in light of the WAPC's recent completion of the interim review of Volume 1 of the Residential Design Codes WA (R-Codes) in May 2021, and the concerns raised in the single supporting submission received during the community consultation period.

9. Further review of the amended policy has resulted in the addition of a further subclause (Clause 3(b)) to outline that the Town may provide details of, and invite submissions on, the design merit of proposals having regard to any relevant planning instrument, either in general or in relation to specific matters in the case of complex applications. This has been added to provide a mechanism for members of the public to be made aware of and to comment on aspects of proposals that are not related purely to strict development compliance matters, in appropriate circumstances. Examples of such matters include the performance of large-scale mixed-use development proposals against the Design Principles and Element Objectives of Volume 2 of the Residential Design Codes WA. The assessment of development applications against these provisions requires careful consideration and a performance-based approach,

rather than a strict compliance-based assessment. It is considered appropriate that community members be provided with an opportunity to comment on such matters as they relate to significant aspects of the proposal that may affect the amenity of surroundings properties and the streetscape, particularly in terms of the visual impact and design quality of buildings.

10. Several amendments to the 'Deemed-to-Comply' (DTC) requirements of Volume 1 of the R-Codes took effect on 2 July 2021. Those aspects of a proposed residential development that comply with the amended DTC requirements will be permitted 'as of right' and will not be subject to the requirement for community consultation.

11. Amongst other changes, the amendments to the DTC requirements include the:

    (a) Exclusion of open carports from front setback averaging calculations;

    (b) Revision of the method of calculation of building height to be from natural ground level to the underside of the dwelling eaves; and

    (c) The removal of the average boundary wall height requirement with reliance on the maximum boundary wall height requirement only.

12. As a result of the above changes, several of the 'exemptions from consultation' listed under Item 10 of Table 2 of the current LPP 37 have either been modified or deleted in their entirety as they are no longer necessary, with the balance of listed exemptions renumbered accordingly.

13. A further consequence of the amendments to the R-Codes Volume 1 is that the Town now proposes to revoke Local Planning Policy 26 'Boundary Walls'. This is the subject of a separate agenda item. On the basis that Council agrees to revoking LPP 26 and reverts to the R-Codes provisions for boundary walls, an issue exists with walls set back between 0.6m and 1.0m/1.5m (as relevant) from a side boundary. Such walls would be considered boundary walls under the Town's LPP 26, but under the R-Codes would not be a boundary wall and would be regarded as having a side setback not satisfying the deemed-to-comply standard and would require consultation. It is considered that there is no logic to allow walls to be built on or within 0.6m of a side boundary without consultation, whereas the same wall requires consultation if located between 0.6m and 1.0m/1.5m (as relevant) from the boundary, when the latter has a lesser impact upon adjoining properties. It is proposed to resolve this issue through inserting a provision at item 10 of Table 2 of the Policy clarifying that a wall, without windows, located between 0.6m and 1.0/1.5m (as relevant) from a side boundary is exempt from consultation where the wall complies with the DTC height and length limitations of the R-Codes relating to boundary walls. In effect this does not represent a change as consultation is currently not required for walls in such circumstances.

14. Review of the single supporting submission received during the public advertising for the amended policy has raised the issue of delayed timeframes for the receipt of posted letters where these are required to be sent directly to the owners/occupiers of properties in relation to a proposed planning proposal.

15. The Town relies on Australia Post for its domestic mail delivery and is unable to guarantee the time within which posted letters will be received by letter recipients (which may vary considerably). In view of these circumstances, Clause 8(a) of amended LPP 37 has been amended to state that posted letters will be sent a minimum of 3 business days prior to the date of the commencement of advertising. This timeframe is considered to be an appropriate compromise in these circumstances as a greater timeframe risks delaying development application processing times and increasing the resourcing requirements of Council planning officers, which are governed by strict statutory timeframes.

16. Clause 9(e), in relation to signs on site, and Clause 10(a)i., in relation to newspaper notices have been further modified to specify that where such a notice is required, that it is to be installed/published the day prior to commencement of the consultation period. This is to ensure that the policy is consistent with the requirements of the Regulations that state that the closing date for public advertising of a planning proposal is the relevant number of days specified after which notice of that particular planning proposal has been published. A new Note 3 and Note 2 to Tables 1 and 2 of the amended policy have also been added to this effect.

17. Further changes to clarify the location of public notices to be published within a newspaper (Clause 10(a)iii.) and the requirement for an image of the proposed development for on-site signage in the case of complex applications (Clause 9(d)). Minor changes to address grammatical and formatting issues to ensure the amended policy is in a form ready for adoption have also been made.

18. The proposed amendments to LPP 37 are considered to increase the level of certainty and clarity regarding the duration and methods of consultation to be undertaken for planning proposals of all kinds and bring the policy into alignment with recently gazetted amendments to the Regulations, the current provisions of the Scheme and recent gazetted changes to the R-Codes.

19. The amended policy will also serve to reduce the time and resources used by Council officers as well as applicants during the development application process in a limited range of circumstances where minor, commonly proposed variations to development standards are proposed and routinely supported by Council officers for approval under delegated authority from the Council (refer Attachment 4 for details).

20. In view of the above, it is recommended that Council formally adopt draft revised LPP 37, as modified and contained in Attachment 1 to this report.

Relevant documents

Not applicable.

Further consideration

21. A further amendment has been made to the draft amended policy following its consideration at the Agenda Briefing Forum. It has been noted that while excavation and retaining walls below natural ground level for a residential development are exempt from consultation under the current policy, the revised policy would require consultation to be undertaken in this situation. Site works below natural ground level are considered to have no planning impacts upon adjoining properties. The relevant issue for site works is undermining adjoining properties and the structural adequacy of retaining walls, these being matters that must be addressed through the building application process rather than a development application. Accordingly, it is recommended that at Table 2, item 10 of the policy, the following additional item be added to 'exemptions from consultation':

    "(e) Site works with excavation and/or retaining walls below natural ground level regardless of height and setback."

12.2 Adoption of Draft Revised Local Planning Policy 2 'Home-based Businesses'

Location	Town-wide
Reporting officer	Senior Planning Officer
Responsible officer	Manager Development Services
Voting requirement	Simple majority
Attachments	1. Draft Amended LPP 2 'Home-based Businesses' [**12.2.1** - 8 pages] 2. Existing LPP 2 'Home Occupation' [**12.2.2** - 5 pages] 3. Minutes of Ordinary Council Meeting held 16 March 2021 [**12.2.3** - 6 pages]

Recommendation

That Council:

1. Adopts amended Local Planning Policy 2 'Home-based Businesses' (LPP 2) as modified and contained within Attachment 1*;* and
2. Requests the Chief Executive Officer to arrange for publication of notice of the adoption of amended LPP 2 in accordance with deemed clause 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Purpose

To consider the recommended adoption of draft amended Local Planning Policy 2 'Home-based Businesses' (LPP 2), which has been renamed and revised to reflect recent amendments to Town Planning Scheme No. 1 and State Government legislation.

In brief

- Existing LPP 2 'Home Occupation' has been revised and broadened in scope to ensure it is consistent with recently gazetted changes to the *Planning and Development (Local Planning Schemes) Regulations 2015* as well as recent amendments to the Town of Victoria Park Town Planning Scheme No. 1 (the Scheme).
- The revised scope, objectives and development standards seek to encourage small scale, unobtrusive home-based businesses that do not unduly impact the amenity of surrounding residents or properties by way of traffic, parking, noise, or other potential impacts.
- No submissions were received in response to the community consultation and public advertising of the draft amended policy.
- It is recommended that draft revised LPP 2 (as further modified by Council officers to amend minor formatting and grammatical errors) be adopted by the Council.

Background

1. Existing LPP 2 'Home Occupation' was last amended in June 2019, following its review by the Urban Planning service area, as detailed in the Ordinary Council Meeting Minutes of 16 April and 18 June 2019.
2. Amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted in December 2020 with the stated goals of streamlining development assessment processes, reducing unnecessary 'red tape' and helping to support the State's economic recovery.

3. In respect to existing LPP 2, the amended Regulations have altered the circumstances in which development approval is required from the Town of Victoria Park to carry out a home-based business activity, depending on the zone in which it is located, and the permissibility of the particular land use as listed within the Zoning Table of the Scheme.
4. Amendments 80 and 84 to the Scheme have resulted in the addition of new and amended land use definitions being inserted into the Scheme, including the uses of Home Store and Home Business, which are currently not addressed by LPP 2.
5. In view of the changes to both the State Planning Framework through amendments to the Regulations, and the local planning framework through amendments to the Scheme, the review and amendment of existing LPP 2 has been completed.
6. The detailed breakdown of recommended changes to LPP 2 is contained in the Minutes of the Ordinary Council Meeting held on 16 March 2021, where consent to publicly advertise the draft amended policy was granted by Council.
7. The review and amendment of LPP 2 is the third of at least four local planning policies that require amendment or revocation as a result of the amended Regulations.

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 consultation and public advertising occurring in accordance with State legislative requirements and LPP 37 'Community Consultation on Planning Proposals'.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The review of the Town's LPPs to ensure they remain relevant, effective and consistent with current legislative requirements and the State Planning Framework.

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 development of LPPs that facilitate local employment and other economic outcomes while balancing amenity impacts and land use compatibility issues with surrounding residential uses.

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 LPPs that facilitate diverse housing and employment outcomes, including working from home, while minimising the potential for adverse amenity impacts.

Engagement

Internal engagement	
Stakeholder	Comments
Place Planning	Place Planning officers have indicated support for the proposed policy changes, which encourage diverse employment outcomes for local residents, while ensuring the amenity of surrounding properties and the broader community is appropriately considered.
Urban Planning	Urban Planning officers have reviewed the draft policy and provided feedback, which has informed the amended provisions.

External engagement	
Stakeholders	General community, property owners and residents.
Period of engagement	21 days (6th to 27th May 2021)
Level of engagement	2. Consult
Methods of engagement	• Publication of notice in the Southern Gazette on 6th May 2021 • Hard copy displays at Council's Library and Administration Building • Online consultation and invitations to submit comments via the Town's 'Your Thoughts' consultation hub • Social media posts on the Town's Facebook page
Advertising	As above
Submission summary	No submissions received. Your Thoughts activity summary: 7 page visits; 0 document downloads, 0 submissions.
Key findings	The proposed amendments to LPP 2 have not raised any significant concern within the community.

Legal compliance

Planning and Development (Local Planning Schemes) Regulations 2015

The adoption or amendment of a Local Planning Policy is to be undertaken in accordance with deemed clauses 4 and 5 of the Regulations, including:

- Publication of a notice in accordance with deemed clause 87;
- Community consultation for a period of not less than 21 days after the day on which the notice is first published; and
- Consideration of public submissions and a Council resolution to proceed with the new or amended policy with or without modifications, or not to proceed.

As per deemed clauses 4(5) and 6(b), the adoption of a new or revised local planning policy, or the revocation of an existing local planning policy, takes effect upon publication of a notice in accordance with deemed clause 87.

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	Nil	Nil	Nil	Nil	Low	N/A
Environment	Nil	Nil	Nil	Nil	Medium	N/A
Health and safety	Nil	Nil	Nil	Nil	Low	N/A
InfrastructureICT systems/ utilities	Nil	Nil	Nil	Nil	Medium	N/A
Legislative compliance; and Reputation	Continued application of existing policy that does not provide adequate policy guidance in relation to all home-based business activities.	Low	Likely	Medium	Low	Council adopt draft revised LPP 2.
Service delivery	Nil	Nil	Nil	Nil	Medium	N/A

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	The passing of this recommendation is not anticipated to result in any direct future budget impacts.

Analysis

8. Draft revised LPP 2 'Home-based Businesses' addresses the current shortcomings and superseded provisions of the existing policy, to bring it into alignment with the current State Planning Framework and recent amendment to the Scheme, by:

a. Renaming of the policy to LPP 2 'Home-based Businesses' and broadening its scope to deal with all home-based business types under the scheme, including Home Office, Home Occupation, Home Business and Home Store, as well as those business activities which fall outside the Scheme definition of any of these land uses and must be considered as an Unlisted Use;

b. Expanding the range of definitions to capture all of the abovementioned land uses, and outlining the specific development approval requirements for each (where necessary), taking into account the changes introduced by the amended Regulations;

c. Inserting a general definition of 'home-based business' to enable the policy to set out provisions applicable to all home-based activities as well as those specific to defined land uses/sub-types;

d. Inserting provisions related to business size/area, maximum employee number and dwelling type from which home-based business activities may occur (where development approval is required), which seek to ensure their compatibility with surrounding residential uses and minimise the potential for adverse amenity impacts; and

e. Allowing for variations to certain development standards for Home Stores, where they are operating from a building (or portion of) that has historically been used as a delicatessen or similar retail use.

9. The amended policy provisions seek to promote home-based business activities, self-employment, and contemporary hybridised work patterns, that have become increasingly attractive with improvements to technology as well as the significant work pattern alterations necessitated at various times during the continuing COVID-19 pandemic but are increasingly becoming the norm.

10. In doing so, the policy also seeks to ensure the amenity of surrounding properties, particularly within residential areas, in line with what are considered to be reasonable community expectations of what a home-based business may entail, noting that such activities must be carried out from an existing dwelling or property occupied primarily for residential purposes.

11. The proposed changes to LPP 2 are considered to appropriately address relevant amenity considerations that must be considered by the Town as part its determination of applications for development approval for home-based business activities. The amended policy will also serve as a single, comprehensive policy instrument that is reflective of the current local and State Government planning frameworks.

12. Final changes have been made to address minor grammatical and formatting issues to ensure it is in a form ready for adoption.

13. It is recommended that Council formally adopt draft revised LPP 2, as modified and contained in Attachment 1 to this report.

Relevant documents

Not applicable.

12.3 Amendment to Local Planning Policy 38 'Signs'

Location	Town-wide
Reporting officer	Manager Development Services
Responsible officer	Chief Community Planner
Voting requirement	Simple majority
Attachments	1. Current LPP 38 - Signs [**12.3.1** - 22 pages] 2. Draft Amended LPP 38 - Signs - ABF changes [**12.3.2** - 25 pages] 3. Draft Amended LPP 38 - Signs - Post ABF changes [**12.3.3** - 25 pages] 4. Draft Amended LPP 38 - Signs - OCM clean copy [**12.3.4** - 25 pages]

Recommendation

That Council:

1. Considers the amendments to Local Planning Policy 38 'Signs' (LPP38) to be a minor amendment and adopts the amended policy as contained within Attachment 4; and
2. Requests the Chief Executive Officer to arrange for publication of notice of the adoption of amended LPP 38 in accordance with deemed clause 87 of the of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Purpose

To consider an amendment to Local Planning Policy 38 'Signs' in relation to third party and digital signs, and to reflect amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In brief

- LPP38 was adopted by Council in November 2018.
- LPP38 contains provisions controlling illuminated signs but does not deal specifically with digital signs.
- Under LPP38 third party signage is only allowed in a limited number of instances. It is implied that third party signs will generally not be supported in the majority of instances.
- There have been three applications proposing third party digital signs since the adoption of LPP38, with two applications being approved and one being refused.
- Amendments are proposed to LPP38 to clarify that there may be situations where third party signs may be acceptable and to provide criteria around the assessment of digital and illuminated signs.
- In addition, it is opportune to amend the policy to reflect amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* that took effect in February 2021.

Background

1. LPP38 was adopted by Council in November 2018 (copy at Attachment 1).
2. Under the Town's previous Signs Local Law:

   (a) there were no provisions specific to digital signs.

   (b) there were no provisions specifically prohibiting third party signs, rather just a statement that the Town may refuse a sign application for a number of reasons, including where the sign advertises goods or services not available for sale on the land upon which the sign is displayed. However, the

Town's Officers consistently took the view that third party advertising signs were not appropriate as they would result in unnecessary visual clutter;

(c) There was a provision that hoarding signs are prohibited in the Town ie. large freestanding signs that are often seen in railway reserves containing third party advertising.

3. There have been three applications received by the Town for third party digital advertising signs since the adoption of the current LPP38 as summarised below.

Application 1 – Sign on Victoria Park Drive overpass bridge over Graham Farmer Freeway

- Sign details – 3.35m x 12.66m; 42.4m^2 area; single sided.

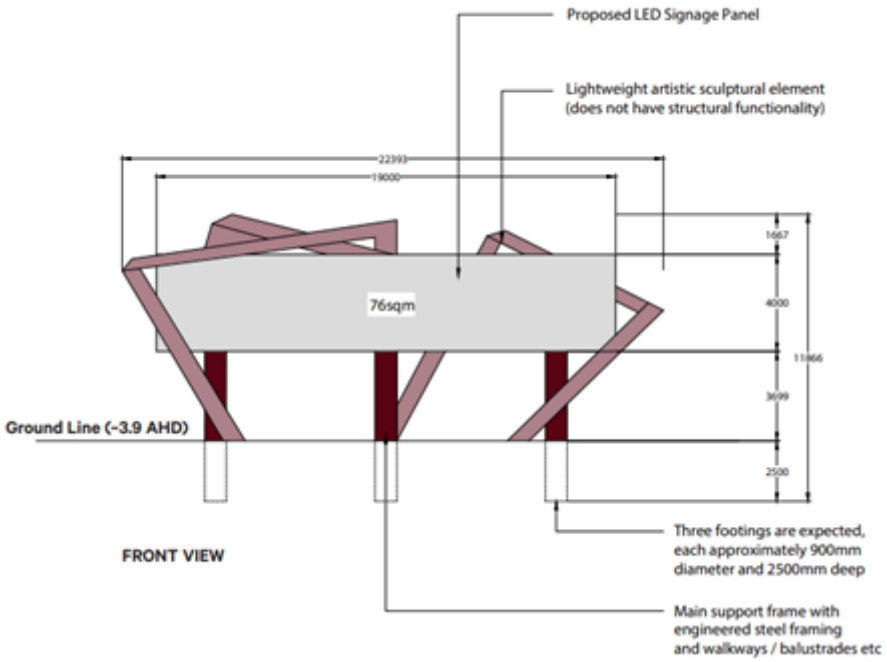
PROPOSED CITY OUTBOUND VIEW

NOTE: SIGN SIZE AND STRUCTURE AS SHOWN IS INDICATIVE AND SUBJECT TO FINAL DETAIL SITE SURVEY.

- Decision – Approved by WAPC.
- Council recommendation – Refusal – it was considered that the sign does not make a positive contribution to the amenity of the locality.
- Officer recommendation – Approval – it was considered that the sign was acceptable from an amenity and streetscape perspective given the site context within a regional road reserve and with no immediately adjoining development.

Application 2 – Sign at Belmont Park Racecourse

- Sign details – sign integrated within a sculptural structure; 4m x 19m; 76m^2 surface area.



- Decision – Approved by JDAP for a period of 10 years only. Not commenced.
- Council recommendation – N/A
- Officer recommendation – Approval – considered that the sign is acceptable given the existing streetscape and the sign not impacting upon residents in the area or road users.

Application 3 – 826 Albany Highway, East Victoria Park

- Sign Details – building parapet to be increased in height to incorporate proposed roof sign; 3.5m x 8.1m; 26m^2 area; 10.7m above ground level.

- Decision – Refused by Council.
- Officer recommendation – Refusal – sign considered to be visually prominent given its location in a mainstreet, on the roof, its size and digital nature.

Following the Town's refusal of the last application, feedback was sought from Elected Members in regard to the acceptability of digital signs, including third party signs. This feedback has been considered in this policy review.

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 development of LPPs that facilitate local employment and other economic outcomes while balancing amenity impacts.

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.	An LPP that provides scope for varying development and sign types in appropriate instances.

Engagement

Nil - It is considered that the policy amendments are minor and does not warrant internal or external engagement.

Legal compliance

Planning and Development (Local Planning Schemes) Regulations 2015

The adoption or amendment of a Local Planning Policy is to be undertaken in accordance with deemed clauses 4 and 5 of the Regulations, including:

Publication of a notice in accordance with deemed clause 87;

Community consultation for a period of not less than 21 days after the day on which the notice is first published; and

Consideration of public submissions and a Council resolution to proceed with the new or amended policy with or without modifications, or not to proceed.

However, the above consultation provisions are not required if the local government considers the amendment to be a minor amendment.

As per deemed clauses 4(5) and 6(b), the adoption of a new or revised local planning policy, or the revocation of an existing local planning policy, takes effect upon publication of a notice in accordance with deemed clause 87.

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	Nil	Nil	Nil	Nil	Low	N/A
Environmental	Nil	Nil	Nil	Nil	Medium	N/A
Health and safety	Nil	Nil	Nil	Nil	Low	N/A
Infrastructure/ ICT systems/ utilities	Nil	Nil	Nil	Nil	Medium	N/A
Legislative compliance; and Reputation	Continued application of existing policy that does not provide adequate policy guidance	Low	Likely	Medium	Low	Adopt revised LPP38
Service delivery	Nil	Nil	Nil	Nil	Medium	N/A

Financial implications

Current budget impact	Not applicable
Future budget impact	Not applicable.

Analysis

4. LPP38 was adopted in November 2018 (copy at Attachment 1).
5. Under LPP38:
   (a) there are no provisions specifically relating to digital signs. There are some general provisions that illuminated signs should not cause a nuisance, not likely to be confused with traffic lights, not flash, or change more than once every 5 minutes (unless approved by the Town);
   (b) third party signs are exempt from development approval where they are installed to a bus shelter, roadside seat, litter bin or public payphone. In all other instances, third party signs require development approval. The Policy states that third party signs will be considered where the sign advertises a sponsor of a sporting or community organisation, is located on the same property, and is of an acceptable visual standard. It is implied that third party signs will generally not be supported in other instances.

6. Third party advertising signs are generally not supported for the following reasons:
    - Can affect the visual amenity and character of an area;
    - May cause conflict if placed too close to a competing business;
    - Signage advertising a business or services not located on the site is considered to be unnecessary and adds to visual clutter.

7. Potential benefits that could be delivered through third party digital signs include:
    - Opportunity to advertise local business and community groups and/or events.
    - Opportunity to advertise Council events or services. However, supporting signs because they advertise Council events or services raises issues of a potential conflict of interest.
    - Visual interest and vibrancy.

8. A review of the policy requirements of other local governments has been undertaken, with the following information being sourced:
    - City of Belmont – third party advertising is not permitted; illuminated and electronic display screen signs are permitted subject to restrictions including level of illumination.

    - City of Canning – third party signs will not be approved unless on a local government reserve used for sporting purposes; illuminated signs are not to cause nuisance by way of light spill, flash or interfere with traffic lights.

    - City of South Perth – approval will only be given for a sign relating to a use or goods available from the site.

    - City of Stirling – signs shall not advertise services or products not available on the lot; signs shall not cause a nuisance by way of light spill or include flashing or running lights.

    - City of Subiaco – third party signs will generally not be supported as they do not make a positive contribution to the amenity and built form of a locality; may be externally illuminated in a manner that does not flash or pulsate.

    - Town of Cambridge – signs shall not advertise third parties; illuminated signs only permitted where they will have no detrimental effect and must only display information relevant to the site of the advertisement.

    - City of Gosnells – third party advertising is not permitted. Signs may be illuminated but must not flash.

9. Having regard to the relevant policies of other local governments it is concluded that the majority of local governments do not support third party advertising signs in any instance. This is generally consistent with the Town's current position, other than the Town's Policy allowing for signs advertising sponsors of sporting or community organisations.

10. It is considered that the Town's Policy could more clearly outline a general presumption against third party signs, although outlining that consideration will be given in appropriate instances. Accordingly, the provisions of the Policy relating to third party signs are proposed to be amended through the inclusion of the following words:

"In other instances, third party signs will generally not be supported. However, there may be appropriate locations and circumstances where a third party digital/electronic sign is acceptable (ie. tourist and entertainment precincts), and the sign will be considered on its individual merits."

11. While the Town's current Policy contains provisions relating to illuminated signs generally and controls to ensure they do not cause a nuisance or distraction, there are no provisions relating specifically to digital signs or illuminated signs. The Policy would benefit from the inclusion of provisions relating specifically to digital and illuminated signs ie. minimum transition times between images; levels of illumination etc. Accordingly, new provisions have been included in Table 1 of the amended Policy which define and outline the applicable standards for digital signs and illuminated signs.

12. The proposed amendments to the policy as described in paragraphs 10 and 11 are indicated in red in Attachment 2.

13. Given amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* took effect in February 2021, it is appropriate that the policy be amended to reflect the changes to the Regulations. The amendments to the Regulations of relevance to LPP38 are the introduction of a definition of 'heritage protected place, and additional exemptions from development approval for signs, or amended criteria to be exempt. These amendments to LPP38 are also in red text within Attachment 2 but also highlighted in yellow.

14. It is considered that the amendments to the policy can be regarded as minor amendments not requiring community consultation on the basis that:
    - Those amendments highlighted in yellow in Attachment 2 are to ensure the policy is consistent with the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
    - The amendment relating to third party signs is stating the current position that there is a general presumption against this type of signage, but with the addition of some words clarifying that there is scope to consider on their merits in particular situations.
    - The new provisions relating to digital signs and illuminated signs are largely based on current industry standards.

Relevant documents

Not applicable.

Further considerations

15. Following the Agenda Briefing Forum, further review of the draft amended policy has been undertaken by officers. It has been identified that further amendments are appropriate, as described below. These further amendments, with the exception of some grammatical/formatting issues, are highlighted in blue in Attachment 3.

16. Notable further amendments include:

    (a) clarifying that a sign that could be classified as both a digital sign and illuminated sign, is to be assessed as a digital sign.

    (b) removing the requirement for a sign to "be in keeping with the architecture of the building." The term is vague, and signs by virtue of their appearance and function are rarely in keeping with the architecture of the building. It is agreed that signs should not detract from the architecture of a

building, but to require them to be in keeping with the architecture of the building is impractical. Furthermore these matters are required to be considered under clause 30A of TPS 1.

(c) amended wording with respect to third party signage. It was considered that the previously proposed wording was not sufficiently clear that approval of third party signs will only be in limited situations, and that the reference to such signage being considered in "tourism and entertainment areas" is open to interpretation. Overall it was considered that the previously proposed amended wording may be open to interpretation and could unintentionally result in an increase in third party signs throughout the Town. In considering the appropriate wording, consideration has also been given to the relationship between third party signs at upper levels and future residential dwellings above street level. Accordingly, it is recommended that the relevant provisions relating to third party signs now be amended to the following:

"Generally not supported as they typically do not provide a positive contribution to the amenity of an area, and can result in an unnecessary proliferation of signage.

Will only be considered:

a. Where the sign advertises a sponsor of a sporting or community organisation, is located on the same property, and the sign is of an acceptable standard; or
b. On its merits in other limited circumstances."

12.4 Proposed Revocation of Local Planning Policy No. 26 - Boundary Walls

Location	Town-wide
Reporting officer	Coordinator Urban Planning
Responsible officer	Manager Development Services
Voting requirement	Simple majority
Attachments	1. Local Planning Policy 26 - Boundary Walls [**12.4.1** - 5 pages]

Recommendation

That Council:

1. Revokes Local Planning Policy 26 'Boundary Walls' (LPP 26) as contained within Attachment 1.
2. Requests the Chief Executive Officer to arrange for publication of notice of the revocation of LPP 26 in accordance with deemed clause 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Purpose

To consider the recommended revocation of Local Planning Policy 26 'Boundary Walls' (LPP 26), following the review to reflect recent amendments to the State Planning Policy 7.3 - Residential Design Codes Volume 1 (R-Codes).

In brief

- The R-Codes were amended and became operational on 2 July 2021. As part of the amendments, the deemed-to-comply requirements relating to boundary walls were revised and now largely reflect the policy requirements of LPP 26.
- To prevent duplication of the planning framework, it is recommended that the Council adopts to revoke LPP 26, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

Background

1. Existing LPP 26 'Boundary Walls' was adopted in August 2009 and was last amended following the review in September 2017.
2. The purpose of the Local Planning Policy was to vary the deemed-to-comply provisions of the R-Codes relating to boundary walls. At that time, the variations to the R-Codes related to the following matters:
    - Definition of a boundary wall
    - Minimum front setback for boundary wall
    - Constructing a boundary wall on more than one boundary
    - Increased wall length for areas coded R30 and greater
    - Provision stating that two storey boundary walls generally not supported in residential areas.
3. The Ordinary Council Meeting minutes from 2009, when the local planning policy was initially proposed, indicated that the impetus for the policy was to introduce alternative deemed-to-comply standards from those contained in the R-Codes so as to negate the need for neighbour consultation where a

proposal would achieve better planning and design outcomes. The local planning policy was prepared to provide clarity to landowners, architects/designers and developers on the boundary wall considerations applied by Council officers.

4. The R-Codes apply to residential development throughout Western Australia, with Volume 1 applying to both low and medium density housing and Volume 2 applying to apartment (i.e. multiple dwelling / mixed use) developments.

5. As part of the State Government's economic recovery response to COVID-19, interim changes to the R-Codes Volume 1 were made which aimed to streamline the development approval process for low to medium density housing by, "revising and simplifying assessment methods and requirements, and improve the phrasing of clauses".

6. The series of amendments to the R-Codes were gazetted and commenced operation on 2 July 2021.

7. A further, more comprehensive review of the R-Codes is underway as part of the Design WA Medium Density Code.

8. The review of LPP 26 reflects at least two local planning policies that require consequential amendment or revocation as a result of the amended R-Codes Volume 1.

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.	If the local planning policy is revoked, the community will be informed of this change in accordance with deemed clause 87 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	The review of the Town's LPPs to ensure they remain relevant, effective and consistent with current legislative requirements and the State Planning Framework.

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 LPPs that facilitate diverse housing outcomes, including for people with different housing need, while minimising the potential for adverse amenity impacts.

Engagement

9. Not applicable, however should Council resolve to revoke LPP 26, notice of the revocation will published in accordance with deemed clause 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This included a notice published in the South Gazette local newspaper and on the Town's website.

Legal compliance

Planning and Development (Local Planning Schemes) Regulations 2015

10. The revocation of a Local Planning Policy is to be undertaken in accordance with deemed clause 6 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, including the publication of a notice in accordance with deemed clause 87.

11. As per deemed clause 6(b), the revocation of an existing local planning policy takes effect upon publication of a notice by the local government in accordance with deemed clause 87.

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	Nil	Nil	Nil	Nil	Low	N/A
Environmental	Nil	Nil	Nil	Nil	Medium	N/A
Health and safety	Nil	Nil	Nil	Nil	Low	N/A
Infrastructure/ ICT systems/ utilities	Nil	Nil	Nil	Nil	Medium	N/A
Legislative compliance	Continued application of existing policy which largely duplicates or in part contradicts R-Codes Vol 1 may result in confusion, administrative error and inaccuracies.	Low	Likely	Medium	Low	Treat risk by Council revoking or updating LPP 26.
Reputation	Nil	Nil		Nil	Low	N/A
Service delivery	Nil	Nil		Nil	Medium	N/A

Financial implications

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

Analysis

12. A review of existing Local Planning Policy 26 'Boundary Walls' (as contained in Attachment 1) has been completed by Council officers. This review has considered the effectiveness of the current policy and alignment with relevant State Planning Policies.

13. The major issue identified during the review was that the revised deemed-to-comply provisions of the R-Codes Volume 1 largely replicate the existing policy requirements of LPP 26.

14. The revised deemed-to-comply provision for boundary walls of R-Codes at clause 5.1.3 C3.2 is as follows:

    "C3.2 Boundary walls may be built behind the street setback (specified in Table 1 and in accordance with clauses 5.1.2 and 5.2.1), within the following limits and subject to the overshadowing provisions of clause 5.4.2 and Figure Series 11:

    i. *where the wall abuts an existing or simultaneously constructed boundary wall of equal or greater dimension; or*

    ii. *in areas coded R20 and R25, walls not higher than 3.5m, up to a maximum length of the greater of 9m or one-third the length of the balance of the site boundary behind the front setback, to up to two site boundaries; or*

    iii. *in areas coded R30 and higher, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to up to two site boundaries; or*

    iv. *where both the subject site and the affected adjoining site are created in a plan of subdivision submitted concurrently for the proposed development, and the boundary walls are interfacing and of equal dimension. (Refer Figure Series 5)"*

15. Under the R-Codes a boundary wall is defined as:

    "A wall, on or less than 600mm from any site boundary (green title or survey strata lot), other than a street boundary.

16. However, existing LPP 26 takes the position that a wall (without windows) with a boundary setback between 0.6m (600mm) and 1m should be considered as a boundary wall also, rather than under Table 2a / 2b which depending on the wall length, requires a minimum 1m setback.

17. As such revised draft Local Planning Policy 37 – 'Community Consultation on Planning Proposals', which is the subject of a separate agenda item, recommends that walls setback between 0.6m and 1.0m/1.5m (as relevant) from a lot boundary is exempt from requiring consultation from adjoining owners and occupiers.

18. The R-Codes Volume 2 provides planning and design standards for apartments and commenced operation in 2019. The R-Codes Volume 2 provides default side and rear setbacks (as outlined in the

Primary Controls Table 2.1) as well as provisions and guidance for the height and length of boundary walls to moderate the impact on neighbours.

19. Council officers advise that the existing LPP26 design principles and deemed-to-comply provisions for boundary walls of apartment developments are incorporated into the R-Codes Volume 2, where matters such as streetscape character, built form transition between differing land uses and impacts on neighbouring properties are considered.

20. To prevent duplication and confusion between the now largely similar policy requirements of LPP 26 and the amended R-Codes, it is recommended that Council revokes Local Planning Policy 26 'Boundary Walls'.

Relevant documents

State Planning Policy 7.3 - Residential Design Codes Volume 1 (as gazetted)

State Planning Policy 7.3 - Residential Design Codes Volume 1 - Schedule of Amendments (Tracked Changes)

State Planning Policy 7.3 - Residential Design Codes Volume 2

Local Planning Policy 26 - Boundary Walls

12.5 Youth Plan

Location	Town-wide
Reporting officer	Community Development Officer (Families, Youth and Homelessness)
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	1. Town of Victoria Park Youth Action Plan 2021-2024 FINAL DRAFT track changes July 2021 [**12.5.1** - 19 pages] 2. Youth Plan Engagement Report [**12.5.2** - 4 pages] 3. Youth Plan Submission Report [**12.5.3** - 4 pages]

Recommendation

That Council endorses the Town of Victoria Park Youth Plan, as shown in Attachment 1.

Purpose

To present Council with the results of the public comment period on the draft Town of Victoria Park Youth Plan and seek final endorsement.

In brief

- The Town engaged the Youth Affairs Council of Western Australia (YACWA) to develop a Youth Plan (the Plan) for the Town of Victoria Park. YACWA undertook a comprehensive period of community engagement between February – April 2021 with young people, parents/caregivers and community organisations to inform development of the Plan.
- Findings from the community engagement process informed development of the draft Plan for young people aged 12-25 who live, work, volunteer, study and/or recreate in the Town. The draft Plan provides the Town with a framework and coordinated approach to the ongoing engagement and development of young people.
- The Town carried out a public comment period on the draft Plan between 18 June – 2 July. A total of 11 submissions were received, all supporting the draft Plan. Some suggestions for additional activities as well as other general comments were also received. The draft Plan attached includes a tracked change to actions 1.1 and 1.2 in response to one of the comments made.
- The Town is now seeking Council endorsement of the Town of Victoria Park Youth Plan. The Town will have the Plan graphically designed after endorsement and be renamed to 'Vibrant Youth – Town of Victoria Park Youth Plan', a name proposed during the naming competition which ran alongside the public comment period by a member of the community.

Background

1. At the Ordinary Council Meeting held on 21 April 2020, Council endorsed a number of actions in response to six resolutions carried at the Annual Meeting of Electors held on 10 March 2020. One action included the development of a Youth Plan for the Town of Victoria Park to consider in the 2020/2021 annual budget process.
2. The Town engaged the YACWA in October 2020 to undertake a comprehensive period of community engagement and develop the draft Plan. Engaging young people aged 12-25 widely in the development of the Plan, offered the Town the opportunity to gain a contemporary understanding of

local requirements and develop an informed framework and coordinated approach to the ongoing engagement and development of young people who live and spend time in the Town.

3. Between November 2020 – February 2021, YACWA completed desktop research and from February – April 2021 engaged young people, parents/caregivers and the organisations which support young people in the community. The findings of the engagement are contained in the attached Youth Plan Engagement Report.
4. At the Ordinary Council Meeting held on 15 June 2021, Council was presented a copy of the draft Youth Plan and approved the release of the Plan for public comment. The public comment period took place between 18 June – 2 July 2021, the results of which are contained in the attached Youth Plan Submission Report.

Strategic alignment

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	A youth-informed Youth Plan will provide clear direction to the Town on how to facilitate, support and/or deliver youth development activities that are meaningful to local young people.

Engagement

Internal engagement	
Stakeholder	Comments
Community Development	Participation in staff workshop and discussion on draft actions.
Events, Arts and Funding	Participation in staff workshop and discussion on draft actions.
Library	Participation in staff workshop and discussion on draft actions.
Place Planning	Participation in staff workshop and discussion on draft actions.
Aqualife and Leisurelife	Participation in staff workshop and discussion on draft actions.
Environment	Participation in staff workshop and discussion on draft actions.
Healthy Community	Discussion on draft actions.
Communications	Discussion on draft actions.
Human Resources	Discussion on draft actions.
Elected members	Participation in April 2021 Concept Forum.

External engagement	
Stakeholders	1. Young people aged 12 to 25 who live, work, study, volunteer or recreate in the Town 2. Parents and caregivers of young people 3. Community organisations that work with and/or connect with young people 4. Broad community (public comment period)
Period of engagement	1. Youth Plan engagement: February – April 2021 2. Youth Plan public comment: 18 June – 2 July 2021
Level of engagement	4. Collaborate
Methods of engagement	Youth Plan engagement 1. Youth Peer Researcher group (8 young people) 2. Youth survey (432 completed surveys) 3. Youth workshops (86 attendees) 4. Parents and caregivers survey (56 completed surveys) 5. One-on-one interviews with community organisations (14 organisations interviewed) Public comment 1. Hardcopy and online submission forms (11 completed submission forms)
Advertising	1. Town website 2. Your Thoughts page 3. Social media posts 4. Direct emails to schools and community organisations 5. Library Bookmark e-newsletter (Youth Plan engagement period)
Submission summary	See attached Youth Plan Engagement Report and Youth Plan Submission Report.
Key findings	See attached Youth Plan Engagement Report and Youth Plan Submission Report.

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	NA				Low	
Environmental	NA				Medium	
Health and safety	NA				Low	

Infrastructure/ ICT systems/ utilities	NA				Medium	
Legislative compliance	NA				Low	
Reputation	Not progressing the Youth Plan after extensive community engagement could result in a loss of community confidence in the Town.	Moderate	Likely	High	Low	TREAT by endorsing the draft Youth Plan.
Service delivery	Not progressing a large proportion of key actions within the plan if the recruitment of a Youth Programs Officer is not supported due to not being identified in the Workforce Plan.	Major	Likely	High	Medium	TREAT by employing a 0.6 FTE Youth Programs Officer on a 24-month contract. Should this role be deemed successful / critical to future delivery of the Youth Plan, consideration within the Town's Workforce Plan would be subsequently recommended at an appropriate later date.

Financial implications

Current budget impact	Budget has been proposed for the 2021/22 budget to address the actions within the Plan. Should the 2021-22 budgeted request not be endorsed by Council, then prioritisation of actions within the plan would be revised.
Future budget impact	Budget will be proposed for the 2022/23 budget to address the actions within the Plan through the standard budgeting process.

Analysis

5. The findings of the Youth Plan engagement period informed development of the draft Plan. The engagement demonstrated that young people generally enjoy living and spending time in the Town. Young people spoke of the vibrancy of the Town, and that they appreciate the diversity and inclusivity of the community. However, young people also indicated opportunities for improvement. This has resulted in the vision for the Plan that 'all young people who live or visit the Town of Victoria Park feel safe, connected, have opportunities to contribute and thrive.'
6. The draft plan is further broken down into four focus areas:
    a) Civic participation – young people have opportunities to be involved in Town planning and decision making in areas that impact them. These opportunities are delivered in ways that enable a diversity of young people to contribute according to their skills, interests, and abilities.
    b) Communication – young people receive information about initiatives and opportunities in the Town in the most efficient and effective way for them. This information delivered in youth-friendly formats, in places young people go, or from people they connect with.
    c) Places, activities, and events – young people visit places and spaces in the Town that are activated, youth-friendly, inclusive, and accessible. Young people have a variety of youth focused and youth-friendly activities and events available to them.
    d) Health and wellbeing – young people are aware of and have access to programs and services that support their health and wellbeing. They feel safe and included in their community.
7. The Town carried out a public comment period on the draft Plan between 18 June – 2 July. A total of 11 submissions were received, all supporting the draft Plan. Some suggestions for additional activities as well as other general comments were also received. The draft Plan attached includes a tracked change to actions 1.1 and 1.2 in response to one of the comments made, to ensure young people recruited into the annual Youth Leadership and Civic Engagement programs represent the diversity of young people who live and spend time in the Town.
8. The Town intends to work in partnership with the community to deliver on the vision and focus areas of the Plan. The Town will leverage or build new partnerships with local community organisations, schools, tertiary institutions, and businesses to successfully implement the plan once endorsed over the next three years.
9. The Plan will be renamed to 'Vibrant Youth – Town of Victoria Park Youth Plan', a name proposed during the naming competition which ran alongside the public comment period by a member of the community. A total of ten entries for the naming competition were received. Due to the importance and timing of Plan endorsement, the proposed names were not made available for public voting, as such, "Vibrant Youth – Town of Victoria Park Youth Plan' was deemed the most appropriate and suitable suggestion by Town Officers.
10. The Town is now seeking Council endorsement of the Town of Victoria Park Youth Plan. The Town will have the Plan graphically designed after endorsement.

Relevant documents

Not applicable.

12.6 Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants Application: Fletcher Park

Location	Carlisle
Reporting officer	Community Development Officer - Clubs, Events and Bookings
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	Nil.

Recommendation

That Council approves the submission of a $38,437 grant application by the Town of behalf of Perth Cricket Club to the Department of Local Government, Sport and Cultural Industries (DLGSC) through the Community Sport and Recreation Facilities Fund (CSRFF) to replace two turf wicket blocks at Fletcher Park in 2022.

Purpose

To seek Council approval for the Town, on behalf of Perth Cricket Club, to submit a Community Sport and Recreation Facilities Fund (CSRFF) Small Grants application for $38,437 to DLGSC by 30 August 2021. If the application is successful, Perth Cricket Club will receive the funds and not the Town of Victoria Park.

In brief

- The CSRFF, which is administered by the Department of Local Government, Sport and Cultural Industries (DGLSC), provides financial assistance to community groups and Local Government Authorities (LGA) to develop basic infrastructure for sport and recreation, capped at one-third of the total infrastructure cost.
- LGAs are required to review, rank, prioritise and submit applications to the DLGSC, upon approval by Council.
- The Town met with Perth Cricket Club in March 2021 to discuss the Club's plans to make future improvements to Fletcher Park. One of the improvements discussed at the March meeting was replacing two turf wicket blocks at Fletcher Park. At this meeting it was suggested that Perth Cricket Club should apply for CSRFF funding to complete this project.
- The Town has received a CSRFF Small Grants application from Perth Cricket Club. Perth Cricket Club will be responsible for delivery of the project, and fully fund via club resources and grant funding.

Background

1. The CSRFF program aims to increase participation in sport and recreation, with an emphasis on physical activity through rational development of sustainable, good quality, well-designed and well-utilised facilities.
2. Other examples of CSRFF Small Grant projects include new sports courts, cricket nets, small floodlighting projects, sports storage and change room refurbishments.
3. The CSRFF program operates on a reimbursement system. Applicants are now able to claim 25% of their grant upon the signing of a major works contract. 50% of the grant may then be claimed once expenditure has reached 50%. The final 25% of the grant is to be claimed upon the completion of the project. It is important to note that the CSRFF program still primarily operates on a reimbursement

basis. Grantees are required to demonstrate that the expenditure of funds has occurred prior to submitting a claim for payment.

4. Fletcher Park is a leased facility shared between Perth Cricket Club and Victoria Park Xavier Hockey Club.
5. Through consultation with two turf management companies, the Perth Cricket Club have identified that replacement of two turf wickets blocks at Fletcher Park are required. Perth Cricket Club will be replacing one centre wicket block and one training wicket block.
6. Both Turf management companies completed reports on the current organic profile of the turf wicket blocks. Both reports had similar findings that support replacing the wicket blocks or significant renovations.
7. It is anticipated that the replacement of the turf wicket blocks will increase the quality of playing and training surfaces assisting Perth Cricket Club to remain competitive in all competitions. It will also assist in attracting and retaining players.
8. Perth Cricket Club will be fully funding the project with club resources, supported by $30,000 from the Australian Cricket Infrastructure Fund that they have successfully obtained.
9. If Perth Cricket Club are not successful with the CSRFF Small Grants application, they will contribute the remaining funds to ensure the project is completed.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	Renewed facilities which meet current standards and maximised facility usage, through a well planning project management framework.
CL07 - People have positive exchanges with the Town that inspires confidence in the information and the timely service provided.	Perth Cricket Club engaged and consulted with the Town, allowing the Town to provide input into the application and project.

Environment	
Strategic outcome	Intended public value outcome or impact
EN05 - Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.	Provide quality playing surfaces for members of the Victoria Park community through the provision of high-quality sporting infrastructure.

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	Facilitate an active lifestyle for members of the Victoria Park community through the provision of quality recreation facilities. Promote participation in community sport through the provision of high-quality playing surfaces

Engagement

Internal engagement	
Events, Arts and Funding; Community	Relevant officers have met and discussed the application and support the submission of the application by Perth Cricket Club.
Parks Operations / Assets	Parks Operations support the project proposal and confirm that it will be completed by the Perth Cricket Club. While the cricket wickets are a Town asset, they are managed / maintained externally by the Perth Cricket Club via management agreement until December 2021. Maintenance of the cricket wickets will remain the responsibility of the Town appointed contractor, as per the standards set out in the tender documentation.

External engagement	
Perth Cricket Club and Town of Victoria Park.	Perth Cricket Club met with Community, Events, Arts and Funding to discuss improvements required at Fletcher Park for Perth Cricket Club to remain competitive as well as attract and retain players. At this meeting it was suggested that Perth Cricket Club should apply for CSRFF funding.
Period of engagement	9 March 2021 to present.
Level of engagement	3. Involve
Methods of engagement	Meetings, phone calls and written correspondence.
Advertising	Not applicable.
Submission summary	The Town is supportive of submitting the CSRFF Small Grants application on behalf of the Perth Cricket Club.
Key findings	Turf wicket blocks requiring replacement and renovations were subsequently identified, scoped and priced.

Other engagement	
Perth Cricket Club and Department of Local Government, Sport and Cultural Industries	Perth Cricket Club have discussed the proposed grant submission with DLGSC when requesting the CSRFF application form.
Perth Cricket Club and Victoria Park Xavier Hockey Club	In March 2021 Perth Cricket Club spoke with Victoria Park Xavier Hockey Club to advise them of the project works they were 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	Project costs having a financial impact on the Town.	Rare	Unlikely	Low	Low	Treat: Funding is occurring through the CSRFF application and approval process where the club is the sole applicant and have proved they are in good financial position to fully fund the project should they not be successful in their application.
Environmental	Not Applicable				Medium	
Health and safety	Not Applicable				Low	
Infrastructure/ ICT systems/ utilities	Not Applicable				Medium	
Legislative compliance	Not Applicable				Low	
Reputation	Not approving the CSRFF application for submission will impact the Towns	Minor	Unlikely	Low	Low	Treat: Council approve the CRSFF application for submission.

	reputation with the Perth Cricket Club.	
Service delivery	Not Applicable	Medium

Financial implications

Current budget impact	Nil. The project will be fully funded by the Perth Cricket Club and grant funding.
Future budget impact	Nil. The project will be fully funded by the Perth Cricket Club and grant funding. There is not anticipated to be additional costs associated with maintaining the replaced cricket wickets.

Analysis

10. The grounds and club rooms at Fletcher Park are used under a license arrangement with the Town of Victoria Park by the following clubs, Victoria Park Xavier Hockey Club and Perth Cricket Club.
11. The lease of Fletcher Park describes the premise as being the club rooms at Fletcher Park, Weston Street. The turf wicket blocks sit outside the lease area and do not form part of the lease.
12. The contractor awarded the tender for Fletcher Park Grounds Maintenance Services is responsible for the provision of all ground's maintenance at Fletcher Park, Weston Street Carlisle including the turf wicket blocks. The contractor provides all maintenance requirements to the playing surfaces and surrounding verges.
13. The contractor is responsible for the supply of all necessary labour, plant, equipment, materials, and machinery to complete detailed works in accordance with the tender specifications. The contractor for the current tender is Perth Cricket Club. The end date for the current contract is December 2021.
14. Turf wicket block replacement does not form part of the tender agreement for the Fletcher Park Grounds Maintenance Services. The tender does allow for sporting clubs to request services of the contractor to undertake works that do not form part of the tender. The club may enter into agreements for this work at no cost to the Town.
15. The turf wicket blocks are for Perth Cricket Club use only and not available to the public for casual use. No funds have been allocated by the Town in 2021/2022 for the replacement of the turf wicket blocks as the tender states this responsibility falls to the contractor which is currently Perth Cricket Club.
16. Perth Cricket Club have provided an evidenced-based need to complete the replacement of the two turf wicket blocks at Fletcher Park as outlined in the reports submitted by the turf management companies.
17. The project will not commence until 2022 at the end of the cricket season and will not impact the Victoria Park Xavier Hockey Club's use of the reserve.
18. This project will be managed and funded by the Perth Cricket Club. Should the CSRFF Small Grant application be unsuccessful, the remaining funds will be provided by the Perth Cricket Club.
19. The Town is required to review, rank, prioritise and submit applications to the DLGSC, upon approval by Council. This is the only CSRFF Small Grant application the Town has received for the July round and has received a priority ranking of 1/1.

Relevant documents

Not applicable.

13 Chief Operations Officer reports

13.1 Sale of 25 Boundary Road St James

Location	St James
Reporting officer	Property Development and Leasing Manager
Responsible officer	Chief Operations Officer
Voting requirement	Absolute majority
Attachments	1. CONFIDENTIAL REDACTED - 25 Boundary St James Valuation [**13.1.1** - 20 pages] 2. CONFIDENTIAL REDACTED - Offer 1 for 25 Boundary Road - Liaw & Wade [**13.1.2** - 2 pages] 3. CONFIDENTIAL REDACTED - Offer 2 for 25 Boundary Road - Rooke [**13.1.3** - 2 pages] 4. CONFIDENTIAL REDACTED - Offer 2 for 25 Boundary Road - Rooke - WITHDRAWN [**13.1.4** - 23 pages] 5. Image of sump [**13.1.5** - 1 page] 6. Image of Lot 350 - 25 Boundary Rd [**13.1.6** - 1 page]

Recommendation

That Council:

1. Authorises the sale of Lot 350, 25 Boundary Road St James to June Yin Ke Liaw and Declan John Wade for consideration of $300,000.00 including GST.
2. Approves the proposed sale, subject to provisions of Section 3.58(3) of the *Local Government Act 1995*, where in the event that any submissions are received in response to the local public notice of the proposed disposition of the subject site, the matter be referred back to Council for consideration.
3. Authorises the Chief Executive Officer and Mayor, provided that no submissions are received during the public notice period required under Section 3.58 of the *Local Government Act 1995*, to execute all necessary documents on behalf of Town of Victoria Park to affect the sale of Lot 350, 25 Boundary Road St James to June Yin Ke Liaw and Declan John Wade.
4. Endorses the allocation of the proceeds from the sale of Lot 350, 25 Boundary Road St James to the Land Asset Optimisation reserve fund.

Purpose

For Council to receive the offer for the sale of 25 boundary Road Lot 350 on Plan 420120.

In brief

- 25 Boundary Road St James was originally a 1181m2 drainage sump zoned Residential R30 and owned by the Town of Victoria Park.
- The Town identified the subject lot as having potential to assist in the objectives of the Land Asset Optimisation Strategy (LAOS) and developed a Business Case exploring the development options and sump upgrade for 25 Boundary Road.

- The Business Case was approved by Council in September 2017 and recommends to subdivide and sell the resulting front lot. This recommendation aligns with the LAOS's strategic intent, which is to utilise the Towns existing land and property assets to create an alternative revenue stream for the Town, thus promoting financial diversification and sustainability.
- The subject property has since been subdivided into two lots. Lot 350 on Plan 420120 also known as 25 Boundary Road being the front lot, and Lot 351 on Plan 420120 also known as 25B Boundary Road being the drainage sump at the rear.
- The Town achieved a number of outcomes with this LAOS project, these include:
    - Improved streetscape for Boundary Road.
    - Future-proofing of the existing sumps capacity and the overall stormwater network's integrity.
    - Contributing to the Urban Forest Strategy by increasing tree canopy through tree and vegetation planting on the rear sump. Beautifying the sump and creating a natural environment for native species.
    - A stimulus impact with job creation in the construction delivery phases and the resulting home construction.
    - An additional revenue source for the Town with the sale of a residential lot fronting Boundary Road.
    - Discouraging antisocial behaviour and illegal dumping through design and activation of the site.
- The project was initially a trial project to test the validity of the subdivision of freehold Town owned sumps. The storm water sump is a critical part of town infrastructure and capacity needed to not be reduced and increase if possible. The 25 Boundary Road sump had the ability to be upgraded to a 1 in 100 year design whilst also being subdivided. This outcome has proven hard to replicated with other analysis of various Town owned sumps.
- In accordance with s3.58 of the *Local Government Act 1995* for private treaty sale, the Town commenced a formal marketing campaign to invite offers, with a submission period.
- Two submissions were received during the submission period, however one has since withdrawn their interest.
- A valuation by a licensed valuer was procured for Lot 350, 25 Boundary Road St James with the resulting offers being above valuation.

Background

1. At its Ordinary Meeting held 7 September 2017, Council approved, pursuant to section 3.58 of the *Local Government Act 1995* to endorse the subdivision and commence the process for the divestment of 25 Boundary Road St James.
2. LAOS is a priority project for the Town of Victoria Park that will deliver revenue diversification and act as a catalyst for regeneration or redevelopment of the Towns land assets.
3. A LAOS Project Plan was received and endorsed by the Finance and Audit Committee in March 2017. The Project Plan highlighted the main priority projects with 25 Boundary Road St James being included on that list.
4. A Business Case for 25 Boundary Road was developed for Council to consider, which systematically addressed the strategic objectives of LAOS. The Business Case explored four options, these include: maintaining the status quo, disposing of the property, undertaking a development for community use, or developing the property and selling the vacant lot.

5. The recommendation from a financial and risk perspective was to create a front lot to sell given the ability to retain and upgrade a functional sump to meet engineering 1% Annual Exceedance Probability (AEP) requirements.
6. The drainage investigation undertaken by the Town has determined the current sand pad level on site to be at the minimum acceptable level.
7. It was anticipated the sales revenue would exceed the cost to develop. Given the objective of LAOS is to utilise the Towns existing land and property assets to provide additional revenue to the Town. This option provides an opportunity to further reinvest the proceeds in an income producing property or par-take in a larger more profitable development of a LAOS project.
8. The Council endorsed the recommendation of the Business Case to divest and undertake a formal marketing and sales campaign in line with section 3.58 of the *Local Government Act 1995* in September 2017.

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.	A Business Case explored multiple options, the offers achieve the recommended outcome, all offers are presented for consideration allowing Council to undertake accountability and objective decision making.

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 creation of a small lot allows the opportunity of a different type of housing and price point for members of the community with different needs.

Engagement

Internal engagement	
Planning	Consultation for the sale of 25 Boundary Road, St James. No concerns raised.
Assets	No concerns raised.
Property and Leasing	Input into the report and the process to undertake the sale of land.

External engagement	
Stakeholders	Public at large.
Period of engagement	The proposed disposition of land was advertised in accordance with s3.58 of the *Local Government Act 1995*. Advertising commenced on 1 May 2021 for a period of 61 days.

Level of engagement	2. Consult
Methods of engagement	Written submissions accepted.
Advertising	Notification and advertising on public notice boards, the West Australian newspaper, signboard, social media, E-brochure and E-newsletter distribution and multiple real estate websites.
Submission summary	Extended 61 day submission period provided.
Key findings	Two submissions received for offers to purchase above valuation.

Legal compliance

Section 3.58 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	The Town does not continue with the process to give effect to the sale of land, preventing settlement of the contract of sale.	Moderate	Unlikely	Medium	Low	Treat risk by ensuring Council consider the procured independent valuation amount in relation to the offer received which is in line with the Business Case findings.
Environmental	Purchaser not adhering to Council planning and environmental requirements.	Minor	Unlikely	Low	Medium	Treat risk by ensuring Council enforce normal process for planning and environmental requirements.
Health and safety	Sale doesn't proceed and property remains undeveloped. Vacant land can reduce the quality of streetscapes and potentially become a dumping ground for waste or	Insignificant	Possible	Low	Low	Treat risk by continuing with the sale of land process.

	antisocial behaviour.					
Infrastructure/ ICT systems/ utilities	Not Applicable					
Legislative compliance	Not Applicable					
Reputation	The Town does not accept the sale of contract for a purchase price above the valuation which may be deemed as a potential reputational risk on future land dealings with the Town to be seen as unwilling to follow through on contracts.	Minor	Unlikely	Low	Low	Treat risk by delivering on contractual considerations by progressing with the sale of land.
Service delivery	Not Applicable					

Financial implications

Current budget impact	The sale of Lot 350, 25 Boundary Road, St James will provide revenue to the Town. The proceeds of the sale will be placed into the Land Assets Optimisation reserve fund.
Future budget impact	Based on its current vacant land gross rental valuation Lot 350, 25 Boundary Road, St James will generate ongoing rates revenue of approximately $1,700.00 per annum for the Town.

Analysis

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9. Lot 350, 25 Boundary Road St James is a 302m2 vacant lot zoned Residential R30 in the Town of Victoria Park Town Planning Scheme No.1 and is owned in fee simple by the Town of Victoria Park. The subject site is located in the suburb of St James, which is approximately 5km from the Perth Central Business District.

10. The sale process undertaken to deliver the Council endorsed recommendation of the Business Case was in line with s3.58 of the *Local Government Act 1995*. A public notice was provided and a public submission period was open from 1 May 2021 to 6 June 2021, however as no submissions were received by 6 June 2021 the Town extended the submission period to 30 June 2021.

11. The sales process undertaken for Lot 350, 25 Boundary Road St James included the following marketing campaign:
    Press advertising x 2 – The West Australian (broad based);
    Signboard installation;
    E- Brochure distribution (upon request);
    E-Newsletter (issued weekly to subscribers);
    Social media via Rate My Agent;
    Multiple website representation over 15 portals including Realestate.com, Domain and Reiwa; and
    Local public notice advertising on the Towns noticeboards.

12. During the Public Notice period, 2 submissions were received. These are contained within this report as confidential attachments.

13. Both submissions offer the same purchase price however Offer 1 includes a higher deposit and lower loan amount.

14. Offer 2 has since been withdrawn due to a change in circumstances.

15. The Town engaged a licensed valuer to undertake a market valuation assessment of Lot 350, 25 Boundary Road St James. Both the Offers received are above the valuation.

16. The sales contract developed for Lot 350, 25 Boundary Road St James includes a special condition which discloses that all offers received up to the submissions end date will be presented to Council for consideration and acceptance.

17. The Town will undertake the Public Notice advertising in accordance with section 3.58 of the *Local Government Act 1995* for a period of 2 weeks, inviting submissions.

18. Provided no submissions are received, this report is seeking approval for the Mayor and Chief Executive Officer to be authorised to execute the contract of sale between the Town of Victoria Park and June Yin Ke Liaw and Declan John Wade.

Relevant documents

Not applicable.

Further considerations

19. There is incorrect information contained within the brief and background of this report relating the approval associated with the subdivision and divestment of 25 Boundary Road, St James. The Business Case was presented at the Finance and Audit Committee Meeting held 7 September 2017, Council subsequently approved, pursuant to section 3.58 of the *Local Government Act 1995* to endorse the subdivision and commence the process for the divestment at its Ordinary Council Meeting held 14 November 2017.

13.2 Lathlain Park Zone 1 Update and Recommendations

Location	Lathlain
Reporting officer	Strategic Projects Manager
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	1. CONFIDENTIAL REDACTED - LPRP 2021 07 23 August OCM Zone 1 Project Update and Recommendations atta [2Z6D] [**13.2.1** - 20 pages] 2. CONFIDENTIAL REDACTED - LPRP 2021-07-14 Baseline Cost Estimate [**13.2.2** - 15 pages] 3. CONFIDENTIAL REDACTED - LPRP 2021-07-23 Lathlain Precinct Zone 1 - Indicative Concept Design Report [**13.2.3** - 18 pages]

Recommendation

That Council acknowledges the attached Project Update for the Lathlain Park Zone 1 Strategic Project and endorse the recommendations within the update. The recommendations are as follows:

1. That Council endorses the proposed Principles, Vision and Aspirations that will guide the overall Zone 1 Project direction.
2. That Council endorses the attached schedule, floor plan, and budget, confirming the baseline brief to be progressed to Concept Design stage as Option 1.
3. That Council endorse the Town to continue to explore third party interest in the facility and further options in obtaining additional funding.
4. That Council endorse the Town developing four high level concept design options.
5. That Council endorses the proposed 'In-Principle' management model.

Purpose

Approval is being sought to progress the Lathlain Park Zone 1 Project to the Concept Design stage through the endorsement of the proposed recommendations.

In brief

- A number of project issues have been identified that required resolving before the Zone 1 project can progress to the Concept Design Stage of design development. These include:
  - Confirming the 'Preliminary Principles' and set a clear vision and set of aspirations for the project.
  - Confirming the functional brief and schedule to set the baseline spatial requirements to be delivered within the current approved budget.
  - Identifying which options to progress to the concept design stage.
  - An 'In-Principle' management model that clearly delineates responsibility for the management of the facility and the ongoing maintenance.
  - Recommendations have been proposed to ensure the project progresses to the Concept Design Stage that ensures objectives are clearly stated and aligned among the key stakeholders.

Background

1. In March 2020, Council endorsed a project mandate for Zone 1 of the Lathlain Park precinct, which was

grounded in a historical Business Case for the same redevelopment. The project was paused due to the business case being considered to be too football focused. This led to other 'zones' being developed as a priority.

2. The Town mandated the project due to the existing Perth Football Club facilities dilapidated nature. The existing grandstand and function facility's aged and dilapidated structural condition is a major driver for this development.
3. The Town developed a business case in August 2020 to assist in the advocacy to secure additional funds required for the project to proceed. However, the Town mandated project was based on the historical business case along with the budget set against cost estimate advice at the time.
4. This updated Business Case proposed the redevelopment in two stages to reflect that at that point in time, additional funding was required to complete the entire redevelopment.
5. In December 2020 the State Government announced through the local member that $4M would be allocated to the Zone 1 redevelopment during the State budget mid-year review process.
6. The total committed funding to $14M (excl. gst) made up of $4M Federal Govt., $4M State Government, $1M West Coast Eagles, $5M committed from the Town. An additional $200,000 is being sought from the AFL.
7. Work with the Town's Finance team has been done to ensure these numbers and their time frames are reflected in the Long-Term Financial Plan.
8. Since the original Business Case completed in 2015 and associated cost estimate, there has been considerable cost escalation. This has been more intense since 2020 with Federal and State Government housing and infrastructure stimulus, which has driven up contractor demand.
9. In April 2021, architect consultants Hames Sharley were appointed after a competitive process as were the Quantity Surveyor, appointed in June 2021.
10. In June 2021, the Lathlain Park Advisory Group met where it was evident that some clear parameters were required to be set to ensure the project had a clear direction.

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.	Council's long-term commitment to delivering these projects is demonstrated.
CL03 - Well thought out and managed projects that are delivered successfully.	The project will be delivered through the use of the Town's Project Management Framework to ensure accountable and transparent project delivery for the community.

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 development will replace an obsolete, dilapidated, high maintenance, no longer fit for purpose structure and provide accommodation that will support community groups and broader activation of the locality.

Environment	

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 project will deliver a sustainable built form outcome ensuring a sustainable business model for the PFC, the Town, for the benefit of the community.

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.	Once constructed, the facility will provide a more inclusive space for the community providing awareness around arts, culture, education and heritage.

Engagement

Internal engagement	
Elected Members	Have been engaged through Concept Forum with feedback received.
Stakeholder Relations Team	Have assisted the engagement with the key stakeholders.
Financial Services	Have assisted in budget setting and including in the Long-Term Financial Plan.
Assets Team	Provided advice on maintenance practices in the Town.
Property and Leasing	Have provided advice on the proposed management models and potential leasing arrangements.

Other engagement	
Stakeholder	Comments
Perth Football Club	Provided considerable input
WAFC	Have provided input
Wirrpanda Foundation	Have expressed an interest in the future facility
Commercial Entities	Have expressed an interest in the future facility
Other WAFL Clubs	Have provided lessons learnt
Other Local Authorities	Have provided lessons learnt

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	Insufficient budget to deliver the scope of works acceptable to all stakeholders.	Moderate	Likely	High	Low	TREAT by accepting attached schedule, plan and cost estimate which sets the baseline scope.
Environmental	N/A				N/A	
Health and safety	N/A				N/A	
Infrastructure/ ICT systems/ utilities	Lack of provision of Parks and Reserves infrastructure to a community expected service level.	Moderate	Unlikely	low	Medium	Treat risk by ensuring project scope is delivered in full to meet community needs.
Legislative compliance	N/A				N/A	
Reputation	Negative public perception towards the Town may result of the project is not delivered in a timely manner and or in alignment with the community expectations.	Moderate	Likely	Moderate	Low	Project scope is delivered in full to meet the community's needs.
Service delivery	Provision of future community sport and recreational facilities.	Low	Unlikely	Low	Medium	Treat risk by ensuring project scope is delivered in full to meet community needs.

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address these recommendations. Specifically, the consultant architects brief includes this body of work and has sufficient funds within their existing purchase order.
Future budget impact	There is potential for additional funds being required in future budgets however this will depend on future council endorsement on progressing a specific Concept Design and as such at this point in time there are no implications on future budgets.

Analysis

11. As a part of the development of the Lathlain Park Management Plan (LPMP) extensive community engagement took place. This engagement assisted in the definition of preliminary principles for Zone 1 with regards to community uses, the built form and the public realm and landscaping elements. This engagement took place in 2016. The attached update (Attachment 1) provides the LPMP approved Zone 1 Preliminary Principles.
12. Additionally, the architects as a part of their brief and informed by members of the Lathlain Park Advisory Group (LPAG) developed the Vision and Aspirations for the project.
13. The Vision and Aspirations have been tested and supported by the LPAG. It is proposed that at each milestone (Concept stage, Schematic design, and final detailed design) the Principles, Vision and Aspirations will be referred to ensure they are being adhered to and met.
14. Before instructing the architects to progress to development of detailed concept designs, a functional brief and schedule of spatial needs is required to be confirmed that it sits within the current budget of $14.2M excl. GST. This in effect sets the scope for the architects to work within.
15. As a part of the original brief that the architects were provided with a high-level schedule of areas which had been developed through input from previous business cases, AFL Facilities Guidelines as well as feedback from the Perth Football Club (PFC) and the Town. This schedule represented a like for like replacement plus the addition of future proofing for women's football, delivering community space and the potential for commercial tenancies. This scope of works, through the input from the Town's appointed Quantity Surveyor was proven to exceed the current budget.
16. Based on feedback from the LPAG and the PFC, the Quantity Surveyor and the architect iteratively developed a schedule and indicative floor plans that sit within the current budget.
17. Upon endorsement this this floor plan, schedule and cost estimate is proposed as the baseline functional brief for which the architects will be instructed to develop a concept design which will be notionally regarded as 'Option 1'.
18. This option delivers several multipurpose community spaces, including larger function space and a third uni-sex changeroom over and above what the existing facility delivers.
19. At the June 2021 Advisory Group Meeting, the inclusion of potential commercial tenancies was deemed outside of scope due to the extreme escalated nature of the high-level architect cost estimate. Since that meeting, two entities have confirmed their interest in the facility.
20. Although the advisory group were reluctant to pursue options that included commercial tenancies due

to exceeding the budget, now in the advent of confirmed interest and better understanding of the cost estimates, it is proposed that these additional options be explored as a part of additional options.

21. As the vision and aspirations for both the Perth Football Club and the Town have been defined, the approach to providing options has been considered rather as interventions that enable a clear approach to future proofing of Zone 1 as opposed to varied options each with a different direction. It is therefore proposed that four options are developed, these being: Option 1: Low Intervention, Option 2: Low Intervention plus future proof, Option 3: Medium Intervention and Option 4: High Intervention.
22. Prior to instructing the architects to proceed with the development of more detailed concept plans, an 'in-principle' management model needs to be agreed upon between the two key stakeholders in PFC and the Town. This is important this is agreed upon prior to progressing to the concept design stage to ensure there is no ambiguity when considering potential uses and programming when developing designs.
23. In defining the preferred governance and management structure for the community and the PFC facility it is important to align the structure with the relevant objectives of the relevant stakeholders.
24. In considering the preferred structure, there are essentially four management options applicable to the proposed Community and PFC facility. These include Direct Management, Indirect Management, Independent Management and Joint Management.
25. After reviewing other applicable models, consultation with the key stakeholders and having consideration for the previously stated objectives, it is recommended that the most suitable management structure for the community and PFC facility is that of an independent management model.
26. With the Town retaining ownership and underlying control of the facility, the PFC is ideally suited to enter a lease agreement for the management of the premises given their strong operational capacity, history of operation and commitment to community service.
27. Subject to the agreement of detailed terms, it is anticipated that the PFC would be offered a leasehold tenure for the facility. Performance goals should be built into the agreement to ensure optimal community use and access.
28. A clearly developed Asset Management Plan will need to be developed to ensure that appropriate 'whole of life costs' are taken into consideration and that maintenance, capital and operation responsibilities are clearly understood and responsibilities are allocated to each party in any agreement or contract.
29. In the event of any commercial returns, it proposed that a sinking fund be developed to help off-set future maintenance and capital costs. This is in accordance with the Town's 'Strategic Management of Land and Building Assets' Policy (Policy 221) whereby proceeds from Council owned Civic/Community properties will be allocated back to the specific budget area.
30. To progress, the attached update (Attachment 1) and recommendations require endorsement. Upon Council endorsement of the recommendations, Concept designs for three options will be developed informed by key stakeholder input and community feedback. After this input and feedback is considered, a single concept design will be recommended to the Elected Members for endorsement to progress to schematic and detailed design.

Relevant documents

Not applicable.

13.3 TVP/21/05 Etwell Street Revitalisation Project

Location	East Victoria Park
Reporting officer	Strategic Projects Manager
Responsible officer	Chief Operations Officer
Voting requirement	Absolute majority
Attachments	1. CONFIDENTIAL REDACTED - TV P 21-05 Evaluation Report dt 23 Jul 21 [**13.3.1** - 25 pages] 2. 2021-07-23 - Probity Certificate - TV P-21-05 [**13.3.2** - 2 pages] Probity Certificate – Town of Victoria Park - Evaluation Documents – Confidential Attachment

Recommendation

That Council

1. Awards the contract associated with Tender TVP/15/06- East Victoria Park - Etwell Street Revitalisation Project to BOS Civil Pty Ltd trading as BOS Civil (ABN:16 618 643 477), with the terms and conditions as outlined in the contract, for the lump sum price of $624,577.68 (Excluding GST).
2. Identifies $70,000.00 (Excluding GST) to be expended during the term of the Contract to cover any potential eventualities associated with negotiated provisional sum costs.

Purpose

To seek Council approval to accept the submission by BOS Civil Pty Ltd to carry out the Etwell Street Revitalisation project works. As the value of the contract exceeds $250,000, the acceptance of the offer and subsequent award of any such contract is to be determined by Council.

In brief

- TVP/21/05 was advertised in the West Australian newspaper on Wednesday 23 June 2021 and released via the tender link portal on the same day.
- The tender submission deadline closed at 2pm on Thursday 15 July.
- Suppliers were requested to provide a lump sum contract price.
- This project is 100% funded from external funding from the Federal Department of Infrastructure (Local Roads & Community Infrastructure Program Phase 2).
- Project duration is 16 weeks from commencement.
- Three (3) submissions were received. All were deemed compliant.
- An evaluation of the tender submissions against the prescribed criteria has been completed and it is recommended that Council accepts the submission made by BOS Civil Pty Ltd and enters into a contract to carry out the required works.

Background

1. Etwell Street Local Centre Revitalisation Project represents a collaborative design approach to urban design. Residents, business owners, landowners, Town of Victoria Park staff and Elected Members have worked together to develop a shared vision for the future of the Etwell Street Local Centre.
2. The Etwell Street Local Centre is currently restricted by the poor quality of the public realm and private built form. Expansive hardscape ground surfaces, inhospitable (and in some instances defensive) buildings, a lack of trees and car prioritisation contribute to create an urban environment that is harsh,

uninviting, and uncomfortable. Due to this environment the local community are not encouraged to stay within or frequently visit the centre. Without street life the businesses and private land use is symptomatically introverted further contributing to the poor experience.

Compliance criteria

3. Tender submissions must comply with the advice provided under the compliance criteria, as indicated in Section 4.2 of the tender documents.
4. The Town's Senior Procurement Officers assessed all submissions for compliance against the compliance criteria set out in Section 4.2 of the tender documents.
5. All submissions were deemed compliant.

Evaluation process

6. The evaluation was conducted as per the Evaluation Plan that was prepared and endorsed by the Evaluation Team before commencing the evaluation.
7. Tenders were assessed against the following Qualitative criteria:

Relevant experience i). Provide details of similar work undertaken • *Project start and end dates* • *Contract value* • *Which personnel and sub-contractors were involved?* ii). Provide scope of the Tenderer's involvement including details of outcomes iii). Provide details of issues that arose during the project and how these were managed iv). Demonstrate competency and proven track record of achieving outcomes v). Provide Project reference sheet(s).	Weighting 15%
Current capability i). Resources schedules and availability to deliver project ii). Project Team structure – Names, functions, and departments iii). Key Personnel skills, experience and expertise and subcontractors iv).Organisations' current capacity and capability v). Plant, equipment, and materials proposed for use in delivering the contract	Weighting 30%
Demonstrated understanding i). Demonstrated understanding of scope of work ii). Demonstrated understanding of the required scope by identifying the key issues and risks associated with delivering the project. iii). Proposed delivery methodology to be completed on time iv). A works Programme/ Gantt chart to be provided.	Weighting 15%
Price i). Lump sum contract price. Tenderers to complete Pricing Schedule provided in Part 4 (Excel document)	Weighting 40%

Strategic alignment

Civic Leadership	

Strategic outcome	Intended public value outcome or impact
CL03 - Well thought out and managed projects that are delivered successfully.	This project is a pilot project for the town highlighting the benefits of a collaborative design process
CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	A public tender process ensures integrity in the appointment of contracts

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.	Improving the public realm will provide a more comfortable and inviting experience for visitors to the centre and improve the likelihood of businesses 'coming out' onto the street and upgrading their shopfronts.
EC02 - A clean, safe and accessible place to visit.	Upgrading the Towns infrastructure ensures an aesthetically pleasing and clean area for the public to use

Environment	
Strategic outcome	Intended public value outcome or impact
EN07 - Increased vegetation and tree canopy.	The plan proposes the planting of canopy trees in the urban environment

Social	
Strategic outcome	Intended public value outcome or impact
S01 - A healthy community.	The project aims to create a place for community exchange, socialization, and activity
S02 - An informed and knowledgeable community.	By including community members in the design process, and ongoing communication with the project process they will gain an understanding of the Town's processes, strategies and policies that affect their place
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 for the future quality of their place

Engagement

Internal engagement	
Stakeholder	Comments
Procurement	Provided advise and appointed a probity advisory to assist throughout the process
Elected Members	Three Elected Members participated in the Design Reference Group and contributed to design workshops. Project approach presented to Elected Members at a Future Planning Committee meeting.
Community Development	Safer Neighbourhoods Officer participated in the Design Reference Group
Place Planning	Manager Place Planning helped facilitate the workshops, Place Leader (Economic Development) participated in the Design Reference Group.
Urban Planning	Two Urban Planners helped facilitate the workshops and contributed to urban design development and workshop material presentation.
Engineering	Design Engineer participated in the Design Reference Group and contributed to urban design development and workshop material presentation.
Community Engagement	Contributed to the workshops as Facilitator.

External engagement	
Stakeholders	Residents, business owners; Elected Members; Western Power; Public Transport Authority
Period of engagement	A communications plan will re-engage with the previously involved stakeholders for the construction period and the immediate period leading up to contractor mobilisation
Methods of engagement	• One-on-one meetings with impacted business owners • On site signage plan • Your Thoughts feedback site • Post card drop to nearby residents and landowners • Regular updates via the Towns digital channels on the project • Engagement with PTA and Western Power to align with current operations and UGP programming • Development of a traffic management plan to maintain access and sequencing of the works to mitigate impact on pedestrian, parking and bus operations

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 meet the deadlines set under the funding commitment.	Possible	Possible	Medium	Low	Contact funding provider to seek early extension to deadlines for construction.
Financial	Failure to comply with financial requirements under the Act in relation to Procurement.	Moderate	Likely	Medium	Low	Go through a public tender or Western Australian Local Government Association (WALGA) Preferred Supplier Arrangement.
Environmental	Failure to comply with environmental requirements of the work.	Moderate	Possible	Medium	Low	Review Contractor's construction methodology, risk and controls prior to work starting.
Health and safety	Potential injuries from works.	Moderate	Possible	Medium	Low	OH&S Safety Analysis and Hazard reports to be reviewed prior to work starting.
Infrastructure/ ICT systems/ utilities	Failure to effectively manage project in collaboration with UGP project works.	Moderate	Possible	Medium	Medium	Liaison with Western power and Contractors on programmed works to avoid conflict.
Legislative compliance	Not applicable					
Reputation	Residential and business complaints during the works.	Moderate	Likely	Moderate	Low	Notify residents via the website social media and letter drop prior to works.

Service Delivery	Failure in completion of the Town's Capital Works Program.	Moderate	Significant	High	Medium	Appoint preferred Contractor for the works.

Financial implications

Current budget impact	Council Delegation 1.1.16- Limits on Delegation to CEO requires all tenders exceeding $250,000 to be by Council determination. This project is 100% funded from external funding from the Federal Department of Infrastructure (Local Roads & Community Infrastructure Program Phase 2).
Future budget impact	The estimated contract value is $624,577.68 (excluding GST). The Contractor provisional sum for Electrical and Lighting (third party, Western Power) allowed for is approximately $50,000. The pre-tender Opinion of Probable Cost for this component is estimated as $90,000. • Identifies a further $40,000 (excluding GST) to potentially be expended for this. Tenderers also alerted the Town to risks and potential costs associated with Latent Conditions (eg unsuitable or contaminated materials, unidentified inground services, discovery of failed in ground road pavement) excluded from the tender amount. • Identifies $30,000 (excluding GST) to be potentially expended during Contract term to cover any Latent Condition eventualities. This totals $70,000 (excluding GST) to cover any potential eventualities associated with provisional sum costs. This will be included in the formal completion of the contract.

Relevant documents

Council Policy 301 Purchasing

Analysis

8. Due to the pre-tender Opinion of Probable Cost (OPC) value of the tender being over $1,000,000, an external probity advisory 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.
9. The assessment of the submissions was formally undertaken by a panel that included:
    - Principal Traffic and Design Coordinator
    - Acting Manager Infrastructure Operations
    - Strategic Projects Manager.
10. The Town received a total of three submissions, and all were deemed compliant.
11. An evaluation of submissions against the qualitative criteria and was conducted as per the Evaluation Plan.
12. Price assessment was carried out based on breakdown of Lump sum costs provided. Tenderers were requested to provide "Provisional costs" for the Electrical and Lighting scope.
13. The evaluation of the submissions against the quantitative and qualitative criteria resulted in the rankings shown below with 1 as the highest score.

Company	Ranking
BOS Civil Pty Ltd t/a BOS Civil	**1**
Environmental Industries Pty Ltd	2
West Coast Profilers Pty Ltd	3

14. Therefore, it is recommended that BOS Civil Pty Ltd be awarded the contract as it is considered the most advantageous to the Town.

14 Chief Financial Officer reports

14.1 McCallum Park / Taylor Reserve Precinct Parking & Accessibility Review

Location	East Victoria Park
Reporting officer	Manager Business Services
Responsible officer	Chief Financial Officer
Voting requirement	Simple majority
Attachments	1. Locality Plan Minor Infrastructure Improvements [**14.1.1** - 1 page]

Recommendation

That Council:

1. Accepts the results of the McCallum Park/Taylor Reserve precinct parking and accessibility review.
2. Instructs the Chief Executive Officer to review the area again in 12 months to ensure the Town's approach to parking management remains relevant for the area.

Purpose

To report the results of the area parking and accessibility review of McCallum Park/Taylor Reserve Precinct.

In brief

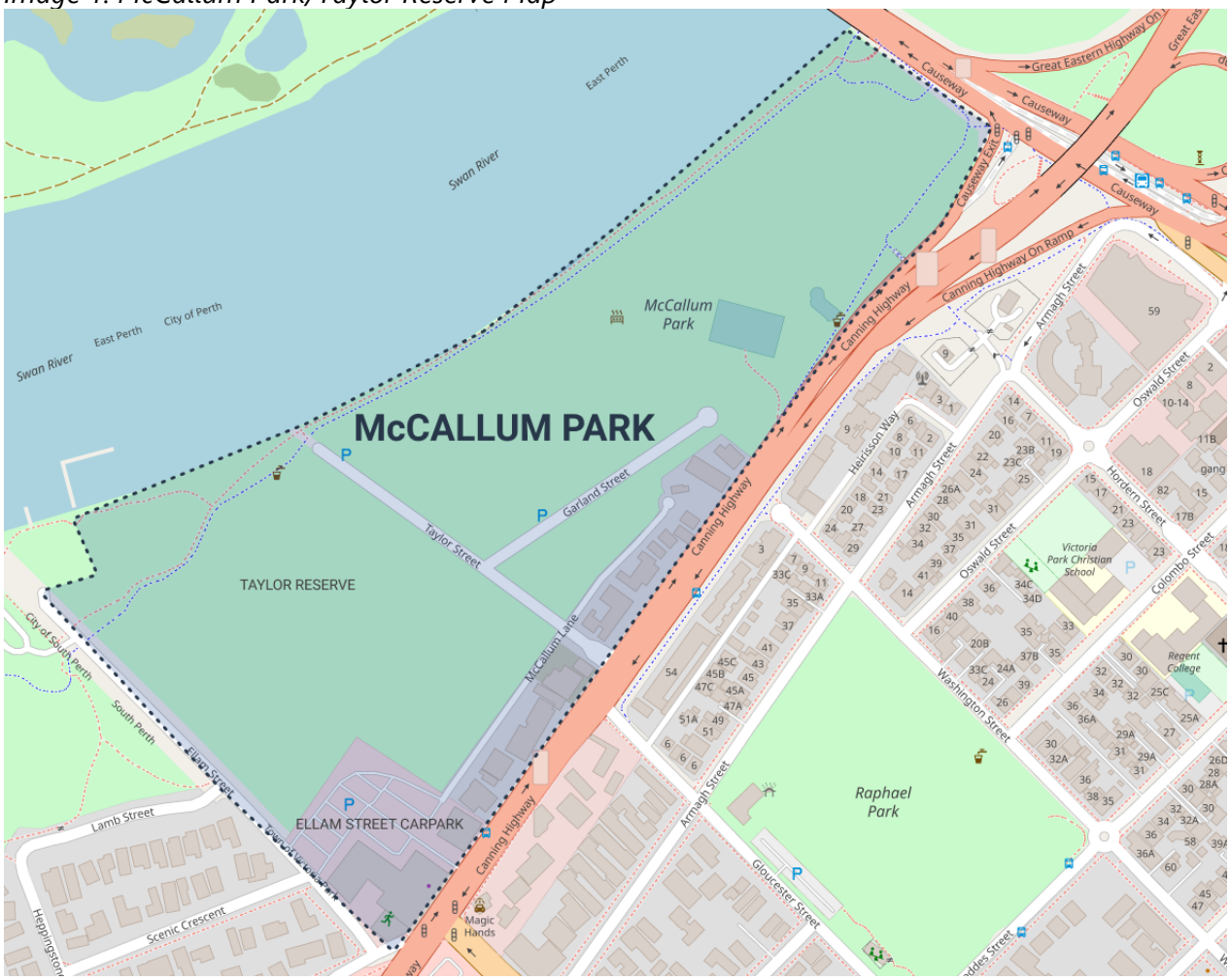
- At its meeting August 2020 Council resolved (481/2020) to request the Chief Executive Officer report to Council the results of a parking and accessibility review for the McCallum Park/Taylor Reserve Precinct.
- The McCallum Park/Taylor Reserve Precinct is bound by the Swan River to the west, Canning Highway and McCallum Lane to the east, Ellam Street to the south, and the Causeway to the north.
- The area has minimal parking restrictions and is undergoing development
- The area has varied parking occupancy with medium levels of occupancy observed on Taylor Street, Garland Street, and McCallum Lane during the week due to unrestricted parking.
- The recommendation has considered the current and draft Parking Management Plan's (PMP).
- From an accessibility point of view technical staff note that there is a lack of some vital footpath infrastructure connecting existing parking bays and no public ACROD bays located within the immediate vicinity of the planned Café/Restaurant use at 53-55 Canning Highway site.
- The current ground floor plan for the development showing the parking arrangements does not indicate the location of any universal access parking. This matter has been brought to the attention of the Urban Planning Business Unit and Building Department for further discussion and action.

Background

1. At its meeting held in November 2012 Council endorsed the Town's current PMP.
2. The current PMP does not state clear parking management actions based on surveyed occupancy levels for unrestricted parking. The PMP includes three different frameworks for managing existing and on-going parking demand.
   (a) Safety related parking restriction changes,
   (b) Non safety related parking restriction changes, and,
   (c) requests to change existing parking restrictions.

3. At its meeting in August 2020, Council resolved to request the Chief Executive Officer to investigate parking and accessibility in the McCallum Park/Taylor Reserve precinct and report back to Council by August 2021.
4. This request was made in conjunction with, and due to, Scheme Amendment 85 for Additional Use Restaurant/Cafe at 53 & 55 Canning Highway. One of the standards to be considered as part of a development application is the availability of nearby public parking.
5. Submissions received during community consultation on this Scheme Amendment included objections/concerns regarding insufficient provision of parking.
6. A development application has since been received proposing a restaurant/cafe at the site. If approved, this would take the place of what is currently approved as a 'communal lounge' located on the ground floor of the multiple dwellings that are currently under construction. Community consultation on this development application will be arranged once sufficient information is provided by the applicant.
7. There is concern regarding the inability of people to manoeuvre in the area gathered via public consultation submissions and elected members on the proposed development the provision of path linkages and disability access provisions such as ACROD bays is critical to support development in the area.
8. An assessment of the infrastructure requirements relating to accessibility, mainly from a public realm perspective, outside the building envelope has been undertaken by the Street Improvement Team. Detailed findings have been included in the analysis section of this report
9. A parking review of this nature has two key steps.
    (a) A review of historical information such as customer requests, infringement volumes and measurement of parking occupancy (occupied parking bays) that enables the development of recommendations to address evidenced issues
    (b) Development of recommendations that are implemented following community consultation (where appropriate).
10. The area relevant to the parking review is shown below:

Image 1. McCallum Park/Taylor Reserve Map



11. There are no existing parking restrictions on Taylor St, Garland St, McCallum Lane, and Ellam Street Carpark.
12. In March 2020, the Town responded to resident parking concerns along McCallum Lane and as a result of the consultation survey, restrictions were removed in May 2020.
13. At its meeting held in June 2021 Council endorsed the advertising of a new draft Transport Strategy and Parking Management Plan. The draft PMP includes a more prescriptive intervention matrix for parking issues with specific triggers for action.

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.	Support future developments in the area (commercial and residential) with accessible parking options.
EC02 - A clean, safe and accessible place to visit.	Support future developments in the area (commercial and residential) with accessible parking options.

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.	Provision of equitable access to limited public space as a key part of the Town's Integrated Movement Network.

Engagement

Internal engagement	
Stakeholder	Comments
Place Planning	Reviewed parking data and supports recommendation.
Urban Planning	Reviewed parking data and supports recommendation. This will be considered in the Town's assessment of the development application for the Restaurant/Cafe use.
Community Development	Supports the inclusion of a universal access bay and associated path infrastructure subject to the following; • Development at 53 –55 Canning Highway should ideally include provisions for ACROD parking within the building envelope. Preferably in areas that are not gated and accessible during all hours. • Location of ACROD bay within the road reserve (public realm) shall be located as close as possible to the building entrance doors. Proposed ACROD bay will be supplementary to what the developer may need to provide on private property.
Building Services	Should the lounge area be modified to a café the classification changes to a Class 6 which would require an onsite universal access bay to AS2890 Off Street Parking.

Legal compliance

Disability Discrimination Act 1992

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	Footpath infrastructure funded by Developer does not proceed.	Minor	Possible	Medium	Low	Transfer – Developer contribution part of Building Permit approval.
Environmental	None				Medium	

Health and safety	Lack of footpath connections to parking facilities – Patrons walking on road. Potential traffic/pedestrian conflict.	Major	Possible	High	Low	Treat – Minor works planned to proceed as part of the Town's 2021/2022 Capital Works Program which will provide path connectivity where current gaps exist in the network Predominantly to assist vulnerable users.
Infrastructure/ ICT systems/ utilities	Underground services maybe impacted by the construction of pathways and universal access facilities.	Minor	Unlikely	Low	Medium	Avoid – Major services in area to be potholed prior to construction. There is scope to modify alignments and no major excavations are required to facilitate works.
Legislative compliance	Compliance to Australian Standards and building codes not met.	Moderate	Possible	Medium	Low	Transfer/share - Building Services and Urban Planning to provide developer with further technical advice regarding universal access requirements.
Reputation	Not committing to a review in 12 months may see the Town miss occupancy increase above the 85% threshold and increasing the perception of inaction/ mismanagement by the Town.	Insignificant	Possible	Low	Low and within Town's risk appetite	Undertake a review in 12 months to assess changes in parking occupancy.
Service delivery	Not committing to a review in 12 months may see	Insignificant	Possible	Low	Low and below Town's	Undertake a review in 12 months to assess

	the Town miss occupancy increase above the 85% threshold, impacting on parking availability.	risk appetite	changes in parking occupancy.

Financial implications

Current budget impact	Not applicable.
Future budget impact	As part of the Draft 2021/2022 Budget, an allocation of $15,000 has been set aside for ACROD parking in the Town. Funding will now be utilised to install a new universal access bay on Taylor Street, within 35-50m of the proposed Café site.

Analysis

14. As a result of the co-ordination efforts between the Parking Business Unit and Technical Services the information below has been separated into two distinct areas being Parking Management & Accessibility

Parking Management

15. The Town's current PMP indicates the following response to the review:

    (a) If parking data such as customer, safety, traffic flow and length of stay concerns demonstrate that further intervention is required, the third level of parking management, restricted parking, is implemented.

16. The Town's new draft PMP indicates the following responses applicable to the review:

    (a) On-street parking occupancy above 85%,
        (i) Introduce time restrictions.
        (ii) Modify maximum time restrictions.
        (iii) Introduce paid parking.
        (iv) Increase paid parking fees using a dynamic parking model.
        (v) Provide additional paid parking.

    (b) On-street parking occupancy below 65%,
        (i) Modify time restrictions. Reduce paid parking fees using a dynamic parking model.

    (c) Off-street parking occupancy above 90%,
        (i) Introduce paid parking.
        (ii) Increase paid parking fees.

    (d) Off-street parking occupancy below 70%,
        (i) Decrease paid parking fees.

17. The review considered:

    (a) A review of the Town's customer request data from 2017 shows that there were 25 requests received.
        (i) 64% of the community feedback related to Restrictions-No Stopping/Parking Area
        (ii) 16% refer to Footpath obstruction.

(b) A review of compliance Parking Infringement data from 2017 shows 80% of the parking infringement issued were Safety Related Offences *e.g. No Stopping/Parking*.

(i) 73% of parking infringements were issued on Garland Street,

(ii) 24% were issued on Taylor Street.

(iii) Less than 3% of parking infringements were issued on Ellam Street and McCallum Lane.

(c) Parking Occupancy surveys were undertaken in March 2021 and April 2021 showing medium to low levels of occupancy. The surveys were not conducted during Covid-19 related lockdown periods.

(i) Daytime average occupancy for the area is 38%.

(ii) Nighttime average occupancy is 36%.

Figure 1. Average Parking Occupancy Table

Road	Section	Average Parking Occupancy	Occupancy Level
Garland Street	Cul De Sac to Taylor Street	61%	Medium-High
McCallum Lane	McCallum Lane to Cul De Sac	44%	Medium-Low
Taylor Street	Foreshore to McCallum Lane	35%	Medium-Low
Ellam St Carpark	Carpark	7%	Low

18. The collected data indicates:

(a) The area has varied parking occupancy with low to medium levels of occupancy observed on Taylor Street, Garland Street, and McCallum Lane during the week, there is currently excess parking capacity compared to demand in the area.

(b) community feedback in the area mainly refers to safety-related issues due to opportunistic parking in the north end of Garland Street in contravention of existing parking signage.

(c) the infringement data collected shows a trend of declining parking infringements.

19. When considering these findings against the management options identified in the Town's current PMP, the below recommendations have been identified:

(a) Increased availability of parking for park/reserve patrons:

(b) Implement 2P parking on Garland Street (Reserve Area), to provide equitable access and vehicle turnover for park patrons and visitors in the area.

(c) Due to the anticipated flow on effects following the implementation of parking restrictions are Taylor Street and Garland Street consultation on the installation of similar parking restrictions (2P) to the McCallum Lane should occur.

(d) Monitor and review parking occupancy levels in the area and adjust the parking restrictions accordingly.

20. When these findings are considered against the intervention matrix in the draft PMP, the below action has been identified:

(a) Due to the low level of parking occupancy observed in the area, any form of parking control would not be recommended until parking occupancy levels increase for parking both on-street and off-street.

21. While future development in the area will place greater pressure on parking demand, both the existing and draft PMP's do not contain pre-emptive parking controls. This combined with the low levels of measured occupancy in the area, particularly in the Ellam Street Carpark, no immediate changes appear to be required.

22. Considering the findings of the review and both the current and draft PMP, as well as the likely changes in the area it is recommended that the area is reviewed again in 12 months to ensure the Town's approach to parking management remains relevant for the area.

Accessibility findings

23. Currently, in the immediate area (within a 5-minute walking catchment) there are approximately 437 parking bays available to the public, mainly located on Taylor Street, Garland Street, north-eastern end of McCallum Lane, Ellam Street, and Council's carpark at the rear of the Southgate Building (77 – 87 Canning Hwy). On-street parking on the southern side of Canning Highway (Raphael Precinct) has been excluded due to difficulties crossing a major arterial road.

24. Two on-street ACROD bays exist on Taylor Street, which is located approximately 270m at the far northern end of the street.

25. Additionally, two on-street ACROD bays exist on Garland Street, located approximately 200m in a north-easterly direction adjacent to the existing toilet block facility. These mainly serve users of the nearby basketball courts on McCallum Park and would also not be suitable given that no accessible path exists. Patrons with mobility issues would be forced to use the existing road to access the bays which poses a significant risk

26. As part of a development DA condition, the proponent is required to contribute $16,625 to fund the construction of a connecting path on the northern side of McCallum Lane. This will ultimately link to the Ellam Street carpark and was originally identified due to obstructions with waste management bins being placed on McCallum Lane.

27. In the Town's 2021/2022 Draft Budget, under new capital initiatives, an allocation of $15,000 has been set aside for ACROD Parking. Given the high priority need associated with the development, Technical staff envisage installing a universal access bay and connecting pram ramps on Taylor Street (see attachment 14.1.1 - Locality Plan showing proposed minor infrastructure improvements).

28. Installing a new ACROD bay facility on Taylor Street (within 35m-50m of the proposed Cafe) will ensure that it is located as close as practically possible to the main building entrance. A second universal access bay will likely be required in private property and is currently being discussed with the proponent.

29. It's important to note that Univeral access provisions are legislated under the Building Code of Australia, The Town's LPP 23 – Parking, AS/NZS 2890.6 2009 - Off-street parking for people with disability and AS 1428.1 2009 Design for access and mobility Part 1. A general requirement for access – new building work. These requirements apply to private property and not public thoroughfares, however, the principles can be applied to public works.

Relevant documents

Existing Parking Management Plan 2012
Draft Parking Management Plan 2021

Further Considerations

30. At the August Agenda Briefing Forum, clarification was sought in relation to paragraph 28 that "A second universal access bay will likely be required...:" At the time of completing the report for ABF, clarification was still required on the requirements for universal access bays under the Building Code of Australia. As mentioned at ABF, this has since been clarified and a universal access bay will be required to be provided by the developer on site. An additional universal bay will also be provided by the Town within the road reserve.

14.2 Schedule of Accounts for June 2021

Location	Town-wide
Reporting officer	Financial Services Controller
Responsible officer	Finance Manager
Voting requirement	Simple majority
Attachments	1. Payment Summary - June 2021 [**14.2.1** - 12 pages]

Recommendation

That Council:

1. Confirms the accounts for June 2021, 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 30 June 2021.

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:
   (a) the payee's name
   (b) the amount of the payment
   (c) the date of the payment
   (d) sufficient information to identify the transaction
3. That payment list should then be presented at the next ordinary meeting of the Council, following the preparation of the list, and recorded in the minutes of the meeting at which it is presented.
4. The payment list and the associated report was previously presented to the 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.

5. 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
Municipal Account		
Automatic Cheques Drawn	608855 – 608858	$2,488.73
Creditors – EFT Payments		$5,891,479.79
Payroll		$1,203,313.65
Bank Fees		$9,917.17
Corporate MasterCard		$9,374.76
Cancelled EFTs		($450.00)
Cancelled Cheques		($1,551.00)
Total		**$7,114,573.10**

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 *Local Government (Financial Management) Regulation 1996*.

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.

Financial	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

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

Analysis

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

Relevant documents

Procurement Policy

14.3 Financial Statements for June 2021

Location	Town-wide
Reporting officer	Financial Services Controller
Responsible officer	Finance Manager
Voting requirement	Simple majority
Attachments	1. Financial Statements - June 2021 [**14.3.1** - 45 pages]

Recommendation
That Council accepts the Financial Activity Statement Report – 30 June 2021, as attached.

Purpose

To present the statement of financial activity reporting on the revenue and expenditure for the period ended 30 June 2021.

In brief

- The financial activity statement report is presented for the month ending [date].
- 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 June 2021.

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:

   Period variation

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

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

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

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 *Local Government (Financial Management) Regulations 1996*.

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 error in financial statements	Moderate	Unlikely	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and

						external audits.
Financial	Fraud or illegal transaction	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	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

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

Analysis

4. The Financial Activity Statement Report – 30 June 2021 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 – 30 June 2021 be accepted.

Relevant documents

Not applicable.

15 Committee Reports

15.1 Draft Policy 117 Business Grants

Location	Town-wide
Reporting officer	Place Leader (Strategic Planning)
Responsible officer	Manager Place Planning
Voting requirement	Simple majority
Attachments	{attachment-list-do-not-remove}

Recommendation from the Policy Committee:

That Council adopts Policy 117 Business Grants as attached; subject to:

1. Remove the words 'Auspice organisation; Incorporated organisation; Small business; and Medium Business' from policy definitions.

2. Insert a new clause 13 – Ineligibility criteria as follows:

   "The Business Grants will not support recurrent operational funding, including but not limited to, wages, salaries or administrative overheads."

3. Insert a new clause 14 – Ineligibility criteria as follows:

   a. "Applicants must not lobby, seek to influence or canvass the decision-making of elected members or employees, in relation to their applications other than by way of an authorised presentation and/or deputation at a Council meeting. Any applicant who does so will have their application rejected."

   b. That all remaining clauses be renumbered accordingly.

4. Amend existing Clause 17 to read as follows:

   "The Town will convene a panel to assess all applications received, which will:
   a. consist of at least three suitably qualified and experienced people, none of whom shall be elected members, appointed by the Chief Executive Officer;
   b. assess grant applications against the requirements and Assessment Criteria set out in this policy; and
   c. provide recommendations of which grant applications should be accepted or rejected to the Council."

5. Delete existing clause 23 and substitute as follows:

   "The final decision whether a grant application is to be approved or rejected will be made by Council following receipt of a recommendation from the assessment panel."

Purpose

For Council to adopt a policy framework for an ongoing Town of Victoria Park Business Grants program in support of the Town's Economic Development Strategy.

In brief

- At its meeting of 18 August 2020, Council adopted Policy 121 COVID-19 Business Grants which establishes the Town's inaugural business grants program. The program is a COVID-19 recovery project, funded by the COVID-19 recovery fund, and has supported several local businesses under two categories - the Economic Development Grant, which provides up to $8,000 for strategic projects with broad economic and business benefits, and the Small Business Resilience Grant, $1,000 micro-grants to help individual small businesses with COVID-19 recovery initiatives.
- Policy 121 COVID-19 Business Grants includes a sunsetting clause and will be revoked in September 2021. This is in keeping with the conclusion of COVID-19 Business Grant funding from the COVID-19 recovery fund.
- Feedback received from staff, elected members and the Business Advisory Group indicates that there is interest in an ongoing, non-COVID-19 related business grants program. This program could potentially support a broad range of economic development objectives and needs, both under the Town's Economic Development Strategy and broader strategic program.
- Policy 117 Business Grants provides an overarching policy to establish a highly flexible business grants program, with project objectives and grant categories being reviewed on an annual basis in response to current trends and needs. The policy does not obligate Council to deliver the program every year, acknowledging that availability of grants will be in accordance with availability of budget.

Background

1. Under Policy 001 Policy management and development, a policy response was identified as required to meet:
    - the Town's strategic objectives
    - community need or expectation.
2. The Economic Development Strategy: Pathways to Growth 2018-2023 (the "EDS") provides several pathways to build on local identity and develop a diverse and resilient local economy. Pathway 4 focuses on supporting innovation and entrepreneurship and Pathway 5 focuses on creating an enabling business environment. While the EDS does not specifically include business grants in its recommendations, such a program can be crafted as a strong tool to deliver EDS actions such as:
    a) 4.3 Enable strategic interaction with start-ups, entrepreneurs and innovators to leverage and promote entrepreneurial thinking within Council.
    b) 4.5 Actively develop the regional innovation ecosystem's capacity to nurture businesses, artists, creatives and innovators and generate economic growth in key industry sectors.
    c) 5.7 Build the reputation of the Town as a great place for investment by identifying and promoting its business success stories.
    d) Various actions in Pathway 6 and Pathway 7 targeting high-value industry sectors and high-value precincts, such as 7.11 Explore and promote programs to help businesses integrate technology into the retail and hospitality offering and 7.18 Implement a Shopfront Improvement Grant scheme.
3. The Town's inaugural business grants program was launched in 2020 as a COVID-19 recovery project. The project specifically targeted building resilience and invigorating the local economy during the pandemic recovery phase. Funding of the program is finite under the COVID-19 recovery fund and the governing Policy 121 COVID-19 Business Grants will be revoked in September 2021. In total there were 28 Small Business Grant applications submitted, with 13 of these awarded a grant. A total of 14 Economic Development Grants applications were submitted, with seven awarded a grant. For more

detailed information on the individual applications, see the pages 3 and 4 of the EDS Quarterly Reporting from the July OCM which is attached.

4. A small internal review was undertaken to assess the efficacy of the COVID-19 Business Grants program and make recommendations for a future ongoing program of business grants. During this process, the business grants concept was discussed at a meeting of the Town's Business Advisory Group ("BAG"). The BAG was largely supportive of a business grants program.

5. In addition to discussion with the BAG, the review considered feedback from staff involved in the program and case studies of business grant policy frameworks from other local governments. Engagement with individual recipients of COVID-19 Business Grants was not included as many of these projects are still ongoing.

6. The review of the COVID-19 Business Grants program identified four key themes relevant to any future program:

    a) *Flexibility* – Policy 121 was developed for a very specific purpose in a unique context. As the recovery phase has progressed, it has become apparent that some of the policy requirements have become outdated or are overly limiting on new and interesting ideas. For example, the program attempts to prevent Small Business Resilience Grants being used for "standard operating costs", a term which is defined in the policy. This has led to some confusion for applicants who want to use a grant for costs such as marketing, disbursements and staff hours where these are necessary to support a specific recovery or resilience project. More broadly, as the recovery phase has progressed, the Policy 121 conceptualisation of 'recovery' for small businesses has not evolved.

    b) *Ambivalence or stagnation of grant themes* – broad themes for grants can provide flexibility to applicants but can also create confusion or uncertainty. For COVID-19 Business Grants, staff observed that some applicants or potential applicants were uncertain what was meant by terms such as "recovery" and "resilience". The Policy 121 themes were at the same time, both overly restrictive and too abstract. Feedback received from the community via the BAG or informal conversations with staff indicates that business prefer clear, specific grant themes so that they can quickly determine their level of interest and relevance. Similar issues have been observed by Councils running "innovation" business grants, where there is a need to clearly define innovation without unduly limiting potential grant projects.

    c) *Resourcing impacts* – running the COVID-19 Business Grants program required substantial staff hours and resourcing, this must be considered in the planning stages of any future program. In particular, the Small Business Resilience Grants have required substantial staff hours with limited uptake, and the value-point of these grants must be considered. Micro-grants should not be dismissed entirely, but should only be utilised where there is a very specific and significant need.

    d) *Information and access* – the Town has administered community grants for many years and has a well-established suite of informational tools and processes as well as a highly-informed target market. However, the target market for COVID-19 Business Grants is not generally highly experienced with a program of this nature and this was reflected in the application paperwork received and overall program uptake. Further consideration should be given to how the program is marketed and the informational tools provided to potential applications, including specific consideration of the Town's substantial culturally and linguistically diverse business community. Improved informational and educational tools may also assist in reducing the administrative burden if applicants are better positioned to complete paperwork and deliver projects with minimal staff assistance.

7. Overall, the review of the program concluded that a Business Grants program has benefit to the Town's business community and is consistent with the EDS but must be carefully formulated to provide specific benefits while not stifling creativity or failing to respond to changing priorities and conditions. A new Council policy to guide an ongoing Business Grants program has therefore been developed.

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 Business Grants program can support local businesses or projects that deliver local economic development benefits. The program can both target these strategic outcomes directly and create a broader environment of business vibrancy.

Engagement

Internal engagement	
Stakeholder	Comments

Economic Development (Place Planning)	• Two informal workshops were held:
	  ○ Workshop 1 focused on experiences with the COVID-19 Business Grants program, Policy 121, and broad ideas for future programs
	  ○ Workshop 2 focused on Draft Policy 117 Business Grants
	• Staff were invited to complete a short survey on the COVID-19 Business Grants Program
	• Staff were invited to provide feedback on Draft Policy 117 Business Grants

Place Planning	• Staff were invited to complete a short survey and/or provide feedback on their experiences with the COVID-19 Business Grants program • Staff were invited to provide feedback on Draft Policy 117 Business Grants
Community	• Staff were invited to complete a short survey and/or provide feedback on their experiences with the COVID-19 Business Grants program • Staff were invited to provide feedback on Draft Policy 117 Business Grants
Business Services	• Staff were invited to complete a short survey and/or provide feedback on their experiences with the COVID-19 Business Grants program • Staff were invited to provide feedback on Draft Policy 117 Business Grants
Business Advisory Group	• Members were invited to provide feedback on the COVID-19 Business Grants program and their views on a future program at a BAG meeting

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	Business Grants program is over or under-funded.	Insignificant	Possible	Low	Low	TREAT risk by reviewing the program annually and utilising learnings in the budget planning process.
	Successful projects/recipients fail to deliver the project or expected economic benefit.	Minor	Unlikely	Low	Low	TREAT risk through preparing a management practice to guide project delivery, including a robust acquittals process; utilise a cross functional panel for grants assessment to thoroughly consider likelihood of project success; review program annually. ACCEPT that a range of unforseen factors may limit project success.
	Businesses become overly reliant on grant funding.					TREAT risk by including conditions within the policy around future funding and project eligibility.
Environmental	Not applicable				Medium	
Health and safety	Not applicable				Low	
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	
Legislative compliance	Not applicable				Low	
Reputation	Community perceives that business grants are administered	Minor	Rare	Low	Low	AVOID the risk by preparing a management practice,

	unfairly or inefficiently.					communication tools and engagement strategy to demonstrate the program is being well managed; ensuring appropriate resourcing to enable efficient management of the program.
	Delivery of grant projects is unsuccessful or triggers events that could reflect badly on the Town.	Minor	Unlikely	Low	Low	TREAT the risk through preparing a management practice and establishing strong guideline's for the Town's role in projects.
	Community does not understand the benefit of a business grants program or how to access the program.	Insignificant	Possible	Low	Low	TREAT the risk through preparing informational tools and communication strategy.
Service delivery	Administration of business grants exceeds staff capacity.	Minor	Likely	Moderate	Medium	TREAT the risk through considering resourcing at all stages of program planning and budget planning. ACCEPT the risk if administration needs exceed staff capacity.

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Adoption of Draft Policy 117 Business Grants does not obligate the Council to fund and run a business grants process, however, it does create a reasonable expectation for such a program. Place Planning is advocating for a budget of $80,000 in the 2021/22 annual budget. This is consistent with the budget allocated from the COVID-19 Recovery funds in 2020/21, of which $51,120 (ex

	GST) was awarded to seven Economic Development Grant recipients, and $10,506 (ex GST) was awarded to twelve Small Business Recovery Grant recipients. The amount allocated to business grants will be reviewed each year.

Analysis

8. Following the internal review of the COVID-19 Business Grants program, draft Policy 117 Business Grants has been developed to address review findings and establish an ongoing business grants program in support of the EDS. Development of a new policy is preferable to a review of the existing Policy 121 COVID-19 Business Grants policy as the latter and its programs remain current until September 2021, and the existing provisions should be retained until the operation of the program concludes. The highly specific approach of Policy 121 conflicts with the broad, flexible approach of draft Policy 117 and it is difficult to reconcile these two approaches within a single policy.
9. A number of policy and program approaches from other local governments were considered through the review. The City of Perth model was found to be highly advantageous in addressing the issues identified in the review, particularly in relation to flexibility and ambivalence or stagnation of themes. The City of Perth model utilises a brief, generic policy to establish the fundamentals of the grant program. The policy does not attempt to establish specific program themes or grant categories. Instead, these are regularly reviewed and published in the City's grants information pack. This approach allows the City to be highly nimble and efficient in the delivery of its grant programs, responding to changing priorities as they arise, as observed with its ability to swiftly establish a COVID-19 response grants program. The 2019/20 and 2020/21 information packs are attached to this report to demonstrate the breadth of potential programs that can be delivered under the same overarching policy.
10. Draft Policy 117 Business Grants has been based on the City of Perth approach. The ongoing review of the business grants program will be broadly undertaken as follows (timings are by financial year):
    a) Staff will review the previous year's themes and provide summary information to elected members (Target timeframe – late Q3).
    b) Elected members will provide guidance on strategic objectives, target themes, audiences and categories, and broad funding allocation. The strategic direction should primarily reflect the EDS but can also draw on needs or actions in other adopted Council strategies where there is mutual benefit. For example, a shopfront improvement grant program could also meet heritage preservation or Economic Development Program objectives; or an accessibility building works grant program can also meet Disability Access and Inclusion Plan objectives. (Target timeframe – late Q3 to early Q4).
    c) Staff will prepare information packs, any program-specific assessment criteria, and media collateral to deliver the program in keeping with the strategic direction set by elected members (Target timeframe – Q4).
    d) Staff will include business grants in the budget advocacy process, reviewed to accommodate the scope envisioned (Target Timeframe – Q3/Q4).
    e) Launch of the new information packs, website content and business grants program (Target Timeframe – Q1).
11. This process will be outlined in a management practice to support draft Policy 117, which staff will prepare following elected member consideration of the draft policy.
12. This approach has the advantage of being highly flexible to changing needs and priorities. This might include urgent and unforeseen needs that arise outside of the review process (similar to the COVID-19 pandemic and recovery effort), where the Town is able to quickly adapt or broaden the program

pending availability of budget and elected member support. It also provides a simple process for the grant objectives to be changed each year, if desirable, without the need for amending the Council policy. The approach offers a sound balance of flexibility and structure.

13. A summary of the draft Policy 117 Business Grants components is provided below.

Clause	Reason
Administration of Business Grants, clauses 1-6	These clauses are largely taken from Policy 121. They establish the program and Town's reporting requirements. Notably, clause 2 states that the Council may review program funding or suspend the program if funding is not available.
Conflicts of Interest, clauses 7-10	These clauses are standard clauses largely taken from Policy 121.
Eligibility, clauses 11-12	These clauses establish the basic eligibility requirements for any business grants recipient. These are broad requirements, largely taken from Policy 121 and similar to the community grants program eligibility requirements, intended to protect the Town's reputational and financial interests.
Business Grants Categories and Assessment Criteria, clauses 13-15	Clauses 13 and 14 establish the basic requirements for annual review of the program categories and assessment criteria, in keeping with the description provided in this report. Clause 15 provides a series of basic assessment criteria that will apply to any program delivered under draft Policy 117. These include theme-specific criteria to be identified during the annual review process, and general criteria intended to ensure that projects funded by the program are consistent with the EDS and likely to succeed in delivering an economic benefit.
Approval Process, clauses 16-23	These clauses provide the most basic requirements for assessing and approving a business grant, which remain unchanged regardless of the strategic themes or categories. These are largely taken from Policy 121. These clauses are intended to facilitate ongoing transparency and consistency in the assessment process. The future management practice will augment these requirements with additional guidance for staff on routine administration of the program.
Acquittal Terms, clauses 24-25	These clauses provide the most basic requirements for acquittal of a business grant. The future management practice will augment these requirements with additional guidance for staff on routine administration of the program.

Relevant documents

Town of Victoria Park Economic Development Strategy: Pathways to Growth 2018-2023

Town of Victoria Park Policy 121 COVID-19 Business Grants

City of Perth Policy 18.13 Sponsorship and Grants

Further considerations

14. At the 26 July 2020 meeting of the Policy Committee, a question was asked about 'closely associated persons' and the position the Town has taken on this matter in the past. The draft Business Grant Policy replicates Clause 7d of Policy 114 – Community Funding by stating that Town employees and elected members are ineligible to access the Community Funding Program. The clause seeks to deal with the ineligibility of persons closely associated with the local government, and the clarity of the clause assists the administration identify ineligible applicants during the assessment process.

15. If Council wanted to elaborate on this ineligibility criteria through the definition of a 'closely associated person' under the *Local Government Act 1995*, they could so by amending the draft Business Grants Policy to more closely reflect section 5.62(1) of the Act which states:

> *(1) For the purposes of this Subdivision a person is to be treated as being closely associated with a relevant person if —*
>
> *(a) the person is in partnership with the relevant person; or*
>
> *(b) the person is an employer of the relevant person; or*
>
> *(c) the person is a beneficiary under a trust, or an object of a discretionary trust, of which the relevant person is a trustee; or*
>
> *(ca) the person belongs to a class of persons that is prescribed; or*
>
> *(d) the person is a body corporate —*
>
> > *(i) of which the relevant person is a director, secretary or executive officer; or*
> >
> > *(ii) in which the relevant person holds shares having a total value exceeding —*
> >
> > > *(I) the prescribed amount; or*
> > >
> > > *(II) the prescribed percentage of the total value of the issued share capital of the company, whichever is less; or*
>
> *(e) the person is the spouse, de facto partner or child of the relevant person and is living with the relevant person; or*
>
> *(ea) the relevant person is a council member and the person —*
>
> > *(i) gave an electoral gift to the relevant person in relation to the election at which the relevant person was last elected; or*
> >
> > *(ii) has given an electoral gift to the relevant person since the relevant person was last elected; or*
>
> *(eb) the relevant person is a council member and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last elected; or*
>
> *(ec) the relevant person is a CEO and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last employed (or appointed to act) in the position of CEO; or*
>
> *(f) the person has a relationship specified in any of paragraphs (a) to (d) in respect of the relevant person's spouse or de facto partner if the spouse or de facto partner is living with the relevant person.*

16. The draft Business Grants Policy is therefore capable of being amended accordingly:

    12. The following ineligibility criteria apply to all Business Grants:

    e. The applicant is a Town employee, Elected Member or closely associated person (as defined by the Local Government Act 1995) of a Town employee or elected member.

17. It is important for Council to consider administration's ability to uncover and assess the information referred to in Clause 5.62(1) of the Act. The administration would need to build the characteristics of a 'closely associated person' into the grant application process via a series of self-disclosure questions rather than a reactive case by case investigative process by staff, which would be an unrealistic and potentially ineffective administrative task.

18. The below considerations with respect to the Policy Committees amendment to Clause 23 of the Business Grants Policy, which requires all grants to be presented to Council for determination, are outlined below:

    a. Having all grants determined by Council does not align with the Economic Development Strategy's (EDS) objectives/actions of reducing red tape for the local business community and will result in an extended timeframe for determination (from 30 days as outlined in the original Clause 22 to between 60 to 90 days). See Action 5.4 of the EDS which states: '*Remove unnecessary regulatory barriers, simplify application processes and actively promote improvements to the local business community.*'

    b. A lengthened assessment timeframe may result in a reputational risk for the Town (Ie. difficult to do business with/or not responsive).

    c. The Business Grants program would need to be structured into set funding rounds rather than some funding categories potentially being accessible all year round. This reduces the flexibility of the grants program and makes it more difficult for the business community to align their projects with available funding now and in the future.

    d. A process in which Council endorsement is required for grants means there is also the chance that grant categories that have been organised to respond to an emergent need or an emergency might be redundant/too late by the time Council approval is finalised.

    e. An amendment to Clause 23 would provide additional administrative reporting and coordination to what is currently undertaken, which will therefore impact on the capacity to deliver other projects in the Economic Development Program. To understand the impact on the broader Economic Development Program, the additional time to administer all the grants through to Council for final determination is roughly the equivalent amount of time taken to prepare and deliver a business networking event. Administration would need to consider which part of the Economic Development Program would need to be reduced/removed to cater for the additional resourcing to administer the Business Grants through to Council.

15.2 Review of Waste removal and collection policies 257, 258 & 259

Location	Town-wide
Reporting officer	Project Officer - Waste
Responsible officer	Manager Technical Services
Voting requirement	Simple majority
Attachments	{attachment-list-do-not-remove}

Recommendation from the Policy Committee:

That Council:

1. Adopts amended Policy 257 (Waste removal – residential properties) as shown at attachment 1;
2. Adopts amended Policy 258 (Waste removal – commercial properties) as shown at attachment 2; and
3. Adopts amended Policy 259 (Recycling collection – residential and commercial properties) as shown at attachment 3.

Purpose

To review the content of the waste removal and collection policies:

- Policy 257 - Waste removal – residential properties (Policy 257)
- Policy 258 - Waste removal – commercial properties (Policy 258)
- Policy 259 - Recycling collection – residential and commercial properties (Policy 259).

In brief

- At the Council meeting of 21 April 2020 item 15.7 identified policies 257 – 259 to be reviewed as part of the additional information attached to the item. These waste policies have been scheduled for review by July 2021, and Operations have now completed the review.
- Policy 257 for residential properties has been amended to take into account the newly approved Garden Organic (GO) and Food Organic Garden Organic (FOGO) three bin systems to be introduced from 2022. The extent of the commitment for municipal waste collection (MSW) and recycling collection for commercial properties has also been clarified in policies 258 and 259.

Background

1. The intent of the waste policies 257 – 259 is to provide guidance on the extent of waste removal services to residential and commercial properties for MSW and recycling waste.
2. The last reviews and amendments to policies 257 – 259 were made by Council on 20 August 2019, which amended the policies to bring them in line with the current policy template.

Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN04 - A clean place where everyone knows the value of waste, water and energy.	To provide clear policy for the collection of MSW and recycling waste for residential and commercial properties.

Engagement

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

Legal compliance

Section 2.7(2)(b) 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	Policy does not provide clear guidelines for overall limit of collection services for commercial properties.	Moderate	Possible	Moderate	Low	TREAT risk by amending the policy to establish overall limits for commercial properties.
Environmental	Not meeting future waste diversion targets and government directives on change to GO/FOGO.	Moderate	Possible	Moderate	Medium	TREAT risk by the change to the policy is required to allow for bin numbers under GO/FOGO waste collection systems. The actual decision to move to GO/FOGO collection has already been made as per the Council decision in December 2020.
Health and safety	Excessive bin numbers on verge causing potential problems with pedestrian movement.	Minor	Possible	Moderate	Low	TREAT risk by amending the policy to establish overall limits for commercial properties.
Infrastructure/ ICT systems/	Not applicable.				Medium	

utilities						
Legislative compliance	Not applicable.				Low	
Reputation	Not applicable.				Low	
Service delivery	Extra lifts required for commercial properties.	Minor	Moderate	Possible	Medium	TREAT risk by amending the policy to establish overall limits for commercial properties.

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	There are no future budget impacts from the adoption of changes to the waste policies for collection: these changes to policy result from and only reflect the December 2020 Council decision to adopt the GO and FOGO waste collection systems for residential properties from 2022. The future budget impacts on the adoption of the adoption of the GO and FOGO waste collection systems have been identified at that stage.

Analysis

3. Council has approved the introduction of the GO three bin system from 2022 for residential households, with a final conversion to a FOGO system from around 2024/25. This will require changes to the number of bins provided and the collection frequency for the three bin systems. The amendment to Policy 257 reflects the changes envisaged. The changes proposed are tracked within attachment 1. Commercial properties will not be part of the GO/FOGO system changes.
4. In relation to commercial premises, policies 258 and 259 allow for the removal of MSW and recycling waste on a set ratio of bins to floor metreage space. However, it does not currently limit the overall number of bins for individual commercial properties. Premises may currently attract a substantial number of bins in line with the floor ratio.
5. The Town recognises that larger floor areas will usually generate more waste. However, it has not been, and will not be the intent that the Town is to provide substantial resources to individual commercial premises to ensure that all commercial operations are covered for waste removal. This is considered to be part of normal expenses for such commercial operations, and not something to be totally subsidised through the provision of services paid for through the rates charges. The Town has therefore clarified the limit to the extent of waste removal capacity based around floor metreage space. The proposed changes to the policies are tracked within attachments 2 and 3.
6. The following amendments have been made to Policy 257.

Clause	Proposed	Reason
1. Number of bins	Number of bins to be provided to be increased from 1 to 2.	This is to allow for the future implementation of the GO or FOGO bin systems, starting in 2022.
5. Frequency of bin removal	Frequency of removal changed from weekly; to weekly and fortnightly (for second GO or FOGO bin).	This is to accommodate the new arrangements under the GO or FOGO systems.
6. Cost of additional bin service	Definition of annual budget timeframe 1 July to 30 June deleted.	Timeframe notation not required.
Policy Manager	Change to Manager Technical Services.	Change to policy manager title responsible for strategic waste issues.

7. The following amendments have been made to Policy 258.

Clause	Proposed	Reason
1. Entitlement of commercial properties to waste removal	Current entitlement only limited by area metre coverage, total entitlement to be limited by absolute number/ capacity.	The Town's provision of waste removal services to commercial properties is intended to be limited to a reasonable absolute limit (still based around the area coverage). Costs beyond this absolute limit are part of a normal commercial operational cost.
2. Additional bin service fee.	Delete reference to Fees and Charges Schedule.	Duplication of clause 6 notation.
5. Frequency of bin removal	Current entitlement is once a week, but this may be required on a more regular basis.	To limit the waste removal service as noted by the change in clause 1, the overall frequency may need to be determined by the Town.
6. Cost of additional bin service	Definition of annual budget timeframe 1 July to 30 June deleted.	Timeframe notation not required.
Policy Manager	Change to Manager Technical Services.	Change to policy manager title responsible for strategic waste issues.

8. The following amendments have been made to Policy 259.

Clause	Proposed	Reason
1. Entitlement for residential properties to recycling bins	Option for 360L upgrade included.	The standard 240L bin is provided; however, if required the upgrade to a 360L bin is allowed and encouraged to avoid contamination issues.
2. Entitlement of commercial properties for recycling bin removal.	Current entitlement only limited by area metre coverage, total entitlement to be limited by absolute number/ capacity.	The Town's provision of recycling waste removal services to commercial properties is intended to be limited to a reasonable absolute limit (still based around the area coverage). Costs beyond this absolute limit are part of a normal commercial operational cost.
3. Additional recycling bin service fee	Delete reference to Fees and Charges Schedule.	Duplication of clause 10 notation.
6. Frequency of recycling bin removal for residential properties	Current entitlement is once a fortnight, but this may be required on a more regular basis	The frequency of recycling waste removal for residential high-density developments may be greater than the standard entitlement, this change allows for more flexibility for collection.
8. Frequency of recycling bin removal for commercial properties.	Current entitlement is once a week, but this may be required on a more regular basis.	To limit the recycling waste removal service as noted by the change in clause 2, the overall frequency may need to be determined by the Town.
9. Recycling bin service for commercial properties.	Recycling services may be provided by the Town for commercial properties, but only on request.	To clarify that recycling services are only provided on request, commercial operators may elect to use their own contractors for specific reasons (e.g. cardboard collections only may attract premium prices).
10. Cost of additional recycling service charges	Extra bin size services/ charges noted as allowable. Definition of annual budget timeframe 1 July to 30 June deleted.	To allow flexibility for the Town to deliver services outside of the standard bin size service for recycling. Timeframe notation not required.
Policy Manager	Change to Manager Technical Services.	Change to policy manager title responsible for strategic waste issues.

Relevant documents

Not applicable.

15.3 Review of Policy 024 - Event Attendance

Location	Town-wide
Reporting officer	Coordinator Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Absolute majority
Attachments	{attachment-list-do-not-remove}

Recommendation from the Policy Committee:
That Council adopts the amended Policy 024 – Event attendance as shown in Attachment 1.

Purpose

To amend Policy 024 – Event attendance (Policy 024).

In brief

- At the Concept Forum held on 22 December 2020, elected members provided feedback on the types of events that should be exempt from inclusion on the event attendance register.
- The list of exempt events has been included in the amended policy.

Background

1. Council adopted Policy 024 on 21 April 2020 as required by section 5.90A of the *Local Government Act 1995*.
2. A Concept Forum was held on 22 December 2020 to discuss whether amendments were required to Policy 024.
3. Following the Concept Forum, a survey was made available on the Councillor Portal to confirm the events that should be exempt from inclusion on the event attendance register.

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.	Policy 024 sets out the requirements for event attendance by elected members and the Chief Executive Officer of the Town, as required by section 5.90A of the *Local Government Act 1995*.

Engagement

Internal engagement	
Stakeholder	Comments
Elected members	1. A Concept Forum was held on 22 December 2020 to determine whether the amendments to the policy were required.

	2. A survey was issued on the Councillor Portal on 23 December 2020 to confirm those events that should be exempt from disclosure on the event attendance register. 3. The draft amended policy was made available for feedback, on the Councillor Portal on 13 July 2021.

Legal compliance

Section 2.7 of the *Local Government Act 1995*

Section 5.90A 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	Not applicable				Low	
Environmental	Not applicable				Medium	
Health and safety	Not applicable				Low	
Infrastructure/ ICT systems/ utilities	Not applicable				Medium	
Legislative compliance	Not applicable				Low	
Reputation	Not applicable				Low	
Service delivery	Not applicable				Medium	

4. There are no risks identified in amending this policy. The Town has met its legislative responsibility when it adopted the policy in 2020.

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Funds will be required to cover the costs of attendance at events by elected members and the Chief Executive Officer. These funds will be included in future budgets as required.

Analysis

5. Based on the feedback received during consultation, the policy has been amended to exempt certain events from being disclosed on the Town's event attendance register. These events are attended by elected members and the Chief Executive Officer regularly and do not generally create 'closely associated person' relationships.

6. The following amendments are proposed to Policy 024 and are marked up in Attachment 2.

Clause	Proposed	Reason
2 & 3	Removed reference to elected members.	The policy applies to both elected members and the Chief Executive Officer.
3e & f	Included reference to the Chief Executive Officer.	The policy applies to both elected members and the Chief Executive Officer.
5	New clause inserted.	A new clause has been included which lists events that are not required to be disclosed on the Town's event attendance register.
15	Included 'and the adopted annual budget.	Clause 15 references Policy 022 Elected Member Professional Development as a guiding document for the purchase of conference tickets. This policy only relates to elected members. As Policy 024 applies to both elected members and the Chief Executive Officer, 'and the adopted annual budget' was included.

7. Other minor amendments are proposed and are marked up in Attachment 2.

8. Once adopted, those events listed in clause 5 of the policy will no longer be required to be disclosed on the Town's event attendance register.

9. The proposed changes to Policy 024 do not alter the interest disclosure provisions for Council and Committee meetings. Where attendance at an event is a gift and valued in excess of $300, a gift disclosure is required and the donor is considered a closely associated person.

Relevant documents

Event attendance register

16 Applications for leave of absence

17 Motion of which previous notice has been given

17.1 Cr Vicki Potter - Revocation of Council Decision 17.1 of 10 October 2017

In accordance with clause 109 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, Cr Vicki Potter has submitted the following notice of motion.

Motion
That Council rescinds the following decision of council made at the 10 October 2017 Council meeting: *"That Council:* 1. *That the Council reaffirm that the Town of Victoria Park continue to celebrate Australia Day each and every year on the date designated by the Federal Government and continue to host its Australia Day Citizenship ceremony as authorised by the Federal government and citizen of the year awards on that day.* 2. *The Council acknowledges that the Town's Aboriginal Engagement Strategy Group be given the opportunity to commence respectful conversations relating to the meaning of January 26, with Elected Members and the Town's Administration."*

Reason

- Council has commenced discussion with the Mindeera group around the meaning of 26 January for Aboriginal people in the Town.
- The rescinding of this motion does not preclude the Town from holding citizenship ceremonies on 26 January.
- This is in alignment with the respect section of our REFLECT RAP.
- It puts us in a neutral position as we work towards producing our next RAP.

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.	To provide civic leadership that takes into account all people in the community, and that our previous decisions of council do not preclude further conversations and visionary decisions when it comes to civic leadership.

Social	
Strategic outcome	Intended public value outcome or impact
S03 - An empowered community with a sense of pride, safety and belonging.	Allow all members of the community to feel heard, proud and safe.

Officer response to notice of motion

Location	Town-wide
Reporting officer	Coordinator Community Development
Responsible officer	Manager Community
Voting requirement	Absolute majority
Attachments	Nil

Officer comment

1. The Town's Reflect Reconciliation Action Plan (RAP) was adopted by Council in November 2018. The document outlines strategies and actions to support opportunities to strengthen the community, build strong relationships and foster greater awareness and understanding of Aboriginal culture and history.
2. The Town's RAP has an action of *Consider and review 26 January as day of celebration* with the following deliverables:
    a. *Review and update findings from conversations with Council Elected Members and Management Team about the meaning of 26 January*
    b. *Discuss thoughts with the Aboriginal Engagement Advisory Group about Australia Day being celebrated on 26 January*
    c. *Consider the conversation to amend the date Australia Day is celebrated within the Town of Victoria Park.*
3. The Mindeera Advisory Group, previously known as the Aboriginal Engagement Advisory Group, has been having ongoing conversations with Town administration over several years regarding 26 January.
4. At the May 2021 concept forum, the 26 January item was discussed with elected members and members of the Mindeera Advisory Group. This item included information around the meaning of 26 January and a platform for respectful conversations and engagement about how the Town celebrates Australia Day.
5. Based on strategic direction and alignment of the Town and the Town's RAP, feedback from the concept forum, and ongoing conversations with the Mindeera Advisory Group, Town officers support this notice of motion to rescind the previous Council resolution from October 2017.
6. Notwithstanding support for the motion, as the Mindeera Advisory Group had had discussions with Elected Members about the meaning of 26 January in May 2021 and discussion about this topic with staff is ongoing, item 2 of the 2017 resolution has been completed.

Legal compliance

Section 5.25(1)(e) of the *Local Government Act 1995*

Regulation 10 of the *Local Government (Administration) Regulations 1996*

Clause 109 of the *Town of Victoria Park Meeting Procedures Local Law 2019*

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 towards the Town, should the Mindeera Advisory Group and broader community, not see the Town progress on its journey of reconciliation.	Moderate	Possible	Medium	Low	TREAT risk by endorsing the recommendation in this report.
Service delivery	Uncertainty of Council's direction and expectations for administration to plan celebrations for Australia Day / 26 January.	Moderate	Likely	High	Medium	TREAT risk by facilitating activities based on stakeholder expectation, administration capacity, timing and strategic direction of the Town.

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Depending on operational direction, potential community engagement requirement and future event planning, additional budget may need to be allocated in the future. This will be addressed within the annual budgeting process.

Relevant documents

Ordinary Council Meeting minutes – 10 October 2017

18 Questions from members without notice

18.1 Responses from members without notice taken on notice at Ordinary Council Meeting held on 20 July 2021

Mayor Karen Vernon

1. *Has the Town received any feedback about the impact of the new backboards on the basketball courts at Zone 2x and at Lathlain Park on the corner of McCartney Crescent and Goddard Street?*

There has been positive feedback. The acoustic consultant acting for the Town has not yet undertaken a noise assessment of the new backboards, given the winter weather conditions and the reduced level of use of the basketball courts at this time. The acoustic consultant will undertake a further acoustic assessment at a time when the level of usage of the courts has increased to a level consistent with peak usage (likely to be in the next few months).

18.2 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 CEO 2020 - 2021 Performance review

22.2 Public reading of resolutions which may be made public

23 Closure