



TOWN OF  
**VICTORIA PARK**

# Ordinary Council Meeting Minutes – 19 March 2024

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

An **Ordinary Council Meeting** was held at **6:30 PM** on **Tuesday 19 March 2024** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Her Worship the Mayor Karen Vernon**  
3 April 2024

## Table of contents

Item	Page no
1 Declaration of opening .....	4
2 Announcements from the Presiding Member .....	4
3 Attendance.....	7
3.1 Apologies .....	7
3.2 Approved leave of absence .....	7
4 Declarations of interest.....	8
5 Public question time.....	9
6 Public statement time .....	10
7 Confirmation of minutes and receipt of notes from any agenda briefing forum .....	11
8 Presentation of minutes from external bodies.....	11
9 Presentations .....	11
10 Method of dealing with agenda business.....	12
11 Chief Executive Officer reports .....	13
11.1 Council Resolutions Report - February 2024.....	13
11.2 Rutland Avenue Street Alignment Local Law 1997 review.....	16
11.3 Vehicle Management Amendment Local Law 2024 .....	19
12 Chief Community Planner reports.....	24
12.1 Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants - Application: Synthetic Bowling Green .....	24
13 Chief Operations Officer reports.....	36
13.1 Claude Street, Burswood - Request to advertise proposed closure of a portion of road reserve.....	36
13.2 4 Temple Street - Proposed lease term for EOI and Grant of Lease Extension to the North Metropolitan Health Service .....	42
14 Chief Financial Officer reports.....	48
14.1 Finance Statement January 2024 .....	48
14.2 Schedule of Accounts- January 2024 .....	51
14.3 2023/2024 Mid Year Budget Review .....	56
15 Committee Reports.....	61
15.1 Compliance Audit Return 2023.....	61
15.2 Final Audit Report: Environmental Sustainability.....	66
15.3 Final Audit Report Records Management .....	69

15.4 Audit Update Report January 2024 .....	72
15.5 Quarter 2 Progress Report 1 October 2023 - 31 December 2023 .....	75
16 Applications for leave of absence .....	86
17 Motion of which previous notice has been given .....	86
18 Questions from members without notice .....	86
19 New business of an urgent nature introduced by decision of the meeting .....	86
20 Public question time .....	86
21 Public statement time .....	86
22 Meeting closed to the public .....	86
23 Closure .....	86

# 1 Declaration of opening

*Mayor Karen Vernon opened the meeting at 6:30pm.*

## Acknowledgement of Country

*Cr Sky Croeser read the 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 kaaditjin, moort, wer boodja ye-ye.*

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

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

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

# 2 Announcements from the Presiding Member

## 2.1 Recording and live streaming of proceedings

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

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

## 2.2 Public question time and public statement time

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

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

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

When the presiding member speaks during public question time or public statement time any person then speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

### **2.3 No adverse reflection**

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

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

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

### **2.5 Mayors Report – February to March 2024**

#### **ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

**Congratulations** to the CEO and Town staff on delivering another summer of big entertainment events for our community, with the successful Twilight Soirees held on 3 February and 9 March, and a Lunar New Year celebration on 16 February that packed the streets with lion dances, cultural music and activities to bring in the Year of the Wood Dragon.

**Congratulations** to the CEO and Town staff on achieving Gold Waterwise Council status for 2022/23 from the Water Corporation and the Department of Water and Environmental Regulation, which we have achieved every year since 2017.

**In Memoriam** - I would also like to reflect on the recent passing of 2 people who have left their mark on our community.

**Bethwyn Johnson** died in late January after a short illness. Bethwyn was a long serving member of the Victoria Park Croquet Club, holding many official positions, including President for the last decade, and helped to steer the Club through the relocation to Higgins Park. She held many positions with Croquet West and was its President in 2015 – 2016. She was also a member of the local Historical Society of Victoria Park and the Probus Club.

**Elias Matta Jabbour** died in late February. He was well known to many in our Town as the owner of Elie's Tent Lebanese Restaurant on Albany Highway for the last 30 years. His love of his cultural heritage brought a diversity and multicultural experience to Perth's food scene which was rare in its day. He and his family always made patrons feel welcome and entertained from start to finish.

On behalf of Council and the Town of Victoria Park, we extend our condolences to the families of Ms Johnson and Mr Jabbour.

## MAYOR'S REPORT – February - March 2024

On **26 February**, I met with the new Committee of the Victoria Park Croquet Club to discuss their future aspirations.

On **27 February**, I attended the WAFL Women's Season Launch, held in Burswood for the first time. That evening, I represented the Town at the Farewell for the West Coast Eagles' outgoing Chief Executive Officer, Trevor Nisbett, who was instrumental in facilitating the Eagles relocation to Lathlain Park.

On **28 February**, I attended the WA Property Council's Vision for the State luncheon at Optus Stadium.

On **6 March**, we hosted Hannah Beazley MLA, Minister for Local Government, Ryan Smolder from Placemaking US, members of the Town Team Movement and Dave Lindner from the Vic Park Collective to discuss place planning and how we collaborate with the Vic Park Collective.

On **8 March**, I was delighted to be one of the guest speakers at an International Women's Day celebration held in collaboration between the Town and the Victoria Park Community Centre, where members of our community enjoyed an afternoon tea and shared activities of '*affidamento*'.

On **9 March**, I opened the second Twilight Soiree at Rayment Park, where Perth Symphony Orchestra entertained a large crowd with the music of Disney movies.

On **12 March**, I attended the West Coast Eagles Season Launch at Crown.

On **13 March**, I attended a meeting of the South Metro Regional Roads Sub-Group hosted by the City of Gosnells to review the progress of the regional road projects funded through Main Roads WA, including the Blackspot funding projects.

On **14 March**, I met with the CEO of Connect Victoria Park to discuss their proposed social housing project in the Town.

On **16 March**, I held Share with the Mayor at the Library.

### **3 Attendance**

**Mayor**

Ms Karen Vernon

**Banksia Ward**

Cr Claire Anderson

Cr Peter Devereux

Cr Peter Melrosa

Cr Lindsay Miles

**Jarraah Ward**

Cr Sky Croeser

Cr Jesse Hamer

Deputy Mayor Bronwyn Ife

Cr Daniel Minson

**Chief Executive Officer**

Mr Anthony Vuleta

**Chief Operations Officer**

Ms Natalie Adams

**Chief Financial Officer**

Mr Duncan Olde

**Chief Community Planner**

Ms Natalie Martin Goode

**Manager Governance and Strategy**

Ms Bernadine Tucker

**Manager Property Development and Leasing**

Mr Paul Denholm

**Meeting Secretary**

Ms Felicity Higham

**Public liaison**

Ms Alison Podmore

**Public**

9

#### **3.1 Apologies**

Nil.

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

Nil.

## 4 Declarations of interest

### 4.1 Declarations of financial interest

Nil.

### 4.2 Declarations of proximity interest

Nil.

### 4.3 Declarations of interest affecting impartiality

Name/Position	Mayor Karen Vernon
Item No/Subject	12.1 - Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants - Application: Synthetic Bowling Green
Nature of interest	Impartiality
Extent of interest	I am a patron of the Victoria Park Carlisle Bowling Club and have attended meetings of the Club's committee to discuss their need for a synthetic turf and have attended functions held by the Club.

Name/Position	Cr Peter Devereux
Item No/Subject	12.1 - Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants - Application Synthetic Bowling Green.
Nature of interest	Impartiality
Extent of interest	I have attended events at Vic Park Bowls Club.

Name/Position	Cr Claire Anderson
Item No/Subject	12.1 - Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants - Application: Synthetic Bowling Green
Nature of interest	Impartiality
Extent of interest	I have been invited to events at the Bowling Club.

Name/Position	Cr Sky Croeser
Item No/Subject	12.1 - Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants - Application: Synthetic Bowling Green
Nature of interest	Impartiality
Extent of interest	I have attended an event at the bowling club.

Name/Position	Deputy Mayor Bronwyn Ife
Item No/Subject	12.1 - Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants - Application: Synthetic Bowling Green
Nature of interest	Impartiality
Extent of interest	I have attended events at the bowls club



## 5 Public question time

*Public question time opened at 6.41pm.*

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

*1. Has council placed conditions on Woolworths purchase of the site at Albany Highway and are we going to insist they retain the white gums trees?*

Manager Property Development and Leasing advised there are some conditions on the sale which pertain to trees. The question was taken on notice to see if these conditions can be made publicly available.

*2. Do you still intend to remove the 36 trees at Ed Millen site, some up to 60 years old?*

The Chief Operations Officer took the question on notice.

*Would it be possible for me to be advised in writing on these matters?*

The Mayor Karen Vernon advised this was possible.

*3. Have you made a proposed time for the Annual Electors Meeting?*

The Mayor Karen Vernon advised the Town was unable to hold the Annual Electors Meeting until the Office of the Auditor General approves our financial statements for 30 June 2023. The Town was hopeful that these statements will be provided by the end of March so they can then be presented to the Audit and Risk Committee before being presented to Council. As the audited financial statements are the responsibility of the Office of the Auditor General, this is outside of our control.

### **Mr Wilfred Hendriks, Carlisle**

*1. Keeping town tidy. On 3 March 2024, large graffiti was seen on a Leisurelife wall. The following week the graffiti was still there in a prominent position and on the 17th it is still there. Can Rangers report graffiti, and also junk on verges or is there something else the town can do?*

The Chief Financial Officer advised that Rangers can report graffiti.

*The Mayor Karen Vernon asked how long does it take before graffiti is removed?*

The Chief Operations Officer advised the town takes one week to remove graffiti and apologised for the graffiti still being on the Leisurelife wall. The Town will follow up and take on notice the removal of the graffiti.

Mr Hendriks advised he had reported the matter, and it has been taken off.

*2. In relation to new developments, there are sometimes 2-3 units on blocks. Is someone in the town making sure that new developments are required to plant new trees?*

Chief community planner advised there is nobody who inspects to ensure developments comply with

conditions. The Town relies on complaints from neighbours and these are investigated but there are no resources to do practical compliance checks on all developments.

**Mr Oscar Foster, East Victoria Park**

*1. Has the town got a strategy to deal with the constant dumping of rubbish on Hubert Street, Franklins and the alley between Somerset and Dane and the vacant block opposite the Authentic restaurant.*

Chief Operations Officer took the question on notice.

**Mr Vince Maxwell, Victoria Park**

*1. It was mentioned that the Town is waiting on the Office of the Auditor General to do the finances for last year. Did the Town submit the documents to OAG on time?*

The Chief Financial Officer stated yes.

*2. Why are company credit cards being used to buy items from these companies like Bunnings where the Town should have trading accounts?*

The Chief Financial Officer advised that generally small, low value and urgent items are sometimes bought on credit cards, or perhaps when it is not in the usual line of business for a staff member.

*3. At the February Council meeting I asked about cash in lieu parking contributions, and from the age of aerial photos it is difficult to confirm, but does town have register of what funds have been collected from developers in lieu of parking and what these have been used for?*

The Chief Community Planner advised there has been no cash in lieu payments.

*Public question time closed at 6.54pm.*

## **6 Public statement time**

*Public statement time opened at 6.55pm.*

**Mr Sam Zammit, St James**

Made a statement about underground power and mentioned how officer Terry McCarthy was exceptional as he went out of his way to explain things.

**Mr Vince Maxwell, Victoria Park**

Made a statement about electric vehicles, the fire risks and the Towns risk assessment or our electric vehicles.

*Public statement time closed at 7pm.*

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

### COUNCIL RESOLUTION (32/2024):

**Moved:** Cr Daniel Minson

**Seconded:** Cr Claire Anderson

That Council:

1. Confirms the minutes of the Ordinary Council Meeting held on 20 February 2024.
2. Receives the notes of the Mindeera Advisory Group meeting held on 6 March 2024.
3. Receives the notes of the Agenda Briefing Forum held on 5 March 2024.
4. Receives the notes of the Urban Forest Implementation Working Group meeting held on 14 February 2024.

**Carried (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 8 Presentation of minutes from external bodies

### COUNCIL RESOLUTION (33/2024):

**Moved:** Mayor Karen Vernon

**Seconded:** Cr Peter Devereux

That Council:

1. Receives the minutes of the Catalina Regional Council Meeting held on 7 December 2023.
2. Receives the minutes of the Mindarie Regional Council Meeting held on 14 December 2023.
3. Receives the minutes of the Special Catalina Regional Council Meeting held on 20 December 2023.
4. Receives the minutes of the South East Metropolitan Zone Meeting held on 22 November 2023.

**Carried (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 9 Presentations

### 9.1 Petitions

Nil.

### 9.2 Presentations

Nil.

## 9.3 Deputations

### COUNCIL RESOLUTION (34/2024):

**Moved:** Mayor Karen Vernon

**Seconded:** Cr Daniel Minson

That Council receives the follow deputation from:

Mr Keith King Vice President and Ms Carol Lee Club Secretary of the Victoria Park Carlisle Bowling Club to explain the application for a CSRFF grant to fund the construction of a synthetic bowling green and benefits of this.

**Carried (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 10 Method of dealing with agenda business

### COUNCIL RESOLUTION (35/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That items {insert item numbers] be adopted by exception resolution, and the remaining items be dealt with separately.

11.1 Council Resolutions Status Report – February 2024

11.2 Rutland Avenue Street Alignment Local Law 1997 review

13.1 Claude Street, Burswood - Request to advertise proposed closure of a portion of road reserve.

13.2 4 Temple Street - Proposed lease term for EOI and Grant of Lease Extension to the North Metropolitan Health Service.

14.1 Finance Statement - January 2024

14.2 Schedule of Accounts - January 2024

15.1 Compliance Audit Return

15.2 Final Audit Report: Environmental Sustainability

15.3 Final Audit Report Records Management

15.4 Audit Update Report January 2024

15.5 Quarter 2 Progress Report 1 October 2023 - 31 December 2023

**Carried (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

# 11 Chief Executive Officer reports

## 11.1 Council Resolutions Report - February 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 - February 2024 [ <b>11.1.1</b> - 14 pages] 2. Completed Council Resolutions Status Report - February 2024 [ <b>11.1.2</b> - 5 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

2. The Outstanding Council Resolutions Report details all outstanding items. A status update has been included by the relevant officer/s.
3. The Completed Council Resolutions Report details all Council resolutions that have been completed by officers from 1 February 2024 to 29 February 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>	

## 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.

### COUNCIL RESOLUTION (36/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

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.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 11.2 Rutland Avenue Street Alignment Local Law 1997 review

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Chief Executive Officer
<b>Responsible officer</b>	Manager Governance and Strategy
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Submissions received - Rutland Avenue Street Alignment Local Law 1997 review [ <b>11.2.1</b> - 1 page] 2. Rutland Avenue Street Alignment Local Law 1997 [ <b>11.2.2</b> - 3 pages]

### Summary

This report proposes that Council, in accordance with section 3.16 of the *Local Government Act 1995*, considers the public submissions received for the Rutland Avenue Street Alignment Local Law 1997 review and recommends that the local law not be amended.

### Recommendation

That Council:

1. Notes the submissions received for the Rutland Avenue Street Alignment Local Law 1997 review.
2. As a result of this review, agrees that the Rutland Avenue Street Alignment Local Law 1997 requires no amendments.

### Background

1. Section 3.16 of the *Local Government Act 1995* (Act) requires all local laws to be reviewed within an 8-year period from the date the local law commenced or was last reviewed.
2. The Rutland Avenue Street Alignment Local Law 1997 (local law) was adopted in April 1997.
3. An internal governance audit identified that this local law has not been reviewed since its adoption in 1997.
4. An internal review of the local law identified that it was still fit for purpose and as such, no amendments were proposed by staff.

### Discussion

5. During the public consultation phase on the review of the local law, one person submitted a comment relating to the installation of a bike lane on Rutland Avenue, one person said they opposed it without any comment, and the third person stated that Rutland Avenue needed to remain a 2-way thoroughfare.
6. The purpose of the Rutland Avenue Street Alignment Local Law is to provide uniform cadastral boundaries along the Rutland Avenue Road reserve. The provision of bike lanes and the control of the traffic flow is outside the remit of the local law.
7. As staff, and the community, did not recommend any amendment to the local law, it is recommended that the review process formally be finalised with no amendments being made.



## Relevant documents

Not applicable

## Legal and policy compliance

[Section 3.16 of the Local Government Act 1995](#)

## Financial implications

<b>Current budget impact</b>	Nil
<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 conducting the review in accordance with Act	Medium	Low	Treat the risk by considering the public submission received.
Reputation	Not applicable		Low	
Service delivery	Not applicable		Medium	

## Engagement

Internal engagement	
Stakeholder	Comments
Relevant staff	Town staff from relevant areas have been consulted over the need to amend the Rutland Avenue Street Alignment Local Law 1997 and the Local Government Property Local Law 2000.

External engagement	
Stakeholders	Public consultation in accordance with section 1.7 and 3.16 of the <i>Local Government Act 1995</i> .
Period of engagement	Commenced on 1 December 2023 and closed on 9 February 2024.
Level of engagement	Public consultation
Methods of engagement	Written submissions were invited.
Advertising	Town website, social media, library notice board and e-news.
Submission summary	3 submissions received.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Ensure that periodic reviews of local laws are completed within the timeframe legislated and comply with the <i>Local Government Act 1995</i> .

## Further consideration

Not applicable.

### COUNCIL RESOLUTION (37/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That Council:

1. Notes the submissions received for the Rutland Avenue Street Alignment Local Law 1997 review.
2. As a result of this review, agrees that the Rutland Avenue Street Alignment Local Law 1997 requires no amendments.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 11.3 Vehicle Management Amendment Local Law 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Chief Executive Officer
<b>Responsible officer</b>	Manager Governance and Strategy
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	1. Submissions for the Town of Victoria Park Vehicle Management Amendment Local Law 2024 [ <b>11.3.1</b> - 1 page] 2. Vehicle Management Amendment Local Law 2024 [ <b>11.3.2</b> - 4 pages] 3. Vehicle Management Local Law 2021 with tracked changes [ <b>11.3.3</b> - 38 pages]

### Summary

This report recommends that Council, in accordance with section 3.12(4) of the *Local Government Act 1995*, makes the Town of Victoria Park Vehicle Management Amendment Local Law 2024 which will amend the Town of Victoria Park Vehicle Management Local Law 2021. This local law was presented to Council in November 2023 where Council endorsed the amendment process and resolved to give state-wide public notice of the proposed amendment. This report considers the feedback received during this process and recommends the Town of Victoria Park Vehicle Management Amendment Local Law 2024 be made.

### Recommendation

That Council, pursuant to section 3.12 of the *Local Government Act 1995*:

1. Notes the submissions received for the Town of Victoria Park Vehicle Management Amendment Local Law 2024.
2. Makes the Town of Victoria Park Vehicle Management Amendment Local Law 2024 as contained in Attachment 1 with the purpose and effect of the local law being:  
  
Purpose: To provide for the regulation, control and management of parking and vehicles within the District.  
  
Effect: To regulate the parking and control of vehicles including electronic permits and payments.

### Background

1. In accordance with section 3.16 of the *Local Government Act 1995* (the Act), local governments are required, within a period of eight years, to review their local laws to determine whether or not it considers the local law should be repealed or amended.
2. On 16 March 2021, Council resolved to make the Vehicle Management Local Law 2021 (local law).
3. The local law was subsequently published in the Government Gazette on 21 May 2021 and commenced on 4 June 2021.
4. In accordance with the Act, a review was recently completed that identified amendments to the local law were necessary.
5. In November 2023, a report was provided to Council recommending the commencement of the law-making process to amend the local law.

6. At that meeting, Council subsequently resolved to commence the law-making process and endorsed the Vehicle Management Amendment Local Law 2024 be distributed for public consultation.
7. The submission period for the public consultation on the proposed local law commenced on 1 December 2023 and closed on 9 February 2024, exceeding the required six weeks consultation period under the Act.
8. At the close of the public consultation period, three submissions were received (see attachment 1).

## Discussion

9. In accordance with the Council resolution from November 2023, local public notice of the Town’s intention to make the new local law was advertised on the Town’s website, social media, library notice board and e-news.
10. A copy of the proposed local law and public notice was also provided to the Minister for Local Government.
11. At the close of the consultation period, two submissions were received. Both submissions supported the amendments. One person stated: *I fail to understand why such minor changes were not done years ago and couldn't just be approved rather than go to public comment. More funds spent on process rather than outcomes.* The second person did not provide any comments.
12. As no further amendments to the local law have been proposed, it is recommended that Council makes the Town of Victoria Park Vehicle Management Amendment Local Law 2024.
13. If Council resolves to make the local law, the local law would be published in the Government Gazette and a copy provided to the Minister for Local Government, and provide a copy of the law and Explanatory Memorandum, as prepared in accordance with the Minister’s Local Laws Explanatory Memoranda Directions 2010, to the State Government’s Joint Standing Committee on Delegated Legislation. The Town would also give local public notice that the local law has been made.

## Legal and policy compliance

[Section 3.12 of the Local Government Act 1995](#)

## Financial implications

<b>Current budget impact</b>	Nil.
<b>Future budget impact</b>	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	Not following the law- making process	Medium	Low	Treat the risk by considering the public submissions received
Reputation			Low	
Service delivery	The local law does not meet the service delivery standards expected by stakeholders.		Medium	Treat the risk by making the local law

## Engagement

Internal engagement	
Stakeholder	Comments
Relevant staff	Town staff from relevant areas have been consulted over the need to amend the Rutland Avenue Street Alignment Local Law 1997 and the Local Government Property Local Law 2000.
External engagement	
Stakeholders	Public consultation in accordance with section 1.7 and 3.12 of the <i>Local Government Act 1995</i> .
Period of engagement	Commenced on 1 December 2023 and closed on 9 February 2024.
Level of engagement	Public consultation
Methods of engagement	Written submissions were invited.
Advertising	Town website, social media, library notice board and e-news.
Submission summary	2 submissions received.
Key findings	Support for the local law

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Local laws are periodically reviewed and updated to reflect organisational and community needs.

## Further consideration

On 8 February 2024, the Department of Local Government, Sport and Cultural Industries (Department) wrote to the Town regarding the proposed local law. The Department provided the following comments:

### **Parking areas – determination devices**

*The Delegated Legislation Committee generally disapproves of the use of clauses which permit local governments to change how the local law applies to certain areas. This is because these “determination devices” are not subject to any parliamentary scrutiny or oversight.*

*While the Committee has allowed determination devices to be used in parking local laws, this has been subject to the conditions that:*

- *determinations made should only be made by Council; and*
- *All determinations must be reflected by appropriate signage.*

*Several of the proposed amendments delete the words “council” and “by resolution” from clauses relating to establishment of parking areas. The Delegated Legislation Committee may interpret the removal of those words as meaning that these decisions can now be delegated to the CEO or other staff.*

*It is suggested that the Town not proceed with the amendments relating to the removal of the words “by resolution” and “Council”. If those amendments are retained it is likely to be raised as an issue by the Committee.*

There are four clauses within the local law that relate to deleting the words “council” and “by resolution” for a determination. These are:

- 46(1): The local government, by resolution, may constitute any land, structure, section or part of a thoroughfare or public reserve as a stopping zone.
- 54(1): The local government, by resolution, may constitute any land, structure, section or part of a thoroughfare or public reserve as a parking zone.
- 65(1): The Council, by resolution, may constitute, determine and vary parking spaces within a parking zone to be paid parking spaces.
- 65(2): In respect of paid parking space, the Council in its resolution under subclause (1), may prescribe .....

There are other clauses that remove the words “by resolution” but these do not relate to determinations.

The Joint Standing Committee on Delegated Legislation (JSCDL), in their Annual Report 2020 (Report 19), reported that:

*A determination device is a means by which the Council of a local government purports, in a local law, to sub-delegate the exercise of its powers under the Local Government Act 1995 to:*

- *a mere resolution of a simple majority of the council members or*
- *to the administrative arm of the local government.*

*It is a fundamental principle of administrative law that, where a Parliament delegates a power or function to a person or body, that person or body must exercise the power or function personally, and not delegate it to another.*

The Town holds the view that reference to a determination in the local law, does not come within the definition of a determination as provided by the JSCDL.

Section 5.43 of the Local Government Act 1995 provides limitations on delegations to the CEO. Until the Council authorises a delegation, these clauses in the local law remain a matter for Council to determine.

The Town has considered the comments made by the Department and does not propose to amend the Town of Victoria Park Vehicle Management Amendment Local Law 2024. Further detailed information will be provided to the JSCDL on the reasons for not changing the affected clauses, as proposed by the Department, when the Minister's *Local Laws Explanatory Memoranda Directions 2010* is submitted.

#### **COUNCIL RESOLUTION (38/2024):**

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Sky Croeser

That Council, pursuant to section 3.12 of the *Local Government Act 1995*:

3. Notes the submissions received for the Town of Victoria Park Vehicle Management Amendment Local Law 2024.

4. Makes the Town of Victoria Park Vehicle Management Amendment Local Law 2024 as contained in Attachment 1 with the purpose and effect of the local law being:

Purpose: To provide for the regulation, control and management of parking and vehicles within the District.

Effect: To regulate the parking and control of vehicles including electronic permits and payments.

**Carried by Absolute Majority (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 12 Chief Community Planner reports

### 12.1 Community Sporting and Recreation Facilities Fund (CSRFF) - Small Grants - Application: Synthetic Bowling Green

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Place Leader (Strategic Planning)
<b>Responsible officer</b>	Manager Place Planning
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	Nil

#### Summary

The purpose of the report is for Council to support and rank grant applications for the Community Sport and Recreation Facilities Fund (CSRFF) for the Perth Cricket Club (turf wicket replacement) and Victoria Park Carlisle Bowling Club (synthetic bowling green) as required by the grant process, and contemplate up to 50% funding of the synthetic green project through a separate Mid-Year Budget Review item presented to the March 2024 Council meeting.

#### Recommendation

That Council:

1. Approves the submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town on behalf of the Perth Cricket Club for \$32,500 to replace the remaining turf training wicket blocks at Fletcher Park and ranks the application as priority one of a total of two applications, noting that the Town will not make up any cost shortfall should grant funds yield less than 50% of costs.
2. Approves submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town for \$147,500 to part-fund a synthetic bowling green at the Victoria Park Carlisle Bowling Club and ranks the application as priority two of a total of two applications, subject to:
  - (a) The Town considers allocating up to a maximum of \$147,500 (50% of estimated cost) through the 2023-2024 Mid-Year Budget Review and noting that the Town will not fund any cost shortfall should grant funds yield less than 50% of costs, and
  - (b) Should the CSRFF grant be successful, Council authorises the Chief Executive Officer to negotiate and execute as a deed all necessary documents to amend and extend the lease to Victoria Park Carlisle Bowling Club in accordance with the comments included in the body of the report.



## Background

1. The CSRFF is run by the Department of Local Government, Sport and Cultural Industries (DGLSC) to provide financial assistance to community groups and Local Government Authorities (LGAs) to develop basic infrastructure for sport and recreation. There is \$20 million available in the February Small Grant round for projects between \$7,500 and \$500,000, with grants capped at 50% of project cost to a maximum of \$200,000. There is no obligation on LGAs to contribute. There are 2 Small grant rounds advertised annually (February and July). The CSRFF process requires LGAs to endorse, rank and submit applications to DLGSC upon Council approval.

### Perth Cricket Club

2. The turf wickets at Fletcher Park have far exceeded their asset useful end-of-life and require replacement. This was adequately demonstrated by the Perth Cricket Club (PCC) in their successful 2021 CSRFF application for \$38,437 from CSRFF to replace the central and one turf training wicket. The total cost of that project was \$115,300, with \$46,800 from the Club and \$30,000 from the Australian Cricket Infrastructure Fund.
3. This 2024 application states the total project cost is \$65,000 and seeks 50% funding of \$32,500 from CSRFF, with \$32,500 funding from the Club (noting they intend to make an application to the Australian Cricket Infrastructure Fund for part-funding of their contribution). The Town is not contributing funds and will not make up any funding shortfall should that arise.

### Victoria Park Carlisle Bowling Club

4. In February 2023, the Mayor submitted a Notice of Motion requesting a report on the feasibility of funding a synthetic playing green at the Victoria Park Carlisle Bowling Club (VPCBC). In May 2023, the Council resolved (103/2023) to receive the Feasibility Report and requested the CEO report no later than September 2023 regarding an update on funding a synthetic green following adoption of the new Long Term Financial Plan (LTFP). The Feasibility Report supported construction of a synthetic bowling green subject to funding, due to the benefits of the infrastructure to the Club, including:
  - a. increased playing window into winter months and potentially all year round.
  - b. ability to increase membership – estimated in May 2023 at an additional 10 pennant members (from 90 to 100 pennant members) and an additional 50 social bowlers (from 150 to 200 social bowlers).
  - c. ability to increase club revenues through increased membership and bowling activity, in particular corporate and barefoot bowling, pennant competitions, carnivals.
5. In July 2023, the VPCBC requested the Town apply for Community Sport and Recreation Facilities Fund (CSRFF) grant for part funding the synthetic green. In August 2023, the Council resolved (179/2023):
  1. *That Council do not support an application for a Small Grant of \$136,500 from the Community Sporting and Recreational Facilities Fund (CSRFF) for a synthetic bowling green at the Victoria Park Carlisle Bowling Club at this point in time for the following reasons:*
    - a. *The project is not identified as a priority in the Town's Corporate Business Plan, Social Infrastructure Strategy or Asset Management Plan.*
    - b. *The financial feasibility of the project has not been tested through the Town's Long-Term Financial Plan or a budget review process as preferred by Council Policy 222 Asset Management.*

*c. It would be more appropriate to consider funding this project through the review of the Town's Long Term Financial Plan and Mid Year Budget Review leaving sufficient time to lodge a CSRFF application for the February 2024 grant round if required.*

*2. That council requests the CEO to list the synthetic bowling green project for consideration in the review of the LTFP when next presented to Council and if supported and prioritised, allocating funds in the mid-year budget review in February 2024.*

6. In December 2023, the Council resolved (263/2023) to receive the Long-Term Financial Plan 2023/24 to 2032/33. The LTFP does not list specific projects for specific financial years, rather it relies on annual budgeting processes to allocate funds. As such, a request for budget has been made during the 2023-2024 Mid-Year Budget Review which is being presented to the March 2024 Ordinary Council meeting.
7. The cost of the Club's preferred surface was originally quoted in May 2023 at \$210,000 (excluding GST, and subject to fuel levies and changes in material costs) and a 30% contingency was added to estimate the total project at \$273,000 (ie. 50% funded through \$136,500 from Council and 50% / \$136,500 from CSRFF). However, since May 2023, the Club's preferred supplier has provided an updated quote (dated February 2024) of \$227,000 (excluding GST) which is an 8% increase (an additional \$17,000) from May 2023. As such, the updated estimated project cost is \$295,000 (ie. seeking 50% funding of \$147,500 through CSRFF, and up to 50% funding by Council of \$147,500).
8. The Club advises they are not able to make a financial contribution to the project but are seeking other grants or contributions, although no funds have been secured to-date. The Club has approached the Town for a loan, however loans to Clubs are not supported by the Administration.
9. In 2023 the Club advised they could make a one-third cost contribution to replacement of the synthetic green at the end of the asset life (ie. contribution to sinking fund), however the Club has revised their position stating they will start a sinking funds, but have not provided a minimum contribution.

## **Discussion**

### **Perth Cricket Club**

10. The replacement of the turf wicket blocks will increase the quality and attractiveness of playing and training, enabling the Club to remain competitive, attract and retain players, and reduce injuries from defective end-of-life turfs. The project is the final stage in turf wicket replacement at Fletcher Park. As such, it is recommended the Council approve the submission of a CSRFF grant application for \$32,500 on behalf of the Club.

### **Victoria Park Carlisle Bowling Club**

11. The draft 2023-2024 Mid-Year Budget Review being presented to the March 2024 Council meeting, includes an allocation of \$147,500 to fund up to 50% of a synthetic bowling green.
12. While the Club is in the Macmillan Precinct Master Plan area, the precinct is not expected to be redeveloped for 10-15 years, although this could be revised when the Funding and Staging Options report for the Macmillan Precinct is put to Council in May 2024. Therefore, it is unlikely that redevelopment as a result of Macmillan Precinct Masterplan will impact on the anticipated 10-year life of the synthetic green.
13. As per the requirements of CSRFF, the resolution ranks the applications. The turf wicket block application is ranked number one as this will complete the replacement of all turf wickets at Fletcher Park and the Perth Cricket Club is making a financial contribution to the project. The CSRFF do not provide any information on how the ranking influences the success of application.

## Relevant documents

[Social Infrastructure Strategy \(2022\)](#).

[Ordinary Council Meeting May 2023](#) Item 12.2 Potential Upgrades to Sporting Facilities for 2023-2024 and Feasibility of Funding Synthetic Bowling Green.

[Ordinary Council Meeting August 2023](#) Item 12.1 Community Sport and Recreation Facilities Fund (CSRFF) - Small Grants Application - Victoria Park Carlisle Bowling Club Synthetic Green.

## Legal and policy compliance

[Council Policy 222 Asset Management](#), Clause 6 Capital Works Planning states – *To ensure informed decisions are made in relation to any major renewal, acquisition and/or upgrade to an asset, all capital projects are reviewed and prioritised with cross-functional oversight from SAAG and guided by the following key principles:*

- a. *To ensure informed decisions are made in relation to any major renewal, acquisition and/or upgrade to an asset, all capital projects are reviewed and prioritised with cross-functional oversight from SAAG, and guided by the following key principles:*
- b. *Renew assets before acquiring new assets where possible, if considered more cost effective over the life of the asset;*
- c. *Rationalising assets that are no longer used or do not provide the necessary level of service required to sustainably deliver the intended service for which the asset was originally acquired;*
- d. *All future works are aligned to the objectives of Strategic Community Plan, considered in the Long-Term Financial Plan and are delivering on the priorities within the Corporate Business Plan, Place Plans and Asset Management Plans;*
- e. *All capital projects will be evaluated in accordance with a “whole of life” cost assessment and take into account capital cost, ongoing cost of operating and maintenance, replacement/refurbishment costs and/or disposal costs. These costs shall be projected in the Long-Term Financial Plan to determine any potential financial restraints now and in the future.*

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

[Policy 310 - Leasing](#)

## Financial implications

<b>Current budget impact</b>	<b>Perth Cricket Club</b> There are no current budget impacts.  <b>Victoria Park Carlisle Bowling Club</b> The 2023-2024 Mid-Year Budget Review allocates funds to cover up to 50% of the synthetic bowling green cost.
<b>Future budget impact</b>	<b>Perth Cricket Club</b> There are no future budget impacts.

### Victoria Park Carlisle Bowling Club

There are no intended future budget impacts. Note that CSRFF have advised a successful CSRFF grant would come with a condition for the Town to set up a sinking fund for synthetic green renewal to cover a scenario where the surface failed after say 6-7 years and needed to be replaced, or if Council resolved not to relocate the club from the Macmillan Precinct.

## Risk management consideration

### Victoria Park Carlisle Bowling Club

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	<p>Funding this project from the Mid Year Budget Review would result in reallocation of funds from other projects.</p> <p>The Club may not be able to contribute to sinking fund for asset replacement, putting 100% of burden onto Town.</p>	High	Low	<p>TREAT by considering the funding request in the Mid Year Budget Review to enable impact to be considered.</p> <p>Add commitment to contribute to a sinking fund to an amended lease. Provide Club with advice on promoting membership and functions to raise additional revenue.</p>
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Infrastructure/ ICT systems/ utilities	Not applicable.		Medium	
Legislative compliance	Not applicable.		Low	
Reputation	Requesting funds from CSRFF for a project that has marginal impact on increasing club membership (CSRFF core criteria), may impact the Town's reputation with CSRFF and reflect poorly on future applications.	Medium	Low	TREAT by ensuring an application highlights multiple benefits beyond simply membership numbers eg. social, health, reputation, financial income.
Service delivery	Not applicable.		Medium	

## Engagement

Internal and external engagement	
Strategic Assets Advisory Group (SAAG)	The Town's internal capital planning and funding advisory group (SAAG) considered the previous feasibility report on a synthetic bowling green in April 2023. The Group advised the project constitutes a major upgrade project and should be tested through the Town's Long-Term Financial Plan review.
Finance	Finance do not support no or low interest loans to community groups. Instead, community groups should be able to support any financial contribution to a project through existing savings via Club revenue and/or fund raising.
Project Management Office (PMO)	Further investment in the Bowling Club facilities should ideally be linked to the upcoming Staging and Funding Strategy for the Macmillan Precinct due for presentation to Council in May 2024. Expenditure on an asset, has a low to medium risk of becoming "regret spend" if the initial stages of bowls redevelopment in the Macmillan Precinct occur before the end of the expected life of the turf.
Property and Leasing	<p>Should the Council decide to part fund a new synthetic green, the current Lease could be amended to include a condition for the Club to (1) establish a sinking fund reserve exclusively to fund the cost of replacing the synthetic green within a 10 year period or other agreed period; (2) pay monies into this sinking fund on an agreed regular basis and account to the Town on a regular basis as to monies held; (3) Club to renew the synthetic green at an agreed point in time to a certain standard and with details of the product/works to be approved by the Town.</p> <p>Linked to this would be incidental amendments such as (a) the Club's lease expires in 2025, and so could be extended (perhaps on a 5+5 year basis) to correspond appropriately with the synthetic green renewal obligations; (b) retain existing Town lease break rights for redevelopment as per Policy 310 – Leasing; (c) amend existing lease insurance/repair of damage/maintenance to ensure that the Club has responsibility for these in relation to the synthetic green; (d) The Club manage maintenance of the synthetic green.</p>
Victoria Park Carlisle Bowling Club	The Club was engaged during preparation of the May 2023 Feasibility Report and will be included in updates to the Feasibility Report if it accompanies a CSRFF application. The original request for a CSRFF came from a meeting between the Club, the Mayor and the Chief Executive Officer around June 2023. The Club and Town have been in contact regarding this application and if the Town would support a loan or not.

## Strategic alignment

Environment	
Community Priority	Intended public value outcome or impact
EN5 - Providing facilities that are well-built and well-maintained.	Expenditure is based on consideration of – demonstrated need, extent of community benefit, value for money, funding priorities.

### Further Consideration

At the Agenda Briefing Forum held on 5 March 2024 the following information was requested.

#### 1. Provide information on the lifespan of regular turf compared to artificial turf.

As the Bowling Club is responsible for all greens maintenance and costs (unlike other sporting reserves in the Town), they are the subject matter experts and have provided the following answer:

*The lifespan of a regular grass bowling green is almost an impossible question to answer as it is dependent on how well it is maintained and what pops up eg diseases etc. Generally speaking, a grass green costs approximately \$25,000 per year to maintain and should undergo full renovation every 6-7 years at a cost of \$30,000-\$40,000 on top of the yearly maintenance costs.*

The Club has advised that grass green A is due for renovation in August 2024 and grass green B in April 2025 should green B not be converted from grass to synthetic.

Bowls Australia's [Bowling Green Construction Guidelines](#) (2011) advise "it is difficult to predict the life span of a carpet/mat, but assuming it is well maintained it should last for at least 10 years."

#### 2. Provide the cost of replacing a regular turf green?

Refer to response to Q1 above.

#### 3. Provide information on the expected increase in the club's revenue from installing artificial turf.

The Club has not provided any financial modelling of expected revenue increases resulting from a synthetic turf. The Feasibility Report (May 2023) quotes the Club's position that "conversion of one green to synthetic turf would help future proof the Club's financial viability" (p3). The report goes onto summarize a total of 6 benefits (p3-4), where 5 of those benefits relate to an increase in bowling activity, and therefore, direct income from bowling (memberships, game fees, hosting competitions and carnivals) and indirect income through kitchen/ bar takings.

The Bowling Club has provided the following information regarding an attempt to get data on revenues from other Clubs who have installed synthetic greens:

*We have reached out to other clubs and are awaiting a reply with specific numbers. One example would be the Forrestfield Bowling club who run a monthly carnival over winter. As a club they have just erected a new outdoor area with the majority funded by the club itself as a result of the carnivals. They would not have been in a position to do this without the ability to host these carnivals or didn't have a synthetic green.*

*There is no data at present from other clubs with synthetic turf around the numbers of social bowlers/income generated from social bowls players from games happening out of season. Membership can be anything from 70 to 1,000. We have not made calculations on the increase as this will be next year's committee to decide on the number of events.*

Bowls WA (peak association) was also asked to provide any information but have not responded.

The synthetic green would generally provide a more attractive and modern playing surface attracting more pennant competition, more social bowling activity and more carnival competitions. The ability to raise funds from kitchen / bar and functions / hall hire is a key financial foundation of bowling clubs across WA.

**4. Outline how confident the Town is that the club can meet its commitment to cover one third of the renewal cost and what will happen if the club is not able to contribute as expected.**

The Town is not confident the Club could contribute one-third of the renewal cost given the marginal nature of the Club's finance, albeit the finances have improved over the last year and are expected to continue improving with the addition of the synthetic green. Please note since the Feasibility Study was prepared in early 2023, the Club has provided updated information on the issue of a sinking fund, and no longer commits to a one-third cost contribution. The Club advises "*after consultation with our members, we are starting a sinking fund and will allocate specific fundraising efforts and donations to a sinking fund.*"

If the Club is not able to contribute as expected, then either:

1. The Town will pay the full cost of renewal. Noting that a successful CSRFF grant will come with a condition that the Town set up a sinking fund to cover the cost of the synthetic green renewal, so in theory, the Town would have funds available for a renewal if the Town / Council chose to renew the synthetic green. Noting that renewal of synthetic greens is a lower priority for CSRFF grants and given the competitiveness of the grant program, there is a risk it might not receive funding. Also noting that the two Macmillan precinct master plan options endorsed by Council in 2023 (Council resolution 86/2023), do not include the Club remaining in this location, so if the club were to relocate then renewal of the synthetic green in the current location would no longer be needed.
2. The Town would make a decision to not fund any of the renewal from the sinking fund. If this was the decision and the Club remained in the Macmillan precinct, then this would likely represent a major breach of the CSRFF grant conditions that would damage the Town's reputation and potential for success in future CSRFF applications.
3. The Town or Club could apply for non-CSRFF grant programs if these were available at the time, but it is difficult to predict if any would be available in 10+ years time.
4. The Club could seek sponsorship or election commitment funds.

**5. Provide information on whether any shortfall in funds could be sourced through sponsorships or reserves.**

Any shortfall in funds sourced through sponsorships would need to be raised by the Club. The Town does not currently have any reserves that could be accessed for this project.

**6. Provide information on whether any other infrastructure needs renewal over time.**

Conversion of a grass green to a synthetic green involves digging out of grass, new sub-surface base, sub-surface drainage, side gutters and carpet. Renewal of a synthetic green at the end of life usually requires only a new carpet.

The Bowling Club buildings and shade structures require renewal per the asset renewal program. The Club advises that the poor condition of the clubhouse function area detracts people from hiring the space and their ability to raise income. The Club advise the outside toilet requires conversion to unisex (currently male only). The Town is considering these needs as part of the proposed strategic clubroom upgrades works program that will be raised for Council's consideration in the 2024-2025 capital works budget. The Town will also investigate if any external grants are available to fund works.

## **7. Explain why it is recommended that a new lease be created instead of varying the existing lease.**

A new lease was recommended given likely alignment of timing of existing lease expiry (Oct 2025) and installation of the synthetic green (winter break 2025). The condition for a sinking fund can be addressed through either a new lease or an amendment and extension to the existing lease. As such, the recommendation has been updated to reflect an amendment and extension to the existing lease.

## **8. Provide information on whether the club has provided updated information on memberships and the expected benefits of synthetic turf since the May 2023 feasibility study.**

The Bowling Club has provided the following information:

*In late 2022 the club invested in a new Point of sale system / membership database. These figures were calculated using the new system. The strategic plan to be an inclusive place for all members of the Victoria Park community to enjoy has seen a large increase in social membership numbers, and the majority of new bowling members have been derived from social membership. We expect our membership numbers to keep climbing as we work to improve our facilities.*

*We expect to be able to recruit new bowlers from other clubs and the community as a result of having a synthetic playing green. The winter months would be expected to thrive as with grass, you can also miss out on playing if there has been heavy rain the day before or overnight – this is not an issue with a synthetic green. We also run a program with the Cannington Community College special needs students which is run over the winter school terms. Unfortunately, last year they missed 3 sessions as a result of rain the days prior.*

*Estimate of Current Members:*

- *Active Pennant Bowlers: 94*
- *Social Bowlers: 1500-2000 per year (functions, walk ins etc.)*
- *Corporate Bowlers: 90*
- *Social Club Members: 404*

Note that "Social Club Members" includes players from Area 5 soccer (2 pitches), roller hockey (1 pitch), Collier Park Golf Club, Army Gold Club, Darts and Friday night craft group.

## **9. Provide details on why a 30% contingency has been added to the cost of the new turf.**

The 30% contingency was based on:

- Receipt of a desktop quote based on square metre area only without a site visit, technical investigations or fully resolved design documentation.
- Potential presence of unknown or unforeseen site constraints or issues that are not included in the desk-top quote or that may arise during construction eg. watering system, site access and reinstatement of grounds etc.
- Increases in price between the quote date (Feb 2024) and acceptance of a final tender price which could be 12 months or more, and considering the quote includes a condition "*price is subject to fuel levies and raw material costs*", and noting the quote price has already increased by 8% (\$17,000) between May 2023 and February 2024 (8 months).

A choice of contingency depends on the best assessment of the various sources of uncertainty in the project. When the activity is a repetitive activity, there is a better understanding of risks and a lower level of uncertainty; therefore a lower percentage contingency can be considered as suitable. With the nature of the synthetic bowling green project, the project is in the early stages, there are several sources of uncertainty, and a larger contingency is appropriate.



## 10. Provide information on the water requirements of synthetic turf?

The Bowling Club has provided the following information:

*The bowls synthetic turf does require some water use but only on bowls days. The Club has a water licence and our own water tank, which would cover any costs.*

Bowls Australia [Bowling Green Construction Guidelines](#) (2011) (p8) states synthetic greens have lower watering requirements.

Bowls Victoria [Greens Committee FAQ](#) (2018) (p10) states - *There are no specific figures available, and it is difficult to assess due to many & varied factors, but it is generally accepted that a grass bowling green requires somewhere between 15K - 30K litres of water per week but this figure would be significantly less when a synthetic is installed.*

### Other Information

The resolution has been amended to:

- Fix an error in the CSRFF funding amount requested by the Perth Cricket Club which is now \$32,500 (50% of total project cost of \$65,000).
- Reflect updated advice from Finance who are not supportive of the project being listed for consideration in multiple budget processes. As such, the resolution now only refers to funding being considered in the 2023-2024 Mid-Year Budget Review.
- Clarify that the Town would seek to amend and extend the existing lease and not create a new lease.

Parts of the body of the report have been amended to:

- Fix an error in the CSRFF funding amount requested by the Perth Cricket Club which is now \$32,500 (50% of total project cost of \$65,000).
- Provide an explanation and justification for the 30% contingency embedded in the project cost estimate.
- Provide an updated explanation of the Clubs position regarding a sinking fund.
- Clarify foreshadowed amendments to the Bowling Club lease should the project go ahead.

## Recommendation

That Council:

3. Approves the submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town on behalf of the Perth Cricket Club for \$32,500 to replace the remaining turf training wicket blocks at Fletcher Park and ranks the application as priority one of a total of two applications, noting that the Town will not make up any cost shortfall should grant funds yield less than 50% of costs.
4. Approves submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town for \$147,500 to part-fund a synthetic bowling green at the Victoria Park Carlisle Bowling Club and ranks the application as priority two of a total of two applications, subject to:
  - (c) The Town considers allocating up to a maximum of \$147,500 (50% of estimated cost) through the 2023-2024 Mid-Year Budget Review and noting that the Town will not fund any cost shortfall should grant funds yield less than 50% of costs, and
  - (d) Should the CSRFF grant be successful, Council authorises the Chief Executive Officer to negotiate and execute as a deed all necessary documents to amend and extend the lease to Victoria Park Carlisle Bowling Club in accordance with the comments included in the body of the report.

## AMENDED RECOMMENDATION

**Moved:** Mayor Karen Vernon

**Seconded:** Cr Jesse Hamer

That Council:

1. Approves the submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town on behalf of the Perth Cricket Club for \$61,050 to replace the remaining turf training wicket blocks at Fletcher Park and ranks the application as priority one of a total of two applications, noting that the Town will not make up any cost shortfall should grant funds yield less than 50% of costs.
2. Approves submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town for \$147,500 to part-fund a synthetic bowling green at the Victoria Park Carlisle Bowling Club and ranks the application as priority two of a total of two applications, subject to:
  - (a) The Town considers allocating up to a maximum of \$147,500 (50% of estimated cost) through the 2023-2024 Mid-Year Budget Review and noting that the Town will not fund any cost shortfall should grant funds yield less than 50% of costs, and
  - (b) Should the CSRFF grant be successful, Council authorises the Chief Executive Officer to negotiate and execute as a deed all necessary documents to amend and extend the lease to Victoria Park Carlisle Bowling Club in accordance with the comments included in the body of the report.

### Reason:

The Perth Cricket Club have reviewed their CSRFF application and advised the Town that the amount they are seeking to be granted has increased. The club are now requesting \$61,050 rather than \$32,500.

## AMENDMENT:

**Moved:** Cr Lindsay Miles

**Seconded:** Cr Peter Devereux

That item 2 be amended to read:

Delays consideration of submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town for \$147,500 to part-fund a synthetic bowling green at the Victoria Park Carlisle Bowling Club until the March 2025 OCM.

**Lost (2 - 7)**

**For:** Cr Peter Devereux and Cr Lindsay Miles

**Against:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa and Cr Daniel Minson

### Reason:

1. In the Officer's report (Discussion, point 10) it is noted that "A bid for funds in 2025-2026 would provide the Club more time to commence fund-raising or seek other grant commitments. Because the CSRFF is highly competitive and always oversubscribed, it is possible it will be a lower priority if there is no funding contribution from the Club."
2. Delaying consideration will give the Bowling club a chance to demonstrate that they are able to financially contribute to their portion of the costs and establish a sinking fund.
3. The grass green at site B is currently still considered fit for purpose until at least April 2025.

## COUNCIL RESOLUTION (39/2024):

**Moved:** Mayor Karen Vernon

**Seconded:** Cr Jesse Hamer

That Council:

3. Approves the submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town on behalf of the Perth Cricket Club for \$61,050 to replace the remaining turf training wicket blocks at Fletcher Park and ranks the application as priority one of a total of two applications, noting that the Town will not make up any cost shortfall should grant funds yield less than 50% of costs.
4. Approves submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application by the Town for \$147,500 to part-fund a synthetic bowling green at the Victoria Park Carlisle Bowling Club and ranks the application as priority two of a total of two applications, subject to:
  - (a) The Town considers allocating up to a maximum of \$147,500 (50% of estimated cost) through the 2023-2024 Mid-Year Budget Review and noting that the Town will not fund any cost shortfall should grant funds yield less than 50% of costs, and
  - (b) Should the CSRFF grant be successful, Council authorises the Chief Executive Officer to negotiate and execute as a deed all necessary documents to amend and extend the lease to Victoria Park Carlisle Bowling Club in accordance with the comments included in the body of the report.

**Carried (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 13 Chief Operations Officer reports

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

<b>Location</b>	Burswood
<b>Reporting officer</b>	{author-name}
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Road Closure Documents [13.1.1 - 6 pages]

#### Summary

For Council to consider a proposal presented by Devon Cove Pty Ltd (Metrowest) to initiate the closure of a 814sqm portion of Claude Street located between two lots owned by Metrowest (Lot 801 (17 Claude Street) and Lot 501 (22 – 26 Claude Street), to facilitate the amalgamation of the 814sqm of resultant land with Lots 801 and 501 to form a single development site.

#### Recommendation

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.

## Background

1. Metrowest wrote to the Town in September 2021 seeking support for the proposed lot amalgamation and public advertising of the partial closure of a 954sqm section of Claude Street located between Lots 801 and 501 plus the closure of a further 24sqm of right of way 38 located to the north west of Lot 801, to facilitate the amalgamation of the 954sqm and 3,332sqm of resultant land with Lots 801 and 501 to form a single development site.
2. Claude Street is a designated local access road that links to Lane 94 via a loop road to the rear of Lot 501. The Proposal envisages that lot 89 (20 Claude Street), owned by Devon Cove Pty Ltd, will be dedicated as crown road reserve, to retain a link from Claude Street to Lane 94 upon the proposed closure of Claude Street.
3. The proponent has also requested that the 0.5m widening portion equating to 24sqm, adjacent to Lane 38 and associated with Lot 801 (17 Claude Street), also be included within their lot amalgamation submission.
4. The Administration does not support this request, given the land holding known as Lot 802 is owned by the State of Western Australia and has been allocated for future ROW widening and, therefore, should be excluded.
5. Officers have been liaising with Metrowest to refine the proposal to address a variety of considerations, including alignment with matters such as the Towns current and future goals for the area, public benefit, traffic, access and stormwater management. This has included the aim for the road closure, maneuverability and other elements to be futureproofed and aligned to Local Planning Policy No 40 – Burswood Station East, Development Standards and Public Realm Improvement.
6. From an engineering perspective, many issues were highlighted, including servicing considerations and vehicle access.
7. The proponent submitted a traffic impact assessment for Administration's review and feedback.
8. The Towns officers have been working with the proponent to best understand the benefits of proceeding with such a request.
9. Internal progress also was to ensure it aligned to Local Planning Policy No 40 – Burswood Station East, Development Standards and Public Realm Improvement.
10. Following feedback from officers, an amended proposal Attachment 1 has been received from Metrowest. The amended proposal includes:
  - a. a reduction of the extent of the proposed closure of Claude Street from 954sqm to 814sqm
  - b. no longer seeks the closure of the further 24sqm of right of way 38 located to the north west of Lot 801

11. DPLH have been approached and asked if they would forgo the income generated from the sale of the land and redirect the funds to the Town instead, but they advised it would not be possible.

## Discussion

12. At this stage, it is important to engage with the relevant stakeholders and community to understand the potential impacts of a partial road closure.
13. The 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). These are separate processes that will require Town of Victoria Park assessment and determination, or input. Future development outcomes (albeit relevant) are not being assessed as part of this submission.
14. The request received by the Town has been through many discussions with various departments to try and establish the end goal and get a better understanding of project and understanding of the benefits to the local community if the Town were to support the road closure and applicant's plan/proposal does come to fruition.
15. Progression of road closure would be conditional on Deed of indemnity and security being in place, prior to Town initiating advertising of road closure.
16. The deed of indemnity is required: -
- a. To be drafted by Towns lawyers at the cost of the proponent.
  - b. All costs and expenses of the road closure to be for proponent's account and payable in advance;
  - c. Indemnity from proponent to the Town against any claims resulting from the road closure and any other actions sought by the proponent for the Town to take;
  - d. Security for the above (e.g. bank guarantee or cash deposit with scope for top up);
  - e. No covenants given by the Town that the Town will progress (or not progress) road closure in its sole discretion;
17. The proponent and their consultants are aware that support to go out to advertising should not be construed as the Council's support of the site with any development. This will be the subject of a separate development application process.
18. An opinion on whether the Town supports the road closure will not be formalised until such time as stakeholder feedback is received.

## Relevant documents

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

## Legal compliance

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

## Financial implications

<b>Current budget impact</b>	Initial advertising costs are to be reimbursed by the proponent. This will be agreed to in writing before issuing a public notice. Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	Not applicable at this stage.

## 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	Removal of trees along the PSP	High	Medium	Treat risk by adhering to Local Planning Policy No. 39 Tree Planting and Retention or State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (depending on the type of DA application made)
Health and safety	A Cul-de-sac head should ideally be provided at the termination end of Claude Street 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. If Council does not support the closure in the longer term, the applicant may appeal the decision.	Medium	Low	Accept 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 for the Town, the proposal may be deemed viable.	Medium	Low	Treat risk – Ensure the proponent submits a business case and relevant documentation for review and approval.

Service delivery	Internal staff time is required to prepare documentation and reports on behalf of the developer.	Medium	Medium	Accept risk – Administration to be reimbursed for tasks such as advertising.
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## Engagement

Internal engagement	
Manager Development Services	The Urban Planning team has no objection to the road closure request. Any design would be subject to the Towns usually development approval process.
Manager Governance	Clarification sought regarding approval to advertise via section 58 of the Land Administration Act 1997 and whether staff had delegation to seek public comment on a formal road closure request. The council would need to decide on this due to clause 3 under the Act.
Manager Place Planning	The proposed change to the street and laneway network is supported by Place Planning although the future building and landscaping detail demonstrating how this future laneway will be fronted will need to be addressed in the DA stage.
Manager Technical Services	Technical staff support proceeding to advertise the partial road closure for the minimum thirty-five days advertising period in accordance with section 58(3) of the Land Administration Act 1997.
Manager Environmental and Asset Management	Environmental and Asset Management has no objection to advertising the road closure request for public comment, recognising that wider considerations in TVP have identified net benefits. The recommendation/requests are however that DA applications pay special attention to the adjacent stormwater disposal pit, the preference to avoid removal of street trees where possible, and to any possible introduction of overland stormwater flow which could impact on any removal of a section of the currently interconnecting flow path between the kerbs (which caters for high intensity rainfall events). There is also a need to consider any possible conditions / easements on the property should DA conditions require any measures to support TVP infrastructure.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	The 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, members of the public can be confident that due process is being followed in relation to potential road closures.
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## Further consideration

An amended recommendation is provided to address statutory references and other detail points for the proposed road closure and deed of indemnity.

### COUNCIL RESOLUTION (40/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

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.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 13.2 4 Temple Street - Proposed lease term for EOI and Grant of Lease Extension to the North Metropolitan Health Service

<b>Location</b>	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. Proposed Key Terms Rear dwelling 4 Temple Street [13.2.1 - 4 pages]

### Summary

To request Council authority to remove the redevelopment clause requirement under Policy 310 – Leasing, for the first five years of a proposed lease of the upcoming vacancy at 4 Temple Street, Victoria Park, and to authorise the Chief Executive Officer to negotiate and finalise a new lease for the rear dwelling to North Metropolitan Health Services, changing this lease from peppercorn rent to one that generates market rent for the Town.

### Recommendation

That Council:

1. Notes that expressions of interest for the front dwelling of 4 Temple Street are to be advertised by the Chief Executive Officer in order to progress a lease for community purposes under Policy 310 – Leasing.
2. Approves the Chief Executive Officer to, further to 1 above, invite the expressions of interest and enter into a lease with a suitable tenant under Policy 310 Leasing, without a redevelopment clause applying to the initial five year lease term.
3. Authorises the Chief Executive Officer to negotiate and finalise a new lease for the rear dwelling of 4 Temple Street, Victoria Park to the North Metropolitan Health Service at a rent of \$12,207.10 per annum excluding GST and based on the terms in *Attachment 1*, together with any reasonable and necessary amendments.
4. Authorises the Chief Executive Officer to execute as a deed the lease referred to in 3 above.

### Background

1. On 28 May 1958, the City of Perth entered into a 50-year peppercorn lease agreement with Perth Dental Hospital Board for Lot 5 and 6 on Diagram 7868, 4 & 6 Temple Street, Victoria Park (The Lease).
2. In April 1995, the Town took transfer from the City of Perth of ownership of 4 & 6 Temple Street and with this, the landlord's interest in the Lease.
3. The Lease covered both properties and has been holding over since 27 May 2008.
4. 4 Temple Street consists of one (1) building with two (2) separate dwellings.
5. The front dwelling consists of an enclosed courtyard, a hallway, two (2) office spaces, a small kitchen, and a bathroom which has been used by the Department of Health's Child and Adolescent Health Services (CAHS).

6. The rear dwelling consists of two tea/dining areas, a kitchen, a laundry, and a bathroom which is occupied by North Metropolitan Health Service (NMHS), who lease the adjoining dental practice at 6 Temple Street.
7. In December 2023, Council Resolution 261/2023 authorised the Chief Executive Officer to negotiate and finalise a new lease for NMHS, who utilise 6 Temple Street, at the rent of \$75,000 plus GST per annum, which is in the process of being finalised.
8. NMHS have offered to pay market rent to continue to occupy the rear dwelling at 4 Temple Street, and to align the terms of the lease agreement with the terms of Council Resolution 261/2023.
9. With regard to the historical agreement, The Lease clause 11 provides that the council shall bear the whole cost of keeping the infant health clinic in good order and condition.
10. The Lease clause 12 provides that the costs of maintaining the building in good order and condition, including all sewers, water mains, gas, and electrical should be borne in equal shares by both parties.
11. Following the introduction of the requirement in Policy 310 Leasing for tenants to pay outgoings, a review was undertaken of holding over leases. Council Resolution 235/2022 dated 15 November 2022 resolved to grant new leases of 4 Temple Street and 6 Lathlain Place of up to 5 years to CAHS, with the tenant responsible to pay outgoings, repair and maintenance and a market rent.
12. CAHS advised on 2 January 2024 that they will be closing the facility at 4 Temple Street as of 26 February 2024 and vacating this premises on 31 March 2024. The reasons provided include factors such as the age, condition and suitability of the premises.
13. CAHS confirmed they will continue to operate at 6 Lathlain Place, which is a modern facility constructed in recent years by the Town and the lease is at advanced stages of being finalised, which includes lease terms for a new five year lease of 6 Lathlain Place at market rent plus outgoings.
14. The recommendation for 4 Temple Street in the Land Asset Optimisation Strategy 2022 (LAOS 2022) adopted by Council Resolution (274/2022) dated 13 December 2022 Council is as follows:

*Having regard to the complexities affecting the site at this time as well as the potential outcome of planning processes, it is recommended that the site is retained for its existing uses at this time. A review of this property should be undertaken in 5 years with a view to reconsider any opportunities.*
15. 4 Temple Street is currently zoned 'Public Purpose – Civic Use' under the Town's Town Planning Scheme No. 1 (TPS 1) which restricts the use of the land for civic purposes. The Council at its meeting in February 2021 resolved to support Amendment 86 to TPS 1 to rezone 4 and 6 Temple Street to 'Residential R60'. Amendment 86 has been placed on hold by the Department of Planning, Lands and Heritage pending the Town's progression of the draft LPS2 and the draft Albany Highway Precinct Structure Plan.

## Discussion

16. The 4 Temple Street property is affected by an encroachment of the building from the Town's adjacent 6 Temple Street property as shown on the extract of the aerial photo.



17. The adjacent property at 6 Temple Street, is at advanced stages of finalising lease terms to extend the current occupancy of the Dental Health Service. The new agreement incorporates the terms within Council Resolution 261/2023 and provides a new five-year lease at market rent plus outgoings.
18. The rear dwelling at 4 Temple Street has been utilised as a staff room for the workers of 6 Temple Street. This has proven to be a historical agreement between CAHS and NMHS since the Town inherited the building from the City of Perth.
19. Through providing a lease for the rear dwelling at 4 Temple Street, it will continue to facilitate the workers of 6 Temple Street and provide market rent for the Town, as well as the tenant having the responsibility of paying outgoings and maintenance.
20. As noted above, 4 Temple Street is zoned under TPS1 for 'Public Purpose' and is currently only suitable for civic uses. 4 Temple Street is proposed to be recoded as 'Residential R60' in the draft LPS2, which was endorsed by Council at the 20 February 2024 OCM and is now pending WAPC approval. 4 Temple Street is also within the Albany Highway Precinct Structure Planning project area which will further review the LPS2 zoning, density coding and development controls applying to the land.
21. Detailed feedback from CAHS as to the suitability of 4 Temple Street for current CAHS services includes:-
  - a. The building is an aged facility that would not meet today's building compliance standards in relation to accessibility;
  - b. The building requires extensive works to bring the CHC up to a contemporary and fully functional safe standard';
  - c. The building is a standalone building requiring staff to follow working alone procedures to ensure safety when only one staff member is on site;
  - d. Parenting groups cannot be facilitated from this site due to room size limitations.
  - e. The only parking available to clients is paid street parking and staff are required to park on the grassed verge.
22. Whilst the Landgate Title of the land is unencumbered, it is within the boundary of the Albany Highway Precinct Structure Plan and the land is impacted by a Water Corporation critical pipeline asset.
23. Having regard to the above constraints (some of which have third party dependency), the Town will be advertising the front dwelling at 4 Temple Street, to seek expressions of interest for the area to be leased for community purposes on an 'as is' condition basis for an initial five year lease term, with an additional five year option.

24. Policy 310 Leasing requires that a redevelopment clause be included in such a lease. A redevelopment clause would allow the Town to terminate the lease at any time on six months' notice, if at any time the Town elected to redevelop the property.
25. Due to the age and condition of the 1950s building, it will likely require expenditure for it to be suitable for an incoming user. The Town has \$500 available in the current maintenance budget for this year for the property, which is unlikely to be sufficient.
26. If the proposed new lease is not subject to a redevelopment clause, this will improve the prospects of the Town attracting a tenant that is able to invest in establishing community use of the property.
27. Authority is sought for the expressions of interest and proposed lease to exclude a redevelopment clause for the initial five year term. This would be consistent with the LAOS (2022) and will also encourage and facilitate investment in the property by an incoming community tenant.
28. It is recommended that the Council approves the lease on the proposed terms in *Attachment 1* for NMHS to occupy the rear dwelling, which will renew the lease and allow the Town to start collecting rental income (and future annual escalation).

## Relevant documents

Land Asset Optimisation Strategy (LAOS 2022)

## Legal and policy compliance

Section 3.58 of the Local Government Act 1995

Policy 310 - Leasing

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the annual budget to address this recommendation.
<b>Future budget impact</b>	Income generation may be possible which would assist the Town with the Asset Management of the building or future development of the lot

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	If the premises were to become vacant, this would make the Town responsible for upkeep of the premises at the Town's cost.	High	Low	Treat the risk by making the EOI lease offering attractive to prospective tenants, including removal of the redevelopment clause from the first five years of the proposed lease term.
Environmental	Not applicable		Medium	
Health and safety	Not applicable		Low	

Infrastructure/CT systems/utilities	Not applicable		Medium	
Legislative compliance	Failure to comply with section 3.58 of the Local Government Act 1995.	Low	Low	Treat risk by effecting leasing disposals in accordance with any applicable requirements of section 3.58 of the Local Government Act 1995.
Reputation	The inclusion of a redevelopment clause in lease agreements introduces uncertainty for tenants. Given the age of the building it may deter potential tenants because it could negatively impact the stability of businesses or organisations operating on the property and erode community confidence in the Town's leasing practices.	Medium	Low	Treat risk by allowing removal of the redevelopment clause from the EOI offering and initial five year lease term.
Service delivery	The inclusion of a redevelopment clause in lease agreements poses a risk of service disruption for lessees from providing community services.	Medium	Medium	Treat risk by allowing removal of the redevelopment clause from the EOI offering and initial five year lease term.

## Engagement

Internal engagement	
Manager Place Planning	No objection
Manager Development Services	No objection. Any potential uses can continue to operate even if the land is rezoned to 'Residential'.
Manager Community	Support the proposal as it will ensure the provision of valuable health services within the Town, and build confidence with the provider for a consistency of tenure and location, which is important for delivery of a community care function.
Manager Assets and Environment	The current maintenance budget is on Workorder 17773.1086.466 for \$2,000 per annum. As of 16 Jan 2024, approximately \$1,500 has been committed or spent, leaving approximately \$500 available this financial year end ending in June 2024. It is likely that the budget next year will be \$2,000, perhaps adjusted proportionally for rates adjustments.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Ensure efficient use of resources by attracting lessees who are committed to the long-term utilisation of the property which can lead to a more stable occupancy
CL2 - Communication and engagement with the community.	Advertising the property for EOI without a redevelopment clause will build trust and confidence within the community by providing assurance that the leased property is not subject to abrupt termination due to redevelopment plans, creating a more stable environment for potential lessees.

## Further consideration

Not applicable.

## COUNCIL RESOLUTION (41/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That Council:

1. Notes that expressions of interest for the front dwelling of 4 Temple Street are to be advertised by the Chief Executive Officer in order to progress a lease for community purposes under Policy 310 – Leasing.
2. Approves the Chief Executive Officer to, further to 1 above, invite the expressions of interest and enter into a lease with a suitable tenant under Policy 310 Leasing, without a redevelopment clause applying to the initial five year lease term.
3. Authorises the Chief Executive Officer to negotiate and finalise a new lease for the rear dwelling of 4 Temple Street, Victoria Park to the North Metropolitan Health Service at a rent of \$12,207.10 per annum excluding GST and based on the terms in *Attachment 1*, together with any reasonable and necessary amendments.
4. Authorises the Chief Executive Officer to execute as a deed the lease referred to in 3 above.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 14 Chief Financial Officer reports

### 14.1 Finance Statement January 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 - January 2024 [ <b>14.1.1</b> - 24 pages]

### Summary

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

#### Recommendation

That Council receives the financial statements for January 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 Statement – 31 January 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 Statement – January 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.

### COUNCIL RESOLUTION (42/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

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

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 14.2 Schedule of Accounts- January 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 - January 2024 [ <b>14.2.1</b> - 8 pages] 2. Credit Card Transactions- January 2024 [ <b>14.2.2</b> - 2 pages]

### Summary

Council is required to confirm payments made from the municipal fund and payments by employees via purchasing cards each month, 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 January 2024.

### Recommendation

That Council:

1. Receives the accounts for January 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 accounts for January 2024, as included in the credit 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(1) of the Local Government (Financial Management) Regulations 1996, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or 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.

- 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		\$3,939,070.77
Payroll		\$1,266,982.58
Bank Fees		\$8,901.26
Corporate MasterCard		\$7,428.91
Total		<b>\$5,222,383.52</b>

## Discussion

- 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

## Further consideration

At the Agenda Briefing Forum meeting held on 5 March 2024 the following information was requested.

1. Provide detail on how many of the software and IT services for January 2024 are annual and how many are monthly or one-off expenditure.

Of the 13 payments, 4 are an annual expenditure, 5 are monthly and the remaining 4 are ad hoc.

2. Provide confirmation on the amount spent by the Town on software and IT for FY 2022/2023 and YTD 2024.

2022	\$1,806,809
2023	\$1,623,664
2024 (YTD)	\$1,356,338

3. Provide a breakdown of costs making up the payment of \$156,344.37 to the WA Electoral Commission.

Returning Officer (fees, training, support, travel & accommodation)	\$30,672.41
Voting Support (election packages, printing)	\$17,797.34
Postage (mailout & reply paid)	\$32,133.99
Processing Centre	\$14,088.95
TEW (temporary election workforce)	\$11,105.68
IT Support (equipment and helpdesk)	\$ 5,790.84
Head office costs	\$ 5,253.86
Apportioned Head Office Wages	\$12,968.29
Apportioned Head Office Staff Overheads	\$12,319.88
GST	\$14,213.12

4. Provide information on the landscaping expenditure for 8 and 22 January and if this is for watering new trees.

Yes, trees are watered up to them being 3 years old. After that watering ceases. There are also some revegetation works watered at a square metre rate.

5. Provide information on what period of service is covered by these landscaping payments.

This is for we 20 Oct 23 to 29 Dec 23. The invoices attached vary between 2 – 6 weeks and dependent on whether including all watering or separating out additional second watering per week

## **COUNCIL RESOLUTION (43/2024):**

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

1. That Council:
1. Receives the accounts for January 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 accounts for January 2024, as included in the credit card transactions attachment, pursuant to Regulation 13A of the Local Government (Financial Management) Regulations 1996.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 14.3 2023/2024 Mid Year Budget Review

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Strategic Accounting
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Mid Year Budget Review - Budget Variations - for the year ending 30 June 2024 [<b>14.3.1</b> - 2 pages]</li><li>2. Mid Year Budget Review - Budget Requests - for the year ending 30 June 2024 [<b>14.3.2</b> - 2 pages]</li><li>3. Statement of Financial Activity by Nature - for the period ended 31 December 2023 [<b>14.3.3</b> - 1 page]</li></ol>

### Summary

To consider the budget review and seek approval from Council to amend the 2023/2024 Annual Budget.

#### Recommendation

That Council:

1. Approves the Budget Variations as contained within Attachment 14.3.1.
2. Approves the Budget Requests as contained within Attachment 14.3.2.
3. Adopts the amendments to the 2023/2024 Annual Budget detailed in Attachment 14.3.3.

### Background

1. Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires that between 1 January and the last day of February in each financial year a local government to carry out a review of its annual budget for that year.
2. The review of an annual budget must be submitted to Council on or before 31 March in that financial year.
3. The budget review assesses the financial performing to date and is used to identify variations from the budget by the year end. It may include new works and/or services not identified in the adopted budget.
4. Variations to the annual budget are addressed in this report, including the funding source identified to accommodate these items.

### Discussion

5. The forecast of the financial year end position was considered with the financial position as of 31 December 2023.
6. The review process has been undertaken were having regards for:
  - a. actual revenues and expenses for the first six months of this financial year together with commitments.



- b. forecast revenue and expense position for the remaining six months of the financial year.
  - c. The less significant (in \$ terms) variances to budget were identified as budget variations.
  - d. the more significant (in \$ terms) variances to budget or new works/services were identified as budget requests.
7. The lists of net effect of the budget variations are presented within Attachment 14.3.1. The total adjustments and change in funding source are summarised in below table.

Table 1 – budget variations - funding source

Items	Amount
<b>Municipal Funding (decrease)</b>	\$1,037,021
<b>Grants &amp; Contributions (decrease)</b>	\$1,615,265
<b>Transfer from Reserve (decrease)</b>	\$434,534
<b>Sales of Assets (increase)</b>	\$8,500
<b>Total Adjustments (decrease)</b>	\$3,078,320

8. There are number of works and/or services require additional and/or new budget, and these are presented within Attachment 14.3.2. The identified municipal fund savings from the budget variations and other funding sources will fund these requests. The total requests and change in funding source are summarised in below table.

Table 2 budget requests - funding source

Items	Amount
<b>Municipal Funding (savings)</b>	\$1,037,021
<b>Grants &amp; Contributions</b>	\$919,977
<b>Transfer from Reserve</b>	\$204,354
<b>Transfer to Reserve</b>	(\$3,821,000)
<b>Sales of Assets*</b>	\$4,002,818
<b>Total Requests</b>	\$2,343,169

9. The amendments to the 2023/2024 Annual Budget reflect both budget variations and budget requests and prepared as Attachment 14.4.3.

## Relevant documents

Not applicable

## Legal and policy compliance

[Regulation 31 of the Local Government \(Financial Management\) Regulations 1996](#)

[Regulation 33A of the Local Government \(Financial Management\) Regulations 1996](#)

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

[Section 6.8 \(1\) of the Local Government Act 1995](#)

## Financial implications

<b>Current budget impact</b>	<p>The budget variations and requests identified for this financial year, including explanation of the variances and requests, is contained within the attachments. All revenue and expense variances have been balanced with a net changes of \$nil.</p> <p>Variations to the Annual Budget, as outlined in the Review, have been made with regard to asset management requirements and principles. The proposed review will form the new budget once adopted.</p>
<b>Future budget impact</b>	Not applicable.

## Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Financial loss that may or may not be managed within the existing budget and may or may not impact a program or service.	Unlikely	Low	TREAT risk by ensuring stringent analysis and reconciliation is conducted to present the balanced budget.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Not applicable.			
Reputation	Not applicable.			
Service delivery	Disruption to a service or major project in progress that may result in delays to delivery.			TREAT risk by ensuring stringent analysis and reconciliation is conducted to present the balanced budget.

## Engagement

Internal engagement	
C-Suits, Service Area Managers, and Service Area Leaders	All C-Suits, Service Area Managers, and Service Area Leaders were consulted and provided the review of 2023/24 annual budget.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Budget review is conducted frequently to ensure the budget is reflective of the community's current needs.
CL3 - Accountability and good governance.	Accurate presentation of the budget is reflective of the community's current needs.

## Further consideration

Not applicable.

## RECOMMENDATION

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That Council:

1. Approves the Budget Variations as contained within Attachment 14.3.1.
2. Approves the Budget Requests as contained within Attachment 14.3.2.
3. Adopts the amendments to the 2023/2024 Annual Budget detailed in Attachment 14.3.3.

## AMENDMENT (44/2024):

**Moved:** Cr Claire Anderson

**Seconded:** Deputy Mayor Bronwyn Ife

That an additional point 4 be included in the recommendation to read:

4. That funds from the "Other Infrastructure Reserve" to the value of \$12,690.70 be allocated to "Purchase and Construction of Infrastructure" to cover the additional cost of constructing the ACROD Bay outside Healthy Strides Foundation on Albany Hwy.

**Carried (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

### Reason:

A fundamental aspect of local government's operations is to offer ACROD parking bays. I'm requesting funds from the mid-year budget review to cover the entire cost of installing an ACROD bay outside the Healthy Strides Foundation on Albany Hwy

## COUNCIL RESOLUTION (45/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That Council:

1. Approves the Budget Variations as contained within Attachment 14.3.1.
2. Approves the Budget Requests as contained within Attachment 14.3.2.
3. Adopts the amendments to the 2023/2024 Annual Budget detailed in Attachment 14.3.3.
4. That funds from the "Other Infrastructure Reserve" to the value of \$12,690.70 be allocated to "Purchase and Construction of Infrastructure" to cover the additional cost of constructing the ACROD Bay outside Healthy Strides Foundation on Albany Highway.

**Carried by Absolute Majority (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 15 Committee Reports

### 15.1 Compliance Audit Return 2023

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Governance and Strategy
<b>Responsible officer</b>	Chief Executive Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. Compliance Audit Return 2023 [ <b>15.1.1</b> - 12 pages]

### Summary

The Town is required to conduct an annual audit of statutory compliance (Compliance Audit Return) in accordance with Regulation 14 of the Local Government (Audit) Regulations 1996. The completed 2023 Compliance Audit Return (CAR) is presented to the Audit and Risk Committee prior to adoption by Council. The adopted CAR must be submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2024.

### Committee Recommendation

That the Audit and Risk Committee recommends to Council that:

1. The Department of Local Government, Sport and Cultural Industries Compliance Audit Return for the period 1 January 2023 to 31 December 2023 as contained in **Attachment 1** be adopted.
2. Authorises the certification to be jointly completed by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the Local Government (Audit) Regulation 1996.

### Background

1. Regulation 14 of the Local Government (Audit) Regulations 1996 (Regulations) requires that a CAR be completed and submitted to the Department by 31 March 2024.
2. The 2023 CAR contained the following compliance categories:
  - Commercial Enterprises by Local Governments;
  - Delegation of Power/Duty;
  - Disclosure of Interest;
  - Disposal of Property;
  - Elections;
  - Finance;
  - Integrated Planning and Reporting;
  - Local Government Employees;
  - Official Conduct;
  - Optional Questions; and
  - Tenders for Providing Goods and Services.

3. Regulation 15 of the Regulations requires a joint certification to be completed by the Mayor and Chief Executive Officer. The document is to be forwarded to the Department via its online portal.

## Discussion

4. In accordance with Regulation 14 of the Audit Regulations, the Town is required to carry out an annual audit of statutory compliance in the form determined by the Department.
5. The 2023 CAR deals with the period 1 January 2023 to 31 December 2023 and focuses on those areas considered high risk in accordance with the Local Government Act 1995 (Act) and associated regulations.
6. Of the questions asked, the Town was non-compliant in three categories.

Category	2022 Audit Questions	Compliance Rating	2023 Audit Questions	Compliance Rating
Commercial Enterprises by Local Governments	5	100%	5	100%
Delegation of Power/Duty	13	100%	13	100%
Disclosure of Interest	21	90.5%	21	1 non compliance 95.2%
Disposal of Property	2	100%	2	100%
Elections	3	100%	3	100%
Finance	7	86%	7	100%
Integrated Planning and Reporting	3	100%	3	100%
Local Government Employees	5	100%	5	100%
Official Conduct	4	100%	4	100%
Optional Questions	9	89%	9	3 non compliance 66.7%
Tenders for Providing Goods and Services	22	100%	22	1 non compliance 95.5%
<b>TOTAL</b>	<b>94</b>	<b>97%</b>	<b>94</b>	<b>96.1%</b>

7. The Town was non-compliant with one question under the Disclosure of Interest category. In this instance, an internal Governance audit on primary returns identified that one return had been submitted outside of the legislated time period. As required, the CCC were notified of this late return.
8. Under the Finance category, the Town did not receive the Auditors' report for the financial year ended 30 June 2023 by 31 December 2023. Therefore, four questions were unable to be answered in this category.
9. In the Optional Questions category, the Town was non-compliant with three questions. Firstly, the Town did not review the Towns financial management systems and procedures in accordance with regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996. This review is scheduled to be undertaken in 2024. An audit firm has been contracted to undertake this review, which commenced in February 2024. Secondly, one gift was declared 11 days after the gift was received, rather than the required 10 days, making the Town non-compliant with the Local Government Act 1995. Lastly, the Town did not submit to the auditor a balanced account and annual financial report (for the year ending 30 June 2023), by 30 September 2023. In this case, the Town applied for an extension which was granted on 16 October 2023.
10. The Town was non-compliant with one question under the Tenders for Providing Goods and Services category. This question asked if the information recorded in the tender register complied with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website? In this case, the internal procurement audit found that the register was missing a copy of the notices of the invitation to tender. The register is currently being updated with archived newspaper clippings and the online register updated.
11. The Town was compliant in all other areas.
12. Following adoption of the CAR by the Audit and Risk Committee and Council, the CAR is to be certified by both the Mayor and Chief Executive Officer.
13. Once certified, the completed CAR must be submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2023.

## Relevant documents

Not applicable.

## Legal and policy compliance

[Regulation 14 of the Local Government \(Audit\) Regulations 1996](#)

[Regulation 15 of the Local Government \(Audit\) Regulations 1996](#)

## Financial implications

<b>Current budget impact</b>	Nil
<b>Future budget impact</b>	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	Not completing the CAR will result in non-compliance with the Towns statutory reporting obligations	High	Low	Treat risk by submitting the attached CAR to the Department by 31 March 2024.
Reputation			Low	
Service delivery			Medium	

## Engagement

Internal engagement	
Stakeholder	Comments
Business unit Managers	The 2023 CAR was circulated to the relevant Business Unit Managers for comment.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	As the completion of a CAR is a statutory requirement, it is important that this review be submitted to the Department by 31 March 2023

## Further consideration

Nil.



## COUNCIL RESOLUTION (46/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That the Audit and Risk Committee recommends to Council that:

1. The Department of Local Government, Sport and Cultural Industries Compliance Audit Return for the period 1 January 2023 to 31 December 2023 as contained in **Attachment 1** be adopted.
2. Authorises the certification to be jointly completed by the Mayor and Chief Executive Officer in accordance with Regulation 15 of the Local Government (Audit) Regulation 1996.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 15.2 Final Audit Report: Environmental Sustainability

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Corporate Performance Advisor
<b>Responsible officer</b>	Chief Operations Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL REDACTED - Environmental Sustainability Internal Audit Report [15.2.1 - 22 pages]

### Summary

In December 2023, Stantons conducted an Environmental Sustainability Internal audit and a final report has been received.

#### Committee Recommendation

That the Audit and Risk Committee recommends that Council notes the final Environmental Sustainability Internal audit report.

### Background

1. The Environmental Sustainability audit was conducted in December 2023 as part of the 2023-2026 Audit program.
2. This was classified as an assurance audit with a focus on controls and compliance for the period 1 July 2023 to 30 November 2023.

### Discussion

3. There were no findings noted in the Environmental Sustainability Audit, however the audit suggests:
  - (a) The Town will consider referring to ISO 14001:2015 – Environment Management System in the development of strategies and plans.
  - (b) The Town considers developing a detailed annual environment report where strategic environmental objects are measured, reported, and then monitored on an ongoing basis. A visual depiction of outcomes from different perspectives, such as energy saving, carbon emission reductions, offsets and residual emissions, waste contamination rates, etc. may be beneficial.
4. In response to these Business Improvement suggestions, the Town provides the following comments:
  - (a) The Town will consider referring to ISO 14001:2015 – Environment Management System in the development of future strategies and plans. Compliance with ISO standards is voluntary and can improve service quality, and result in improved processes and risk management. Internet research suggests that the price for a consultant to set up a single ISO compliant system (e.g. Environment) can range from \$7,500 to \$15,000 per system. There are up to 11 different systems.
  - (b) If formal certification is desired (a more formal and recognised way to show conformity with ISO standards to community and stakeholders), a third-party audit would cost an additional \$5,000.

- (c) The Town will investigate if the quarterly reporting already undertaken could be amended to add other sections that would be measured and recorded in a detailed environment report. It is more beneficial for the Town to use reporting that is already undertaken, rather than create another report.

## Relevant documents

Not applicable.

## 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

<b>Risk impact category</b>	<b>Risk event description</b>	<b>Risk rating</b>	<b>Risk appetite</b>	<b>Risk Mitigation</b>
Financial	Not adopting an internal audit program means we can't test our controls and mitigate loss through administrative errors and processes.	High	Low	TREAT risk by adopting an internal program with a focus area on high-risk processes and activities.
Environmental	Failure to take action to protect the environment or heritage assets can result in fundamental changes in our natural environment.	High	Medium	TREAT risk by adopting an internal program with a focus area on high-risk processes and activities.
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Not applicable.			
Reputation	Not refining management practices and processes to address audit findings	High	Low	Treat risk by adopting an internal program with a focus area on high-risk processes and activities.

	could result in reputational risk to Council and the Town.
Service delivery	Not applicable.

## Engagement

Internal engagement	
Stakeholder	Comments
Operations: Environment	Provided the information requested and comments on the audit report.
C-Suite	The report was presented to C-Suite for noting.

## 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.	Internal audits allow for an assessment of whether legislation, policies and practices are being followed to ensure intended outcomes are achieved.

## Further consideration

Nil.

### COUNCIL RESOLUTION (47/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That the Audit and Risk Committee recommends that Council notes the final Environmental Sustainability Internal audit report.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 15.3 Final Audit Report Records Management

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Corporate Performance Advisor
<b>Responsible officer</b>	Chief Financial Officer
<b>Voting requirement</b>	Simple majority
<b>Attachments</b>	1. CONFIDENTIAL REDACTED - Records Management - Town of Victoria Park - Final [15.3.1 - 13 pages]

### Summary

In February 2024 Paxon presented its final report on the Records Management Internal Audit Review.

#### Committee Recommendation

That the Audit and Risk Committee recommends that Council notes the final Records Management Internal audit report.

### Background

1. The Records Management audit was conducted in January 2023 as part of the 2023-2026 Audit program.
2. The objective of the review was to provide a report to management and the Committee on the design and operational effectiveness of records management processes in place within the Town.

### Discussion

3. The findings are summarised below and documented in detail within Attachment 1 of this report.
4. Five risk areas were identified with 3 of them being medium risk and 2 low risk.

Risk Area	Finding	Risk Rating
Record Keeping Plan	Record Keeping Plan Update	Medium
Disaster Recovery Procedures	Record Keeping Disaster Recovery Update	Medium
Monitoring & Compliance	Documentation of Activity	Medium
Staff Training & Security Measures	Induction Training	Low
Electronic Records	Digitisation of Physical Records	Low

### Relevant documents

Not applicable.

## 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 adopting an internal audit program means we can't test our controls and mitigate loss through administrative errors and processes.	High	Low	TREAT risk by adopting an internal program with a focus area on high-risk processes and activities.
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Breach of legislation and compliance requirements may or may result in legal action and financial penalties.	High	Low	TREAT risk by ensuring commitment to management actions to address findings.
Reputation	Not refining management practices and processes to address audit findings could result in reputational risk to Council and the Town.	High	Low	Treat risk by adopting an internal program with a focus area on high-risk processes and activities.
Service delivery	Not applicable.			

## Engagement

Internal engagement	
Stakeholder	Comments
Information Management	Provided the information requested and comments on the audit report.
C-Suite	The report was presented to C-Suite for noting.

## 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.	Internal audits allow for an assessment of whether legislation, policies and practices are being followed to ensure intended outcomes are achieved.

## Further consideration

Nil.

### COUNCIL RESOLUTION (48/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That the Audit and Risk Committee recommends that Council notes the final Records Management Internal audit report.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 15.4 Audit Update Report January 2024

<b>Location</b>	Town-wide
<b>Reporting officer</b>	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. CONFIDENTIAL REDACTED - Audit Update Report for Audit and Risk Committee [<b>15.4.1</b> - 6 pages]</li><li>2. AUDIT FUNCTION DASHBOARD [<b>15.4.2</b> - 1 page]</li></ol>

### Summary

The Audit and Risk Committee recommends that Council receives the Audit Update Report for December 2023 as contained in Attachment 1.

#### Committee Recommendation

That the Audit and Risk Committee recommends that Council receives the Audit Update Report for December 2023 as contained in attachment 1.

### Background

1. The 2021-2022 Internal Audit Program was adopted by Council on 16 August 2022.
2. The Records Management audit has been completed and was the final audit to be conducted from the 2021-2022 plan.
3. The 2023-2026 Internal Audit Program was adopted by Council on 19 June 2023 and the following audit has been completed.
  - (a) The Environmental Sustainability audit.
4. The Workplace Health and Safety and Financial Sustainability Audit is still in progress and will be completed and reported in the next Audit and Risk Committee meeting.

### Discussion

5. The findings for the Records Management Audit include 3 medium and 2 low risks.
6. There were no findings noted in the Environmental Sustainability Audit.
7. These audit actions will be added into Cascade and monitored on a quarterly basis.

### Relevant documents

Not applicable.



## Legal and policy compliance

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

[Local Government Regulations 1996](#)

### 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 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.			
Health and safety	Not Applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
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	
Service delivery	Not applicable.			

## Engagement

Internal engagement	
Stakeholder	Comments
Business units	Managers providing responses and supporting documentation to the internal auditors.
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 organisational 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

Nil.

### COUNCIL RESOLUTION (49/2024):

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That the Audit and Risk Committee recommends that Council receives the Audit Update Report for December 2023 as contained in attachment 1.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

## 15.5 Quarter 2 Progress Report 1 October 2023 - 31 December 2023

<b>Location</b>	Town-wide
<b>Reporting officer</b>	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. Q2 Report By Exception [<b>15.5.1</b> - 4 pages]</li><li>2. Annual Report - Community Benefits Strategy CBS [ Jan - Dec 2023] - West Coast Eagles [<b>15.5.2</b> - 38 pages]</li><li>3. Community Benefits Strategy - West Coast Eagles - Lease Obligations and Player Hours Report 2023 [<b>15.5.3</b> - 18 pages]</li><li>4. Annual Report - Community Benefits Strategy [ Jan - Dec 2023] - Waalij Foundation [<b>15.5.4</b> - 7 pages]</li></ol>

### Summary

The Audit and Risk Committee recommends that Council accepts the quarterly progress reports for the period 1 October 2023 – 31 December 2023.

#### Committee Recommendation

That the Audit and Risk Committee recommends that Council accepts the quarterly progress reports for the period 1 October 2023 – 31 December 2023, relating to the:

- (a) Corporate Business Plan
- (b) Five-year capital works program, including the 2022/2023 Annual Strategic Project Plan
- (c) Economic Development Strategy 2018-2023
- (d) Urban Forest Strategy
- (e) Reconciliation Action Plan
- (f) Disability Access and Inclusion Plan
- (g) Community Benefits Strategy
- (h) Climate Emergency Plan.

### Background

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
  - (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
4. At the Ordinary Council Meeting on 20 July 2021, Council resolved: ‘That Council:
  - (a) Receives the community consultation results for the draft Climate Emergency Plan.
  - (b) Endorses the Climate Emergency Plan 2021 – 2031.
  - (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.’
5. The quarterly written progress reports were requested to enable Council to assess performance against strategies and plans, identify risks and significant variations in project performance and budgeting, receive information needed to be able to make informed decisions and to take action to address any issues that arise. They were also requested to give Council and the community a higher level of transparency and accountability relating to strategic actions, plans and projects.

## Discussion

1. Written progress reports will enable the Council to oversee the Town’s performance and allocation of the Town’s finances and resources. They will also help to inform the community about the Town’s progress in relation to the plans and strategies.
2. The Corporate Business Plan 23/24 has been endorsed by Council in December 2023, and these reports on the actions, projects, and outcomes, for the plans and strategies listed in the Council resolution, have been attached to this report. Further commentary for each report has also been included below.

## Corporate Business Plan

3. The status of actions from the CBP are as follows.

Strategic outcome	Total actions	No. of actions completed	No. of actions overdue	No. of actions on track
Social	26	1	2	23
Environment	25	2	6	17
Economic	6	1	0	5
Civic Leadership	35	7	8	20

4. Actions not completed within the reporting quarter are as per attachment 7.4.1

## 2022/2023 Annual Strategic Project Summary

5. The status of projects from the Annual Strategic Project summary is as follows.

Total Projects	No of projects on track	No of projects complete	No. of projects delayed
17	10	2	5

## Five Year capital works program

6. The status of actions from the Five-Year Capital Works Program are as follows.

Total project	Works in progress	Not yet started	Complete	Deleted projects
96	67	5	24	

## Economic Development Strategy 2018-2023

7. The Economic Development Strategy 2018- 2023 (EDS) outlines 50 actions required to achieve the seven pathways for sustainable economic growth over the next five years. The EDS was adopted by Council in March 2019.

8. The summary table below represents the number of actions progressed and completed since the adoption of the EDS.

Outcome	Total actions	No of actions completed	No of actions in progress	No of actions not started
Pathway 1: Leadership	4	2	2	0
Pathway 2: Identity	2	0	2	0
Pathway 3: Local to Global Connections	5	1	2	2
Pathway 4: Smart Town – digital innovation	7	0	5	2
Pathway 5: Creating an enabling business environment	8	1	6	1
Pathway 6: High Value Precincts	6	5	1	0
Pathway 7: High Value Sectors	18	1	14	3
<b>Total</b>	<b>50</b>	<b>10</b>	<b>32</b>	<b>8</b>

### Urban Forest Strategy:

9. The Urban Forest Strategy (UFS) Implementation Action Plan (IAP) outlines 41 actions required to achieve the six strategic outcomes defined in the UFS over a five-year period. The UFS was adopted by council in September 2018 and the IAP in September 2019.
10. The summary table below represents the number of actions progressed and completed since the adoption of the IAP.

Outcome	No of actions completed	No of actions in progress	No of actions ongoing	No of actions not started
<b>Strategic Outcome 1</b> Plant and protect sufficient trees by 2020 to achieve the 20% tree canopy target as supported by Council.	0	4	8	3
<b>Strategic Outcome 2</b> Maximize community involvement and collaboration in its implementation.	0	1	7	1
<b>Strategic Outcome 3</b> Increase tree diversity, whilst favoring local endemic and West Australian species that also support wildlife	1	0	2	0
<b>Strategic Outcome 4</b> Maintain high standard of vegetation health.	0	1	5	0
<b>Strategic Outcome 5</b> Improve soil and water quality	0	1	2	0
<b>Strategic Outcome 6</b> Improve urban ecosystems	0	1	2	2

### Reconciliation Action Plan:

11. The Town's Reflect Reconciliation Action Plan (RAP) was adopted by Council in November 2018.
12. The document outlines strategies and actions to support opportunities to strengthen the community, build strong relationships and foster greater awareness and understanding of Aboriginal culture and history.

13. The status of actions from the Reflect Reconciliation Action Plan are as follows.

14. The Town’s Innovate Reconciliation Action Plan (RAP) was adopted by Council in December 2023.

15. Future CBP updates will be related to the Innovate RAP.

Category	No. of actions completed	No. of actions in progress/ongoing	No of actions not started
Relationships	14	3	1
Respect	32	3	1
Opportunities	14	3	3
Tracking and Progress	2	2	0

16. This quarter, the key progress highlights of the Reconciliation Action Plan included:

- (a) Endorsement of the Innovate RAP by Council in December 2023.
- (b) Public comment on the Innovate RAP followed by final endorsement of the Innovate RAP by Council on 12 December 2023.
- (c) The new Community Development Officer – Reconciliation meeting with local stakeholders and identifying opportunities for collaboration.
- (d) Development of the RAP Implementation Plan detailing the delivery of actions.

### Disability Access and Inclusion Plan

17. The Town’s Access and Inclusion Plan was adopted by Council in December 2022 and is a legislative requirement for all local governments.

18. The status of actions from the Access and Inclusion Plan are as follows:

Category	No. of actions completed/ongoing	No of actions in progress	No of actions not started
Goal 1: Customer Experience - Services and Events	4	2	0
Goal 1: Customer Experience - Information	4	2	1
Goal 1: Customer Experience - Quality Customer Service	2	1	2
Goal 2: Physical Access – Building and Facilities	2	3	3
Goal 3: Active Citizenship -Complaints	0	1	3

Goal 3: Active Citizenship – Public Consultation	2	0	3
Goal 4: Employment	5	0	0
Goal 5: Governance and Impact	4	1	0
<b>Total</b>	<b>23</b>	<b>10</b>	<b>12</b>

19. This quarter, the key progress highlights of the Access and Inclusion Plan included:

- (a) Continuing to engage with relevant stakeholders to advance AIP deliverables.
- (b) The Access and Inclusion Advisory Group continues to support and advise project management and internal stakeholders on inclusive design and planning elements, the last meeting was held 13 December 2023. Potential to collaborate with City of Perth Access and Inclusion Advisory Group to support inclusive solutions for causeway bridge.
- (c) Continued discussions with relevant Town officers to explore adding a sensory room in the Admin building.
- (d) Collaboration with community groups to support inclusive events for Seniors Week (November 2023) and International Day of People with Disability (December 2023).

### Climate Emergency Plan

20. The Town's Climate Emergency Plan (CEP) was adopted by Council on 20 July 2021.

21. The Climate Emergency Plan aims to:

- (a) Achieve a zero-carbon target for emissions generated by the Town of Victoria Park by 2030. The timeframe of 2030 has been chosen because it is the timeframe needed to curb emissions and limit the seriousness of climate change impacts.
- (b) Achieve at least 40% emissions reduction through direct action (i.e. not through carbon offsets).
- (c) Support the community and businesses in working towards their own zero carbon target.
- (d) Improve the resilience of the Town in responding to immediate climate change impacts.

22. The status of actions from the CEP are as follows:

Category	No of actions completed	No of actions in progress/ongoing	No of actions not started
1 Embed a low carbon culture	3	6	2
2 Reduce emissions of facilities and assets	2	10	0
3 Reduce waste emissions	1	4	0
4 Switch to low carbon and renewables	2	2	1



5 Respond to immediate climate change impacts	1	7	0
6 Support and educate our community	3	8	1
7 Support and educate our businesses	4	4	4
8 Offset residual emissions	1	2	0

23. This quarter, the key progress highlights of the 2023/24 actions under the Climate Emergency Plan included:
- (a) Energy and water audit coordinated for Leisurelife in March 2024.
  - (b) Climate Impact Assessment has been completed. Climate Emergency Plan is being subsequently reviewed. Report with these outcomes will be forthcoming.
  - (c) The Town continues to implement an education program re: FOGO to improve waste segregation by residents to avoid recyclables and organics entering landfill.
  - (d) ARENA grant funding has been secured for a dual charger at Aqualife, anticipated to be installed March 2024. Another charger being investigated for Library.
  - (e) Energy Efficiency workshop coordinated for March 2024.

### Community Benefits Strategy

24. The Community Benefits Strategy (CBS) was launched on 2 December 2019, operating on a calendar year basis, rather than financial year.
25. The Town of Victoria Park, West Coast Eagles (WCE), Waalitj Foundation (WF), and the Perth Football Club partnered in the design process of CBS to collectively bring their own strengths to the partnership. The design process resulted in the creation of four programs, each program has a main delivery partner to ensure its success. Four programs as follows:
- (a) Program 1: Youth Engagement, delivered by Waalitj Foundation to focus on engaging young people in constructive local activities and support parents with older children and adolescence.
  - (b) Program 2: Healthy Relationship Awareness, delivered by West Coast Eagles and focuses on domestic violence awareness and prevention.
  - (c) Program 3: Supporting Local Community Organisations, delivered by West Coast Eagles the program function is to support four not-for-profit groups or community groups over the first five years of CBS.
  - (d) Program 4: Recreational Groups and Sports Club Development, delivered by West Coast Eagles who aid with strategic planning, governance, structures, constitutions, long term planning and other club related management issues.
26. The status of actions from the CBS are as follows:

Program	No of actions completed/ongoing	No of actions in progress	No of actions not started
Youth Engagement Program	3	3	0
Healthy Relationships Awareness	5	3	1
Supporting local community organisations	6	1	0
Recreational groups and sports club development	2	4	0

27. This quarter, the key progress highlights of the Community Benefits Strategy included:

- (a) The Waalitj Foundation has developed strong and meaningful relationships with local community, organisations and primary schools.
- (b) During the reporting period the Waalitj Foundation facilities were utilised by the Lathlain Primary School and Clontarf Aboriginal College.
- (c) WCE facilitated AFL Blind Football in the Mineral Resources Park (MRP) Indoor Training Hall for 2 sessions throughout October and November.
- (d) The 16 Days in WA Campaign Launch by Department of Communities – Saturday 25 November at South Perth Foreshore was attended by an AFL past player. Tom Barrass and AFLW player Jessica Sedunary attended the 16 Days in WA Breakfast held at Crown on 28 November, where the WA Premier Roger Cook addressed guests on the importance of the campaign. The full AFL squad and coaches also wore orange socks during their training sessions during the first week of the campaign to raise awareness to members and supporters. A video and article was produced and posted to the WCE website [West Coast Eagles call to end to violence against women](#)
- (e) Celebration at MRP Community Oval – International Day of People with Disabilities – Friday 1 December with ToVP, Healthy Strides, WADSA, Guide Dogs WA and WA All Abilities Football Association. Both AFL and AFLW players along with WCE Community staff helped to facilitate and deliver the event. Over 100 people attended the event which included local organisations and residents from the Town of Victoria Park. This event was established by WCE to engage the ToVP communities and this was the third year it has taken place. An article was written and posted to the WCE website: [Eagles HQ packed out for International Day of People with Disability \(westcoasteagles.com.au\)](#)
- (f) AFLW players attended the Town of Victoria Park Summer Street Party on 25 November. Past player, mascot, giveaways and football drills and AFLW player engaged with the local community.

## Relevant documents

Not Applicable.

## Legal and policy compliance

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

## 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.			
Environmental	Not applicable.			
Health and safety	Not applicable.			
Infrastructure/ ICT systems/ utilities	Not applicable.			
Legislative compliance	Not applicable			
Reputation	Negative public perception towards the Town if progress expectations are not being met.	Minor		Treat risk by providing commentary and reasoning within progress reports where expectations are not being met.
Service delivery	Not applicable			

## Engagement

Internal engagement	
Stakeholder	Comments
Operations	Operations coordinate the progress reports for the 2019/2020 Annual Strategic Project Summary and Five-Year Capital Works Program.
Governance and Strategy	Governance and Strategy coordinates the progress against the Corporate Business Plan.
Place Planning	Place Planning coordinates the progress reports for the Economic Development Strategy 2018 – 2023 and Urban Forest Strategy.
Community Development	Community Development coordinates the progress reports for the Reconciliation Action Plan, Community Benefits Strategy and Disability Access and Inclusion Plan.
Environment	Environment coordinates the progress reports for the Climate Emergency Plan.

## Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Council is provided with the information that they have requested in the way they determined is best for them.
CL3 - Accountability and good governance.	Council is provided with the information that they have requested in the way they determined is best for them.

## Further consideration

Nil.

## **COUNCIL RESOLUTION (50/2024):**

**Moved:** Cr Jesse Hamer

**Seconded:** Cr Daniel Minson

That the Audit and Risk Committee recommends that Council accepts the quarterly progress reports for the period 1 October 2023 – 31 December 2023, relating to the:

- (a) Corporate Business Plan
- (b) Five-year capital works program, including the 2022/2023 Annual Strategic Project Plan
- (c) Economic Development Strategy 2018-2023
- (d) Urban Forest Strategy
- (e) Reconciliation Action Plan
- (f) Disability Access and Inclusion Plan
- (g) Community Benefits Strategy
- (h) Climate Emergency Plan.

**Carried by exception resolution (9 - 0)**

**For:** Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

**Against:** Nil

**16 Applications for leave of absence**

Nil.

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

Nil.

**18 Questions from members without notice**

Nil.

**19 New business of an urgent nature introduced by decision of the meeting**

Nil.

**20 Public question time**

*Public question time opened at 8pm. There being no members in the gallery, public question time closed at 8pm.*

**21 Public statement time**

*Public statement time opened at 8pm. There being no members in the gallery, public statement time closed at 8.01pm.*

**22 Meeting closed to the public**

Not applicable

**23 Closure**

There being no further business, Mayor Karen Vernon closed the meeting at 8:01pm.

I confirm these minutes to be true and accurate record of the proceedings of the Council.

Signed: ..... ..

Dated this: ..... Day of: ..... 2024