



TOWN OF  
VICTORIA PARK



## Ordinary Council Meeting Agenda – 10 December 2024

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**WE'RE OPEN**  
**VIC PARK**

Please be advised that an **Ordinary Council Meeting** will be held at **6:30 PM** on **Tuesday 10 December 2024** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Mr Carl Askew – Chief Executive Officer**  
5 December 2024

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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*.

### 3 Attendance

<b>Mayor</b>	Ms Karen Vernon
<b>Banksia Ward</b>	Cr Claire Anderson Cr Peter Devereux Cr Peter Melrosa Cr Lindsay Miles
<b>Jarrah Ward</b>	Cr Sky Croeser Deputy Mayor Bronwyn Ife Cr Daniel Minson
<b>Chief Executive Officer</b>	Mr Carl Askew
<b>Chief Financial Officer</b> <b>Chief Community Planner</b> <b>Acting Chief Operations Officer</b>	Mr Duncan Olde Ms Natalie Martin Goode Mr Paul Denholm
<b>Acting Manager Governance and Strategy</b> <b>Strategic Projects Manager</b> <b>Strategic Projects Manager</b>	Ms Rhonda Bowman Mr Nick Churchill Mr David Lappan
<b>Meeting Secretary</b> <b>Public liaison</b>	Ms Winnie Tansanguanwong Ms Tomoko Kidahashi Ms Sarah Vader

#### 3.1 Apologies

#### 3.2 Approved leave of absence

<b>Jarrah Ward</b>	Cr Jesse Hamer
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## **4 Declarations of interest**

### **4.1 Declarations of financial interest**

A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the Council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest, where they are providing advice or a report to the Council. Employees may continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

### **4.2 Declarations of proximity interest**

A person has a proximity interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5) of the *Local Government Act 1995*) of land that adjoins the persons' land.

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

A member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

Employees are required to disclose their proximity interests where they are providing advice or a report to the Council. Employees may continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

### **4.3 Declarations of interest affecting impartiality**

Elected members (in accordance with Code of Conduct for Council Members, Committee Members and Candidates) and employees (in accordance with the Code of Conduct for employees) are required to declare any interest that may affect their impartiality in considering a matter. The declaration must disclose the nature of the interest. This declaration does not restrict any right to participate in or be present during the decision-making process

## 5 Public question time

### 5.1 Response to previous public questions taken on notice at Ordinary Council Meeting held on 19 November 2024

#### Herb Rowe, Carlisle

1. Q. What is Council doing about cat control? It is becoming critical to make the change for cats to be retained inside at all times. It's quite a job and will take a lot of work so it would be good to start sooner rather than later

A. The Rangers team have several meetings scheduled with council and other stakeholders to present the current powers available through the *Cat Act 2011*.

The topics will highlight the limitations of the Cat Act, what other Local Governments have proposed with respect to cat containment, and the upcoming commencement of a Cat Act review by the Department of Local Government.

The aim of these meetings is to commence planning how the Town can address cat containment into the future.

2. Q. When is something going to be done about the traffic signals on the corner of Miller Street and Shepperton Road and the right hand turn onto Shepperton Road? Western Power has advised they have approved this but nothing has happened?

A. 100% detailed design drawings have been received and have gone through all the relevant departments at MRWA for comments/finalisation. The Town is now seeking quotes from Utility providers. Telstra quote has been received, with Western Power quote yet to be formally lodged. Land acquisition discussions are also being negotiated with DPLH, who have indicated an in-principle acceptance of the Town's proposal. The next steps also include obtaining a quote for signal electrical works by a MRWA preferred supplier (Venture Smart). The Town is anticipating construction works to commence in July 2025 (utility works only) with RFT on the civils component to follow shortly after. It should be noted that there is a high potential risk for a cost escalation, which may require variations to be submitted and approved by MRWA. This may impact timelines.

Note – In the question taken on notice it indicates that Western Power have approved the project. It's actually MRWA and not the utility provider who's giving approval as Shepperton Road is a Main Roads controlled corridor. Western Power is only approving street lighting changes.

#### Tim Cross, East Victoria Park

2. Q. Regarding the approval of Child Centre, why did the consideration process take into account Boulder St. and Carnavon St. but not Butler Lane?

A. The Town's assessment process did take Butler Lane into account. The initial Traffic Impact Statement (TIS) submitted by the applicant did not address traffic accessing the centre from the south-east via Butler Lane. Accordingly the Town's technical staff requested this be assessed. In response, the applicant provided an amended TIS contending that due to the narrow width of Butler



Lane and the slow speed environment, traffic from the southeast of the site will more likely use Carnarvon St, turn left onto Miller St, and access the site from the northern end of Butler Lane, rather than use the south-eastern leg of Butler Lane. The Town's Officers agree with this and do not anticipate a significant impact on the south-eastern leg of Butler Lane.

#### **Oscar Foster, East Victoria Park**

2. Q. I was told by someone that they were charged a 10% surcharge, is that correct?  
A. That is incorrect, it was 1% surcharge.

#### **Sam Zammit, St James**

1. Q. Is the Town still paying Cr Daniel Minson while he is on the Statutory leave?  
A. Yes, the Town has still pay Cr Minson whilst he has been on Statutory leave.
3. Q. What is the number of car bays at the Park Centre shopping centre?

Mayor Vernon explained that this will give the Town an opportunity to look into the development approval when the Park Centre was originally built, and if there is any recent development applications that have been approved regarding the number of car bays that should be there?

A. According to the Town's records, approximately 860 bays are provided, which is consistent with approvals issued by the Town.

## **5.2 Response to previous public questions taken on notice at Agenda Briefing Forum held on 26 November 2024**

#### **Eugenie Stockmann, Lathlain**

1. Q. What is the process and timeline for making a decision on the two options?  
A. The assessment concluded that traffic calming measures are warranted for the site, contingent on funding availability. The treatment type can be determined by the council based on the provided options and budget allocation or implemented through operational processes.
2. Q. What is the fastest way the budget for the recommended or chosen option can be approved?  
A. A budget allocation for traffic calming can be approved at any OCM or included as a line item during the mid-year budget review, with operations determining and implementing the most suitable treatment type.

## **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 19 November 2024.
2. Receives the minutes of the Audit and Risk Committee Meeting held on 11 November 2024.
3. Receives the notes of the Agenda Briefing Forum held on 26 November 2024.
4. Receives the minutes of Integrated Transport Working Group held on 21 November 2024.

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

### **Recommendation**

That Council:

1. Receives the minutes of Mindarie Regional Council meeting held on 26 September 2024.

## **9 Presentations**

### **9.1 Petitions**

### **9.2 Presentations**

### **9.3 Deputations**

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

## 11 Chief Executive Officer reports

### 11.1 Council Resolutions Status Report - November 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Governance Officer
<b>Responsible officer</b>	Manager Governance and Strategy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Outstanding Council Resolutions Status Report November 2024 [ <b>11.1.1</b> - 19 pages] 2. Completed Council Resolutions Status Report November 2024 [ <b>11.1.2</b> - 24 pages]

### Summary

The Council Resolution status reports are provided for Council's information.

#### Recommendation

That Council:

1. Notes the Outstanding Council Resolutions Report as shown in attachment 1.
2. Notes the Completed Council Resolutions Report as shown in attachment 2.

### Background

1. On 17 August 2021 Council resolved as follows:

*That Council:*

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

### Discussion

The Outstanding Council Resolutions Report details all outstanding items. A status update has been included by the relevant officer/s.

The Completed Council Resolutions Report details all Council resolutions that have been completed by officers from 31 October 2024 to 21 November 2024. A status update has been included by the relevant officer/s.

### Legal and policy compliance

Not applicable.

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk Rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	
Legislative compliance	Not applicable.		Low	
Reputation	Not applicable.		Low	
Service delivery	Not applicable.		Medium	

## Engagement

Internal engagement	
Stakeholder	Comments
All service areas	Relevant officers have provided comments on the progress of implementing Council resolutions.

## Strategic alignment

Civic Leadership	
Community priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	The reports provide elected members and the community with implementation/progress updates on Council resolutions.

**Further consideration**

Not applicable.

## 12 Chief Community Planner reports

### 12.1 Arts Season 2025 Grants

Location	Town-wide
Reporting officer	Arts Development Officer
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	1. ATTACHMENT 1 Art Season Grants 2025 Evaluation Summaries [12.1.1 - 8 pages]

#### Summary

To provide Council with oversight of the Town’s Art Season 2025 grant applications and assessments, with recommendations for Council endorsement.

- Arts Season is an opportunity to showcase and celebrate the town’s creativity.
- Arts Season grants opened on 20 September 2024 and closed on 21 October 2024.
- The Town received a total of 13 applications requesting a total of \$89,899.53.

**Recommendation**

That Council endorses the following Art Season grant applications for inclusion in the Arts Season Program in April 2025:

1. Public Art Sculpture Installation, artist talk and workshop;
2. The 2025 Victoria Park Writers’ Festival;
3. Superstition: Exhibition, shop, open studios and event.
4. The Vic Park Portrait Prize; and
5. Guided Street Art Tours.

#### Background

1. The Town acknowledges the significant role it plays in supporting the community through the provision of funding opportunities and the impact these opportunities can have within the community.
2. The Town aims to enhance the success and prosperity of the local community while ensuring transparency of funding decisions and accountability of those parties receiving grant funding.
3. As per Policy 114 Community Funding, a panel of no less than three members was established to assess all eligible applications against policy requirements and criteria, with a report then presented to Council for consideration and endorsement.
4. In making a recommendation to Council the Community Funding Assessment Panel (CFAP) provides the following information to ensure Council can make accurate, timely and transparent decisions:
  - a. Details of all applications including title, project scope, amount of assistance applied for (ex GST), evaluation and score.

- b. Inclusion of information related to successful, unsuccessful and ineligible applications.
5. To ensure that the CFAP 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. Each application was assessed on the following criteria:

Assessment Criteria	Weighting %
<b>Artistic Merit and Participation</b> <ul style="list-style-type: none"> <li>Lead artists are clearly identified and their participation is confirmed.</li> <li>Artists' and creatives' expertise is acknowledged and appropriately compensated.</li> <li>The project concept showcases strong artistic, cultural, and creative practices.</li> </ul>	40%
<b>Community Engagement and Feasibility</b> <ul style="list-style-type: none"> <li>The project meaningfully engages the local community, targeting specific audiences and community members.</li> <li>Ensures inclusiveness and accessibility for all community members.</li> <li>Builds collaborative partnerships within the community.</li> <li>Demonstrates the ability to deliver the project within the specified timeframe.</li> <li>Provides a realistic and achievable budget, including quotes.</li> </ul>	40%
<b>Local Impact and Sustainability</b> <ul style="list-style-type: none"> <li>Enhances the sense of place within the Town.</li> <li>Delivered in publicly accessible locations.</li> <li>Supports and develops local artists, creatives, arts and culture organisations, or creative businesses.</li> <li>Incorporates environmentally sustainable practices.</li> <li>Activates areas within the Town in engaging and interesting ways.</li> </ul>	20%

7. Summary of Arts Season 2025 recommended grant applications:

Applicant	Project	Amount
Siahne Rodgers	Public Art Installation, artist talk and workshop	\$4,490.00
Domenica Harrison	The 2025 Victoria Park Writers' Festival	\$9,000.00
ROOK ARI	Superstition: Exhibition, shop, open studios and event	\$10,000.00
Vic Park Community Centre	The Vic Park Portrait Prize	\$6,333.90
Oh Hey WA Pty Ltd	Guided Street Art Tours	\$3,337.40
<b>TOTAL</b>		<b>\$33,161.30</b>

8. Summary of Arts Season Grants applications NOT recommended

Applicant	Project	Amount
Cameron Van Der Does	Victoria Park Magic	\$3,098.70
Tracy Gordon	Origin music production	\$10,000.00
Curate Arts Incorporated	WOW! Music and Drama Eisteddfod	\$9,572.34
Mark Parfitt	Past, Present, Future	\$4,400.00
Up Close and Local	Art-themed Walking Tours	\$3,769.96
Curate Arts Incorporated	Sing Like Julie Andrews!	\$6,400.00
Curate Arts Incorporated	Music Maker Just for Minis Sessions	\$6,997.23
Emma Humphreys	The Voyagers	\$8,500.00
		<b>TOTAL \$52,738.23</b>

## Discussion

9. Arts Season 2025 grants were promoted across various platforms to reach target audiences with officers directly informing local creatives and community groups.
10. Community members were encouraged to discuss their ideas with the Arts Development Officer prior to submitting their application. This was taken up by 10 of the 13 applicants.
11. Applications were assessed individually and then reviewed with a formal panel meeting by the Town's Arts Season panel members in line with Policy 114 Community Funding and the criteria outlined for the Arts Season funding program.
12. A summary and evaluation of all applications is included in attachment 1.
13. The Town's internal Community Funding Assessment Panel consisted of Town officers: a) Coordinator Events, Arts and Funding b) Arts Development Officer and c) Projects Officer.
14. The allocated budget for the Arts Season in 2024 amounts to \$65,000. This includes \$5,000 sponsorship from Hawaiian Park Centre, contingent upon an activation within the Centre. Details regarding the associated costs and specific activities are yet to be finalised.
15. A funding request of \$10,000 has been made to Lotterywest for the inclusion of an Aboriginal Public Art Trail in the 2025 Art Season. The Arts Development Officer is working with the Mindeera Advisory Group and local suppliers to realise this.



Relevant documents

[Arts and Culture Plan](#)

[Arts Grant Guidelines](#)

Legal and policy compliance

[Policy 114 Community Funding](#)

Financial implications

Current budget impact	<p>Sufficient funds exist within the annual budget to address this recommendation. The budget allocation for Arts Season 2024 is \$65,000 (inclusive of grant funding received). Approximately \$10,000 of total funding has been allocated towards marketing and promotions.</p> <p>To fill the program gaps and enhance the diversity of Art Season 2024, additional local creatives are proposed to be sought by Town staff, as per previous years, with any remaining funds.</p>
Future budget impact	<p>Not applicable.</p>

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Loss of funds if successful programs/events are cancelled or do not deliver on intended purpose.	Moderate	Low	TREAT - by offering advice and assistance and the acquittal process to be well organised and communicated to all successful participants.
Environmental	Not applicable			
Health and safety	All events to have adequate access & facilities.	High	Low	TREAT – anticipate risk for new venues and apply permits as required.
Infrastructure/ ICT systems/ utilities	Not applicable			
Legislative compliance	Not applicable			
Reputation	Negative public perception towards the Town should applications not be funded.	Minor	Low	TREAT - Transparent approval process. Managed by an online funding platform and council endorsed Town funding panel

Service delivery	Not applicable.
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## Engagement

Internal engagement	
Stakeholders	Comments
Community Assessment Funding Panels (CAFP)	Consultation and management of grant administration. Consultation and Panel evaluation.

External engagement	
Stakeholders	All community.
Period of engagement	The 2025 Arts Season grants program opened on 30 September 2024 and closed on 21 October 2024.
Level of engagement	1. Inform
Methods of engagement	Town's website Town's social media platforms – Facebook, Instagram and the Town's e-newsletters. Direct emails and meetings with community members.
Advertising	Town's website Town's social media platforms – Facebook, Instagram, LinkedIn and the Town's e-newsletters Digital Marketing Direct email Vic Park Creatives Vic Park Centre for the Arts
Submission summary	Thirteen (13) Arts Season grant applications were received.
Key findings	5 applications are recommended for endorsement for Arts Season Grants. 8 applications are not recommended for Council endorsement.

## Strategic alignment

Economic	
Community Priority	Intended public value outcome or impact
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	Projects are paired with local community assets and places to create activation.

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Funds are managed with full, accurate and timely disclosure of financial information relating to the Council. Town grant funds are

	maximised by seeking the greatest possible benefit to the community, within the available monetary resources.
CL2 - Communication and engagement with the community.	Community members interested in applying for the grants were able to book officer's time to discuss their project. This resulted in stronger applications.

Social	
Community Priority	Intended public value outcome or impact
S3 - Facilitating an inclusive community that celebrates diversity.	Create an inclusive and connected community of cultural practitioners within the Town and diversify the cultural offerings, ensuring representation of the Town's unique community.
S4 - Improving access to arts, history, culture and education.	Facilitate a sense of belonging and pride in place, showcasing the Town's unique assets and telling local stories through a precinct based approach, whilst developing and growing local talent to attract, retain and support the creative community.

### Further consideration

Not applicable.

## 13 Chief Operations Officer reports

### 13.1 Strategic Waste Management Plan

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Assets and Environment
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Strategic waste management plan Final Draft [ <b>13.1.1</b> - 30 pages] 2. SWMP Implementation Plan final draft [ <b>13.1.2</b> - 3 pages]

### Summary

For Council to adopt the Strategic Waste Management Plan 2024-2029.

#### Recommendation

That Council adopts the Strategic Waste Management Plan (SWMP) 2024-2029.

### Background

1. Waste management is one of the most significant and necessary municipal essential services provided by the Town of Victoria Park ('the Town').
  - a. The Town has implemented significant changes, working in conjunction with stakeholders including the Mindarie Regional Council (MRC) based on the Town's SWMP 2018 – 2023 and will continue to do so with this new strategy.
  - b. The Town is aware of the current local and global waste and recycling opportunities and challenges.
  - c. This plan will ensure that The Town's current and future efforts are continuously aligned with industry best practice and optimised to achieve the best outcomes for the community.
2. Waste management is one of the most significant and complex municipal services provided by the Town. The annual cost of the Town's waste services is approximately \$8.2 million, and this represents approximately 15.5% of the total Town's rates revenue.
3. The Town engages in environmentally sustainable waste management practices including the reuse, recycling and recovery of materials and resources. This is a highlight of the Town's practices that align with the State's waste strategy.
4. The Town responded to the challenge of the State's commitment to minimise the creation of waste and to efficiently reuse, recycle and recover resources from discarded materials, and dispose of waste responsibly by adopting the Strategic Waste Management Plan 2018-2023. The plan was developed in response to an initiative of the Western Australian Waste Management Board in 2007 and in accordance with the provisions of Division 3, Section 40-44 of the Waste Avoidance and Resource Recovery Act 2007. Some of the identified actions which have been successfully implemented by the Town were achieved by collaboration with stakeholders, including the MRC, since the development of this strategy.

5. Some of the major achievements since the commencement of the SWMP 2018 – 2023 include:
  - a. MRC decommissioning of the Neerabup Resource Recovery Facility, which paved the way for the adoption of Organics processing and Waste to Energy (WtE) treatment to further improve the diversion of waste from landfill.
  - b. Adoption of the three bin garden organics system which helped to divert organic waste from landfill.
  - c. Continued active involvement with the MRC in developing contracts for large scale waste diversion options including WtE and food organics and garden organics (FOGO) processing; and
  - d. Delivery of waste and recycling education programs and workshops and at events within the Town.
6. Whilst the Town has implemented significant changes since the adoption of the SWMP 2018-2023, the momentum must continue for the next five years with a new SWMP. This will ensure that the Town's current and future efforts are optimised to achieve the best outcomes for the community since many changes have taken place in the industry and more are anticipated in the future.
7. With the roll out of the Town's Garden Organics (GO) bins and the awarding of the waste to energy contract soon, the Waste Authority's target of 70% waste diversion rate by 2025 within the Perth Metropolitan area is an achievable outcome. The introduction of the Food Organics and Garden Organics (FOGO) system will further push this percentage upward.
8. The aim of SWMP 2024- 2029 is to provide a strategic direction for waste management of the Town that aims to align with the Town's strategic goals and the State's waste hierarchy of reducing the amount of waste created and sent to landfill.
9. The objectives of the SWMP 2024-2029
  - a. to further develop best practices for waste management whilst striving to achieve the targets set in the State Waste Strategy 2030; and
  - b. set priorities for the next five years with the resources available to reduce waste sent to landfill and assist the community to participate in waste minimisation activities.
10. As part of the development of the new SWMP 2024 - 2029, the issues considered include:
  - a. Actions achieved during the last SWMP 2018-2023;
  - b. Determine the future options for the Town and the MRC;
  - c. Identify priority issues for the Town in the context of the waste management environment;
  - d. Define what the Town must achieve;
  - e. Define who is accountable and how the achievements can be made;
  - f. Define the MRC priorities and strategies and how they influence the Town's strategy;
  - g. Relationship between the Town and MRC; and
  - h. Define how formal reviews and monitoring of progress of implementation will be undertaken.

## Discussion

11. As a result of the public consultation and further internal consultation, some amendments have been made to the draft SWMP.
  - a. The objectives of the SWMP have been updated to include the aim of the Town to reach zero emissions by 2030.

- b. Within the SWMP, there is a list of actions. These actions are now simplified for easier referencing within appendix 1.
  - c. As the State Waste Strategy is currently being reviewed, the SWMP has already anticipated the need for a further review in 2025 to adapt to any changes to the State Waste Strategy.
12. The SWMP contains priority activities:
- a. A list of priority activities over the first four years and the last year to carry over activities not complete from previous years and develop new SWMP;
  - b. Include relevant activities from the previous SWMP; and
  - c. Include actions related to the Environmental Plan 2023-2028
13. The review of the previous SWMP identified the degree of success in achieving the previously proposed activities. Feedback was also sought by the Town through community consultation undertaken in late 2023. Based on an understanding of the requirements within the Town, the priority activities as identified are provided in the SWMP and in appendix 1.
14. There are strategic issues within the waste management industry that could significantly impact the Town's progression towards improved waste diversion from landfill. Some of these are directly within the control of the Town while others are highly dependent on other government agencies, MRC, or other Local Government organisations. These include:
- a. Financial responsibility with the development of a 15-year waste services plan alongside other financial plans.
  - b. Annual Waste Plans that focus on accurate data collection and consistent reporting.
  - c. Tracking of historical waste data and current trends.
  - d. The Town's Climate Emergency Plan and the State's Climate Bill.
  - e. The future of MRC operations, namely the financial implication associated with the involvement in the MRC versus operating as an individual Local Government.
  - f. The Perth Metropolitan landfill levy is charged on all waste generated or landfilled in the Metropolitan area. The levy has been \$70 per tonne since 2018 but will increase to \$85/tonne next financial year. This represents an increase of \$157,000 for the Town in 2024/2025 which will remain until the waste is processed at the waste to energy (WtE) plant. For future planning, MRC member Councils could expect an ongoing annual landfill levy increase in the range of \$5/ to \$10/t. This should give a reasonable upper and lower range cost estimates which long term financial modelling for the Town and MRC can be based on.
  - g. Waste to Energy (WtE) is a treatment option that the West Australian waste industry has been considering for many years. WtE has the potential to dramatically improve the Town's landfill diversion rate, albeit at the lower end of the waste hierarchy pyramid. At this stage, MRC has evaluated the WtE tender submissions and is in the process of seeking MRC Council decision regarding the awarding of the required contract.
  - h. With the planned roll out of the Food Organics Garden Organics (FOGO) three bin system in 2025, it is anticipated that the Town will land at a higher order achievement based on the waste hierarchy and attain the State's waste targets in a timely manner. While progressing the initial phases of the 3 bin system project and delivering education program, and monitoring contamination rates, the Town successfully implemented its garden organics (GO) bin system in 2022. The amount of GO waste received has been under 2,000 tons per year, which is less than initially expected.

- i. Switching of kerbside collections of GO bins to FOGO bins and the new contract(s) required for general, FOGO and recyclable waste in 2026.
- j. Verge Collection services - Currently, the Town offers two rounds of bulk waste verge collection services per year with the residents placing bulk waste on the verge which is then collected by contractors. Reusable items have been salvaged by members of the public. The pros and cons of a bulk bin waste collection system have been considered by the Town and to date, verge collection system, as opposed to skip bin collection, is still considered to be the most cost effective and environmentally responsible option for the Town. It is noted that bulk bins have not been adopted in many of the higher density suburbs within and surrounding the Perth CBD. Alternative actions taken included working in partnership with charity organisations to increase the capturing of reusable items such as clothing before they are disposed of by residents.
- k. Other household waste items such as e-waste are being managed in line with the requirements of the landfill ban in 2024. Prebooked collections vs drop offs for this type of waste is being investigated.
- l. Public place disposal services will be investigated along with increased coverage and potential reintroduction of recycling options.
- m. Contingency planning will be further investigated in case of changes to landfills such as fires, shutdowns, or collection services being unavailable.
- n. Community drop-off, recycling and reuse shop is being investigated for minor recycling, education, community involvement as no current service is provided by the Town.
- o. Container Deposit or Container for Change Scheme - The State Government has implemented the Container for Change Scheme (CDS) successfully. This scheme is primarily aimed to reduce littering and targeted the beverage containers that are commonly found in the litter waste stream. This scheme reduced recyclable items collected in the yellow lid recycling wheelie bins of the Town.
- p. Recyclable Material Market - The cost of recycling is dependent on the revenue that recyclers receive for the recycled materials. This market has proven to be highly volatile over time. This volatility in the recycling market has a direct impact on the cost of recycling and hence the cost that the Town pays its recycling contractors. The current contracted rates secured by the Town since 2016 are amongst the lowest in the state if not the lowest. In future recycling tenders, the Town is considering options such as continuing to include options within the pricing structure whereby the tenderers provide an all-in price for the delivery of the recycling service and takes all risk of commodity price fluctuation. The Town will consider requesting tenderers to provide an alternative price for consideration by the Town whereby there is a variable recycling cost based on the fluctuation in recycling commodity costs.
- q. Hazardous Household Waste Management will continue, and it is envisioned to have more than one annual service.
- r. Illegal littering and dumping are ongoing and there are discussions between local governments on the different ways to deter and deal with this issue.
- s. Sustainable Purchasing: The Town is responsible for leading by example in sustainable waste management practices. This includes using the Town's substantial purchasing power to encourage the consumption of sustainable products such as durable and repairable products. Ideally, this revolves around the purchasing of products that generate the least waste (waste avoidance), those items that are made of recyclable materials or materials that are easily repairable and recyclable (optimising recycling) and materials that are locally manufactured from recyclable materials (supporting local recycling efforts). Recent examples include the use of recycled road construction materials for laneway construction projects. The Town has a purchasing policy which includes

Sustainable Procurement and Corporate Social Responsibility. This portion of the policy encourages the purchase of products that can be refurbished, reused, recycled, and/or reclaimed. Policy 301 Purchasing Policy includes sustainable and ethical procurement requirements.

- t. Community Involvement - Most of the waste recycling or resource recovery activities cost more than a typical landfill disposal solution, even after the impact of the landfill levy. As the Town progresses with more waste diversion from landfill and strives to achieve an improved waste management and recycling outcome in line with the waste hierarchy pyramid, the cost of recycling will increase dramatically. To reduce the impact of this dramatic cost increase, the Town would be better positioned if it continues to encourage community participation in specific waste and recycling focused areas. This community involvement can vary from web page posting, word-of-mouth education to direct involvement in managing and operating small-scale waste management activities such as the current programs including home composting workshops and Garage Sale Trail.
  - u. Waste management is one area surveyed in the Town's Annual Satisfaction Survey.
- 15. The waste industry will continue to evolve. This Plan is recommended to be subject to minor reviews by Town staff annually.
  - 16. Towards the end of the Plan validity period, the Town will develop a subsequent SWMP for the next five-year period. This current Plan would form the baseline against which the successes over the past five years can be gauged and be the basis for the development of the future plan.
  - 17. Major achievements such as adoption of waste to energy treatments and diversion of organics from landfill are being achieved. Going forward, there is an opportunity to achieve measurable shorter-term improvements in the various waste streams currently managed by the Town. Several of the new possibilities came about due to the new services introduced in the industry. Within the SWMP, there are also goals and practices identified which are potentially more cost effective and environmentally sustainable and may be implemented in a more gradual manner over the medium to longer term future.
  - 18. The SWMP 2024-2029 will ensure that the Town's current and future efforts are optimised to achieve the best outcomes for the community, particularly considering the changes that have taken place in the industry during recent years.
  - 19. In relation to implementation, while a draft implementation plan is attached for information, this will be further updated to include more finite actions from the SWMP.

## Relevant documents

Council Policy 262 Waste removal and recycling – residential and commercial properties

[Council Policy 260 Single use plastic and polystyrene](#)

[Council Policy 261 Sustainable events](#)

Town of Victoria Park Waste Calendar 2024/2025

[Waste Avoidance and Resource Recovery Strategy 2030 | Waste Authority WA](#)

## Legal and policy compliance

Not applicable



## Financial implications

<b>Current budget impact</b>	<p>Sufficient funds exist within the annual budget to address this recommendation.</p> <p>The extent of cost to the Town will be a function of the level of involvement with implementing actions identified in the SWMP.</p> <p>For instance, there should be a net cost saving due to lower waste tonnage being sent to MRC because of increased waste education related programs being delivered such as the home composting workshops.</p> <p>The challenge for the Town is to maximise its diversion rate within a limited budget.</p> <p>To fully scope and implement the high priority initiatives identified in the SWMP 2024 – 2029, which will include detailed business case analysis of cost-effective actions and strategies over the life of the Plan, it is recommended that the support of experienced consultants be secured.</p>
<b>Future budget impact</b>	<p>An additional \$200,000 is estimated to be required on top of the current \$600,000 budget for the roll out of the Town's FOGO system which is planned to commence implementation in mid-2025.</p> <p>An operating budget of about \$50,000 is required for the waste audit of 2024/2025 financial year and potentially the same amount in future financial years.</p> <p>External funding is available sometimes for the Town and local community groups. The Town will monitor the availability of funding sources and the outcomes sought by the funding agencies. If there is available external funding aligned to the SWMP activities, the Town will pursue it.</p> <p>The Town is aware that in general, funding is seen as "seed funding", whereby the fund provider hopes to encourage the establishment of an activity and in time, the activity operator, be it the Town and/or the community, takes over the cost of operating the activity, or in the rare circumstance, the activity becomes self-funding or profitable (such as the revenue sharing outcome as part from the Container for Change program using the Town's recycling bins).</p> <p>The Waste Authority is a primary source of funding and sets out an annual business plan which provides insight into the funding direction.</p> <p>The Town's current bin collection and recycling processing contract commenced in 2016 based on a set of very competitive rates which would likely to be increased significantly when a new contract is established in 2026.</p> <p>The Town will continue to collaborate with its contractors to ensure relevant revenue generating and cost saving opportunities are implemented. For example, the current revenue sharing arrangement with Cleanaway for CDS in recyclable bins generates approximately \$70,000 per year.</p>

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable		Low	
Environmental	Inability to achieve the required 70% waste recovery by 2025.	Medium	Medium	TREAT risk by adopting this Strategic Waste Management Plan for 2024-2029 as it supports the awarding of contract for Waste to Energy services through the Mindarie Regional Council and implementation of Food Organics Garden Organics Rollout.
Health and safety	Not applicable		Low	
Infrastructure/ ICT systems/ utilities	Not applicable		Medium	
Legislative compliance	Not applicable		Low	
Reputation	Not applicable		Low	
Service delivery	Lack of funds to deliver waste education programs resulting in delayed reduction in waste generation.	Medium	Medium	TREAT risk by approving the proposed annual operating budget for waste management.

## Engagement

Internal engagement	
Stakeholder	Comments
Street Operations	Beware of narrow verges when considering any initiatives involving the use of the verge or skip bins. Any initiatives to narrow streets and intersections should consider the configuration of the rubbish trucks used by the Town's waste contractor. Trucks turning at tightened approaches to intersections should not be allowed, as far as possible, to traverse over opposing lanes and potentially conflict with other vehicles and pedestrians. On demand services for e-waste and mattresses should be considered.
Environmental Management	Continue to deliver waste education programs.

Finance	Noted the potential fiscal impact due to significant increase in bin collection rates after the current contract has expired (in 2026)
Environmental Health	Planning approval conditions for commercial properties to include bin storage compound
Place Planning	<p>The SWMP would benefit from inclusion of a clear vision and guiding principles to set the Town's strategic direction for waste management.</p> <p>While many actions noted within the SWMP are included in the implementation plan, not all are included. Each action identified within the SWMP should include commentary on the rationale as to why the action has been included/excluded from the final recommendations. It is appreciated that this report states that the implementation plan will be further updated to include more finite actions from the SWMP.</p> <p>The SWMP would benefit from being more ambitious in how we intend to deliver waste services to achieve Town strategic goals.</p> <p>The SWMP would benefit from including commentary on strategic principles for the Town to pursue in entering its next waste collection contract.</p> <p>Place Planning appreciate that the SWMP Implementation Plan now identifies an action to investigate options on how the Town intends to deal with waste management appropriately in increasingly urban settings with increasingly higher density. This could include preparing Waste Management Guidelines for commercial and high-density residential development within the Town, as well as consideration to the appropriateness of the current waste servicing vehicles. An associated action has been included in the implementation plan.</p> <p>The SWMP would benefit from being graphically formatted in a way consistent with other Town strategies to improve legibility.</p> <p>It is appreciated that the report acknowledges that the actions within the implementation plan will further reviewed. This could include:</p> <ul style="list-style-type: none"> <li>• Recognition and response to Town's Growth</li> <li>• Town's waste contract review</li> <li>• Further internal collaboration</li> </ul>
Technical Services	It is important to be conscious of the cost of services to be provided to ensure that rate payers are not subsidizing any expensive services tailored to benefit certain developments which cannot be serviced by the normal waste trucks under current contract. Based on the advice provided by other metropolitan councils, new developments should be required to be designed to accommodate the standard large side lifting trucks. Otherwise, these developers should explore options such as engaging their own collection contractors to empty their nonstandard bins from inside private properties in a safe manner.

Urban Planning	Intend to prepare a Waste Management Local Planning Policy for developments which outlines the Town's expectations for waste collection in multi-storey or unit developments.

Internal engagement	
Stakeholders	Elected Members
Period of engagement	25 March 2024
Level of engagement	1. Inform 2. Consult
Methods of engagement	Face to face and via Teams – Concept forum
Advertising	Not applicable
Submission summary	Not applicable
Key findings	<p>Discussion</p> <ul style="list-style-type: none"> <li>• Create a more streamlined SWMP for the community</li> <li>• Ongoing and future sustainable procurement within the Town of Victoria Park</li> <li>• Verge bulk waste pick-ups investigated in the future to analyse best interest to community when a review is conducted</li> <li>• Waste to Energy (WtE) commencement</li> <li>• Waste Education for community groups, ongoing workshops, and bin information communication</li> <li>• Data collection future waste audits compared to audit conducted five years ago and Investigation into timing for verge bulk waste disposal for university students</li> <li>• Containers for change continued support</li> <li>• FOGO commencement</li> <li>• Possibility of increase in household hazardous waste options</li> <li>• Involvement of community for re-using projects in conjunction with other local governments and charities</li> <li>• Trialling of on demand collection of certain materials such as mattresses</li> <li>• Recycling hub options to be further investigated involving other providers</li> </ul>

External engagement	
Stakeholders	Participants at the Waste Management community workshop

Period of engagement	28 October 2023
Level of engagement	1. Inform 2. Consult
Methods of engagement	Face to face
Advertising	Not applicable
Submission summary	Not applicable
Key findings	<p>Among a variety of waste and recycling management issues, participants were invited to share their future visions for the Town and ideas about what the Town should do in terms of waste management and the circular economy. The participants appreciated the opportunity, and several suggestions were made, and issues discussed. Participants supportive of the Town's waste management related programs such as the Home Composting program. Requests were received to assist other Councils such as the Cities of Kalamunda and Joondalup to set up similar programs.</p> <p>The participants were appreciative of being heard and the explanations provided for some of the more complex waste and recycling issues such as Waste to Energy process, lack of FOGO processing facilities in the metropolitan area and increasing cost of waste and recycling processes. They expressed their appreciation for the Town's proactive approaches.</p>

External engagement	
Stakeholders	Public consultation with the community
Period of engagement	4 June to 21 June 2024 inclusive via the Town's website - Your Thoughts and advertising through the Town's social media.
Level of engagement	1. Inform 2. Consult
Methods of engagement	Submissions through the form of comments were accepted through Your Thoughts portal.
Advertising	Details of the advertising via the Town's website - Your Thoughts and advertising through the Town's social media.
Submission summary	<p>Four submissions received during the submission period and were in favour of the plan with comments for waste improvement.</p> <p>A further 42 submissions were received after the close mostly relating to potential for fortnightly collection and reduction of bin sizes.</p>

Key findings	<ul style="list-style-type: none"> <li>- A well thought out plan</li> <li>- Paintback too far away and yearly toxic waste drop off too infrequent</li> <li>- More information about loss of shared facilities with South Perth</li> <li>- More immediate action on large e-Waste</li> <li>- Excited about introduction of FOGO and bin tagging</li> <li>- Town could investigate incentivising business to minimise packaging at point of sale</li> <li>- More education on bulk waste and FOGO</li> <li>- Bulk waste is convenient and messy, and often what will be collected is not adhered too</li> <li>- I currently use the City of South Perth recycling as a Victoria Park resident, and they wave me through</li> <li>- It would be more convenient to have recycling bins at shopping centres</li> <li>- Vic Park Connect is working on a reuse shop and repair café, might be best not to duplicate</li> <li>- Reduce bin sizes</li> <li>- Skip/front lift bin for bulk collection like City of Belmont</li> </ul>
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## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	The Strategic Waste Management Plan (SWMP) illustrates how and what resources will be used to help reduce waste in the Town.

Environment	
Community Priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	The SWMP demonstrates activities that will help reduce waste and thus its effect on the natural environment.
EN2 - Facilitating the reduction of waste.	The SWMP shows waste reduction activities will be implemented for 2024-2029.

## Further consideration

At the Agenda Briefing Forum meeting held on 26 November 2024, the following information was requested.

20. Provide a Verge Collection Tender report in Ordinary Council Meeting if possible
  - A. Following the Agenda Briefing forum, the tender evaluation process has been completed. A report has been prepared and will be submitted to February ABF and OCM.
21. Include Product Stewardship schemes into the current draft plan.
  - A. A section has now been included within the current draft plan.
22. Emphasise the point as officers confirmed that there will be at least two rounds of household hazardous waste collections per year.
  - A. The SWMP and Implementation plan have been revised to reflect that at least 2 rounds of Household Hazardous waste collection days will be held each year.
23. Provide the appendix one in relation to 11(b)

A. The reference to appendix one was used during the public consultation period but this reference has now been amended to "Implementation plan" as attached to the report.

24. Provide the statistics on the number of attendees for the home composting initiative prior to the Ordinary Council Meeting.

A. A total of 73 people from 54 households have attended five workshops held during 2023.

The total attendees for 2024 workshop series is forthcoming, following the final workshop on 7 December 2024.

25. Provide the breakdown between items of point 5.5 of attachment 13.1.2

A. Estimated cost of \$5,000 for the cloth nappy program and the remaining is for the Garage Sale Trail program.

26. Further review and provide the reasons of the need for \$5,000 allocation to provide 600 metal water bottles (reference point 5.6 of attachment 13.1.2) and whether this is aligned with the waste strategy.

A. The supply of metal bottles to schools as part of the Implementation Plan has been removed.

27. Provide more extensive information regarding \$100,000 annual allocation for developing a sustainability hub.

A. The \$100,000 is an indicative estimate based on anticipated set up cost of the sustainability hub itself in partnership with other organisations such as City of South Perth, which would include a repair cafe, e-waste drop-off, sustainability hub staffing. This would be an on-going co-contribution to the City of South Perth. However, detailed costings would be determined when the partnership arrangement is further explored and solidified and there is clarity in the level of contribution required. Council will be kept informed of this as it progresses.

28. Provide the provision of the submissions from the community.

A. Below is the formal public commentary received:

- A well thought out plan. I see lots of work completed here.
- I want to see more info about the loss of our shared facilities. i.e. Sth Perth. Why? What happened?
- Paintback is too far away and the yearly toxic waste drop off is too infrequent
- 'I would like to see more immediate action on local disposal of large eWaste items.
- -I'm very excited about the introduction of FOGO, and the bin tagging program.
- -I believe there needs to be more community education about waste streams; anecdotally I know several people who don't bother with properly separating waste, using recycling etc because they believe it mostly ends up in landfill anyway due to constraints within the system.
- -I think the Town should investigate working with businesses to accept waste generated by their operations (eg. packaging) in order to incentivise minimisation approaches at the point of sale. Similarly businesses that sell eg. mobile phones should be part of the circular economy and accept eWaste as part of their operations.
- More education, including in-person, with Dept of Communities tenants, and tenants in apartments, especially around bulk waste collection and FOGO. It not just language, its comprehension, and personal priorities.

- Bulk waste collection is problematic - it convenient, but messy. Not everyone has a vehicle capable of transporting waste, or a vehicle at all. It seems to support a 'throw away' society that buys cheap stuff and throws it out 6 months later.
- Also noticeable the number of people who don't understand (or who don't care) what bulk waste collection is. You see bags of kids toys, bags of clothes, boxes of utensils and kitchen items - lots of small stuff which is perfectly good and could have been donated. Of course there is load of good quality furniture that also gets thrown out - do people not know charity will collect these if they ask?
- Interesting comment about TOVP residents not being able to use the CoSP recycling centre anymore. I still use it all the time! - polystyrene, batteries, bottle tops, cardboard, e-waste, light globes. Probably down there every 2 month or so, mostly recently just last week. They just wave me through. I hope this can continue.
- It would be more convenient, easy, for the non-engaged to see opportunities to recycle at their local shopping centre. Coles has recently add a battery bin. People don't want to necessarily go to some 'other' place to drop of their tricky items, if they can conveniently do it at their local shopping centre that may help. Similar to what Officeworks has.
- As for a reuse shop and repair cafe - Vic Park Connect has been working on this, perhaps just nurture and support that project where needed instead of duplication.
- Reduce size bins. checking a few bins in the street there is many households not using bins to size.
- 2, skip/front lift bin for bulk collection like Belmont city. The image is terrible when the pickers go through there a lot that is not bulk just laziness. Also there is always out early and late piles left around, mattress can take weeks to be collected if at all.
- Shopping trolley are they rubbish?



## 13.2 TVP 24/23 General Building maintenance and roof repairs

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Building Officer
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL - General Building Maintenance and Roofing Repair Tender 24 23 Evaluation - Confidential [13.2.1 - 3 pages]

### Summary

To seek Council's endorsement to engage a contractor to provide general building maintenance and roof repairs under Tender TVP/24/23.

#### Recommendation

That Council awards the contract associated with Tender TVP/24/23 for General Building Maintenance and Roof Repairs, to Tenderer A over a maximum five years (being an initial term of three years, with two one-year extension options), with the terms and conditions as outlined in the contract, as their offer has been evaluated as the most advantageous to the Town.

### Background

1. The previous contract for general building maintenance and roof repairs (contract CTVP/19/01, tender TVP/18/12) was executed in March 2019 for three years and has been extended for an additional two years, expiring in early 2024.
2. Due to delays caused by procurement and other staffing issues, the Town has not arranged for a full competitive tender of services until this point, although any ongoing maintenance issues have been subjected to the usual procurement processes for competitive quoting of works.
3. Tender TVP/24/23 was published through the Tenderlink portal, issued on 9 October 2024, with a closure date of 24 October 2024.
4. Tenderers were requested to provide various labour and plant hire rates, together with detailed information addressing the qualitative aspects of the tender.

### Discussion

5. The assessment of the submissions was formally undertaken by a panel that included:
  - Building Officer 1
  - Building Officer 2
  - Property Development and Leasing Officer
6. The Town received 3 submissions. All 3 submissions were compliant.
7. The evaluation of the submissions against the quantitative and qualitative criteria resulted in the rankings as shown below, with the first ranking scoring the highest.

**a. Rank 1 Tenderer A**

- Supplier's Price: \$128,480 (based on sample trade hourly rates applied to equal hours for each tenderer)
- Qualitative Criteria Score: 92.3%
- Value for Money Calculation: 74.6%

Tenderer A demonstrated strong organisational capabilities, extensive staff expertise, and significant experience with local governments (City of Armadale, City of Canning, City of Belmont, WA Police, and Town of Victoria Park). The proposal was well-structured, highlighting a diverse range of in-house services and sufficient capacity to handle large-scale work. The panel noted their capability to meet the Town's needs but identified some uncertainty around their emergency response capacity.

**b. Rank 2 Tenderer B**

- Supplier's Price: \$103,840 (based on sample trade hourly rates applied to equal hours for each tenderer)
- Qualitative Criteria Score: 73.7%
- Value for Money Calculation: 73.7%

Tenderer B proposed a competitive price but lacked demonstrated implementation of social sustainability measures. While their personnel were experienced, concerns were raised about their capacity to manage the contract and the absence of a building license among staff. Previous experience with the Town was limited to a few jobs, with no broader local government experience. The submission was structured but lacked sufficient detail.

**c. Rank 3 Tenderer C**

- Supplier's Price: \$142,120 (based on sample trade hourly rates applied to equal hours for each tenderer)
- Qualitative Criteria Score: 85.3%
- Value for Money Calculation: 62.3%

Tenderer C presented a strong submission, with well-implemented sustainability strategies, substantial organisational capacity, and experience with several local governments (e.g., City of Gosnells, City of Stirling). However, their pricing exceeded the budget, and the panel was not convinced of their reliability for emergency work. Their lack of familiarity with the Town's assets and incomplete explanation regarding litigation raised concerns.

**d. Recommended Supplier**

Tenderer A was chosen as the preferred supplier due to their combination of demonstrated capability, strong qualitative score, and experience with local government contracts, including prior work with the Town of Victoria Park. Their proposal aligns well with the Town's requirements, providing confidence in their capacity to deliver the services. While their price was slightly higher than Bridgehouse, the value-for-money calculation and qualitative advantages made them the most suitable choice.

## Compliance criteria

8. The following compliance criteria were included in the tender:

- (a) Lodgement of the submission is in accordance with the conditions of the submission
- (b) Compliance will be made in accordance with the General Conditions of Contract (for the provision of Minor Works), Special Conditions and the Tender Request
- (c) A minimum of three references were provided
- (d) Acknowledgement of addenda (if any)
- (e) Completion of the Pricing Schedule
- (f) Provision of corporate information as required
- (g) Financial position details as required
- (h) Confirmation of no conflict of interest
- (i) Provision of insurance information and certificates of currency
- (j) Completion of respondent's offer
- (k) Confirmation of no modern slavery offences or investigations
- (l) Minimum specifications for occupational health and safety.

## Evaluation process

<p><b>Demonstrated experience</b></p> <ol style="list-style-type: none"> <li><b>Case Studies.</b> The Tenderer must provide details of contracts for similar Goods and / or Services provided for other clients. The Tenderer must provide:             <ol style="list-style-type: none"> <li>A detailed description of the Goods and / or Services provided;</li> <li>Similarities between the previous contracts and this Request;</li> <li>When the previous contracts were performed; and</li> <li>The outcome of the previous contracts.</li> </ol> </li> <li><b>References.</b> The Tenderer must also provide a minimum of three [3] referees in respect of the contracts detailed above. Referee details must include:             <ol style="list-style-type: none"> <li>The referee's name and position;</li> <li>Company name;</li> <li>The contact telephone number; and</li> <li>The contract or project title.</li> <li>A short summary of the Work delivered, including key deliverables</li> </ol> </li> <li><b>Maintenance Record System.</b> The Tenderer must maintain accurate records relating to Works undertaken. Please describe:</li> <li>Ability and system available to capture Works records, including what detail can be recorded.</li> <li>Outline process(es) to be used for records management, storage, and access</li> </ol>	<p>Weighting 40%</p>
<p><b>Organisational capacity</b></p> <ol style="list-style-type: none"> <li>The Tenderer must demonstrate that it has the organisational capacity to perform the Customer Contract.</li> <li>Identify how it will manage and achieve a satisfactory resolution (to the Town's satisfaction) should a conflict of personnel assignment or a conflict of available capacity occur</li> </ol>	<p>Weighting 10%</p>
<p><b>Demonstrated Skills and Experience of the Organisation to Undertake Projects of a Similar Nature</b></p>	<p>Weighting 35%</p>

<p>8. The Tenderer must provide information regarding:</p> <ul style="list-style-type: none"> <li>a. The skills and experience of the key Specified Personnel who will be involved with this contract. A brief curriculum vitae should be provided outlining their similar experience to the requirements as set out in Schedule 2 – Specification / Statement of Requirements;</li> <li>b. Roles of the Specified Personnel and their availability during the term of the contract; and</li> <li>c. The organisational capacity to perform the Customer Contract including relevant skills and experience within the organisation (other than the specified personnel) in performing similar requirements</li> </ul>	
<p><b>Specified Personnel</b></p> <p>9. The Tenderer must:</p> <ul style="list-style-type: none"> <li>a. Identify any proposed Specified Personnel together with a brief curriculum vitae for each of them.</li> <li>b. Describe the skills and industry experience of all proposed Specified Personnel, especially how their experience relates to the requirements set out in Schedule 2 – Specification / Statement of Requirements, and</li> <li>c. Please clearly outline current licenses / certifications held by Specified Personnel – especially regarding certified trades (building and roofing))</li> </ul>	<p>Weighting</p> <p>10%</p>
<p><b>Social Sustainability (Indigenous, disabled, human rights, labour practices)</b></p> <p>10. Tenderers should provide evidence of sustainability in the delivery of the project / goods or services, and in the general day-to-day operation of their organisation.</p> <ul style="list-style-type: none"> <li>a. Does your organisation follow any sustainable strategies? <ul style="list-style-type: none"> <li>a. <b>YES / NO.</b></li> <li>b. If yes, please provide details.</li> </ul> </li> <li>b. Does your organisation have any Social Impact Policy and Initiatives? i.e. Indigenous, diversity, human rights, labour practices. <ul style="list-style-type: none"> <li>a. <b>YES / NO</b></li> <li>b. If yes, please provide details</li> </ul> </li> </ul>	<p>Weighting</p> <p>5%</p>
<p><b>Price</b></p> <p>11. Tenderers are to populate and attach the pricing spreadsheet</p>	<p>Weighting</p> <p>**</p>

\*\* After the qualitative scoring is established for tender bids, the relative pricing ratios for tenderers are considered to determine the final value for money scores, using the formula: Value for money = (A x B)/C; where A = lowest price, B = qualitative score, and C = tenderer's price.

## Legal and policy compliance

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

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

## Financial implications

<b>Current budget impact</b>	<p>As the value of the contract exceeds \$250,000, the acceptance of the offer/tender and subsequent award of any such contract is to be determined by Council. The value of the total contract over three years with further extension options is expected to be around \$2 million.</p> <p>Sufficient funds exist within the annual budget to address this recommendation.</p> <p>Total value of contract of this contract is \$2 million with initial term of three years and two one year extension options. This requires approximately \$400,000 per annum building maintenance budget. Sufficient funds exist within current annual budget at Property Maintenance service area.</p>
<b>Future budget impact</b>	Building maintenance budget is set each year through the annual budget process and ensure to include the contractual amount.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	Not obtaining the lowest longer-term rates for maintenance works required by building facilities.	Moderate	Low	TREAT risk by completing competitive market-based process and awarding the best value for money tender received.
Environmental	N/A		Medium	
Health and safety	Not providing building facilities that are suitable for use that result in possible health and safety consequences.	Moderate	Low	TREAT risk with ongoing maintenance required and obtaining best value for money services through competitive tender.
Infrastructure/ ICT systems/ utilities	N/A		Medium	
Legislative compliance	N/A		Low	
Reputation	Not maintaining building facilities, which may be seen as being "rundown."	Moderate	Low	TREAT risk with ongoing maintenance required and obtaining best value for money services through competitive tender

Service delivery	N/A	Medium
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## Engagement

Internal engagement	
Stakeholder	Comments
Procurement	Provided assistance and advice throughout the process.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	To put in place contractual arrangements covering general building and roof maintenance functions.

Environment	
Community Priority	Intended public value outcome or impact
EN5 - Providing facilities that are well-built and well-maintained.	Maintaining building facilities in a suitable condition for ongoing use.

## Further consideration

At the Agenda Briefing Forum meeting held on 26 November 2024, the following information was requested.

8. Revise information regarding the financial implications on pages 33-34, specifically the annual figures, for accuracy.
  - A. For clarity, the estimated cost information provided in the “Discussion” section of this report was based on a set of assumed hours applied to all relevant hourly rates provided by each tenderer purely to facilitate cost comparison between the tenderers to establish their respective ranking. This exercise resulted in a range of costs between \$100,000- and \$142,200 per annum to enable the ranking determination. The \$2mil estimated overall contract value provided in the future budget impact table was estimated based on actual expenditure incurred in recent financial years. It is anticipated that the contract value over the 5 year period would be \$2mil in today’s value.

### 13.3 Proposed Access Licence for Blackoak - Portion of 15 Hill View Terrace, East Victoria Park

<b>Location</b>	East Victoria Park
<b>Reporting officer</b>	Manager Property Development and Leasing
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Draft Key Terms - Car Park Access Licence [ <b>13.3.1</b> - 3 pages] 2. Fig A.14 Composite Development Plan ( DA P.23.02602) [ <b>13.3.2</b> - 1 page]

#### Summary

This report seeks Council approval to authorise the Chief Executive Officer to enter into a non-exclusive access licence with Blackoak Capital – Elizabeth Ballie Pty Ltd (Blackoak). This is necessary to give effect to the terms of Development Approval DAP/23/02602 and provide Blackoak with non-exclusive access from Hill View Terrace over Town land, in order to access a car park within Blackoak's lease area for the heritage redevelopment of Edward Millen located on part of Lot 9000 at 15 Hill View Terrace, East Victoria Park

#### Recommendation

That Council:

1. Authorises the Chief Executive Officer to finalise a non-exclusive access licence for a portion of Lot 9000, 15 Hill View Terrace, East Victoria Park with Blackoak Capital – Elizabeth Baillie Pty Ltd (Blackoak) in accordance with the key terms at Attachment 1, together with any reasonable and necessary amendments. The licence will enable Blackoak to use Town land for non-exclusive access to their leased area, supporting the adaptive heritage redevelopment of Edward Millen on part of Lot 9000, located at 15 Hill View Terrace, East Victoria Park.
2. Authorises the Chief Executive Officer to execute as a deed the licence referred to in 1 above and to sign or execute as a deed any further permission, licence or assignment documentation required in order to give effect to the proposed non-exclusive access licence over the portion of Lot 9000, further to Development Approval (DAP/23/02602) approved by the Metro Inner Development Assessment Panel on 28 March 2024.

#### Background

1. An Agreement for Lease (AFL) was executed between the Town and Blackoak Capital - Elizabeth Ballie Pty Ltd (Blackoak) on 23 October 2023 providing for an adaptive heritage redevelopment by Blackoak.
2. Blackoak subsequently obtained Development Approval (DAP/23/02602) from the Metro Inner Development Assessment Panel on 28 March 2024.
3. To give effect to the plans in DAP/23/02602 and support the leasing arrangement, Blackoak require non-exclusive access from Hill View Terrace, over a portion of Town-owned land to be constructed as a car park by the Town, in order to facilitate access into a car park to be constructed by Blackoak within its future lease area on the Edward Millen site.

## Discussion

4. Blackoak’s redevelopment of the Edward Millen site requires direct access to the leased area over Town-owned land, as expressed and proposed in DAP/23/02602:
- “A second car park is proposed on the southern boundary along Hill View Terrace which includes 52 spaces. This car park is designed to connect to an additional 37 bay car park within Edward Millen Park, to be constructed by the Town.”*
5. The proposed licence terms at Attachment 1 make provision for Blackoak, and their invitees and authorised persons to access its leased area in accordance with DAP/23/02602 and are necessary to accommodate the redevelopment.
6. DAP/23/02602 notes, that the car park to be constructed by the Town of Victoria Park off Hill View Terrace, will adjoin Blackoak’s new on-site parking for the proposed redevelopment (Attachment 2).
7. The Town is currently progressing the RFT process for awarding the redevelopment project for the Edward Millen site and as such, the Town currently intends to construct the part of the car park that is outside of Blackoak’s lease area.
8. Approval from the Department of Planning, Lands and Heritage (DPLH) will also be required under section 75(6) of the *Land Administration Act 1997*, given the conditional freehold status of the land. The final unexecuted copy of the licence will be submitted to DPLH.
9. This non-exclusive access licence over a portion of 15 Hill View Terrace, East Victoria Park, will align with DAP/23/02602, and support the adaptive heritage redevelopment of Edward Millen.

## Legal and policy compliance

[\*Section 75 \(6\) of the Local Administration Act 1997\*](#)

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.  The legal costs for the Town’s lawyers will be paid directly by Blackoak.
<b>Future budget impact</b>	Not applicable

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not accepting the proposed non-exclusive access licence may result in the delay or withdrawal of the redevelopment of the Edward Millen Adaptive Heritage Redevelopment Project.	High	Low	TREAT risk by adopting the proposed key terms which will shape the non-exclusive access licence agreement.



Environmental	Not applicable.		Medium	
Health and safety	Not approving the non-exclusive access licence may result in uncertainty towards safe access to the redevelopment site from Hill View Terrace, East Victoria Park.	High	Low	TREAT risk by approving the proposed key terms which can enable accessibility to the future lease area.
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	
Legislative compliance	Ensure DPLH review the unexecuted copy of the non-exclusive access licence.	Low	Low	TREAT risk by issuing the unexecuted copy of the licence agreement to DPLH for review and approval.
Reputation	Not approving the non-exclusive access licence may result in reputational loss as this access licence is an important factor to support the redevelopment of the Edward Millen precinct	High	Low	TREAT risk by supporting the non-exclusive access licence for Blackoak that will act as a supporting agreement to Blackoak's agreement across the Edward Millen precinct.
Service delivery	Not applicable.		Medium	

## Engagement

Internal engagement	
Stakeholder	Comments
Parks and Reserves	No additional comments.
Parking	The proposal ensures access to parking capacity and is therefore supported.
Development Services	The proposal ensures consistency with the development approval.
Project Management Office	The proposal is in alignment with the proposed works in the adjoining parkland.

## Strategic alignment

Economic	
Community Priority	Intended public value outcome or impact
EC2 - Connecting businesses and people to our local activity centers through place planning and activation.	The non-exclusive licence agreement will achieve the desired outcome of connecting the future Blackoak lease area to an access road off Hill View Terrace, East Victoria Park, as referenced in the DAP/23/02602 granted 28 March 2024.

Environment	
Community Priority	Intended public value outcome or impact
EN3 - Enhancing and enabling livability through planning, urban design and development.	The planning approval DAP/23/02602 supported and referenced the Town constructed car park is designed to connect to an additional 52 car bays to facilitate the Blackoak redevelopment project.

Social	
Community Priority	Intended public value outcome or impact
S4 - Improving access to arts, history, culture and education.	The proposed non-exclusive access licence will facilitate in connecting the public to the heritage development which will include, a cultural centre, a museum/gallery, and indigenous art that will be incorporated into the park and heritage development.

## Further consideration

Not applicable.

## 13.4 34 Goddard Street - Proposed lease with Amplitel

<b>Location</b>	Lathlain
<b>Reporting officer</b>	Manager Property Development and Leasing
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Preliminary Drawings of the proposed site [13.4.1 - 5 pages] 2. CONFIDENTIAL - Draft Key Terms [13.4.2 - 19 pages]

### Summary

The purpose of this report is for Council to consider a new lease for a proposed telecommunications monopole on approximately 85m<sup>2</sup> of the land at 34 Goddard Street, Lathlain.

### Recommendation

That Council:

1. Authorises the Chief Executive Officer to negotiate with Amplitel Pty Ltd as trustee for the Towers Business Operating Trust ABN 75 357 171 746 consistent with key terms as follows and as further provided in Attachment 1:
  - a. Approximately 85m<sup>2</sup> portion of 34 Goddard Street LATHLAIN Lot 1 on Diagram 26715 being the subject of Certificate of Title Volume 1425 Folio 934 (Subject to survey and detailed site plan).
  - b. Lessee: Amplitel Pty Ltd as trustee for the Towers Business Operating Trust ABN 75 357 171 746.
  - c. Term: 5 years.
  - d. Further term: 5 years + 5 years + 5 years.
  - e. Rent: \$50,000 per annum plus GST and outgoings.
  - f. Outgoings: The Tenant is responsible for all outgoings from commencement date.
  - g. Maintenance: The Tenant is responsible for all maintenance of their compound and all structures contained within unless the damage is caused by the landlord.
  - h. Insurance: The Tenant is responsible for \$20M Public Liability Insurance and workers compensation cover.
  - i. Signage: With prior written consent from the Landlord.
  - j. The lease is conditional upon the Lessee obtaining all necessary Development Approvals, as required for the intended use of the premises.
  - k. Terms to be set by the Towns lawyers and to incorporate any variations or amendments to key terms as may be considered reasonable and necessary by the Chief Executive Officer.
2. Authorises the Chief Executive Officer to advertise the proposed lease in terms of Section 3.58 of the *Local Government Act 1995* and subject to no submission being received, to proceed with the grant of the proposed lease.
3. Authorises the Chief Executive Officer to, subject to 2 above, execute as a deed the lease and to execute as appropriate all other documents necessary to give effect to the lease referred to in 1 above.

### Background

1. Point 6 of Council resolution 219/2024 dated 17 September 2024 resolved as follows in relation to termination of the telecommunication leases on the roof of the existing Grandstand at Lathlain Precinct Zone 1:

*That Council:*

*6. Notes that the CEO will terminate the existing leases with Vodafone Network Pty Ltd and Telstra Pty Ltd and that a further report will be presented to Council by December 2024 on the proposed new Heads of Terms for a lease with co-location of replacement telco services to a new site.*

2. The CEO has issued termination notices to Vodafone Network Pty Ltd (Towers Business Operations Pty Ltd) and Telstra Pty Ltd. The telecommunications leases will terminate on their respective next available termination dates, both of which are 30 June 2025.
3. This report also addresses the proposed new Heads of Terms for a lease with co-location of replacement telco services to a new site.
4. There is considerable background to these telco leases and to the Town's efforts to secure relocation of telco services from the roof of the existing Grandstand, to a new location within the Lathlain Precinct, in order to facilitate redevelopment of the Grandstand.
5. There are currently two telco leases between the Town and telecommunication providers on the roof of the Town's existing Grandstand at 34 Goddard Street
  - a. Lease dated 16 July 2007 to Vodafone Network Pty Ltd (assigned to Towers Business Operations Pty Ltd). The fixed term of this lease will end on 30 June 2025 (the TowerCo Lease).
  - b. Lease dated 13 July 2004 to Telstra Corporation Limited (the Telstra Lease). The fixed term of this lease ended 30 June 2024 and the lease is in holding over.
6. In addition, a sub-lease has been granted under the TowerCo Lease to Optus. The precaution has also been taken of notifying Optus of termination of the TowerCo Lease and of the Town's requirement for vacant possession.
7. All three major mobile telecommunication networks therefore provide telecommunication services for use by public customers, from the roof of the Town's existing Grandstand at 34 Goddard Street.
8. At an early stage of the design process for a replacement Grandstand, the Town sought to negotiate with its tenants to secure early termination of their leases to facilitate redevelopment, coupled with provision for alternative replacement telecommunication facilities to be leased from the Town. Analysis of options for replacement telecommunication facilities was reported to the Council meeting on 15 February 2022.
9. In brief, whilst each of the tenants TowerCo (Vodafone/TPG network) and Amplitel (Telstra network) was prepared to relocate to a new telecommunication tower to be constructed within the Lathlain precinct, neither would confirm willingness to become a sub tenant of the other. In effect, the positions adopted by the telecommunication providers meant that if relocation was to occur by means of a telecommunication tower based option, two telecommunication towers would be necessary within the Lathlain Precinct, in order to secure relocation of the tenants and redevelopment of the Grandstand at its existing location.
10. The *Telecommunications Act 1997* encourages carriers to share facilities by colocation so as to minimise the construction of multiple facilities and the effect of environmental impacts in any given area.
11. In addition, State Planning Policy SPP 5.2 provides that telecommunications infrastructure should be co-located.
12. Council did not pursue the proposed construction of two telecommunication towers at Lathlain, or any of the other options. The design and location of the Grandstand redevelopment was instead reviewed, with a new scheme providing for relocation of a new Grandstand to a new location, followed by demolition of the existing Grandstand after expiry of the TowerCo and Telstra leases.

13. The Town has repeatedly urged the telco stakeholders to agree to relocate their infrastructure onto a single monopole, in compliance with the co-location principle under the *Telecommunications Act 1997* and State Planning Policy SPP 5.2.
14. The telecommunication stakeholders on the roof of the existing Grandstand are now agreeable to co-location of relocated telecommunication services onto a single monopole located at the location shown in attachment 1.
15. The Town has been progressing negotiations with Amplitel to develop the attached non-binding heads of terms for a new lease at Lathlain (attachment 2) for co-location of telco services onto a single monopole by way of a lease to Amplitel (Telstra), with a sub lease for Vodafone/TPG and Optus network services.

## Discussion

16. Amplitel have provided written confirmation that co-location of telco services can now be achieved.
17. In the event that this proposal were to proceed, Amplitel will be making a significant investment in design work and securing all necessary planning and other consents and constructing the proposed replacement telecommunications monopole. The Town has sought to negotiate non-binding heads of terms with Amplitel that recognise this investment as appropriate, including provision for a lease term of up to 20 years (without the usual break clause in favour of the Town). In addition, the heads of terms seek to provide for leasing arrangements to protect the Town's interests generally, for example:-
  - a. Adherence to other relevant and applicable requirements of Policy 310 Leasing and Licensing;
  - b. Sufficient control of the Town over assignments of the lease, including a not-negotiable requirement for any assignment to be the subject of a deed;
  - c. Adequate definition and control over the permitted use to ensure that the telcos do not have the right to change the facility into something different;
  - d. Limiting the tenant's right to utilise the surrounding land (car park) for access, maintenance and repair to defined areas and preserving the Town's right as landowner to reconfigure the surrounding land to suit community needs and requirements;
  - e. The Town's legal costs to be paid by Amplitel;
  - f. Town to be compensated by Amplitel under Helliwell values for removal of trees and shrubs;
  - g. Aesthetic requirements for the equipment shelters, fencing and landscaping.
18. A copy of the non-binding heads of terms is attached and also provides an overview of the lengthy negotiations that have been necessary in order to obtain Amplitel's agreement to reasonable and acceptable safeguards required by the Town. Given these negotiations and the position of the parties in this matter, the Council has the opportunity to make its own determination as to what it considers an appropriate rent, rather than simply accepting a figure that Amplitel may say that they will agree to.
19. The proposed lease would be for a 'Commercial Purpose' and would therefore be a 'Commercial Facility' under the Council's Policy 310 – Leasing and Licensing. Policy Statement 5 provides as follows:-

*Leases and Licences of the Town's Commercial Facilities will be administered so as to maximise income generation for the Town, to align with market conditions so far as is reasonable and practicable.*
20. The following table provides information to assist with the setting of the rent to Amplitel by the Council under the proposed lease to Amplitel:-

Rental Amount (Annual)	Comment on Rental Amount	Annual Escalation	Other comment
\$16,740.84	Existing rent under Telstra Lease	CPI	Telstra Lease is of part of roofspace of Grandstand.
\$26,532.98	Existing rent under Towerco Lease	Fixed 5% increase	Towerco Lease is of part of roofspace of Grandstand.
\$43,273.82	Aggregate of existing rents under the Telstra Lease and Towerco Lease	See above	See above.
\$22,000	Amplitel licensed valuation	See position negotiated under heads of terms.	Ground lease for 30m high single monopole to be constructed by Amplitel. Sub-letting rights required by Amplitel.
\$27,500	Licensed valuation obtained by Town	See position negotiated under heads of terms.	Ground lease for 30m high single monopole to be constructed by Amplitel. Town's valuer confirms the valuation is on the basis that the tenant has the right to sub-lease to other telecommunication providers.
\$30,000-\$36,300	Valuation obtained by Town from licensed valuer (includes a special value premium over and above market value)	See position negotiated under heads of terms.	Ground lease for 30m high single monopole to be constructed by Amplitel. Town's valuer confirms the valuation is on the basis that the tenant has the right to sub-lease to other telecommunication providers.
\$40,000-\$45,000	Specialist commercial assessment by independent telecommunications consultant (not a licensed valuer)	See position negotiated under heads of terms.	Ground lease for 30m high single monopole to be constructed by Amplitel. The assessment is on the basis that the tenant has the right to sub-lease to other telecommunication providers.

21. It is recommended that the highest of the above rental figures, \$45,000 per annum, plus an additional \$5,000 per annum (total \$50,000 per annum), is set as the proposed rent to be charged, plus applicable outgoings and GST, for reasons including the following:-
- The significant difficulties experienced by the Town with securing relocation of the telco tenants from the Grandstand to facilitate a redevelopment of a new Grandstand, notwithstanding the considerable benefit enjoyed by the telco tenants, which have operated their commercial business from the rooftop of a public building for many years, without capital expenditure on free standing tower infrastructure;
  - The costs, expenses and risks to the Town associated with leasing to telco tenants on Town owned or managed property;
  - The telco industry operates commercial businesses and the proposed facility will provide the right to grant sub-leases to other commercial telco tenants;
  - An annual rent of \$50,000 per annum is not significantly higher than the existing aggregate telco rentals of \$43,273.82 under the Telstra Lease and Towerco Lease. The Council has faced a range of increased costs in recent years;
  - The proposed annual rent of \$50,000 per annum seeks to reasonably maximise income generation aligned with market conditions and also provide the Town with a level of reasonable financial mitigation to the costs, expenses and risks of leasing to commercial telco tenants.
- If Council wished, having regard to factors such as (a)-(e) above, to impose a higher rental, it would be free to seek to do so. There is the possibility that in response, the telcos may seek to establish permanent statutory 'low impact' telecommunication facilities at Lathlain or elsewhere, which do not require lease arrangements and payment of lease rent.
22. The design phase and further investigations for the new monopole will be carried out at Amplitel's risk and cost.
23. It is not expected that Amplitel will be able to finalise the lease with the Town, finish designing the new telecommunication monopole infrastructure, apply for and obtain development approval before the termination dates of the existing telco leases in June/July 2025.
24. It is possible that the telcos may use temporary telecommunication set ups (Cell on Wheels) to maintain mobile telecommunication service continuity as much as possible, following termination of the existing telco leases.
25. Cell on Wheels are typically deployed for natural disasters, special events and emergency situations. It is understood that these are generally low impact facilities that may not require development approval. Cells on Wheels if utilised in the discretion of the telcos will not provide an exact match to the existing coverage due to differences in antenna heights, which could compromise mobile telecommunication service quality for local residents.

## **Legal and policy compliance**

[Telecommunications Act 1997](#)

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

[State Planning Policy 5.2 Telecommunications Infrastructure \(Para 5.1.1 \(v\)\)](#)

[Policy 310 Leasing and Licensing](#)

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	Current income for the Town from the telco tenants has been paid up to date until termination 30 June 2025. Granting a new lease to Amplitel will continue to generate funds for the Town for future budgets.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Loss of rental income to the Town if no new lease is entered into.	Low	Low	TREAT risk by progressing new lease arrangements to secure future rental income to the Town.
Environmental	Adverse environmental impacts in the event that two separate telecommunication monopolies were to be constructed by two telecommunication providers.	Low	Medium	TREAT risk by requiring telecommunication providers to locate onto one telecommunication monopoly.
Health and safety	EME Zones around telecommunication equipment.	Low	Low	TREAT risk with development application and by locating future tower location and EME zones for considered against the surrounding reserve and infrastructure.
Infrastructure/ ICT systems/ utilities	Not Applicable.		Medium	
Legislative compliance	The proposed lease will require compliance with Section 3.58 of the Local Government Act.	Low	Low	TREAT risk by strict compliance with advertising requirements in Section 3.58 of the Local Government Act and use of non-binding heads of terms to negotiate the lease, without risk of inadvertently agreeing to lease.
Reputation	Reputational damage arising from non compliance with State Planning Policy 5.2.2. and legislative requirements.	Low	Low	TREAT risk by designing and implementing a lease transaction that complies with State Planning Policy 5.2.2. and legislative requirements.
Service delivery	Not Applicable		Medium	



## Engagement

Internal engagement	
Manager Development Services	An application for development approval will need to be submitted to the Western Australian Planning Commission for approval of the proposed monopole. Accordingly the lease agreement should be subject to obtaining development approval.
Strategic Projects Manager	Assistance provided in negotiating the proposed location having regard to future plans for the Lathlain Precinct. Ingress/egress points assessed, EME zones for future tower location considered against the surrounding reserve and infrastructure.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Leasing space in an existing, underutilised area of land within an open space area and with separation from private property mitigates environmental impact, while still being able to ensure continuation of critical telecommunication services to the local community
CL3 - Accountability and good governance.	Providing the public and stakeholders with a report about the colocation process, the benefits and the potential risks. This transparency encourages public trust and ensures that residents have a clear understanding of how their community is being impacted.

## Further consideration

At the Agenda Briefing Forum meeting held on 26 November 2024, the following information was requested.

26. Provide information whether it is possible for the four trees to be removed to be relocated elsewhere.  
A. There is no realistic prospect of successful relocation of the four trees, which have been in situ since early 2020 and are well established. Australian natives and many evergreens are subject to very high risk of failure on relocation.
27. Insert Option B, outlining month-to-month leases with the current holders of the infrastructure.  
A. Delegation 1.1.18 provides a means to accommodate month to month leases. The following Option B has been added, with the inclusion of an additional condition 7 to ensure that the monthly rent payable to the Town is not charged at a lower rate than the existing leases:-  
That Council:-
  1. Notes that the Chief Executive Officer has delegated authority under delegation "1.1.18 Disposing of Property – Land and Buildings" to grant leases including on a month to month basis to the current holders of the telecommunication infrastructure leases (or the nominees

of such holders) on the roof of the existing Grandstand, subject to compliance with relevant and applicable Council Conditions on Delegation 1.1.18;

2. Should the Chief Executive Officer exercise delegation 1.1.18 further to 1. above, an additional condition will apply, as follows:-

The rent shall not be less than that currently applicable under the existing leases, as follows:-

- a. For the premises currently leased to Telstra Corporation Limited, the rent shall not be less than \$16,740.84 (annualised) chargeable for the purposes of a month to month lease at a monthly rate of \$1395.07;
  - b. For the premises currently leased to Towers Business Operations Pty Ltd, the rent shall not be less than \$26,532.98 (annualised) chargeable for the purposes of a month to month lease at a monthly rate of \$2,211.08.
3. Notes that the circumstances of the Lathlain Zone 1 redevelopment are subject to change, the notices of termination that have been issued remain effective and no guarantee is provided to the holders of the telecommunication leases that the Chief Executive Officer will consider it appropriate to utilise the delegated authority;

## 13.5 Current works required for the Lathlain Park Grandstand

<b>Location</b>	Lathlain
<b>Reporting officer</b>	Manager Assets and Environment
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL - Asbestos Survey Report [ <b>13.5.1</b> - 44 pages] 2. CONFIDENTIAL - Building Condition Assessment [ <b>13.5.2</b> - 2 pages] 3. CONFIDENTIAL - Structural Inspection Report [ <b>13.5.3</b> - 60 pages]

### Summary

At the Ordinary Council Meeting held September 2024, Council resolved to not give notice of intention to proceed with the second part (Stage 2) of the Lathlain Precinct Redevelopment Project – Zone 1.

Council also noted that the Town would commence any urgent works on the existing facility and would bring back a report to Council on the ongoing plan and funding for required works at the existing facility.

### Recommendation

That Council:

1. Notes that the Town will commence urgent works at the existing facility.
2. Notes the funding required for ongoing works for inclusion in the Town's long-term financial plan and 2025/26 budget.
3. Notes that the Building Capital Contingency capital works budget will fund the works.
4. Approves the budget amendment:
  - a. To increase the capital works budget for Building Capital Contingency by \$80,000.
  - b. To transfer \$30,000 out of \$50,000 capital works budget from Admin Centre – Car Park Gate to Building Capital Contingency.
  - c. To transfer \$50,000 out of \$75,000 capital works budget from Admin Centre – Ground Floor Toilet Modification to Building Capital Contingency.

### Background

1. At the Ordinary Council Meeting held in September 2024, a report was provided to Council on the Lathlain Precinct Zone 1 – Contract CTVP-24 Construction of the Grandstand - Notice to Proceed. Council resolved that:

That Council:

- a. Notes the funding shortfall for the Lathlain Precinct Zone 1 Community sport and recreation facility project, which is currently indicatively estimated at \$3.64 million and the Town's recommendation to fund any shortfall for this project from the Future Fund reserve;
- b. Resolves not to give notice of intention to proceed with the second part of the construction contract between the Town and PS Structures at this stage, pending the outcome of further advocacy for additional funding from external stakeholders;
- c. Requests the Chief Executive Officer and the Mayor to undertake further advocacy to external stakeholders for additional funding to address the funding shortfall;

- d. Requests the Chief Executive Officer to liaise with PS Structures regarding the potential options for continuing the construction contract at a later stage;
  - e. Requests the Chief Executive Officer to report back to Council by no later than February 2025 with an update on points 3 and 4 of this resolution, and options for the future of this project.
  - f. Notes that the CEO will terminate the existing leases with Vodafone Network Pty Ltd and Telstra Pty Ltd and that a further report will be presented to Council by December 2024 on the proposed new Heads of Terms for a lease with co-location of replacement telco services to a new site.
  - g. Notes that the Town will commence any urgent works on the existing facility and will bring a report back to Council by December 2024 on the ongoing plan and funding for required works.
2. This report addresses point 7 above.

## Discussion

3. Urgent work has commenced on the existing facility. This includes several specialist consultant activities and reports, as outlined in the table below.

Consultant Activity	Description
Structural Inspection	A structural engineering firm (STATS) was engaged to perform a structural inspection of the facility. A report was delivered to the Town identifying several structural defects and recommended repairs. Crack meters had also been installed prior to the inspection so that the consultants could monitor any increase in cracking.
Asbestos Containing Material Inspection	An accredited and licensed asbestos inspection firm (SW19) was engaged to perform an asbestos survey of the facility.
Condition Assessment	A specialist building consultancy (SW19) was engaged to perform a condition assessment of the facility's replaceable fixtures, fittings, fabrics, and building services components.

4. The Town and their Asset Management Support consultants have also met the tenants to gather feedback on the issues present at the facility.
5. An ongoing plan to manage the facility has been developed (summarised below) based on the above activities and it addresses the critical issues raised in the consultant reports and tenant feedback.

### **Urgent Works**

6. The mountings for one of the large oval-facing flood lights installed on the roof of the grandstand recently failed resulting in the flood light coming loose. The integrity of the remaining mountings is a concern and therefore will undergo further inspections to determine if repairs or removal of the lights are required.
7. Leaks reported by the tenants from the joints in the concrete grandstand base down into the President's room require repair as the leaks are causing damage to structural steel and seating and inconvenience to patrons.
8. Further investigation and assessment of the defects reported in the consultant structural inspection report is required to develop priority ratings and solutions for the issues. Any further defects identified

in this investigation have not been costed at this stage due to the requested turnaround timing of this report.

### **Structural Repairs**

9. The consultant structural inspection report identified 20 defects, with 13 of the defects requiring ongoing monitoring, and action or repairs recommended for 5 further defects.

### **Removal of Asbestos Containing Materials (ACM)**

10. The consultant asbestos survey report identified 27 locations with presumed or confirmed ACMs. While all locations were rated by the consultant as low or very low risk, it is noted in the report that removal of the ACM is the most effective risk control compared to relying on signage and other administrative management methods.

### **Renewal Works**

11. The consultant condition assessment report identified over \$2m of replaceable fixtures, fittings, fabrics, and building services components that are approaching the end of their useful life and will require renewal over the next 10 years.

### **Compliance Upgrades**

12. Renewal of some building components can trigger a legislative requirement to renew several major systems including:
  - Fire systems
  - Electrical systems
  - Mechanical and ventilation systems

The building's accessibility infrastructure will also require review and consideration for upgrading in accordance with the Town's Access and Inclusion Plan. There will be benefits in costs and disruption in coordinating these upgrades with the renewal of building components.

13. The scope and plan for any compliance upgrades including optimal coordination with the renewal of building components will require further development and is currently not costed.

### **Fit for Purpose Upgrades**

14. Upgrades to the building's spaces, services, and amenities needs be considered to ensure that the building remains fit for its intended purpose. This includes reviewing the facilities' requirements to adequately support home and away AFLW teams and considering options to improve the space and the utilisation of the bar, gym, and the function room.
15. These upgrades require stakeholder engagement, an architectural design, and planning for funding and is not currently costed in the ongoing plan for the existing facility.

Type	Work Description	Short-Term	2025-2026	2026-2032
<b>Urgent Works</b>	<i>Inspection and remediation of grandstand light fixtures</i>	\$12,000		
<b>Urgent Works</b>	<i>Remediation of reported leaks</i>	\$25,000		

<b>Urgent Works</b>	<i>Further Investigation of structural issues and development of solutions</i>	\$20,000		
<b>Structural Repairs</b>	<i>Repairs recommended in consultant report</i>		\$930,000	
<b>Structural Repairs</b>	<i>Scheduled inspections and ongoing monitoring</i>		\$5,000	\$5,000
<b>Removal of ACM</b>	<i>Ongoing removal and monitoring</i>		\$30,000	\$30,000
<b>Renewal Works</b>	<i>As per condition assessment report</i>		\$1,000,000	\$1,000,000
<b>Compliance Upgrades</b>	<i>Requires further development</i>		Not costed	
<b>Fit for Purpose Upgrades</b>	<i>Requires further development</i>		Not costed	
<b>Total:</b>		\$57,000	\$1,965,000	\$1,035,000

## Relevant documents

Not applicable

## Legal and policy compliance

Not applicable

## Financial implications

<b>Current budget impact</b>	Sufficient funds do not exist within the annual budget to address the short-term urgent works. It is proposed to fund the works from increased capital works budget for Building Capital Contingency. .
<b>Future budget impact</b>	<p>No allowances have been made in Council's long-term financial plan for the longer-term works at the existing Lathlain Park Grandstand facility. The funding requirements for these works will be added to the next revision of the long-term financial plan, and this will impact future budgets from the 2025/26 to 2031/32 financial years. The impact is currently estimated at \$3m plus the costs of any approved compliance and fit-for-purpose upgrades.</p> <p>The future budget required is subject to the final decision related to the funding and tenure arrangements being considered by the State Government.</p>

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	The ongoing plan of works for the existing Lathlain Grandstand facility would need to be included in the Council's budgets for the 2025/26 to 2031/32 financial years.	Medium	Low	TREAT risk by including funding requirements in the Council's long-term financial plan
Environmental	Not applicable		Medium	
Health and safety	Exposure to Asbestos	Low	Low	TREAT risk by progressively removing ACM
Infrastructure/ ICT systems/ utilities	Not applicable		Medium	
Legislative compliance	Critical building systems (e.g., fire and electrical) may not be compliant for continued use.	High	Low	TREAT risk by reviewing legislated system compliance requirements and upgrading systems as required.
Reputation	Building spaces, fixtures and services may function poorly, or not fit for its intended purpose.	High	Low	TREAT risk by engaging with relevant stakeholders to understand their critical service delivery needs and implementing renewals / upgrades to the facility's amenities and services to meet service levels.
Service delivery	Not applicable		Medium	Not applicable

## Engagement

Internal engagement	
Stakeholder	Comments
Project Management Office	Engagement for the coordination with the outcomes of the Stage 2 of Lathlain Precinct Redevelopment Project – Zone 1 council report.
Facilities Management	Engagement to coordinate the delivery of urgent works and develop the plan for ongoing works.

External engagement	
Stakeholders	Tenants of the facility
Period of engagement	24 October 2024
Level of engagement	1. Inform 2. Consult
Methods of engagement	<ul style="list-style-type: none"> <li>• In-person meeting</li> <li>• Regular emails and briefings</li> </ul>
Advertising	No advertising was undertaken
Submission summary	Not applicable
Key findings	<ul style="list-style-type: none"> <li>• Developed an understanding of the tenant's critical service delivery requirements</li> <li>• Understood current issues</li> <li>• Received feedback on building issues and defects perceived by the tenants.</li> </ul>

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Developing a prioritised plan of work to address safety, compliance, and critical service delivery requirements of the building, while minimising impact to Council's budget and long-term financial position.

Environment	
Community Priority	Intended public value outcome or impact
EN5 – Providing facilities that are well-built and well-maintained.	Developing a plan to ensure the building is safe, compliant, functional, and fit for its intended purpose. Tenant satisfaction is achieved and service levels for tenanted facilities are met.

## Further consideration

Not applicable.



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

<b>Location</b>	Burswood
<b>Reporting officer</b>	Manager Property Development and Leasing
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Road Closure Documents - 19 March 2024 OCM 20/2024 [ <b>13.6.1</b> - 6 pages] 2. Road Closure Documents - 1 November 2024 [ <b>13.6.2</b> - 2 pages] 3. MRWA Letter of Non Objection - 24 September 2024 [ <b>13.6.3</b> - 3 pages]

### Summary

Further to Council Resolution (40/2024) dated 19 March 2024, this report requests Council to review a revised proposal from Devon Cove Pty Ltd (Metrowest) for a permanent closure of a portion of Claude Street.

### Recommendation

That Council:

1. Authorises the Chief Executive Officer to advertise the road closure of approximately 753.5m<sup>2</sup> part of Claude Street substantially in accordance with Road Closure Plan – Drawing 1 Revision I dated 1 November 2024, subject to:-
  - a. Prior to any advertising commencing, Metrowest must submit drawings and specifications to the satisfaction of the CEO to address the engineering requirements outlined in (i)-(iii):
    - i. Lane 94 cannot terminate without a turnaround area, hence a 9m radius cul-de sac at the end of Lane 94 shall be constructed. To facilitate this, the sump shall be upgraded at the applicant's cost to a fully constructed stormwater cell to the Town's satisfaction. It shall be designed to accommodate runoff from any modified catchment in the area and also to withstand heavy vehicle loads. The design shall be subject to approval by the Town. A truncation of 2mx2m will be required on the Lot 501.
    - ii. The cul-de-sac on Claude St shall be designed to accommodate 1.5m wide footpath around it.
    - iii. The revised proposal must detail the number of parking bays affected and outline what is planned for replacement of the parking spaces lost and clearly specify the new use of Lot 89, which was originally proposed for a thoroughfare and parking bays
  - b. The CEO may approve minor adjustments to the road closure area up to 10%, as deemed reasonable and appropriate.
  - c. Prior to advertising, a deed of indemnity is to be entered into, to the satisfaction of the Chief Executive Officer, in accordance with points 2) and 3) below.
2. Authorises the CEO to negotiate and finalise the terms for a deed of indemnity in respect of a proposed permanent closure of a portion of Claude Street.
3. The deed is to be drafted by the Town's lawyers on the instructions of the Town at the cost of the applicant (Town's lawyers fees payable in advance by proponent). The terms of the deed will be set by the Chief Executive Officer on the advice of the Town's lawyers and will include the following:
  - a. Devon Cove Pty Ltd to indemnify the Town from and against any costs, expenses, responsibilities, liabilities, claims and works incurred by the Town (or required of the Town by the DPLH or the

- Minister for Lands or Crown) with respect to the proposed road closure and any incidental actions;
- b. No covenants will be given by Town. Town will progress (or not progress) the proposed road closure in its sole discretion. The deed and actions taken by the Town pursuant to the deed does not fetter the Town's discretion in any way.
  - c. Any development will also require development approval. The Town's discretion with respect to the development application will not be fettered.
  - d. Bank guarantee or cash bond of \$50,000 to be provided to the Town by Devon Cove Pty Ltd in advance of advertising the road closure, which is to be drawn down on as and when needed by the Town in connection with costs, expenses and liabilities incurred under the indemnity, for example:-
    - i. Advertising costs;
    - ii. Any legal advice sought by the Town in relation to the matter.
4. Once the deed is executed by all parties and subject to the Chief Executive Officer being satisfied that the terms of 1 above have been resolved, that Council authorises the CEO to advertise the proposed closure of a portion of Claude Street for the (35) thirty-five-day minimum requirement in accordance with section 58(3) of the Land Administration Act 1997.
  5. Requests a report back to Council with the outcome of the public advertising.

## Background

1. Council resolution 20/2024 dated 19 March 2024 provided as follows:

*That Council:*

*1) Authorises the Chief Executive Officer to negotiate and finalise the terms for a deed of indemnity in respect of the proposed permanent closure of an approximately 814m<sup>2</sup> part of Claude St, Burswood, as depicted on drawing No 01 Revision G dated 12 February 2024 and to execute this as a deed. The deed is to be drafted by the Town's lawyers on the instructions of the Town at the cost of the applicant (Town's lawyers fees payable in advance by proponent). The terms of the deed will be set by the Chief Executive Officer on the advice of the Town's lawyers and will include the following:*

*a) Devon Cove Pty Ltd to indemnify the Town from and against any costs, expenses, responsibilities, liabilities, claims and works incurred by the Town (or required of the Town by the DPLH or the Minister for Lands or Crown) with respect to the proposed road closure and any incidental actions;*

*b) No covenants will be given by Town. Town will progress (or not progress) the proposed road closure in its sole discretion. The deed and actions taken by the Town pursuant to the deed does not fetter the Town's discretion in any way.*

*c) Any development will also require development approval. The Town's discretion with respect to the development application will not be fettered.*

*d) Bank guarantee or cash bond of \$50,000 to be provided to the Town by Devon Cove Pty Ltd in advance of advertising the road closure, which is to be drawn down on as and when needed by the Town in connection with costs, expenses and liabilities incurred under the indemnity, for example: -*

*i) Advertising costs;*

*ii) Any legal advice or Legal counsel sought by the Town in relation to the matter;*

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

*3) Requests a report back to Council with the outcome of the public advertising.*

2. Drawing No 01 Revision G dated 12 February 2024 as approved by Council resolution 20/2024 dated 19 March 2024 (the Proposal) was a revision of the applicant's previous concepts and proposals which had been worked on extensively by the applicant and with input from the Town. The applicant had also been advised from an early stage to liaise with Department of Planning, Lands and Heritage (DPLH), Main Roads (MRWA) and Department of Transport (DoT).
3. The applicant acknowledged a 'key action' in December 2023 for the applicant to ensure that its proposal (which involved works within third party land owned/controlled by MRWA) was acceptable to MRWA. The applicant was specifically reminded of this by the Town on 14 and 16 February 2024.
4. On 20 May 2024, the Town received a response from MRWA, indicating that MRWA did not support the Proposal, citing that it had significantly changed since MRWA preliminary advice to the applicant in May 2022.
5. Main Roads advocates for collaboration with applicants to leverage their pre-lodgement consultation service before submitting planning proposals, particularly when development plans affect land adjacent to or potentially impact the State Road network.
6. A meeting held on 21 June 2024, between the Town, the applicant and MRWA provided the following feedback from MRWA:
  - a. No future development adjacent to the Metropolitan Region Scheme (MRS) Primary Regional Road Reservation (PRRR) should encroach into the PRRR, including eaves, awnings, and underground anchor points.
  - b. All vehicular access to any proposed development must be exclusively from Claude Street and/or the remaining portion of Lane 94.
  - c. Waste collection must occur on-site, not from within the PRRR.
  - d. Stormwater must not be discharged into the PRRR.
  - e. Any proposed landscaping or revegetation within the PRRR requires MRWA approval.
7. Following the meeting on 21 June 2024, the applicant has revised its concept to comply with MRWA's requirements (the New Proposal) (attachment 2) and has provided from MRWA a letter of support for the New Proposal (attachment 3). The applicant did not involve the Town in the applicant's redesign, which occurred after 21 June 2024.
8. It is noted that MRWA supports the revisions in Drawing H. The proposed closure area remains unchanged between Drawings H and I (Revision I provides a detail correction of the legend).
9. From comparison of the Proposal (attachment 1) and New Proposal (attachment 2), the following changes are highlighted:

	Proposal Drawing No. 01 Revision G dated February 12, 2024	New Proposal Drawing No. 01 Revision I dated November 1, 2024
Size of Claude St proposed for closure	814m <sup>2</sup>	753.5m <sup>2</sup>
Lot 89	490m <sup>2</sup> (entire lot) ceded for road to connect Claude St with Lane 94 and replace lost street parking	122m <sup>2</sup> ceded to allow for turning circle at the end of Claude Street
Lot 501	98m <sup>2</sup> of lot 501 would be ceded and realigned as road reserve	123m <sup>2</sup> to facilitate a turning circle at the end of Claude Street
Lane 94	Hammerhead turning to allow traffic to flow	There is no longer an opportunity for cars to turn at the end of Lane 94 or move between Claude St and Lane 94.
Parking	9 bays affected by the closure and 9 proposed to be replaced by the applicant ceding lot 89	Unknown number of bays affected estimated to be between 6 & 9, and none proposed to be replaced
Principal Shared Path (PSP)	Was previously proposed to be connected by the proponent at their cost	This has been completely removed by the proponent
Open Space	625m <sup>2</sup> proposed	None shown
Landscaped area	253m <sup>2</sup> proposed	None shown

10. Council Resolution 40/2024 dated 19 March 2024 provided the CEO with authorisation to advertise the road closure based on specified concept drawings (Drawing No. 01 Revision G dated February 12, 2024). The subsequent changes in the New Proposal collectively represent substantial changes to the Proposal approved by Council under resolution 20/2024 dated 19 March 2024.
11. Future use of the land, land assembly and the detail of any proposed built form will be the subject of a future development application (and/or subdivision application if necessary). This would include the amount of area dedicated for green spaces/landscaping needs, compliance with the Towns Integrated Transport Strategy (ITS) along with accommodation for public art etc, as discussed during concept forum and subsequent meetings. These are separate matters that will require the necessary development applications for Town assessment and determination.

## Discussion

12. The applicant requested the Town to advertise the proposed road closure of the reduced 753.5m<sup>2</sup> road closure area, in terms of the New Proposal. Having regard to the terms of Council Resolution 40/2024 dated 19 March 2024 and to the substantial changes in the New Proposal, the Town has declined to proceed with advertising, without prior Council referral.

13. Following a review of the New Proposal by the Town, concerns have been identified regarding safety, functionality, and future development, including:
- a. **Lack of a Turnaround Facility:** The Town's technical review does not support the applicant's assertion that the laneway can function effectively without a proper turnaround space. Without a turnaround, vehicles would be required to reverse long distances in tight spaces, increasing the risk of accidents, property damage, and harm to pedestrians or cyclists.
  - b. **Safety Risks:** The absence of a turnaround exacerbates traffic congestion, safety hazards, and operational inefficiencies. Vehicles reversing out of the laneway may block other vehicles, creating further hazards.
  - c. **Impact on Service Delivery:** The lack of a turnaround would disrupt essential services like waste collection and maintenance. Many businesses rely on the laneway for deliveries and waste removal, and without a proper turnaround, these operations will be delayed, increasing costs and causing logistical challenges.
  - d. **Inadequate Connectivity:** Laneways serve as key connectors between businesses, parking areas, and main roads. A laneway without a turnaround would disrupt traffic flow, diminishing accessibility and connectivity for both vehicles and pedestrians.
  - e. **Failure to Meet Technical Standards:** The narrow 4-meter-wide laneway is already challenging for larger vehicles to manoeuvre. The absence of a dedicated turnaround would result in the laneway failing to meet technical standards, negatively impacting overall functionality and service provision.
  - f. **Future Development Constraints:** The laneway/Right of Way (ROW) is approximately 155 meters long, which exceeds the recommended length for cul-de-sacs under Liveable Neighbourhood Guidelines (which suggest 120 meters as the desirable maximum). The current design is problematic for future growth and development.
  - g. **Negative Impact on Future Development:** The lack of a turnaround space could hinder the ability to provide safe access for future developments, limiting long-term growth potential for the area. The ROW's constrained nature further exacerbates the issue.
14. The following points were raised with the applicant regarding the New Proposal and how these might be resolved:
- a. Lane 94 cannot terminate without a turnaround area, hence a 9m radius cul-de sac at the end of Lane 94 shall be constructed. To facilitate this, the sump shall be upgraded at the applicant's cost to a fully constructed stormwater cell to the Town's satisfaction. It shall be designed to accommodate runoff from any modified catchment in the area and also to withstand heavy vehicle loads; design shall be approved by Town of Victoria Park. A truncation of 2mx2m will be required on the Lot 501.
  - b. The New Proposal does not show replacement of the number of parking spaces lost. It is unclear about the new use of Lot 89; which was previously proposed for construction of a thoroughfare and parking bays – may be applied as a condition. (Number of parking spaces lost is 9 on Claude St – area of road within MRWA reserve is excluded)
  - c. The cul-de-sac on Claude St shall be designed to accommodate 1.5m wide footpath around it.
15. The applicant advised as follows in response to the Town's request that the applicant revise its plans to address the Town's requirements:

*Metrowest will not be in a position to update the plans based on the Town's request below. This is primarily based on the following reasons:*

- a. *Over the past three years, we have invested significant time and resources without finding a viable solution and we simply cannot continue to invest resources into the below solution.*

- b. *The project team proposed a similar solution to the below a number of years ago, only to be rejected/not supported by the Town's officers and be sent down an extensive redesign, reworking and reconsideration pathway for alternatives.*
  - i. *This process has proven to be incredibly costly. We feel for the Town to now put forward the same solution that was previously not supported is simply untenable for Metrowest.*
- c. *Given the compensation Metrowest will be required to pay for the closure of the road, the proposed Laneway 94 turn around solution will simply be too costly.*
- d. *Finally, we have confidence that the laneway can operate and function without the turn around facility.*
  - i. *All properties that have access to Laneway 94 have access to either Claude Street or Stiles Street and have driveways/ access points to run around in their properties.*

*Noting the above, we respectfully request the Town proceed with writing the Council report for the December Council Meeting with the documents provided to the Town on 1 November 2024.*

*We also ask the Town to consider the above points in the officer reporting.*

16. The Town seeks to ensure that any infrastructure change meets safety standards and does not create future operational challenges, such as excessive operational maintenance cost burdens.
17. The Town has invested significant time and resources to collaborate with the applicant in order to achieve an outcome that serves the best interests of both the applicant, the broader community and other stakeholders.
18. With regard to the applicant's assertion in 15.b(i) above, the Town's preferred solution was to utilise land within the MRWA reservation for a turn-around (hammer head), thus avoiding the complexity and significant costs of modifying the existing sump by adding structures to create a turn-around, in addition to accommodating 1% AEP (Annual Exceedance Probability or 1 in 100 year rain event). The Town would have preferred to avoid such a compromise, however this is no longer feasible given subsequent information as to MRWA's requirements.
19. The applicant failed to ensure that the Proposal was supported by MRWA, notwithstanding the Town's repeated requests.
20. Whilst the New Proposal is now supported by MRWA, the applicant has made significant changes to the Proposal, without the Town's officers having input into those changes. This has resulted in the New Proposal no longer aligning with the Town's objectives and safety requirements, for the reasons provided above.
21. Without provision of a turnaround facility, visitors and general traffic may be forced to reverse out of Lane 94 for considerable distances, which can be challenging, time-consuming and most importantly, increases the risk of incidents.
22. The New Proposal is not supported by officers unless mitigations are added to the satisfaction of the Town. The recommendation contains mechanisms for the New Proposal to be advertised, subject to the applicant first resolving the points of mitigation, to the satisfaction of the Town.
23. The Town has worked diligently to support the applicant through this process, dedicating significant officer time and resources to promote acceptable outcomes for multiple stakeholders, including the applicant and the community.

## **Relevant documents**

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

## Legal and policy compliance

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

## Financial implications

<b>Current budget impact</b>	None. The deed of indemnity to be entered into will be at the cost of the applicant and will provide the Town with a cash deposit to draw down for expenses incurred, without recourse to budgeted funds.
<b>Future budget impact</b>	Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	All costs associated with progressing the road closure application will be borne by the proponent.	Medium	Low	Treat risk – Outline all costs applicable to the proponent prior to progressing further works on the application.
Environmental	Not applicable		Medium	
Health and safety	Cul-de-sac heads should be provided as a condition of the proposed road closure at the termination ends of Claude Street and laneway 94 to retain vehicle movements on the local road network rather than negotiate narrow laneways for servicing and circulation of vehicles.	High	Low	Treat risk – Council staff advocate for treatment as this may affect future Council decisions.
Infrastructure/ ICT systems/ utilities	Storm water drainage and access points through Claude St.	High	Medium	Treat risk – Ensure there is an agreement in place that requires the applicant to redirect and relocate pipes and access points at their cost
Legislative compliance	Approval for road closure will require the Minister for Lands endorsement.	Medium	Low	Treat risk – Strict process to be adhered to under section 58 of the Land Administration Act 1997.
Reputation	The road closure relates to Crown Land. If the Development yields benefit to the wider community and there is an investment in new assets	Medium	Low	Treat risk – Ensure the proponent submits a business case and relevant documentation for review and approval.



	for the Town, the proposal may be deemed viable.			
Service delivery	Internal staff time is required to prepare documentation and reports on behalf of the developer.	Medium	Medium	Accept risk – Administration is unable to be reimbursed for tasks conducted to officer time to assist with the proposal and possible closure.

## Engagement

Internal engagement	
Development Services	Any design would be subject to the Towns usually development approval process.
Place Planning	Place Planning is supportive of the advertising of the road closure, subject to a turnaround facility being provided for laneway 94.
Technical Services	<p>Engineering is concerned that the proposed design will terminate the narrow 4-meter-wide Laneway 94 without a designated turn-around area. This would undermine both the functionality and safety of the laneway, disrupting seamless connectivity and creating significant operational challenges—particularly for businesses in the Burswood East industrial zone abutting the lane way 94 that rely on it for material deliveries and service access.</p> <p>The recommendation provides mechanisms for the applicant to further revise its proposal, to address these concerns. Any modifications to the sump will require detailed design.</p>
Environmental and Asset Management	The applicant's revised proposal dated 1 November 2024 does not address the Town's engineering requirements. It will result in an unacceptable impact on existing asset function. In particular, the design lacks a designated turn-around area at the end of Laneway 94. Such a turn-around area is required for safety reasons, to enable refuse collection vehicles to turn around in forward gear. The recommendation provides mechanisms for the applicant to further revise its proposal, to address these concerns.

## Strategic alignment

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



## Further consideration

At the Agenda Briefing Forum meeting held on 26 November 2024, the following information was requested.

24. Seek clarification from Main Roads regarding their latest condition specifically the removal of the connection of the principal shared path (PSP) within the Metropolitan Region Scheme (MRS)?
  - A. Clarification has been sought from Main Roads as to whether Main Roads will agree to the connection of the PSP within the MRS. An update of any feedback received from Main Roads will be provided at the meeting.

## 13.7 Rutland Avenue - Lathlain - Traffic Calming

<b>Location</b>	Lathlain
<b>Reporting officer</b>	Strategic Projects Manager
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Option 1 - Speed Humps [ <b>13.7.1</b> - 1 page] 2. Option 2 - Slow Points [ <b>13.7.2</b> - 1 page] 3. Option 3 - Hybrid [ <b>13.7.3</b> - 1 page] 4. 200331-0130-single-lane-slow-point - MRWA standard drawing [ <b>13.7.4</b> - 1 page]

### Summary

At the Council Meeting held 15 October 2024, Council considered the progress of the Town's advocacy efforts to fund a two-way Rutland Avenue with a grade-separated shared path as part of the final stage of the WA Government's Rutland Avenue Principle Shared Path program. At that meeting, Council resolved that a report be provided to the December Council meeting on potential traffic calming measures for Rutland Avenue to address road safety concerns.

### Recommendation

That Council:

1. Notes that the implementation of traffic calming measures are supported for Rutland Avenue at select locations.
2. Notes **Option 1**, as contained in the body of the report, is the preferred approach to treat all identified locations.
3. Notes that the midyear budget review will consider the capital works budget of \$70,000 required to deliver **Option 1** as Watts Profile Asphalt Speed Humps.

### Background

1. In May 2024, a report was provided to Council outlining the considerations for a one-way and two-way option for Rutland Avenue. Council subsequently resolved to maintain Rutland Avenue as a two-way road for motorised traffic between Gallipoli Street and Streatley Road and construct the cycle facility as grade separated.
2. There was a significant funding shortfall for this two-way project and as such, Council resolved that an 8-12 week advocacy sprint be commenced to secure additional funding. Council also resolved that the Acting Chief Executive Officer was to bring a report to the December 2024 Ordinary Council meeting advising:
  - what, if any traffic calming measures are requirements to be implemented on Rutland Avenue to address urgent road safety concerns for all users;
  - the potential options for those traffic calming measures;
  - the estimated costs;
  - the timeframe for implementation; and

- a recommendation for Council's consideration.
3. During public question time, the community emphasized their request for interim traffic calming measures, pending the results of further investigation and due diligence by the Towns Operations Team.
  4. In 2014 the Town received a petition requesting that council:  
*"Take immediate action to slow traffic along Rutland Avenue between Victoria Park train station and Great Eastern Highway. Rutland Avenue is one of seven proposed Principal Shared Path priority links, and is popular with cyclists; this particular section is a narrow road where over 70% of vehicles speed. With great Uncertainty about PSP delivery and construction on the Red Castle site underway, additional complementary measures are required."*
  5. The petition contained 105 signatures and was noted by council and passed to the Acting Director Renew Life Program at the August 2014 OCM for review and actioning.
  6. A subsequent letter was sent to the petitioners outlining that additional traffic calming measures would provide further complexities to the Rutland Avenue PSP project and that the administration was awaiting the outcome of the Local Area Traffic Management (LATM) Pilot Study.
  7. The LATM pilot study traffic management philosophy adopted for the suburb encouraged existing traffic that wished to travel north-south through the suburb to use Rutland Avenue in the longer term. In turn, this approach fundamentally required an appropriate north-south cycling facility (PSP) to be provided between Great Eastern Highway and Roberts Road in order to allow Rutland Avenue to carry out this role effectively and safely given its current road width, current/future volumes and operating speeds. The construction of the PSP would also allow the priority PSP network to be connected.
  8. Current designs for 2-way road widening result in a narrow 5.5m road corridor, contrary to the LATM intention for future north-south traffic volume increase and traffic speeds.
  9. *The 2015 LATM study expressly identified that:*
    - a. *"in the immediate term it will be necessary to treat the road in the same equal manner as other Local Access roads in the suburb and be subject to traffic calming in line with other alternative north-south routes. This is particularly true given that it can be expected that local residents will wish to see traffic calming infrastructure installed that isn't dependent upon the Town receiving funding and permission construct the PSP which may now take a number of years."*
    - b. *"Without an appropriate cycle facility alongside Rutland Avenue however, the route should not be promoted as a preferred option. As such, alternative options to providing an appropriate cycling facility through the suburb should be explored and investigated in the short term rather than simply relying on traffic calming along Rutland Avenue."*
  10. At the 9 October 2018 OCM, Council resolved to suspend the construction of the works proposed for the remaining streets included in the LATM.

## Discussion

11. The Town has recently completed an assessment of traffic intervention for Rutland Avenue between Streatley Road and Gallipoli Street based on the 2012 council endorsed "Traffic Management Intervention Warrant".
12. This assessment investigated the requirements for potential traffic calming measures along this stretch, with the results indicating specific areas that may benefit from interventions.

13. This assessment was based on the traffic data (including traffic volumes, heavy vehicle percentage and the 85<sup>th</sup> percentile speed) from 2014, 2019 and 2023. The Town did not have sufficient time to obtain current traffic data for this report on all road segments.
14. Three crashes have been reported within the study area (between Streatley Road and Cookham Road) in the last five-year period and were considered as a low severity level with one requiring medical attention and two resulting in property damage.
15. The traffic assessment indicated that the need for traffic interventions were only supported in some locations. Locations that scored between 30-50 were regarded as minor technical problem sites, where minor physical treatment may be considered, or a reassessment conducted.
16. Based on the data from 2014-2023, Operations recommend that traffic calming should be considered at certain intersections and midblock to increase safety and traffic management with consideration given to the future cycle path construction. The recommended locations for potential traffic calming measures are:
  - a. Intersection of Rutland Avenue and Midgley Street: This location is recommended due to its geometry, with restricted sightlines and horizontal curve.
  - b. Intersection of Rutland Avenue and Enfield Street: The intervention warrant assessment result suggests that this location may require treatment, with recorded 85th percentile speeds more than 10 km/h above the default speed limit.
  - c. Intersection of Rutland Avenue and Egham Road: Similar to Enfield Street intersection, the warrant assessment indicates a high 85th percentile speed, justifying the need for calming measures.
  - d. Pedestrian crossing at Kitchener Ave (continuation of the pedestrian bridge from Kitchener Avenue): For pedestrian safety, a raised road hump on either approach to slow traffic, allowing for pedestrians to cross at grade with the Kitchener Ave bridge (levels of the bridge dictate the treatment type) as speeds here also exceeded the limit by approximately 10 km/h. Please note that a Zebra crossing would require an application to Main Roads WA, as it prioritises pedestrian use.
  - e. Intersection of Rutland Avenue and Gallipoli Street: This intersection is recommended due to its location, connecting to the Victoria Park Train Station, and the highest score received in the traffic intervention assessment. Indicating a technical problem site, requiring suitable physical treatments to address the issues.
17. The estimated figures for delivery of these intervention measures including the constructions are as follows:
  - a. **Option 1**

Rubber speed cushions or asphalt speed humps, rationalised to key intersection approaches and/or midblocks identified within the warrants assessment (6 sets of speed humps) . These could be implemented quickly and for low costs, resolving issues around the Kitchener Avenue Pedestrian Bridge allowing space for cyclists to bypass.

Asphalt speed humps produce less noise than rubber speed cushions, however both treatment types carry the risk of additional noise complaints.

Total estimated cost: Approx. \$65,000 for speed cushions and \$70,000 for asphalt humps



**Watts Profile Speed Hump Example**

**b. Option 2**

Single lane slow points.

These allow priority direction and force the oncoming vehicle to give way. Due to the constraints on the corridor, cycle bypass could not be designed at grade with the road and if included would need to be offroad and at grade with the existing verge.

Kitchener Avenue Pedestrian overpass could not be treated with this option due to visibility on approach.

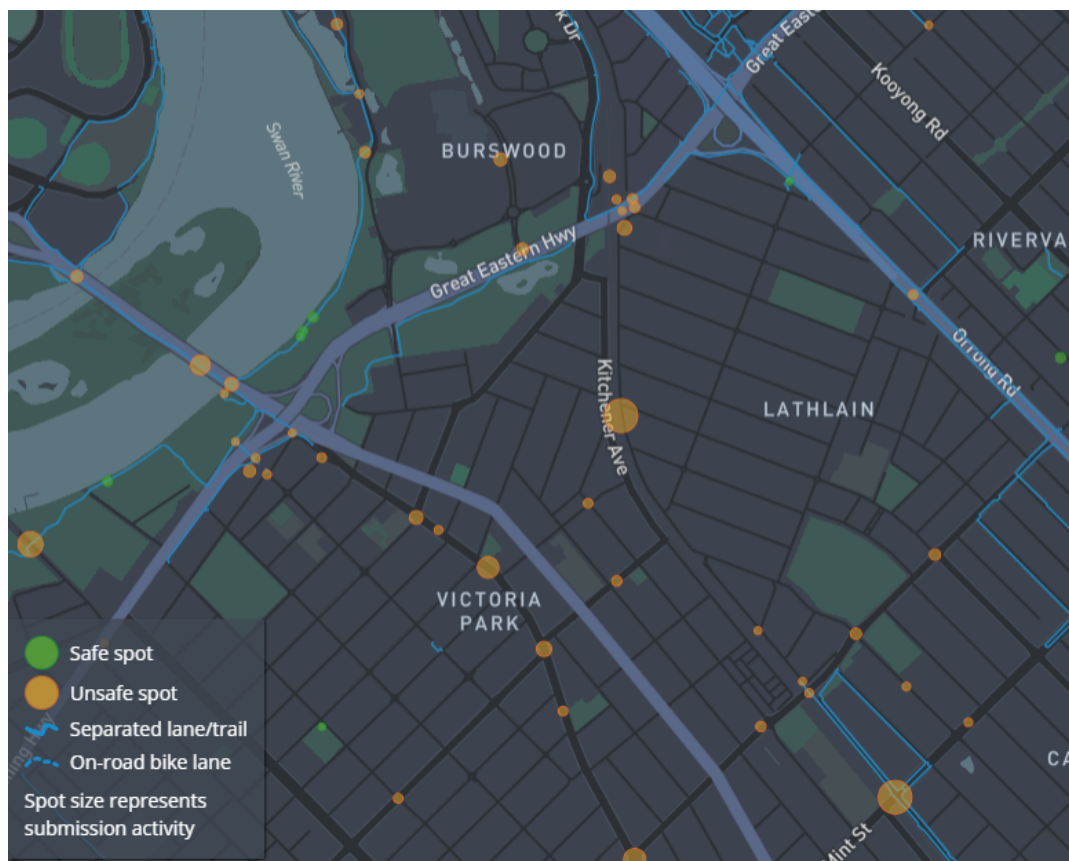
Total estimated cost: Approx. \$25,000 per treatment location



**Single Lane Slow Point Example**



18. In planning these interventions, it's essential that these designs accommodate future bike path plans and the potential continuation of the Principal Shared Path PSP along Rutland Avenue.
19. Suggested timeframes for construction of both option one and two is 8 weeks from budget approval, given the need for design, procurement, community engagement and MRWA approvals.
20. Bikespot data indicates 23 submissions marking Rutland Avenue as unsafe for cycling, though this input was not included in the current assessment. Vehicle-related crashes constitute approximately 86% of Australian cyclist fatalities and 75% of cyclist serious injuries, underscoring the need to balance vehicle volume and speed with projected increases in cycling along this route.



## Relevant documents

[Road Safety Action Plan 2021-2023, Driving Change Road Safety Strategy of Western Australia 2020-2030](#)

[Town of Victoria Park Integrated Transport Strategy](#)

## Legal and policy compliance

Not applicable

## Financial implications

<b>Current budget impact</b>	<p>There is no current budget available for Option 1 or Option 2.</p> <p>The required capital works budget will be considered at the midyear budget review.</p>
<b>Future budget impact</b>	<p>Traffic calming measures can be considered as part of the 2024/25 midyear budget review process or 2025/26 annual budget process.</p> <p>Ongoing maintenance is minimal due to the pending cycle path facility along Rutland Avenue</p> <p>Desired options of threshold treatments will be considered as part of the Rutland Avenue Cycle Path delivery and advocacy outcomes in the April report to council</p>

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	<i>No budget for safety treatments</i>	High	Medium	<i>TREAT risk by Providing a budget amendment to facilitate project delivery</i>
Environmental	Safety treatments removed by Cycle Path delivery	Medium	Medium	<i>TREAT risk by Recycling materials on other Town led projects</i>
Health and safety	85% percentile speeds remain 10km/hr above the posted speed limit in areas of Rutland Avenue	High	High	<i>TREAT risk by Implementing traffic calming measures</i>
Infrastructure/ ICT systems/ utilities	N/A			
Legislative compliance	N/A			
Reputation	No traffic calming implemented	High	High	<i>TREAT risk by Providing a budget amendment to facilitate project delivery</i>
Service delivery	Impacts to delivery timeframes	Medium	Medium	TREAT risk by Limiting the volume of calming treatments to the required scope and implementing a staged delivery to mitigate construction impacts

## Engagement

Internal engagement	
Stakeholder	Comments
Street Improvement	Street Improvement will be consulted in the design phase in preparation for delivery.
Strategic Projects	Strategic projects will be managing delivery and coordination of the recommendation and resolution.
Street Operations	Maintenance of asset once installed.
Place Planning	Place Planning are supportive of low cost, temporary interventions that both calm traffic and accommodate cyclists in the short term.

External engagement	
Stakeholder	Comments
Department of Transport	Impacts on future delivery of Cycle path and traffic flows, slow points are less desired for cyclists unless well designed bypass facilities are provided.
Main Roads WA	Facilitate lines and signs approvals for preferred treatment

## Strategic alignment

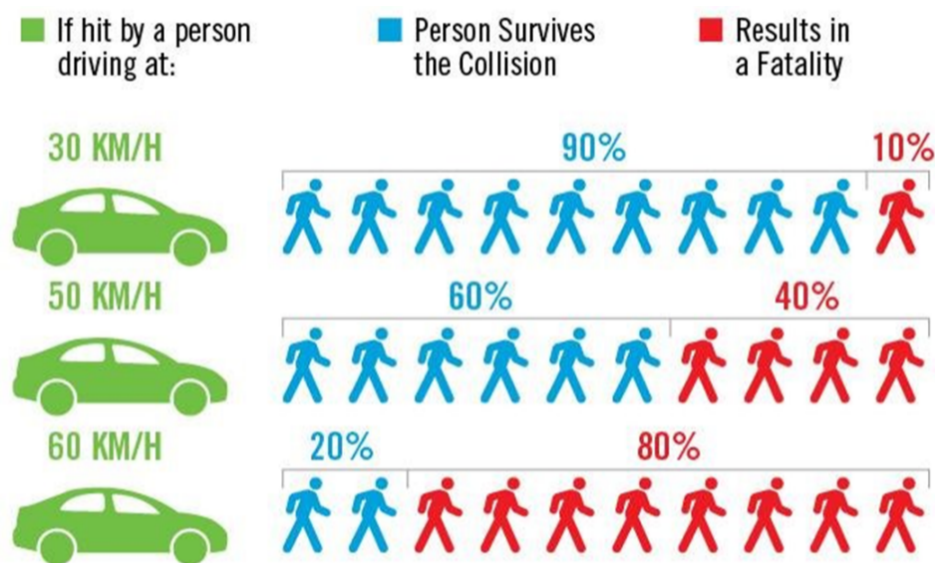
Environment	
Community Priority	Intended public value outcome or impact
EN6 - Improving how people get around the Town.	<p>Road safety platforms and treatments significantly improve how people get around the Town of Victoria Park by enhancing the overall safety, accessibility, and efficiency of streets and intersections.</p> <p>Treatments can also have negative impacts on traffic flow by redirecting through traffic to avoid such devices. This can be mitigated by the severity of the device and the volume of placements.</p>

Social	
Community Priority	Intended public value outcome or impact
S1 - Helping people feel safe.	<p>The completed assessment identifies areas whereby safety improvements are required and could be considered.</p> <p>The preferred treatments have been selected to reduce concerns by members of the public and confirmed via the data available.</p>



Further consideration

- At the Agenda Briefing Forum meeting held on 26 November 2024, the following information was requested.
21. Include a measurement in the attachments for this item to clearly indicate the distance between the various traffic calming measures.
- A.
- Please see **Attachment 1** for rationalised location plan and distances for **Option 1- Speed humps**.
- Please see **Attachment 2** for location plan and distances for **Option 2- Single lane slow points**.
- Please see **Attachment 3** for **Option 3 - Hybrid**.
22. Include the impact of traffic speeds exceeding 50 km/h.
- A. Impact of traffic speeds can be represented diagrammatically in the image below.



23. Provide costing of the hybrid option before Ordinary Council Meeting.
- A. Costs of a single lane slow point whereby nor road widening is required (design intention to avoid drainage modifications) is \$12,000 inclusive of vegetation The proposed raised Pedestrian Crossing is \$25,000 with allowances for maximising the plateau top to further reduce noise impacts and allow for kerbing and line marking tie ins. Locations have been chosen to leverage existing street lighting and if constructed concurrently will reduce road closure and traffic management requirements.
- Construction Budget**
- 3 x Single Lane Slow Points - \$36,000**
- 1 x Raised Pedestrian Crossing (Wombat Crossing) - \$25,000**
- Traffic management - \$11,000**
- Contractor Preliminaries - \$8,000**
- Total - \$80,000**

24. Option 3 – Hybrid

A. 3 x Single Lane Slow Points and 1 x Raised Pedestrian Crossing (Wombat Crossing)

This option allows for treatment of traffic speeds while treating the noise implications generated by the alternative speed hump option.

Due to existing road widths, a cycle bypass is not proposed and can create additional hazards when vehicles and cyclists merge back together after the treatment.

Introducing a Wombat crossing at the Kitchener Avenue Pedestrian Bridge, will allow for a narrowing of the road (reducing pedestrian travel paths and improving crossing sightlines), treating vehicle speeds and minimising the noise impacts into 1 consolidated plateau style hump rather than 2.

25. Option 3 – Hybrid, is the most suited interim to longer term measure, however due to the advocacy efforts underway for maintaining a 2-way road and lack of community support for previous safe active street treatments. The single lane slow points pose a potential reputational risk to council and will likely have a flow on affect to redirection of traffic during peak times.
26. The level of traffic redirected is unknown and would have to be monitored post construction.
27. Therefore, the proposed treatment type remains as Option 1 - watts profile speed humps, having no perceived traffic redirection and removing any reputational conflict on the current 2-way advocacy efforts.

## 13.8 TVP 24/26 Edward Millen Park Project Tender

<b>Location</b>	East Victoria Park
<b>Reporting officer</b>	Strategic Projects Manager
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. CONFIDENTIAL - Hassel - Ed Millen Site Services and DLP Only Scope [<b>13.8.1</b> - 4 pages]</li><li>2. CONFIDENTIAL - TV P-24-26 Evaluation Report ( FINA L)_1 [<b>13.8.2</b> - 20 pages]</li><li>3. CONFIDENTIAL - Appendix B - Financial Performance Reports [<b>13.8.3</b> - 76 pages]</li><li>4. CONFIDENTIAL - RFT TV P 24-26 - CEO Probity Letter [<b>13.8.4</b> - 2 pages]</li><li>5. OCM December 2024 Difference in design [<b>13.8.5</b> - 4 pages]</li><li>6. Ed Millen Parkland - Tree removal analysis [<b>13.8.6</b> - 5 pages]</li></ol>

### Summary

To seek Council endorsement to engage a suitably qualified contractor for the supply and delivery of Edward Millen Park Project tender TVP/24/26.

#### Recommendation

That Council:

1. Awards the contract associated with Request for Tender TVP/24/26 Edward Millen Park Project to Tenderer B, as contained in the confidential attachment, for a lump sum value of up to \$7,840,000 excluding GST, subject to variations to the contract, as their offer has been evaluated as the most advantageous to the Town.
2. Note should a contract not be formed successfully with Tenderer B, the Town will proceed with a contract with Tenderer C under delegated authority as the next most advantageous to the Town.
3. Approves a variation to the existing contract CTVP 20-05 (awarded with council resolution 429/2020) with lead design consultants Hassell and associated sub consultants, to support the construction phases of the contract as per confidential attachment 13.8.2.
4. Approves the budget amendment:
  - (a) To increase the capital works budget for the Edward Millen Masterplan by \$3,038,000,
  - (b) To increase the capital grants income for the Edward Millen Masterplan by \$2,200,000,
  - (c) To increase the transfers from reserve from POS Cash-in-lieu Reserve by \$540,000 and
  - (d) To increase the transfers from reserve from Edward Millen Reserve by \$298,000.

## Background

1. TVP/24/26 – Edward Millen Park Project was published as a public Tender and advertised for a period of 4.6 weeks.
2. The tender documents utilised the Detailed Design which were approved at the August 2023 Ordinary Council meeting (Resolution 185/2023)
3. Suppliers were required to attend a mandatory site briefing on Tuesday 15 October 2024
4. Four suppliers attended the mandatory briefing which were:
  - (a) BOS Civil
  - (a) Phase 3
  - (b) Environmental Industries
  - (b) MG Group
5. Suppliers were requested to provide a lump sum cost and complete a schedule of rates for the construction and landscaping as per the Edward Millen Park Project Detailed Design Documentation and Specifications.
6. The approved municipal funding allocation for this item is \$7,500,000 including a \$2,200,000 WA Treasury Corporation loan
7. The Town has successfully received a Lotterywest Grant for the Playground and Changing Places aspects, valued at \$2,200,000 and also is in the process of accessing a public open space cash-in-lieu contribution that meets the criteria.
8. An evaluation of the tender submissions against the prescribed criteria has been completed.

## Discussion

9. The assessment of the submissions was formally undertaken by a panel that included:
  - Strategic Projects Manager
  - Place Leader (Urban Design)
  - Strategic Projects Manager
10. The Town received 4 submissions. Of these submissions, 3 submissions were deemed compliant.
11. The evaluation of the submissions against the quantitative and qualitative criteria resulted in the rankings as shown in confidential attachment TVP-24-26 Evaluation Report, with Tenderer B scoring the highest and also with the lowest tender price.

## Compliance criteria

12.
    - (a) Compliance with the Conditions of Submission
    - (b) Compliance with the General Conditions of Contract, Special Conditions, and this Request
    - (c) References
    - (d) Acknowledgement of Addenda
    - (e) Complete Pricing Schedule
    - (f) Corporate Information
-

- (g) Financial Position
- (h) Conflict of Interest
- (i) Insurance
- (j) Access and Inclusion Plan (AIP)
- (k) Complete Respondent's Offer

## Evaluation process

<p><b>Relevant experience</b></p> <ol style="list-style-type: none"> <li>Details of the respondent's experience in carrying out work as described in this RFT document. The experience is to address the last five years and identify the year, project name, value, procurement method / contract type, and a description of the works and make specific reference to: <ul style="list-style-type: none"> <li>Contractors approach to Occupational Health &amp; Safety.</li> <li>Projects of a commensurate value, i.e. <ol style="list-style-type: none"> <li>Contract Sum <math>\geq</math> \$5M</li> </ol> </li> <li>Works of similar building and technical nature, i.e. <ol style="list-style-type: none"> <li>Landscape and play area.</li> <li>Community space.</li> </ol> </li> <li>Projects carried out on occupied sites, i.e. <ol style="list-style-type: none"> <li>Live operational site in close proximity to major construction works.</li> </ol> </li> </ul> </li> <li>The respondent must specifically detail up to three similar projects previously completed or currently underway and explain how these are relevant to the Project.</li> <li>Tenderers must provide details of recent projects undertaken:</li> <li>Detailed project examples relating to the Requirements detailed in the scope of works (1 page per example, 3 pages total)</li> <li>The following information should be provided for three (3) key project examples: <ul style="list-style-type: none"> <li>Previous (comparable) projects undertaken in this procurement method and the benefits delivered to the client / project. For each project the Contractors are requested to identify the year, project name, value, procurement method / contract type, and a brief description of the works.</li> <li>Role of the organisation and of the nominated personnel;</li> <li>Key challenges and how they were managed;</li> <li>Any specific challenges faced during the construction period; and</li> <li>Provide at least one referee able to comment on the demonstrated performance on the project.</li> </ul> </li> <li>In addition to the three examples, Tenderers to provide a Global Project Summary (2-page limit): <ol style="list-style-type: none"> <li>Provide a brief summary of any additional project examples relevant to the Requirements.</li> </ol> </li> </ol>	<p>Weighting</p> <p>25%</p>
<p><b>Organisation Capacity – Key Personnel &amp; Capacity</b></p>	<p>Weighting</p>

<p>7. Details of the specific staff personnel to be assigned to this Project, including commitment and availability throughout the Project. Specifically, Contractors are requested to identify the following key personnel:</p> <ul style="list-style-type: none"> <li>• Contractor's Representative</li> <li>• Project Manager</li> <li>• Construction Manager</li> <li>• Cost Manager</li> <li>• Contract Administrator</li> <li>• Site Manager</li> </ul> <p>8. Key personnel with direct, relevant, and recent experience in the delivery of projects of a similar nature and complexity will be highly regarded and Contractors with a high level of staff retention will also be considered highly.</p> <p>9. The key personnel nominated by the Contractor is of the upmost importance to Town of Victoria Park and will be considered thoroughly as part of the Contractor selection process.</p> <p>10. The Contractor is also requested to identify a proposed alternative for the each of the key nominated personnel. With respect to the alternative personnel, please include details of their relevant and recent experience in the delivery of projects of a similar nature. The alternative key personnel will only be introduced to the project should the key nominated personnel not be available for a reason beyond the Contractor's reasonable control.</p> <p>11. Tenderers must provide a project team structure: Project Team Structure (3-page limit):</p> <ul style="list-style-type: none"> <li>• Provide a project specific management structure that includes all key personnel, design consultants (if applicable) and sub-contractors proposed for performing the required services (organisation chart).</li> <li>• Provide description of the role and responsibilities for each of the nominated personnel, including years of experience and qualifications.</li> <li>• Provide details of current commitments and availability for each of the nominated personnel.</li> <li>• Provide details of proposed alternative resource for the each of the key nominated personnel. With respect to the alternative personnel, please include details of their relevant and recent experience in the delivery of projects of a similar nature. The alternative key personnel will only be introduced to the project should the key nominated personnel not be available for a reason beyond the Contractor's reasonable control.</li> </ul>	<p>15%</p>
<p><b>Methodology and Schedule and WHS - Demonstrated Project Understanding, Construction Methodology and Procurement Approach</b></p> <p>12. Tenderers must provide details of demonstrated project understanding, construction methodology and procurement approach:</p> <p>Detail up to 5 specific project related issues, providing the following for each issue (1 page per example, 5 pages total):</p> <ul style="list-style-type: none"> <li>• Description of the issue;</li> <li>• Methodology for proactive resolution of each issue;</li> <li>• Evidence of where similar issues were resolved; and</li> </ul>	<p>Weighting 30%</p>

<ul style="list-style-type: none"> <li>• Evidence of how any applicable management plans will be implemented during the execution of the works (i.e. key project personnel roles and responsibilities).</li> </ul> <p>A general overview of the Contactors proposed construction methodology that was adopted for the purpose of informing its submission.</p> <p>An overview of how the proposed construction methodology will meet the critical date for Practical Completion and the mitigation strategies to ensure this will be met.</p> <p>Expertise and experience in this procurement method (Construct Only).</p> <ul style="list-style-type: none"> <li>• Previous (comparable) projects undertaken in this procurement method and the benefits delivered to the client / project. For each project, the Contractor is requested to identify the year, project name, value, procurement method / contract type, and a description of the works.</li> </ul> <p>Detail any specific project related WHS risks and describe how they will be addressed.</p> <p>The Contractors approach to the Defects Liability Period (DLP).</p>	
<p><b>Sustainability – Economic, Social, Environmental and Local Business</b></p> <p><b>Environmental Sustainability:</b></p> <p>13. Respondents should provide evidence of sustainability in the delivery of the project / goods or services, and in the general day-to-day operation of their organisation.</p> <ol style="list-style-type: none"> <li>a. Does your organisation have an Environmental Management System (EMS) or adopt any environmental/sustainability practices? If yes, please provide details.</li> <li>b. Does your organisation practice waste minimisation e.g. reduce packaging, or packaging with recycled materials or using compostable packaging? Please provide details including % of reused/recycled materials used.</li> <li>c. Has your organisation ever received a warning or convicted of an environmental breach in Australia or overseas? If so, please provide details and outcome of the matter.</li> <li>d. Please provide examples relating to the key environmental impacts considered over the life cycle of the goods/service.</li> </ol> <p><b>Support of Local Businesses:</b></p> <p>Respondents should provide evidence of sustainability in the delivery of the project / goods or services, and in the general day-to-day operation of their organisation. Respondents should also demonstrate the benefits and contribution to the Town of Victoria Park local economy and community. Areas you may wish to cover include:</p> <ol style="list-style-type: none"> <li>1. Does your organisation have premises (i.e. main office / branch office / depot) located within the Town's boundaries?</li> </ol> <p>YES / NO, if yes, please specify and provide street address, and duration of tenancy at this location.</p> <ol style="list-style-type: none"> <li>2. What percentage of your employees lives within the Town's boundaries?</li> </ol>	<p>Weighting</p> <p>10%</p>

<p>3. Detail the involvement of any employees listed above in the delivery of the contract should you be successful?</p> <p>4. How many employees from Town of Victoria Park will be engaged in delivery of the goods or services? What total annual salaries will the employees receive?</p> <p>5. Are you using Town of Victoria Park based sub-contractors /suppliers to deliver the goods or service?</p> <p>YES / NO, if yes, please specify what percentage of the total contract value will be paid to subcontractors/ supplier should you be successful?</p> <p>6. If your organisation is awarded this contract will you purchase any goods / services from local businesses?</p> <p>YES / NO, if yes, please specify the type of goods / services required and an estimated value.</p> <p><b>Further Sustainability Criteria:</b></p> <p>1. How many Aboriginal employees or sub-contractors are likely to be engaged under this contract?</p> <p>2. How will the work create an economic benefit for the local community within the Town of Victoria Park? For example, what supplies, materials and sub-contractors will be sourced from within the Town of Victoria Park. Please make sure you complete the estimate of "Percentage of Content from within the Town of Victoria Park" contained within the Pricing Schedule.</p> <p>3. If you are using Sub-contractors, how will you ensure they are being paid in accordance with agreed terms of payment?</p> <p>4. To what extent will the Tenderer be able demonstrate compliance with Policy 251 concerning sustainable timber use in Town of Victoria Park construction or building projects. (<a href="https://www.victoriapark.wa.gov.au/documents/155/policy-251-sustainable-timber-use-in-town-construction">https://www.victoriapark.wa.gov.au/documents/155/policy-251-sustainable-timber-use-in-town-construction</a>)</p> <p>5. Provide details of any other sustainability practices that you think are relevant to this project.</p>	
<p><b>Schedule of Prices</b></p>	<p>Weighting 20%</p>

## Legal and policy compliance

[Policy 301 - Procurement](#)

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

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



Financial implications

Current budget impact

As the value of the contract exceeds \$500,000, the acceptance of the offer/tender and subsequent award of any such contract is to be determined by Council.

**Current Approved Budget**

Funding Source	Total
Muni 2024/25	\$ 700,000.00
Loan WATC Approved in 2024/25	\$ 2,200,000.00
Edward Millen Site Reserve	\$ 1,862,000.00
Future Fund Reserve	\$ 600,000.00
Blackoak Capital Contribution	\$ 2,000,000.00
<b>Total Approved Budget</b>	<b>\$ 7,362,000.00</b>

**Project Costs**

Cost Including Client Costs	\$ 8,100,000.00
Contingency (10%)	\$ 810,000.00
<b>Total Cost</b>	<b>\$ 8,910,000.00</b>

Sufficient funds do not exist within the annual budget. it is proposed that additional funding will be acquired as shown in the below table.

**Proposed Amended Budget**

Funding Source	Total
Muni 2024/25	\$ 700,000.00
Loan WATC Approved in 2024/25	\$ 2,200,000.00
Edward Millen Site Reserve	\$ 2,160,000.00
Future Fund Reserve	\$ 600,000.00
Blackoak Capital Contribution	\$ 2,000,000.00
POS Cash-in-lieu Reserve	\$ 540,000.00
Lotterywest	\$ 2,200,000.00
<b>Total Approved Budget</b>	<b>\$ 10,400,000.00</b>

It is proposed that the approved new loan is kept within the budget for any contingency component. Though this is likely to be less than the approved amount of \$2,200,000.

*Please note additional Information is provided to update this table.*

Future budget impact

Based on the approved funds there is no future budget impact.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	Inability to undertake works in accordance with funding requirements including Lotterywest	Medium	Low	TREAT risk by Ensuring that the contract is managed effectively with Superintendent and competent site supervision
Environmental	Existing trees are impacted by construction works	High	Medium	TREAT risk by Maintaining and adhering to an approved management plan overseen by an arborist and CEMP (Construction Environment Management Plan)
Health and safety	Dangerous construction methods	High	Low	TREAT risk by Appropriate levels of traffic management and OHS procedures followed with
Infrastructure/ ICT systems/ utilities	N/A		Medium	
Legislative compliance	N/A		Low	
Reputation	Contractor rescinds offer	Medium	Low	TREAT risk by Providing clear lines of communication during contract negotiations and assurance of project priorities
Service delivery	Delays to project and funding milestones	Medium	Medium	TREAT risk by Ensuring that the construction programme is reflected in the commitments.

## Engagement

Internal engagement	
Procurement	Provided advice and acted as a probity advisor throughout the process.
Project Management Office	Initiated the Tender Advertisement and provided clarifications and answers to technical questions
Finance	Additional funding comments

## Strategic alignment

Economic	
Community Priority	Intended public value outcome or impact
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	<p>By enhancing the park's amenities, infrastructure, and accessibility, the area can serve as a vibrant community hub that draws both residents and visitors. Increased foot traffic will support local businesses by creating a link between the park and the immediately adjacent Ed Millen Heritage Redevelopment commercial zones, encouraging more frequent visitation and spending.</p> <p>The activation of Edward Millen Park through events, recreational programs, and public art installations further strengthens this connection. This builds a sense of place, making the area more attractive for both social and commercial interactions.</p> <p>Construction works prioritise the accessible playground and premium landscaping including the incorporation of the amphitheater, ensuring that the park becomes an integrated part of the local urban fabric.</p>

Environment	
Community Priority	Intended public value outcome or impact
EN3 - Enhancing and enabling liveability through planning, urban design and development.	<p>Edward Millen Park upgrade will support mental and physical health, offering places for relaxation, exercise, and community events.</p> <p>Upgrades incorporate (CPTED) principles, such as better lighting, clear sightlines, and the removal of hidden spaces, all of which improve the safety in the reserve.</p> <p>DDA improvements (ramps, tactiles, rails) ensures that all can use and enjoy the public open space upgrade.</p> <ul style="list-style-type: none"> <li>- The playground is designed with assistance by Autism WA to cater for a wide range of the community including those that are neurologically diverse</li> </ul>

	- The introduction of the first Changing Places facility in the town.
EN4 - Increasing and improving public open spaces	The upgrades expand the functionality of the reserve, improving accessibility and the overall quality of the reserve. Making the area more usable and appealing to users including the focus
EN5 - Providing facilities that are well-built and well-maintained.	The use of high-quality materials, combined with thoughtful design and planning, ensures the facility meets future maintenance and usage demands. Infrastructure has been carefully designed to minimize access challenges, facilitating regular maintenance throughout all phases of construction planning.

## Further consideration

At the Agenda Briefing Forum meeting held on 26 November 2024, the following information was requested.

12. Q. Is there any reason why the design approved by Council has been modified without Council's approval?  
  
A. The design changes and detailed explanation is attached as per Attachment 13.8.5. Very minor change which are cost neutral were required after consultation with Mindeera Advisory Group on the path network, a path for access and DDA compliance, as well as modification to the carpark to allow better access for the ACROD bay and a larger tree protection zone for the large fig tree. All changes were in line with the approved concept and are cost neutral.
13. Q. Is the amphitheatre area and the weather-protected cover for the performance space still included as originally intended?  
  
A. Yes.
14. Provide additional information regarding alternative ways to preserve as many trees as possible, preferably in the form of a clear table that distinctly shows the changes.  
  
A. Unfortunately the design of the carpark, and amphitheatre as approved by Council require the removal of a number of trees. Without the removal of these trees the full design cannot be delivered. A full analysis is provided in attachment 13.8.6.
15. Provide additional information which summary the amendment to the original concept design that Council approved from August 2023 Ordinary Council Meeting.  
  
A. Amendments shown on the two drawings with differences marked and attached as Attachment 13.8.5
16. Provide additional information explaining the figure on page 73.
17. Q. Why is it referred to as a potential 10% contingency when the figures on page 73 already include a 10% contingency amount to \$810,000.  
  
A. A further breakdown to address this is as below

18. Explain the difference between the current proposed budget and approved budget that indicated on page 74.

A. A further breakdown to address this is as below

Cost Component	Cost
Tendered Price TVP-24-26	\$ 7,840,000
Design and Contract Management	\$ 260,000
Sub-Total	\$ 8,100,000
Project Contingency (10%)	\$ 810,000
<b>TOTAL Delivery COST</b>	<b>\$ 8,910,000</b>

	Previous Approved Budget	Approved Budget (with interest )	Current Budget Figures	Proposed Budget	Budget Amendments Requested
Edward Millen Site Reserve	\$ 2,000,000	\$ 2,160,000	<b>\$1,836,200</b>	\$ 2,160,000	\$ 323,800
Blackoak Contribution	\$ 2,000,000	\$ 2,000,000	<b>\$2,000,000</b>	\$ 2,000,000	\$ -
Municipal (FY23 and FY24)	\$ 1,300,000	\$ 1,300,000	<b>\$1,300,000</b>	\$ 1,300,000	\$ -
Lotterywest Grant	\$ -	\$ -	\$ -	\$ 2,200,000	\$ 2,200,000
POS Cash Contribution (Archive Site) -	\$ -	\$ -	\$ -	\$ 540,000	\$ 540,000
WATC Loan	\$ 2,200,000	\$ 2,200,000	<b>\$2,200,000</b>	\$ 710,000*	\$ -
<b>TOTAL BUDGET</b>	<b>\$ 7,500,000</b>	<b>\$ 7,660,000</b>	<b>\$ 7,336,200</b>	<b>\$ 8,910,000</b>	<b>\$ 3,063,800</b>

Note \* – debt facility only to be utilised if required

## 13.9 TVP 24/17 Supply and Lay Asphalt Services

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Technical Services
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL - Evaluation Report Supply Laying of Asphalt Services and Ancillary Works [ <b>13.9.1</b> - 24 pages] 2. CONFIDENTIAL - 2024-11-27 - Probity Certificate - TV P-24-17 [ <b>13.9.2</b> - 3 pages]

### Summary

To seek Council's endorsement to engage a contractor to provide Supply and Laying of Asphalt and Ancillary Services under Tender TVP/24/17.

#### Recommendation

That Council accepts the submission from Tenderer A for Tender TVP/24/17, as issued through the Western Australia Local Government Association (WALGA) Preferred Supplier Arrangement and authorises the awarding of the contract for Supply and Laying of Asphalt and Ancillary Services over a maximum five years (being an initial term of three years, with two one-year extensions).

### Background

1. The current contract for asphalt supply and lay (awarded as tender TVP/19/21) is due to expire in November 2024.
2. To ensure an ongoing long-term arrangement is in place for the Town's road renewal (resurfacing) program, a new contract needs to be put in place.
3. Tender TVP/24/17 was issued as quotation request VP421741 under the WALGA Preferred Supplier Arrangement on 20 September 2024, with an initial closing date of 14 October 2024. The final closing date was extended to 29 October 2024 due to the need to amend the evaluation criteria and weightings (as advised and agreed with the probity advisor).
4. Tenderers were requested to provide appropriate unit rates for the supply and laying of asphalt, including associated traffic management and milling/profiling services and other ancillary services, together with detailed information addressing the qualitative aspects of the tender.
5. With the expected value of the contract being up to \$15 million (up to five years of road renewal works), a separate probity advisor was engaged to oversee the procurement process being undertaken by the external procurement consultant. A copy of the probity advisor's certificate is included as an attachment.

### Discussion

6. The assessment of the submissions was formally undertaken by a panel that included:
  - Street Operations Co-ordinator (voting member)

- Parks Project Officer (voting member)
  - Principal Traffic and Design Co-ordinator (voting member)
  - Manager Technical Services (voting member)
  - Procurement Officer (non-voting member)
  - Chief Financial Officer (non-voting member)
  - B Rebola (External procurement consultant, non-voting member)
  - W Dunstan (External probity advisor, non-voting member)
7. Of the 26 suppliers invited to respond, the Town received three submissions. Of these submissions, none were non-compliant.
8. The evaluation of the submissions against the quantitative and qualitative criteria (refer confidential attachment) resulted in the rankings as shown below, with the first ranking scoring the highest.

**a. Rank 1 Tenderer A**

- Qualitative criteria score 87.5%
- Pricing evaluation \$4,350,565 (assessed annual value for tender comparison purposes, noting that the road renewal program of works is actively managed to remain within the approved budgetary constraints).
- Value for money calculation 75.9% (refer note on pricing effect in value for money consideration as detailed in the evaluation process weightings below)

Tenderer A has clearly demonstrated the best qualitative score based on the information provided for the qualitative criteria. It has strong organisational capabilities, extensive/ superior staff experience, and clear methodology/ resourcing for the Town's program of road renewal works. Together with substantial local government experience (also with a proven track record in its contractual dealings with the Town) it demonstrated a better capacity for completion of the Town's program through its planning processes.

Although it is ranked second to Tenderer B in terms of pricing, the evaluation concludes that Tenderer A is the most suitable tenderer in terms of value for money. Full details are included in the confidential evaluation report.

**b. Rank 2 Tenderer B**

- Qualitative criteria score 65.0%
- Pricing evaluation \$3,773,891 (assessed annual value for tender comparison purposes, noting that the road renewal program of works is actively managed to remain within the approved budgetary constraints)
- Value for money calculation 65.0% (refer note on pricing effect in value for money consideration as detailed in the evaluation process weightings below)

Tenderer B provided a competitive price but lacked the same level of organisational and resourcing capacity, as well as staffing experience in its submission. It also failed to adequately address how the Town's work will be prioritised when factoring its other commitments to other government bodies.

**c. Unranked Tenderer C**

- Qualitative criteria score 38.0

The submission from Tenderer C was not ranked as a very low qualitative score precluded it from being considered for quantitative and value for money calculations.

## Compliance criteria

The following compliance criteria were included in the tender before consideration of the qualitative criteria:

- Provision of WSH Management Policy and Plan, JSA's and Safe Work Method Statements etc
- Confirmation of receipt of addenda and any adjustments to pricing resulting from these
- Methodology – confirmation that the tenderer will comply with the technical specification (set out in the request for tender)
- Completion of the Town's online induction for all site personnel prior to work commencement
- Referees – minimum three referees for previous similar scale and scope of work as set out in qualitative criteria 3.

## Evaluation process

<b>Delivery and budget</b> Tenderer to demonstrate in writing how it will meet the list of Works to be delivered on an annual basis and how it will propose the Program of Works for agreement by the Town. The Town is interested in how it will ensure meeting delivery and budget in that year for the Approved Program of Works.	Weighting 30%
<b>Organisation capacity</b> Tenderer to provide a list of other contracts that may conflict with this proposed contract. How will the Tenderer ensure priority of works for the Town and ensure delivery on time to the Program.	Weighting 20%
<b>Experience</b> a. Company - please provide details of relevant experience including size and scale of operations. b. Key Personnel - please provide CV for Key Personnel including Contract Manager, Project Manager, Account Manager, Technical Specialist and Supervisor, who are proposed for the Town's work and their availability for this contract. c. Referees - please provide details of three (3) referees including: <ul style="list-style-type: none"> <li>• Contract Value</li> <li>• Contract Term</li> <li>• Contract Scope</li> <li>• Full contact details of referee (name, position, email, phone number)</li> <li>• Confirmation of how traffic management was delivered in the Scope (internal or external)</li> <li>• Any issues that arose during the Contract Term and how they were resolved</li> <li>• Confirmation of how traffic management was delivered in the Scope of Work (internal or external).</li> </ul>	Weighting 15%
<b>Quality</b>	Weighting 30%



i. What systems and processes do you have in place to demonstrate your methodology to meeting the Scope and Specification? ii. How do you propose to reduce the number of variations for this work?	
<b>Value add component</b> Tenderer must provide detail on what sets it apart from other asphalt service providers, i.e., what additional value they bring to the Town of Victoria Park	Weighting 5%
<b>Price</b> Tenderer must populate and attach the pricing spreadsheet	Weighting **

\*\* The confidential evaluation report reviews the value for money assessment after consideration of the relative pricing bids in section 5 of the report. Table 3 of section 5 demonstrates the comparative rankings of the tenderers for their value for money, highlighting Tenderer A as the top value for money tender.

This may also be expressed by using a formula to establish the relative rankings; and this formula has been used to establish the top two rankings previously noted above in this report.

The formula used is explained as follows: after the qualitative scoring is established for tender bids, the relative pricing ratios for tenderers are considered to determine the final value for money scores, using the formula: Value for money =  $(A \times B)/C$ ; where A = lowest price, B = qualitative score, and C = tenderer's price.

## Legal and policy compliance

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

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

## Financial implications

<b>Current budget impact</b>	As the value of the contract exceeds \$500,000, the acceptance of the offer/tender and subsequent award of any such contract is to be determined by Council. The value of the total contract over three years with further extension options is expected to be up to \$15 million.  Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	The specific projects for which this contract services will be allocated each year, per the budget approval process.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	Not obtaining the lowest longer-term rates for supply and laying of asphalt and ancillary services required for the Town's road renewal programs.	Moderate	Low	TREAT risk by completing competitive market-based process and awarding the best value for money tender received.
Environmental	N/A		Medium	
Health and safety	N/A		Low	
Infrastructure/ ICT systems/ utilities	N/A		Medium	
Legislative compliance	N/A		Low	
Reputation	Not maintaining roads to the point that the network is unsuitable for ongoing use	Moderate	Low	TREAT risk with ongoing renewal works required and obtaining best value for money services through competitive tender.
Service delivery	N/A		Medium	

## Engagement

Internal engagement	
Stakeholder	Comments
Procurement	Provided advice for requirement to engage external consultants relating to the process.
Procurement consultants (Procurement Associates)	Engaged to complete procurement process
Probity consultants (Stantons)	Engaged to act as probity advisors

# Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	<p>To put in place contractual arrangements covering road renewal works for the Town’s programs.</p> <p>By not having internal dedicated construction crews and asphalt production facilities, a significant amount of saving has been made in the annual capital and operating expenses.</p>

## Further consideration

Not applicable.

## 14 Chief Financial Officer reports

### 14.1 Schedule of Accounts- October 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Financial Services Controller
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Payment Summary October 2024 [ <b>14.1.1</b> - 8 pages] 2. Credit Card Transactions October 2024 [ <b>14.1.2</b> - 2 pages] 3. Fuel and Store Card Transactions October 2024 [ <b>14.1.3</b> - 1 page]

### Summary

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

#### Recommendation

That Council:

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

### Background

1. Council has delegated the Chief Executive Officer the authority to make payments from the municipal and trust funds in accordance with the Local Government (Financial Management) Regulations 1996.
2. Under Regulation 13(1) and 13A of the Local Government (Financial Management) Regulations 1996, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or authorised an employee to use a credit, debit or other purchasing card, each payment is to be noted on a list compiled for each month showing:
  - a) The payee's name
  - b) The amount of the payment
  - c) The date of the payment
  - d) Sufficient information to identify the transaction

3. That payment list should then be presented at the next ordinary meeting of the Council, following the preparation of the list, and recorded in the minutes of the meeting at which it is presented.
4. The payment list and the associated report was previously presented to the Audit and Risk Committee. Given this Committee's scope has changed to focus more on the audit function, the payment listings will be forwarded to the Elected Members ahead of time. Any questions received prior to the finalisation of the report will be included along with the responses within the Schedule of Accounts report for that month.
5. The list of accounts paid in accordance with Regulation 13 and 13A of the Local Government (Financial Management) Regulations 1996 is contained within the attachment and is summarised below.

Fund	Reference	Amounts
<b>Municipal Account</b>		
Automatic Cheques Drawn		\$0
Creditors – EFT Payments		\$6,436,915.01
Payroll		\$1,363,902.83
Bank Fees		\$28,588.99
Corporate MasterCard	October 2024	\$12,076.32
<b>Total</b>		<b>\$7,841,483.15</b>

## Discussion

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

## Relevant documents

Nil

## Legal and policy compliance

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

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

[Procurement Policy](#)

## Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	Misstatement or significant error in Schedule of accounts.	Medium	Low	Treat risk by ensuring daily and monthly reconciliations are completed. Internal and external audits.
Financial	Fraud or illegal transactions	High	Low	Treat risk by ensuring stringent internal controls, and segregation of duties to maintain control and conduct internal and external audits.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ICT systems/utilities	Not applicable.			
Legislative compliance	Not accepting schedule of accounts will lead to non-compliance.	Medium	Low	Treat risk by providing reasoning and detailed explanations to Council to enable informed decision making. Also provide the Payment summary listing prior to preparation of this report for comments.
Reputation	Not applicable.			
Service Delivery	Not applicable.			

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 – Communication and engagement with the community	The monthly payment summary listing of all payments made by the Town during the reporting month from its municipal fund and trust fund provides transparency into the financial operations of the Town.
CL3 – Accountability and good governance.	The presentation of the payment listing to Council is a requirement of Regulation 13 & 13A of Local Government (Financial Management) Regulation 1996.

**Further consideration**

Not applicable.

## 14.2 Financial Statement October 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Financial Services Controller
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Financial Statements October 2024 [ <b>14.2.1</b> - 26 pages]

### Summary

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

#### Recommendation

That Council receives the financial statements for October 2024, as included in the attachment, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

### Background

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

#### Revenue

Operating revenue and non-operating revenue – material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$50,000 or 10% and, in these instances, an explanatory comment has been provided.

#### Expense

Operating expense, capital expense and non-operating expense – material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$50,000 or 10% and in these instances, an explanatory comment has been provided.

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

#### Period variation

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

#### Primary reason(s)

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

#### End-of-year budget impact



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

## Discussion

4. The Financial Statements – October 2024 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 Statements – October 2024 be accepted.

## Relevant documents

Not applicable.

## Legal and policy compliance

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

## Risk management consideration

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

## Financial implications

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

## Engagement

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

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 – Communication and engagement with the community	To make available timely and relevant information on the financial position and performance of the Town so that Council and public can make informed decisions for the future.
CL3 – Accountability and good governance.	Ensure the Town meets its legislative responsibility in accordance with Regulation 34 of the <i>Local Government (Financial Management) Regulations 1996</i> .

## Further consideration

Not applicable.

## 15 Committee Reports

### 15.1 Quarter 1 Audit Update Report July - September 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Corporate Performance Advisor
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. CONFIDENTIAL - AUDIT Attachment 1 - Open Actions Q 1 24 25 [15.1.1 - 7 pages]</li><li>2. CONFIDENTIAL - AUDIT Attachment 2 - Dashboard - Q 1 24 25 [15.1.2 - 1 page]</li></ol>

#### Summary

The Audit and Risk Committee recommends that Council receives the Audit Update Report for September 2024 as contained in Attachment 1.

#### Committee Recommendation

The Audit and Risk Committee recommends that Council receives the Audit Update Report for September 2024 as contained in Attachment 1.

#### Background

1. The 2021-2022 Internal Audit Program was adopted by Council on 16 August 2022.
2. The 2023-2026 Internal Audit Program was adopted by Council on 19 June 2023 and the audits for 23/24 have been completed.
3. The Regulation 5 Audit was completed in May 2024

#### Discussion

4. All the audits for 23/24 as per the 3 year-audit plan have been completed.
5. The Regulation 5 Audit was completed, and the audit recommendations were updated in Cascade.
6. All current audit actions are still being monitored in Cascade on a quarterly basis.
7. The 24/25 internal audit program will commence in November 2024.
8. **Attachment 1** is the Q1 2024/25 report for 1 July – 30 September. This report includes details on Open (not complete) audit actions only.
9. **Attachment 2** is the Audit Function statistics dashboard for 1 July – 30 September 2024. This dashboard has been updated to accurately reflect the status of audit actions in an easy-to-read format, appropriate to the information provided. The information presented is the same as has previously been provided, just in a different way.

10. Of note is the progress that has been made towards completion of the four Audit Actions identified as some of the Interim KPI’s for the Acting CEO’s. Two of these actions have now been completed and two have significantly progressed within the first quarter of 24/25.
11. As of 30 June 2024, there were 29 outstanding audit action items at 41% completion. At the end of the first quarter of 24/25, there are 18 outstanding audit action items that are 60% complete.

Relevant documents

Not applicable

Legal and policy compliance

[LOCAL GOVERNMENT \(AUDIT\) REGULATIONS 1996 \(austlii.edu.au\)](#)

Financial implications

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not adopting an internal audit program means we can’t test our financial controls and mitigate financial loss through administrative errors, fraud, and corruption.	High	Low	TREAT risk by Adopting an internal program with a focus area on high-risk financial processes and activities.
Environmental	Not applicable		Medium	
Health and safety	Not applicable		Low	
Infrastructure/ ICT systems/ utilities	Not applicable		Medium	
Legislative compliance	Not adopting an internal audit program means we cannot test our legislative compliance and mitigate financial loss through administrative errors, fraud, and corruption.	High	Low	TREAT risk by ensuring commitment to management actions to address findings.

Reputation	A poorly designed Internal Audit Program will make the Town vulnerable to non-compliance, fraud and corruption risks which adversely impact on the Town's reputation.	Moderate	Low	TREAT risk by ensuring commitment to management actions to address findings.
Service delivery	Not applicable		Medium	Not applicable

## Engagement

Internal engagement	
Stakeholder	Comments
Business unit managers	Providing responses and supporting documentation to the internal auditors. Providing quarterly updates and % completion for audit actions.
C-Suite	Noting the final internal audit outcomes.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Internal audits promote integrity and identify areas for improvement
CL3 - Accountability and good governance.	As internal audit is a key pillar of organizational governance, a robust internal audit program, with oversight from the Audit Committee, will enable the Town to have a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, internal controls, and governance processes. The business improvements that result from an effective internal audit program will add value to the way the Town runs its business.

## Further consideration

Since the Audit and Risk Committee meeting held on the 11 November 2024, a further seven audit actions have been completed.

## 15.2 Strategic Risk Register Review

<b>Location</b>	Town-wide
<b>Reporting officer</b>	A/Manager Governance and Strategy
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL - Strategic Risk Register - Town of Victoria Park - Draft [15.2.1 - 3 pages]

### Summary

To present the reviewed Strategic Risk Register for endorsement.

#### Committee Recommendation

The Audit and Risk Committee recommends that Council endorse the Strategic Risk Register as contained in Confidential Attachment 1.

### Background

1. In July 2023, Governance commenced an integrated risk management process for the Town's operational and strategic risks. In July 2023, an internal Risk Management Working Group was formed, and the operational risk register was reviewed to align with contemporary risk management principles and Australian Standards. This review was completed in May 2024.
2. Around the same time, the strategic risk register was reviewed internally where it identified that this register also needed to be amended.
3. In October 2023, a Strategic Risk Workshop was conducted with Councillors, facilitated by RSM Australia, and areas of improvement identified. A follow up workshop was scheduled to complete the review, however RSM declared a conflict of interest as they were also the Town's external auditor (contracted by the OAG). Therefore, a new company, Quantum Assurance, was contracted to complete the strategic risk register review.
4. The first workshop facilitated by Quantum Assurance with Council occurred on 27 March 2024, with a second workshop held on 9 April 2024. Following the last workshop, Quantum Assurance developed a strategic risk register with a few controls and residual risk ratings still being required.
5. The Risk Management Working Group met on Tuesday 18 June 2024 and completed the outstanding items on the Strategic Risk Register. C-Suite subsequently endorsed the Strategic Risk Register.
6. The strategic risk register was presented to the Audit and Risk Committee on the 22 July 2024 for endorsement. The committee recommended to Council that the item be deferred to a committee workshop.
7. A workshop was held on Monday 14 October 2024 with the Audit and Risk Committee and some of the Executive to further work through the Strategic Risk Register. An additional workshop was held with C-Suite on Monday 4 November 2024 to further refine the register with additional information relating to controls and further mitigation actions.

Discussion

8. During C-Suite’s review of the draft Strategic Risk Register on 4 November 2024, it was identified that there may be some residual risks that are beyond the current risk appetite. It is recognised that a review of the Risk Appetite Statement will be considered in 2025.
9. The changes that have been made to the Strategic Risk Register are marked in red for clarity. In summary, changes have been made to the following sections:

a. The first risk description has been amended to reflect more accurately some of the consequences.

b. Some additional causes have been added to risks 1, 2, 4 and 8.

c. An additional consequence has been added to risk 1.

d. Some of the risk ratings have been updated.

e. Additional controls have been added and as a result, some of the residual risk ratings have been updated.

f. Additional Mitigation Actions have been added in for all the strategic risks.
10. The Strategic Risk Register is now presented for endorsement.

Relevant documents

Not applicable

Legal and policy compliance

[Local Government \(Audit\) Regulations 1996](#)

Financial implications

Current budget impact	Not applicable
Future budget impact	Not applicable

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial			Low	
Environmental			Medium	
Health and safety			Low	
Infrastructure/ ICT systems/ utilities			Medium	

Legislative compliance	Low			
Reputation	Low			
Service delivery	Not reviewing the Town's strategic risks will impact on service delivery	Low	Medium	Treat the risk by endorsing the strategic risk register.

## Engagement

Internal engagement	
Stakeholder	Comments
Council	Council have been involved in the development of the strategic risk register
External members of the Audit & Risk Committee	The Town's two external members were involved in the development of the strategic risk register.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Regularly reviewing the strategic risk register promotes good governance and aids in improving performance and efficiency.

## Further consideration

Not applicable.



## 15.3 Risk Management Framework Review

<b>Location</b>	Town-wide
<b>Reporting officer</b>	A/Manager Governance and Strategy
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Draft Revised To VP Risk Management Framework - Marked Up Changes [<b>15.3.1</b> - 19 pages]</li><li>2. Draft Revised To VP Risk Management Framework - Changes Accepted [<b>15.3.2</b> - 17 pages]</li></ol>

### Summary

The Town's Risk Management Framework was last reviewed by the Audit and Risk Committee on 19 June 2023 and adopted by Council on 18 July 2023. Since that time, the Town has reviewed the operational and strategic risk registers. As an outcome of these reviews, it is recommended the Risk Management Framework be amended.

#### Committee Recommendation

The Audit and Rick Committee recommends that Council adopt the revisions to the Risk Management Framework as contained in Attachment 1.

### Background

1. The Town has an embedded risk management approach in accordance with the Australian Standard *AS/NZS 31000 – Risk Management*. As part of this approach, the Town had adopted the following:
  - (a) A Risk Management Policy (Policy 004) which sets out the general scope, expectations, roles and responsibilities for risk management, with reference to the Risk Management Framework.
  - (b) A Risk Management Framework which outlines the Town's approach to the management of risk by setting out key governing elements:
    - (i) Principles, framework and process and systems
    - (ii) Structure
    - (iii) Risk appetite statement for the Town
    - (iv) Risk assessment and acceptance criteria adopted by Council.
  - (c) A Risk Management Practice (004.1) which provides information to C-Suite, managers, senior staff and other employees on how risk management philosophies and practices are operationalised throughout the organisation.
2. In July 2023, the Risk Management Framework was reviewed with minor edits made.
3. In 2024, the operational and strategic risk registers were reviewed and amended.
4. Following these reviews, it has been identified that the Risk Management Framework also requires amending.

5. An amended version of the Risk Management Framework was presented to the Audit and Risk Committee Meeting held on 22 July 2024 however it was identified that further amendments needed to be made. It was recommended by the Committee that approval of the amended framework be deferred to a committee workshop. That workshop was held on Monday 14 October 2024.

Discussion

6. **Attachment 1** provides the draft revised Risk Management Framework showing the changes in mark up.
7. The Risk Management Framework has been updated to include the following:
- (a) Reference to the Towns Strategic Community Plan
  - (b) Definitions of risk management and risk
  - (c) References to the Strategic and Operational Risk Register, and inclusion of project risks
  - (d) Changes to the governance structure for risk management
  - (e) Changes to the risk impact categories and Risk Consequences table.
8. Some edits to the names of the Risk Impact categories have been made to more accurately reflect the risk. Some of the corresponding descriptions have been changed also.
9. The Risk Impact Category of Infrastructure/ICT Systems/Utilities has been removed and replaced with two separate categories titled 'Assets' and 'Data, Information Technology and Cyber'. It is considered that splitting the category in this way better reflects the risks that are to be managed. Descriptions have also been added for these two categories.
10. The Risk Appetite and Opportunities table has been amended to reflect the changes to the Risk Impact Categories.
11. The Risk Consequences table has been amended to reflect the new naming conventions, and new ratings have been added for the new categories of Information Security and Assets. In addition, the Risk Consequences for the Financial category have been updated.
12. **Attachment 2** provides a clean version of the draft revised Risk Management Framework for ease of reading.
13. Should the amendments to the Risk Management Framework be approved, the risk section for Council reports will be amended accordingly.

Relevant documents

Nil

Legal and policy compliance

[Policy 004 Risk Management](#)

Financial implications

Current budget impact	There are no budget implications associated with this report.
Future budget impact	Not applicable

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial			Low	
Environmental			Medium	
Health and safety			Low	
Infrastructure/ ICT systems/ utilities	Not properly identifying and classifying the risks can cause incorrect assessments and treatment options to be implemented.		Medium	Treat the risk by correctly labelling the risks.
Legislative compliance			Low	
Reputation			Low	
Service delivery	A Risk Management Framework is lacking in important information.		Medium	Treat the risk by amending the Risk Management Framework

## Engagement

Internal engagement	
Stakeholder	Comments
Risk Management Working Group	The Town's internal Risk management Working Group recommended the Risk Impact Categories and Risk Consequences table be amended.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Amending the Risk Management Framework will enable the resources of the Town to be managed more effectively and improve performance.
CL3 - Accountability and good governance.	Sound risk management approaches and processes that are embedded into the Town's operations and culture, promotes good governance and better accountability outcomes.

## Further consideration

Not applicable.

## 15.4 Quarter 1 Corporate Business Plan Progress Report: 1 July - 30 Sept 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Corporate Performance Advisor
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CBP Attachment 1 - Outline - Q 1 24 25 [ <b>15.4.1</b> - 6 pages] 2. CBP Report Q 1 24 25 [ <b>15.4.2</b> - 20 pages]

### Summary

The Audit and Risk Committee recommends that Council accepts the quarterly progress reports for the period 1 July 2024 – 30 September 2024.

#### Recommendation

The Audit and Risk Committee recommends that the Council notes the quarterly progress report on the Corporate Business Plan Actions for 1 July 2024 – 30 September 2024.

### Background

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

*"That Council requests that the Chief Executive Officer:*

1. *Develops an Annual Strategic Project Summary for 2019/2020, containing a summary of the projects that are aligned to strategic outcomes in the Strategic Community Plan 2017-2027.*
2. *Presents the 2019/2020 Annual Strategic Project Summary for adoption at the September Ordinary Council Meeting.*
3. *Presents to Council, commencing from the October Ordinary Council Meeting, quarterly written progress reports on the actions, projects and outcomes within the Town's following plans and strategies:*
  - a) *Corporate Business Plan 18 of 37*
  - b) *2019/2020 Annual Strategic Project Summary*
  - c) *5 Year Capital Works Program*
  - d) *Economic Development Strategy 2018 – 2023*
  - e) *Urban Forest Strategy*
  - f) *Reconciliation Action Plan*
  - g) *Disability Access and Inclusion Plan*
  - h) *Community Benefits Strategy."*

2. At the Ordinary Council Meeting on 20 July 2021, Council resolved:

*"That Council:*

*.....*

- c) *Instructs the Chief Executive Officer to include the Climate Emergency Plan in the Quarterly progress reports to council, commencing in the next quarter for 2021."*

3. At the Ordinary Council Meeting on 17 September 2024, Council resolved: (Resolution 207/2024)

*"That Council:*

- 1. will receive one consolidated quarterly progress report on the actions, projects and outcomes of the Towns plans and strategies.*
- 2. no longer require separate reports on the annual strategic project summary or 5-year capital works program."*

## Discussion

4. Progress reports enable Council to oversee the Town's performance and allocation of the Town's finances and resources. They also help to inform the community about the Town's progress in relation to plans and strategies.
5. **Attachment 1** provides an update on the progress the Town has made towards achieving each of the goals within the Corporate Business Plan within the first quarter of the 24/25 financial year. This is shown as a percentage, with colour coding indicating if progress towards a goal is on track, behind schedule, not yet started or complete. The greyed out goals indicate the community priorities that the Corporate Business Plan actions fall under.
6. **Attachment 2** provides written updates on the progress towards achieving each of the goals within the Corporate Business Plan.

## Relevant documents

### Legal and policy compliance

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

[Integrated planning and reporting | DLGSC](#)

### Financial implications

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

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not Applicable.		Low	
Environmental	Not Applicable.		Medium	
Health and safety	Not Applicable.		Low	
Infrastructure/ ICT systems/ utilities	Not Applicable.		Medium	
Legislative compliance	Not Applicable.		Low	
Reputation	Negative public perception towards the Town in relation to transparency.		Low	TREAT risk by ensuring accuracy of reporting and additional highlighting of any items of note within the report.
Service delivery	Not Applicable.		Medium	

## Engagement

Internal engagement	
Stakeholder	Comments
Governance and Strategy	Governance and Strategy coordinates the progress reports for Corporate Business Plan actions with input from all relevant service areas across the organisation.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Council is provided with the information in an effective yet time efficient manner.
CL3 - Accountability and good governance.	Progress towards goals of relevant Town plans and strategies is provided in a clear and transparent manner with additional commentary provided where required.

**Further consideration**

Not applicable.



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

## **17 Motion of which previous notice has been given**

## **18 Questions from members without notice**

### **Questions taken on notice from members without notice at the Agenda Briefing Forum held on 26 November 2024**

1. Q. Could the Archer Mint streetscape improvement be reviewed at its midway point before the next stage, if so, what are the options which separate from operational internal review?  
A. A concept forum will be proposed for the end of the next financial year, likely following the completion of the next phase of the streetscape upgrade. This will provide an opportunity to review progress and discuss future directions.

## **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**

### **22.2 Public reading of resolutions which may be made public**

## **23 Closure**