



TOWN OF
VICTORIA PARK



Ordinary Council Meeting Agenda – 18 February 2025



WE'RE OPEN
VIC PARK

Please be advised that an **Ordinary Council Meeting** will be held at **6:30 PM** on **Tuesday 18 February 2025** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Mr Carl Askew – Chief Executive Officer
13 February 2025

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1 Declaration of opening

Acknowledgement of Country

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

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

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

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

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

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

2 Announcements from the Presiding Member

2.1 Recording and live streaming of proceedings

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

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

2.2 Public question time and public statement time

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

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

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

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

2.3 No adverse reflection

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

2.4 Town of Victoria Park Meeting Procedures Local Law 2019

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

3 Attendance

Mayor

Ms Karen Vernon

Banksia Ward

Cr Claire Anderson
Cr Peter Devereux
Cr Peter Melrosa
Cr Lindsay Miles

Jarrah Ward

Cr Sky Croeser
Cr Jesse Hamer
Deputy Mayor Bronwyn Ife

Chief Executive Officer

Mr Carl Askew

Chief Operations Officer

Ms Natalie Adams

Chief Financial Officer

Mr Duncan Olde

Acting Chief Community Planner

Mr David Doy

Manager Governance and Strategy

Ms Bernadine Tucker

Manager Development Services

Mr Robert Cruickshank

Meeting Secretary

Ms Winnie Tansanguanwong

Public liaison

Ms Sarah Vader

3.1 Apologies

3.2 Approved leave of absence

Jarrah Ward

Cr Daniel Minson

4 Declarations of interest

4.1 Declarations of financial interest

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

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

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

4.2 Declarations of proximity interest

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

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

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

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

4.3 Declarations of interest affecting impartiality

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

5 Public question time

6 Public statement time

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

Recommendation

That Council:

1. Confirms the minutes of the Special Council Meeting held on 4 February 2025.
2. Confirms the minutes of the Ordinary Council Meeting held on 10 December 2024.
3. Receives the minutes of the CEO Recruitment and Performance Review Committee Meeting held on 21 May 2024.
4. Receives the minutes of the Special Audit and Risk Committee Meeting held on 19 December 2024.
5. Receives the notes of the Agenda Briefing Forum held on 4 February 2025.
6. Receives the notes of the Mindeera Advisory Group held on 5 February 2025.
7. Receives the notes of the Urban Forest Strategy Implementation Working Group held on 11 December 2024.
8. Receives the notes of the Access and Inclusion Advisory Group held on 11 December 2024.

8 Presentation of minutes from external bodies

Recommendation

That Council:

1. Receives the minutes of WALGA South East Metropolitan Zone held on 21 August 2024.
2. Receives the minutes of Catalina Regional Council Meeting held on 17 October 2024.
3. Receives the minutes of Mindarie Regional Council Meeting held on 28 November 2024.
4. Receives the minutes of Metro Inner Development Assessment Panel held on 12 December 2024.

9 Presentations

9.1 Petitions

Recommendation

That Council:

1. Receive the petition from Mr Steve Mylne requesting that Council make the following amendments to the draft Albany Highway Precinct Structure Plan:
 - a. Change the zoning boundary along Merton Street, Victoria Park, to CE1. Central Sub-Precinct plan 2.3.
 - b. Change Bonus building heights of CE1 from 5 to 4 Storeys. Table 3: Central Sub-Precinct Primary Controls.
 - c. Sensitivity manage the redevelopment including activation of the Urban forestry strategy by adding requirements for native flora landscape setbacks and native verge conversion. Section 3.4.4.
 - d. Change the status of 3 Merton Street Sump & Micro Park from Development to Open Space, Biodiversity. Table 23.
2. Request the Chief Executive Officer to respond to the petition as part of Administrations response to the submissions received during the public advertising of the Albany Highway Precinct Structure Plan;
3. Request the Chief Executive Officer to advise Mr Steve Mylne in writing of the date that Administration will present to Council the Albany Highway Precinct Structure Plan and its response to public submissions.

9.2 Presentations

9.3 Deputations

10 Method of dealing with agenda business

11 Chief Executive Officer reports

11.1 Council Resolutions Status Report - January 2025

Location	Town-wide
Reporting officer	Governance Officer
Responsible officer	Manager Governance and Strategy
Voting requirement	Simple majority
Attachments	1. Outstanding Council Resolutions Report January 2025 [11.1.1 - 29 pages] 2. Completed Council Resolutions Report January 2025 [11.1.2 - 15 pages]

Summary

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

Recommendation

That Council:

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

Background

1. On 17 August 2021 Council resolved as follows:

That Council:

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

Discussion

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

The Completed Council Resolutions Report details all Council resolutions that have been completed by officers from 21 November 2024 to 22 January 2025. A status update has been included by the relevant officer/s.

Legal and policy compliance

Not applicable.

Financial implications

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Data, Information Technology and Cyber	Not applicable.		Medium	
Assets	Not applicable.		Medium	
Compliance Breach	Not applicable.		Low	
Reputation	Not applicable.		Low	
Service delivery interruption	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

Further consideration

At the Agenda Briefing Forum held on 4 February 2025 the following information was requested.

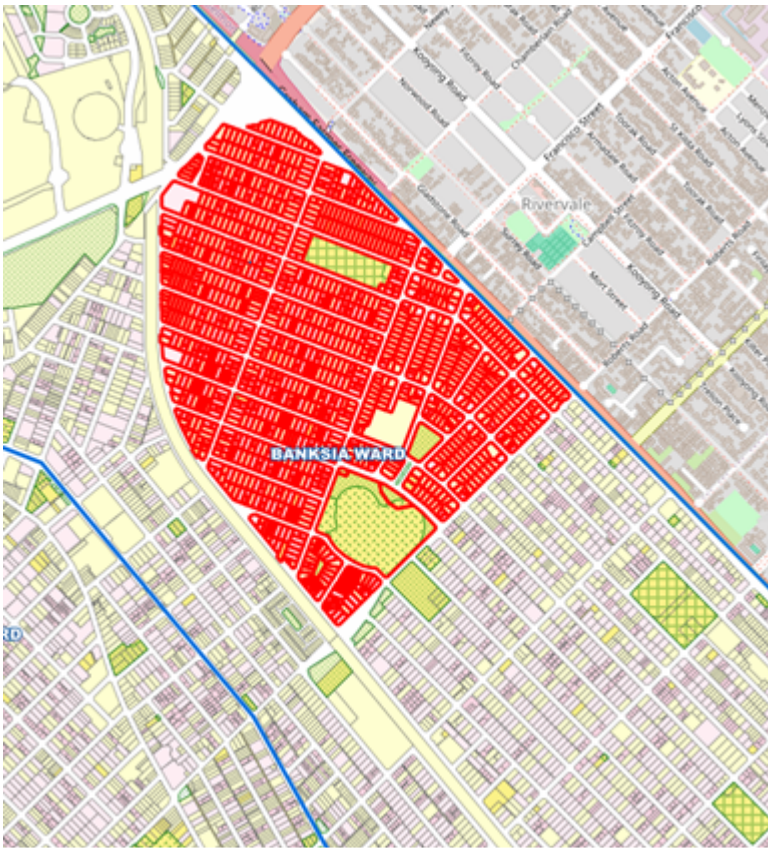
2. Provide an update on Council Resolution 301/2024 regarding the community consultation on the proposed traffic calming treatment option 1 for Rutland Avenue at select locations.

The Town's "Your Thoughts" webpage has been updated for the requested consultation. Plans now address an additional area of concern (Location 1) while maintaining six speed humps in total. This approach balances traffic calming whilst minimizing excessive treatments.



<https://yourthoughts.victoriapark.wa.gov.au/proposed-speed-humps-on-rutland-avenue>

Letters have been sent to all Lathlain residents as per the area below

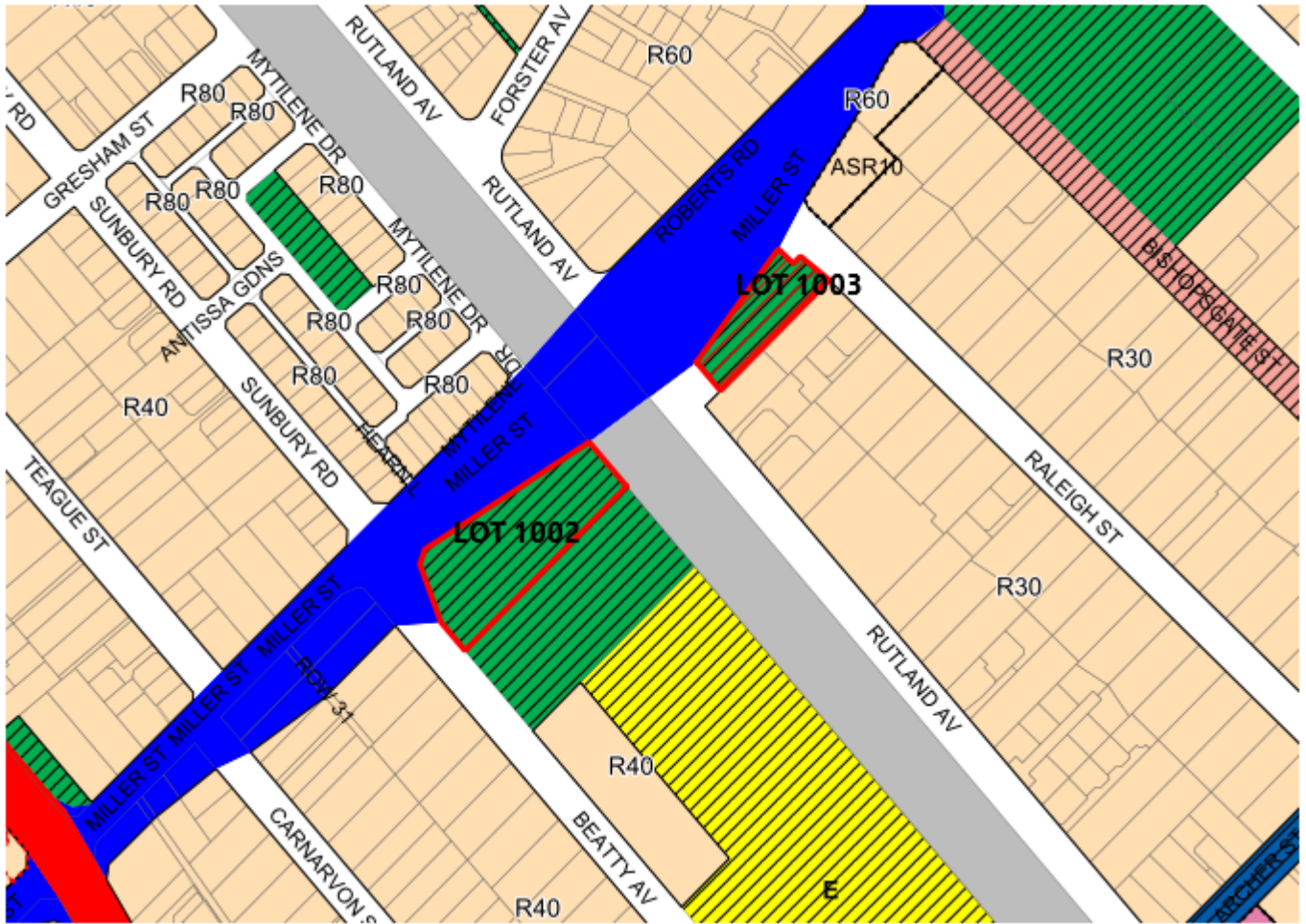


3. Provide confirmation whether the management orders on Beatty Avenue and 7 Raleigh Street, Carlisle, have been granted at the Town of Victoria Park, as per Council Resolution 201/2023.

On 24 June 2024 the Department of Planning, Lands and Heritage (DPLH) confirmed the Town of Victoria Park resolution to accept management of Lots 1002 on DP 45184 and 1003 on DP 45185 following their transfer to the State of WA from the Western Australian Planning Commission (WAPC). Management Orders have not yet been received as per the following reasons:

Lot 1002 remains under a lease agreement between ALUA and WAPC as part of the Metronet project. The lease expires in April 2025 with a 6-month extension option. ALUA is required to leave the premises in good repair and condition. It is expected the transfer to the State of WA and subsequent lodgement of the Management Order to Landgate will not be processed until the lease is completed and the site restored.

On 15 November 2024 DPLH advised they were in the process of signing off the transfer document for Lot 1003. Once the transfer documentation is signed off by WAPC, a dealing number will be issued, and it will be lodged with Landgate. It was advised this process could take over a month to lodge with Landgate and that Landgate approval times are unknown. This will be followed up again as a priority by Council staff.



LPS2 Zoning Map

11.2 2025 Ordinary Local Government Elections

Location	Town-wide
Reporting officer	Manager Governance and Strategy
Responsible officer	Chief Executive Officer
Voting requirement	Absolute majority
Attachments	1. Local government election cost estimate [11.2.1 - 3 pages] 2. Local Government Ordinary Election Process [11.2.2 - 1 page]

Summary

For Council to declare the WA Electoral Commissioner to be responsible for the conduct of the 2025 local government ordinary election for the Town of Victoria Park, together with any other elections or polls which may be required, and to decide to conduct the election as a postal election.

Recommendation

That Council:

1. In accordance with section 4.20(4) of the *Local Government Act 1995*, declares the Western Australian Electoral Commissioner to be responsible for the conduct of the 2025 ordinary elections for the Town of Victoria Park, together with any other elections or polls which may be required;
2. In accordance with section 4.61(2) of the *Local Government Act 1995*, decides the method of conducting the elections will be a postal election.

Background

1. Pursuant to the *Local Government Act 1995* (the Act), elections are held every two years, with each elected member serving four-year terms, with half of the elected body being determined by an election every two years.
2. The next ordinary local government election will be held on 18 October 2025.
3. Pursuant to the Local Government Act 1995 (the Act), Council must resolve the method of conducting the election and who will be responsible for conducting the election.
4. Elections, as prescribed in the Act, can be held in one of two ways;
 - a. A postal election where the method of casting votes is by posting or delivering them to an electoral officer on or before election day. Postal elections must be conducted by the Western Australian Electoral Commission (WAEC) under section 4.61(4) the Act.
 - b. A voting in person election where the principal method of casting votes is by voting in person on election day, but at which votes can also be cast in person before election day or posted or delivered in accordance with regulations.
5. Since the inception of the Town in July 1994, the election has been conducted by postal vote.
6. In the past, the Electoral Commissioner has been responsible for the conduct of the ordinary elections at the Town of Victoria Park.

7. Section 4.20(4) of the Act provides that a local government may, having first obtained the written agreement of the Electoral Commissioner, declare the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period. If such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election.

Discussion

8. Given the WAEC is the only body capable of conducting a postal election, their appointment is required to ensure a postal election can be satisfactorily held.
9. The WAEC has written to the Town advising of the Electoral Commissioner's agreement to be responsible for the conduct of the 2025 ordinary elections for the Town of Victoria Park in accordance with section 4.20(4) of the Act, together with any other elections or polls that may also be required.
10. The Electoral Commissioner's agreement to conduct the 2025 elections is on the proviso the WAEC conducts the election as a postal election. The Act provides a decision to have a postal election has no effect unless the Electoral Commissioner is declared to be responsible for the conduct of an election.
11. Given that a number of elections at the Town in the past have been conducted by postal ballot, it is recommended the same method be followed for the 2025 elections.
12. The WAEC has estimated the cost of the 2025 elections to be \$127,832 (excluding GST) on the following basis:
 - 24,200 electors.
 - response rate of approximately 30%.
 - Four vacancies.
 - Count to be conducted at the offices of the Town of Victoria Park using CountWA.
 - Appointment of a local Returning Officer.
 - Regular Australia Post delivery service to apply for the lodgment of the election packages.
13. This estimate does not include the costs of:
 - A Returning Officer selected that is not local to the area.
 - Australia Post Priority Service for the lodgment of the election packages.
 - The cost of any casual staff to assist the Returning Officer on election day or night.
 - If casual staff are required for the issuing of Replacement Election Packages.
 - Any unanticipated costs increases from WAEC suppliers.
14. The estimated cost has risen since the 2023 ordinary election based on a 45% cost increase from Australia Post and a 9% increase in the salaries paid to Returning Officers as required. Continue numbered paragraphs.
15. The cost of the 2023 ordinary election was \$134,000 (including GST) which included a Mayoral election. The cost estimate for the 2021 ordinary election was \$109,000 (including GST).
16. Given the Electoral Commissioner has previously been responsible for conducting ordinary elections at the Town, it is recommended that Council declare the Electoral Commissioner to be responsible for the conduct of the ordinary elections for 2025, together with any other elections or polls which may be required.

Relevant documents

[Policy 011 Elections](#)

Legal and policy compliance

Section 4.20(4) of the [Local Government Act 1995](#)

Section 4.61(2) of the [Local Government Act 1995](#)

[Policy 011 Elections](#)

Financial implications

Current budget impact	Not applicable
Future budget impact	The estimated cost provided by the WAEC to conduct the 2025 ordinary election is \$127,832 (excluding GST). This will be included in the 2025/2026 annual budget.

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not appointing the WAEC will result in an unknown financial cost if the Town conducts the election itself.	High	Low	Appointing the WAEC to conduct the election.
Environmental	Not applicable		Medium	
Health and safety	Not applicable		Low	
Data, Information Technology and Cyber	Not applicable		Medium	
Assets	Not applicable		Medium	
Compliance Breach	If the Electoral Commissioner is not appointed the Town will have to conduct the election itself. Lack of resources and capacity of Town staff could result in a non-compliant election.	Medium	Low	Appointing the WAEC to conduct the election.
Reputation	If the Electoral Commissioner is not appointed to conduct	High	Low	Appointing the WAEC to conduct the election

	the election, the election could be perceived to lack integrity.			
Service delivery interruption	Inability to deliver election.	Medium	Medium	Appointing the WAEC to conduct the election.

Engagement

Not applicable.

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	The Town is required to conduct an election by law. Ensuring it is conducted by post and the WAEC will enable the effective delivery of the election as well as a level of impartiality.

Further consideration

Not applicable.

11.3 Town of Victoria Park Representative on Burswood Park Board

Location	Town-wide
Reporting officer	Manager Governance and Strategy
Responsible officer	Chief Executive Officer
Voting requirement	Simple majority
Attachments	Nil

Summary

To seek a nomination from Council for the Town's representative for appointment to the Burswood Park Board for a two-year period ending on 31 July 2027.

The nomination should be determined in the OCM on 18 February 2025 to ensure there is sufficient time for ministerial approval and announcement with other appointments to the Board in June 2025.

Recommendation

That Council nominates an Elected Member, or an officer of the Town, for the consideration of the Minister for Racing and Gaming, as the Town of Victoria Park's representative to the Burswood Park Board from 1 August 2025 to 31 July 2027.

Background

1. The Burswood Park Board (the Board) was established in accordance with clause 6(1)(c) of the Agreement scheduled to the *Casino (Burswood Island) Agreement Act 1985*. Under the *Parks and Reserves Act 1895*, the Board is responsible for the control and management of Burswood Park – a "C class" reserve for parks and recreation.
2. Burswood Park comprises 100 hectares of C class reserve which surrounds five major buildings which make up Crown Perth, parks and gardens, permanent car-parking areas and the State Tennis Centre.
3. The Board is a body corporate with its president and members appointed by the Governor of Western Australia on the advice and recommendation from the Minister for Racing and Gaming. The Board is responsible to the Minister for Racing and Gaming as the Minister charged with the administration of the *Casino (Burswood Island) Agreement Act 1985*.
4. Under the terms of the State Agreement, Burswood Park is developed and maintained by the Board from revenue received from Casino operations.
5. As stated in the current Agreement in the *Casino (Burswood Island) Agreement Act 1985*, the Board is comprised of:
 - (a) one natural person from time to time nominated to the Minister by the Local Authority
 - (b) one natural person from time to time nominated to the Minister by the Manager
 - (c) one natural person from time to time nominated to the Minister by the Rivers Management Minister
 - (d) Two natural persons from time to time nominated by the Minister (the Minister to nominate one of those persons as president for the time being of the Board).
6. The current Board members are as follows:

- (a) John McGrath (President) - Former Member of Parliament (Nominated by the Minister for Racing and Gaming).
- (b) Brian Pereira – Interim Crown Perth Chair, Crown Perth (Nominated by Burswood Resort (Management) Limited)
- (c) Cr Bronwyn Ife – Deputy Mayor Town of Victoria Park (Nominated by the Town of Victoria Park)
- (d) Peter King - Independent Member, (Nominated by the Minister for the Environment).
- (e) Chris Melsom – RAlA Registered Architect, Pl Registered Planner, Fellow, (Nominated by the Minister for Racing and Gaming)

Discussion

- 7. The current local government representative to the Burswood Park Board is filled by Deputy Mayor Bronwyn Ife and is due to expire on 31 July 2025.
- 8. During a meeting on 5 February 2025 the Chief Executive Officer of the Burswood Park Board requested the Town's Chief Executive Officer seek a nomination from Council for a new representative on the Burswood Park Board.
- 9. To enable the continued representation of a Town nominee on the Board, the name of the Town's nominee for appointment to the Board needs to be forwarded to the Director General of the Department of Racing, Gaming and Liquor. A curriculum vitae for the nominee must also be submitted.
- 10. The Board typically meets monthly on a Wednesday commencing at 9.30am, meetings usually run for up to two hours. No meetings are held in January and special meetings may be held as required. Meetings are held in Burswood Park Boardroom.
- 11. The Board is accountable to the Minister for Racing and Gaming and Board members are each paid an annual lump sum fee which is currently \$8,154 unless they are a government officer.
- 12. Over time, the Board has improved the governance functioning around its operations, including the establishment of an Audit and Risk Committee, in which the Town's representative, Deputy Mayor Bronwyn Ife is a committee member.
- 13. The Burswood Park Board is administered by the Minister for Racing and Gaming. The constitution of the Board provides for one member to be nominated by the local government where the Park is located that being the Town of Victoria Park.
- 14. Nominations submitted by the Town are subject to Governor approval on the recommendation of the Minister of Racing, Gaming and Liquor. The appointment of the local government nominated representative is the prerogative of the Minister of Racing and Gaming and Liquor. The Minister is not bound to appoint a nominee submitted by the Town, or be subject to the Town's policies. Notwithstanding the above, it is understood that the Minister would consider any advice or request submitted by the Town relating to its nomination.

Relevant documents

[Burswood Park Board Strategic Direction 2030](#)

[Burswood Park Board Annual Report 2024](#)

[Burswood Park Board Organisational Structure](#)

Legal and Policy compliance

[Casino \(Burswood Island\) Agreement Act 1985](#)

Financial implications

Current budget impact	Not applicable.
Future budget impact	Not applicable.

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable			
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Information Technology and Cyber	Not applicable.		Medium	
Compliance Breach	Not complying with Town's statutory rights	Low	Low	Council nominates a representative to the Board.
Reputation	Town's reputation is negatively affected.	Medium	Low	Council nominates a representative to the Board.
Service delivery interruption	Not applicable.		Medium	

Engagement

Not applicable.

Strategic alignment

Civic Leadership	
Community priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Increased advocacy efforts with stakeholders to benefit the community.

Further consideration

12 Chief Community Planner reports

12.1 Application for Development Approval - Addition of car parking to Place of Worship - Nos. 318 (Lot 5), 320 (Lot 6) & 322A/322B (Lot 7) Shepperton Road, East Victoria Park

Location	East Victoria Park
Reporting officer	Coordinator Urban Planning
Responsible officer	Manager Development Services
Voting requirement	Simple majority
Attachments	1. Location Plan and Site Inspection Photographs [12.1.1 - 4 pages] 2. Applicant's Cover Letter [12.1.2 - 1 page] 3. Development Plan [12.1.3 - 1 page] 4. Schedule of Submissions [12.1.4 - 6 pages] 5. Applicant's Response to Submissions Received [12.1.5 - 5 pages]

Landowner	Coptic Orthodox Church of WA
Applicant	Genesis Design Studio
Application date	9/8/2023
DA/BA or WAPC reference	5.2023.244.1
MRS zoning	Urban and Primary Regional Road Reservation
LPS2 zoning	Residential
R-Code density	R40
Use class	Place of Worship
Use permissibility	Discretionary (advertising) – A use
Lot area	No 318 (Lot 5) : 1,312m ² No 320 (Lot 6) : 622m ² No 322A and 322B (Lot 7) : 762m ² Total area: 2,696m ²
Right-of-way (ROW)	No
Heritage	No
Residential character study area/weatherboard precinct	Residential character area
Surrounding development	Predominantly single storey residential dwellings. Opposite the subject site, the Table Tennis Western Australia premises is located at No 12 Gerard Street.

Summary

1. Development approval is sought for proposed car parking at Nos. 318, 320 and 322A/322B Shepperton Road, East Victoria Park for use in association with the existing Place of Worship.
2. This application for development approval is referred to Council for determination due to matters raised in public submissions and parking issues that have existed around the site for a number of years.
3. Following planning assessment of the application and consideration of the public submissions received, Council officers recommend that the application be approved, subject to conditions.

Recommendation

That Council:

- A Approves the application for development approval (DA Ref: 5.2023.244.1) for the addition of carparking to Place of Worship at Nos. 318 (Lot 5), 320 (Lot 6) and 322A/322B (Lot 7) Shepperton Road, East Victoria Park, in accordance with the provisions of the Town of Victoria Park Local Planning Scheme No. 2 and the Metropolitan Region Scheme, subject to the following conditions:
1. The development, once commenced, is to be carried out in accordance with the approved plans date stamped received 23 October 2024, at all times, unless otherwise authorised by the Town.
 2. Prior to use of the approved car park, Lots 5, 6 and 7 are to be amalgamated into a single lot on a Certificate of Title.
 3. At least 30 days prior to construction commencing, a plan shall be submitted detailing the location of all external lighting, to the satisfaction of the Town. The lighting plan and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997. Lighting in accordance with the approved plan is to be installed prior to use of the approved car park.
 4. At least 30 days prior to construction commencing, a Stormwater and Drainage Management Plan including details of the on-site stormwater disposal including soakwell sizes and locations to be submitted to and approved in writing by the Town. The development shall be constructed in accordance with the approved details and thereafter maintained (refer to related Advice Note).
 5. Stormwater shall not be discharged to the Shepperton Road Reserve or the widened road reservation (Main Roads WA).
 6. At least 30 days prior to construction commencing, a detailed landscaping and reticulation plan for the subject site and the adjacent road verge(s) must be submitted to and approved by the Town, and must include the following:
 - The location, number and type of proposed trees and shrubs including planter and/or tree pit sizes and planting density;
 - Any vegetative lawn to be established;
 - Any existing vegetation and/or landscaped areas to be retained;
 - Any verge treatments;
 7. Prior to the use of the car park, the approved landscaping and reticulation plan must be fully implemented and maintained thereafter, to the satisfaction of the Town.
 8. Prior to occupation of the development, the redundant vehicle crossovers onto Shepperton Road are to be removed and kerbing, verge, and footpath (where relevant) reinstated with grass or

landscaping to the satisfaction of the Town of Victoria Park and to the specifications of the local government (Main Roads WA).

9. Prior to occupation of the development, the redundant vehicle crossover onto Gerard Street marked on the approved plan as "remove existing bitumen crossover" is to be removed and kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the Town of Victoria Park and to the specifications of the local government.
10. Prior to the occupation of the development, the existing vehicle crossovers onto Gerard Street marked on the approved plan as "replace existing conc crossover and make good in accord with ToVP" are to be upgraded to the Town's specifications (refer to related Advice Note).
11. Prior to the occupation of the development, all car parking spaces together with their access aisles, are to be clearly paved, sealed, marked and drained and thereafter maintained to the satisfaction of the Town (refer to related Advice Note).
12. Prior to the occupation of the development, any alterations, relocation, or damage to existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the Town.
13. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lots.
14. No waste collection is permitted from Shepperton Road (Main Roads WA).
15. This approval is for the development to substantially commence within a period of 24 months from the date of approval. If the development, the subject of this approval, is not substantially commenced within a period of 24 months from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term "substantially commenced" has the meaning given to it in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time.

Advice Notes

AN1 This development approval does not remove the need to obtain licenses, permits or other forms of approval that may be required under other legislation or requirements of Council

AN2 Any amendments, or modifications to this development approval may require the submission of an application for amendment to development approval and reassessment of the proposal.

AN3 This property is affected by land reserved in the Metropolitan Region Scheme as shown on the attached extract of the Main Roads drawing number 1.5087 (enclosed) and the attached site plan and will be required for road purposes in the future (Main Roads WA).

AN4 The upgrading/widening of Shepperton Road is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided (Main Roads WA).

AN5 No works are permitted within the Shepperton Road Reservation unless Main Roads has issued

a Working on Roads Permit (Main Roads WA).

AN6 The applicant is required to submit an application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads (Main Roads WA).

AN7 In relation to Condition 4, for commercial development all stormwater drainage shall be designed and signed by a certified Hydraulic Engineer. An overland flow path is to be included in the design to ensure diversion of stormwater from the developments during storm events. Water sensitive urban design treatment measures should be demonstrated in the design of all uncovered at-grade parking.

AN8 In relation to Condition 10 a separate application is to be submitted to the Town's Street Improvement business unit for approval prior to construction of a new or upgraded crossover. To submit a crossover application please complete a 'Crossover Installation Application Form' and refer to the 'Crossover Installation Package'. Both documents are available from the Town's website.

AN9 In relation to Condition 11, all car parking bays to be lined-marked and designed in accordance with Australian Standards AS2890.1 and AS2890.6.

AN10 Existing trees located within the verge are a Town asset and as such must be retained except where otherwise approved for removal by the Town.

AN11 A building permit is required to be obtained from the Town if the external lighting pole are 3m or greater in height.

AN12 Sound levels created are not to exceed the provisions of the *Environmental Protection (Noise) Regulations 1997*.

AN13 A Work Zone Permit application is to be submitted to, and approval issued the Town, prior to any works or temporary storage on a public thoroughfare (including roads, parking bays, footpaths or verges). To download an application form and for further information, please refer to the Town's website or contact the Town's Street Improvement business unit on (08) 9311 8111.

AN14 Any letterbox, structure, wall or fence located within a 1.5 metre x 1.5 metre visual truncation at the intersection of any driveway and the front property boundary, is not to exceed a height of 750mm with the exception of:

- I. one brick pier; and/or
- II. wrought iron or similar metal tubing style infill fencing.

- B Requests the Chief Executive Officer to progress action for the removal of the transportable toilet block at No. 318 Shepperton Road (Lot 5) for which temporary development approval has lapsed.
- C Requests the Chief Executive Officer to advise Council's decision to those people who lodged a submission on the application.

Background

4. This application for development approval originally proposed a two-storey building for a Sunday School and Youth Services at No. 10 Gerard Street and a new car park at Nos. 318, 320 and 322a /322B Shepperton Road, East Victoria Park. A location plan and existing site photos can be viewed at Attachment 1.
5. Following initial planning assessment of the application, Council officers identified issues particularly regarding the proposed development at No. 10 Gerard Street in terms of the intensity of the land use in the Residential zone, and the bulk and scale of the proposed two storey building.
6. Upon this feedback, in late 2023 the applicant amended the application to propose a large house to be permanently occupied by a family. Apart from some building setback revisions, the design of the building was largely as originally proposed with the design reflecting that of a commercial building. Council officers were of the view that the building was then most appropriately classed as a "Residential Building" land use and was designed to accommodate more people than a standard residential dwelling.
7. Further revised plans for the proposed development at No. 10 Gerard Street were received in 2024, however Council officers remained of the view that the building design reflected a commercial building and if it was to be used, as stated by the applicant for residential accommodation, would be classed as a "Residential Building" land use.
8. In September 2024, the applicant withdrew the proposal for No. 10 Gerard Street and elected to only proceed with the proposed car park at Nos. 318, 320 and 322A/322B Shepperton Road, East Victoria Park.
9. The proposed carpark, the subject of this application, is designed for 46 car bays (including 4 accessible car bays) and is to be used in conjunction with the existing place of worship at No. 318 Shepperton Road, East Victoria Park. The plans include the planting of 14 trees, bicycle rack area and the installation of lighting on poles.
10. On 17 December 2024, the Western Australian Planning Commission conditionally approved the subdivision of No. 10 Gerard Street into two (2) lots. The subdivision is not yet complete and a request to have conditions cleared by the Town has not been received nor new land titles created.
11. Prior to the submission of the current application for development approval, the church has received Council approval and undertaken minor works including a church foyer canopy, street wall/gates and a transportable toilet block. In terms of the latter, the transportable toilet block was approved on a temporary basis for a duration of two years until April 2024. It was originally approved during the COVID pandemic restrictions when separation distances applied. The transportable toilet block currently remains on-site without valid development approval, and the applicant has been advised of this both prior to and following the lapse of the temporary development approval.
12. According to Council records, the existing church building at No. 318 Shepperton Road was granted approval by the City of Perth in 1953. Since this date, Council has no record of further approvals for substantial additions to the church building being granted.

13. In 2004 the Town obtained legal advice regarding the use of the church. This was following neighbour complaints relating to patron numbers and noise. The legal advice found that from reviewing the 1953 approval from the City of Perth, no planning conditions were imposed on the hours or intensity of the use of the church.
14. In 1994 and 1999, Council refused planning applications to extend the church, which was primarily due to a lack of on-site car parking.

Applicant's submission

15. As part of the submission for the car park proposal, the applicant has provided:
 16. A covering letter
 17. Development plans showing the proposed car park configuration, landscaping, external lighting and bicycle rack
- These documents can be viewed in the report attachments.
18. A Transport Impact Statement and Acoustic Assessment were also lodged with the initial application however largely relate to the previous Sunday School proposal at No. 10 Gerard Street.
 19. As context for this development proposal, the applicant explains that the proposed car parking is to solve the ongoing parking situation on Gerard Street.

"We submitted plans for a proposed car park for the church by clearing some of the existing buildings to solve an ongoing parking situation. The church was built in the 1940s and it is here to stay. It was built without a car park and within those 80 years the crowd has increased and hence car parking became an issue".

20. It is advised that the Coptic Orthodox Church has owned the existing subject sites for 34 years.
21. The applicant is requesting a 48 months (or 4 years) construction timeframe for the proposed car park. As explanation for this timeframe it is stated that, "The 4 years is to give us time to sort out documentation and finances, it will take less than 1 year to build".
22. In response to the transportable toilet block remaining on-site, the applicant states:

"We had a permanent toilet building and had to demolish it to enclose the area for additional space for people due to covid separation requirements. Hence we asked for the toilet block as replacement, we asked for 5 years until we sort out things on site and council with no explanation gave us 2 years. Then we started the process for 10 Gerard & the car park and we all know how that went. So now we want to sort the car park then add a permanent toilet building along with the future church development ...".

23. In response to submissions received during the community consultation, the applicant has provided additional information and justification (refer to Attachment 5).

Relevant planning framework

Legislation

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
[Town of Victoria Park Local Planning Scheme No. 2](#) (LPS2)
Metropolitan Region Scheme
Health (Miscellaneous Provisions) Act 1911

State Government policies, bulletins or guidelines	Western Australian Planning Commission Development Application Exercise of Discretion Guidelines Western Australian Planning Commission Safer Places by Design CPTED Guidelines
Local planning policies	Local Planning Policy 3 - Non-Residential Uses In or Adjacent to Residential Areas (LPP3) Local Planning Policy 23 - Bicycle Parking, Car Parking and Access for Non-Residential Development (LPP23) Local Planning Policy No. 37 - Community Consultation on Planning Proposals
Other	Local Planning Strategy Parking Management Plan Urban Forest Strategy Council Policy 205 - Vehicle Crossovers

General matters to be considered

Local planning policy objectives	The following objectives of Local Planning Policy 3 - Non Residential Uses In or Adjacent to Residential Areas are relevant in determining the application: a) to ensure non-residential uses are compatible with the residential character, scale and amenity of surrounding residential properties; b) to provide for non-residential uses which serve the needs of the community; c) to encourage the re-use of existing purpose built non-residential buildings for a mix of appropriate local convenience/service and commercial uses where it results in an economically viable use of the building and provides a service to the community; d) to minimise the impacts of non-residential development through appropriate and sufficient management of car parking and traffic generation, noise, visual amenity and any other form of emissions or activities that may be incompatible with surrounding residential uses; e) to ensure that the appearance and design of non-residential development is compatible with surrounding residential properties and the streetscape in terms of building size and scale, the provision of adequate landscaping treatments, the retention of existing mature trees and the suitable design and location of advertising signage; f) to maintain and enhance the amenity of residential environments through ensuring appropriate landscaping treatments, location of car parking and vehicular access legs, and the protection of visual privacy when considering applications for non-residential development; g) to avoid the concentration of non-residential uses where it would create a de-facto commercial area, isolate residential properties or contribute to the unplanned expansion of commercial or mixed use zones into surrounding residential zoned land.
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	The following objectives of Local Planning Policy 23 - Bicycle Parking, Car Parking and Access for Non Residential Development are relevant in determining the application: b) To avoid an over-supply of car parking that can encourage dependence on private vehicles and discourage the use of active modes of transport such as walking, cycling and public transport. c) To facilitate the provision of bicycle parking and end of trip facilities that are well designed to support mode shift to cycling and other active modes of transport. d) To ensure that the design and location of car parking minimises negative visual and environmental impacts on amenity and streetscapes. e) To ensure that car and bicycle parking facilities are safe and accessible including ensuring that ACROD parking bays are appropriately provided.
Deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015	The following are relevant matters to be considered in determining the application. (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area; (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving; (f) any local planning strategy for this Scheme endorsed by the Commission; (g) any local planning policy for the Scheme area; (m) the compatibility of the development with its setting, including — (i) the compatibility of the development with the desired future character of its setting; and (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development; (n) the amenity of the locality including the following – (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development. (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other

	vegetation on the land should be preserved; (s) the adequacy of – (i) the proposed means of access and egress from the site; and; (ii) arrangements for the loading, unloading, manoeuvring of vehicles; (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety; (u) the availability and adequacy for the development of the following — (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability; (w) the history of the site where the development is to be located; (y) any submissions received on the application (zb) any other planning consideration the local government considers appropriate.
Urban forest strategy	This application has the following impacts, in regards to the Town's Urban Forest Strategy. • The planting of 14 shade trees on-site • No existing mature trees are located on-site

Compliance assessment

Non-residential development		
Planning element	Permissibility/deemed-to-comply	Requires the discretion of the Council
Land use	No change	
Car and bicycle parking	X	
Landscaping		X

External lighting		X
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Engagement

Internal engagement	
Stakeholder	Comments
Street Improvement	Provided comments and advice on the car park design pursuant to Australian Standard AS2890.1. Standard conditions and advice notes relating to the construction of a car parking area are recommended. It is also noted that the applicant has requested the Town's Street Improvement area to consider the construction of formalised verge parking in Gerard Street, adjacent to the subject lots.
Parking and Rangers	Residents of Gerard Street, East Victoria Park, have raised ongoing concerns about parking and access issues in the area. Commonly reported problems include vehicles blocking driveways and road access, contributing to congestion caused by improperly parked cars. Residents have also highlighted damage to public infrastructure, such as footpaths and crossovers, caused by heavy vehicles. These challenges have led to safety concerns, such as reduced visibility from blind spots, and have disrupted local activities, including construction projects. Regular patrols have been requested to address these issues and ensure safe and accessible streets for the community. Historically, parking issues have been a recurring challenge on Gerard Street, particularly on Sundays or during events at the nearby church. The proposed off-street parking is expected to be a much-needed solution, helping to alleviate congestion and improve parking availability in the area.
Place Planning	Comments relating to this proposal concerned the provision of shade trees in car park and the location of the bicycle parking, which have been addressed by revised plans.
Environmental Health	Standard advice note regarding compliance with Noise Regulations recommended. It is advised that the church, as a public building, has approval for the maximum accommodation of 113 persons in the church and 31 persons in the hall. In the past five years, one noise complaint has been registered relating to the use of power tools.
Building	A Building Permit is not required for the construction of the car park

	itself, but will be required if the external lighting poles are 3m or greater in height.
Parks	Standard advice notes regarding the existing street trees in the verge recommended. The Town's Parks section did not support the initial shade tree selection in the car park. Alternate tree species were recommended, and the landscaping plan has now been updated, upon Town's advice, to include WA Weeping Peppermint <i>Agonis Flexuosa</i>. At the time of drafting this report, the Town's Parks area has advised that the selected plant species of Myrtle Spurge <i>Euphorbia myrsinites</i> and Viburnum 'Spring Bouquet' are not readily available for purchase in the Perth region.

External engagement	
Stakeholders	Owners and occupiers of properties within a 200m radius
Period of engagement	4 November 2024 to 2 December 2024 (28 days)
Level of engagement	2. Consult
Methods of engagement	Online survey and written submission
Advertising	Letters to owners and occupiers within 200m radius of subject site (526 letters sent)
Submission summary	In total, the Town received 18 submissions (6 in support, 9 of objection, 3 neither support or object). A schedule of the submissions received during consultation period can be viewed at Attachment 4.
Key findings	Submissions supporting the proposal considered that the proposed car park will help alleviate current parking issues, especially in the street and on the verge, during church activities. Those opposing the proposal are concerned about matters including: - Car park in a residential area - Potential increase in traffic and safety issues - The requested construction timeframe - Noise and light pollution from existing church activities and proposal impacting nearby residents - Potential impact on surrounding property values

24. A summary of the themes expressed in the submissions received, and the assessing officer's response to those matters, are as follows:

Summary of submissions received	
Matter	Comments
Car parking in a residential area	The existing Place of Worship, a non-residential use, has been approved at the subject site since 1953 with no on-site car parking. From review of this original approval and legal advice obtained in 2004 regarding the original approval, there are no planning conditions imposed to regulate the scale of the church congregation except for the maximum accommodation of the church buildings as a public building pursuant to the <i>Health (Miscellaneous Provisions) Act 1911</i>. This means that to improve the current parking issues experienced in Gerard Street this can occur by the church developing car parking on its private land and/or the Town reviewing its parking management actions. Acknowledging the approval history of the subject land, the proposed car park to be used in association with the existing church premises, has been assessed as generally consistent with Local Planning Policy 3 - Non-Residential Uses In or Adjacent to Residential Areas and to not significantly adversely impact the adjoining or surrounding residential properties. It has been suggested that vehicle access to the car park should be from Shepperton Road (not Gerard Street). This would not be supported by Main Roads WA, as this would impact the traffic flow of a primary regional road.
Potential increase in traffic and safety issues	The consolidation of vehicle parking into a formalised car park on the subject land, is an improvement of the existing situation where vehicles are informally parked on the adjacent Council verge and on-street. The car park proposal and its design has been reviewed and deemed acceptable by the Town's Street Improvement area. In terms of a potential increase in traffic, the permitted maximum patronage of the church is not changing as a result of this application. The church, as a public building, continues to have approval for the maximum accommodation of 113 persons in the church and 31 persons in the hall.
The requested construction timeframe of 48 months	This is discussed further in the Planning Assessment section below. The Town recommends that the standard development approval validity timeframe of 2 years (for the development construction to be substantially commenced) is imposed.
Noise and light pollution	The sound levels from church activities are not to exceed the provisions

from existing church activities and proposal impacting nearby residents	of the <i>Environmental Protection (Noise) Regulations 1997</i>. According to Council records, in the past five years there has only been one noise complaint registered for the subject site. The noise complaint related to the use of power tools. No complaints relating to lighting have been received. In terms of the proposed lighting of the car park, a condition is recommended for a detailed lighting plan to demonstrate no light spill to the adjoining properties. This is discussed further in the Planning Assessment section below.
Impact on property values	Noted, however not a planning consideration.

Other engagement	
Stakeholder	Comments
Main Roads WA	The subject lots fall partially within the Metropolitan Region Scheme's Primary Road Reservation on Shepperton Road. As such referral to Main Roads WA is required. Main Roads has responded indicating this support for the car park proposal subject to conditions. The recommended conditions relate to: - the amalgamation of lots, - the removal of redundant crossovers to Shepperton Road and - restrictions that there are no encroachment of structures, stormwater discharge or waste collection into/from the Shepperton Road reservation.

Planning Assessment

Zoning and land use

25. The subject lots are zoned "Residential R40" pursuant to LPS2. The objectives of the Residential zone are :

- "1. To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- 2. To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- 3. To provide for a range of non-residential uses, which are compatible with and complementary to residential development".*

26. According to Council records, the existing church building was originally approved in 1953, with no on-site car parking bays shown on the approved plans.

27. The applicant has confirmed that the car parking will be used in association with the existing church at No. 318 Shepperton Road.

28. Council officers consider the carpark to be ancillary to the existing "Place of Worship" land use on-site. The car park is located directly adjacent to the church building and within the site that is secured by existing street walls and gates around the perimeter of the subject land.
29. To guarantee the continued use of the proposed car park in association with the church building, as well as ensuring that the car parking circulation and design in accordance with the Australian Standards is maintained, a planning condition is recommended requiring the amalgamation of the subject lots into a single Certificate of Title. The applicant has been notified of this requirement.

Car and bicycle parking

30. The proposed carpark includes 46 car bays (including 4 accessible bays) and 14 bicycle spaces. It is screened from the street by an existing perimeter wall and landscaping details are shown on the proposed plan. Entry to the car park is gated to prevent unauthorised after hours use.
31. Pursuant to Local Planning Policy 23, there is now no minimum required on-site car parking bays for non-residential land uses in the Town. The provision of on-site car parking is at the discretion of the landowner.
32. The policy also outlines that bays for the exclusive use by people with disabilities are provided at a minimum rate of 1 space per 20 bays (based on 46 car bays equates to 2 bays). The plans propose 4 accessible parking bays, or provision at a rate of 1 space per 11 bays, which exceeds the minimum requirement.
33. The development of a new car park does not require the provision of bicycle parking facilities that the built addition of net lettable floor area would require. Notwithstanding this, the plans do propose two steel bicycle racks to accommodate 14 bicycle spaces.

Vehicle access points

34. The submitted development plan shows eight existing vehicle crossovers to the subject land.
35. To the Gerard Street frontage, it is proposed to retain two crossovers to Gerard Street which are marked as "Pedestrian entry only", upgrade two vehicle crossovers to allow for entry/exit points to the proposed carpark and remove an existing bitumen crossover to the south-east side of No. 322 Shepperton Road. The removal of this crossover is consistent with Local Planning Policy 3 (LPP3) which states that a vehicle accessway should not be located adjacent to a residential property.
36. To the Shepperton Road frontage, two out of the three crossovers have been removed. The remaining vehicle crossover is partially removed however needs to be removed in its entirety prior to the development commencing operation, as per Main Roads WA's recommendation.
37. LPP3 at provision 5.3(b) states, "No more than one access point is provided per street frontage other than a right-of-way". The separate entry and exit access crossovers to the car park is to allow for one-way circulation which improves safety in the car park. With consideration of the existing vehicle crossovers on-site and the proposed rationalisation of crossovers, this variation is supported.
38. Standard planning conditions are recommended to ensure that the upgrade of existing crossovers and removal of redundant crossovers are completed to the Town's specifications prior to the occupation of the development.

Landscaping and trees

39. The plan includes landscaping details and proposes 14 shade trees. The provision of new trees is compliant with the Local Planning Policy 23 which requires a medium tree for every 4 car bays (or based on 46 car bays a minimum of 12 shade trees).
40. Notwithstanding this, Local Planning Policy 23 at policy provision 5.2.2 f) indicates that the perimeter of all uncovered at-grade parking areas shall be landscaped by a soft landscaping strip of up to 1.5m in width.
41. Local Planning Policy 3 (LPP3) at policy provision 11 requires that *"car parking areas located within the front setback area are to be setback from the front property boundary behind a soft landscaping strip of at least 1.5m in width"* and *"a planted perimeter strip of at least 1.0m in width between the car park... and any adjoining residential property"*.
42. The proposed carpark proposes no landscaping strip to the front property boundary and a 0.4m landscape strip between the south-east side of the carpark and the vacant land at No. 324 Shepperton Road. This does not meet the minimum landscaping strip widths as outlined in LPP3.
43. The proposed landscaping is then considered against the relevant policy objectives to assess the appropriateness of the variations. The policy objectives are *"to ensure the appearance and design of non-residential properties is compatible with the surrounding residential properties and streetscape in terms of the provisions of adequate landscaping treatments"* and *"to maintain and enhance the amenity of residential environments through ensuring appropriate landscaping treatments"*.
44. If the provision of a 1.5m wide landscape strip to the Gerard Street boundary is insisted upon, then this will require redesign of the car park, a reduction in landscaping elsewhere within the car park and potentially the loss of six proposed on-site car bays.
45. Overall, the car park proposal includes over 250m² of new landscaping garden beds and 14 shade trees. The existing street wall (see photos at Attachment 1) and multiple street trees on the Council verge further assist with partially screening the proposed car park and contributing to the residential amenity of the streetscape. It is recommended that standard conditions relating to the submission and approval of a detailed landscaping plan then planting and maintenance of the approved landscaping is imposed. This is to ensure that the quality and maintenance of the landscaping is kept to a standard appropriate in a residential area.

External lighting

46. The plan proposes external lighting of the car park with the development plan (refer to Attachment 3) showing the location of 24 lighting poles. The applicant has advised in writing that the lighting poles will be about 2m – 2.5m in height. Should the lighting poles be 3m or greater in height, a building permit will be required.
47. The indicative locations of the lighting poles as shown on the development plan are supported. It is recommended that an external lighting plan demonstrating that light spill to adjoining properties, in particular No. 324 Shepperton Road is minimised to an acceptable level. This is a standard condition applied where external lighting posts are proposed.

Construction timeframe

48. The applicant is requesting that the development approval is valid for 48 months (or 4 years). The reason cited is to allow for sufficient timeframe for documentation and financing, however the construction of the car park is anticipated to take no longer than a year.

49. The standard timeframe for the valid duration of a development approval is two years. The exception to this are proposals approved by the Development Assessment Panel (DAP) where the approval timeframe is four years. DAP applications are typically for major developments, as the estimated development approval cost is to be \$2 million or greater to be eligible for this decision pathway.
50. The two-year timeframe allows for planning decisions to be timely reflecting the current planning framework applicable at the time.
51. Council officers recommend that the standard development approval duration of 2 years for construction to substantially commence is applied to this application. Notwithstanding this the applicant can apply in the future to extend the time period of the development approval.
52. When considering an application to extend the time period, the Town assesses whether the planning framework has substantially changed since the development approval was granted, if the development would likely receive approval now and if the applicant has actively and relatively pursued the implementation of the development approval.

Financial implications

Current budget impact	No impact
Future budget impact	Should the applicant be aggrieved by the Council's decision they have a right of review to the State Administrative Tribunal. If the applicant were to exercise this right, then there may be financial implications for the Town in terms of representation to defend Council's decision.

Risk management considerations

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable			
Environmental	Not applicable			
Health and safety	Not applicable			
Data, Information Technology and Cyber	Not applicable			
Assets	Not applicable			
Compliance Breach	The proponent has a right of review to the State Administrative Tribunal against Council's decision, including any conditions.	Low	Low	ACCEPT Ensure that Council is provided with information to make a sound recommendation based upon the relevant planning considerations including the Local Planning Scheme and applicable Local

	Planning Policies.			
Reputation	Public criticism regarding decision on application	Low	Low	ACCEPT Provide sound reasons for decision of application and advise submitter/s of decision in a timely manner
Service delivery interruption	Not applicable			

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	In accordance with 'Local Planning Policy 37 – Community Consultation on Planning Proposals', community comments on the proposal were sought for a 28 day period.

Environment	
Community Priority	Intended public value outcome or impact
EN3 - Enhancing and enabling liveability through planning, urban design and development.	Ensuring that new development to non-residential uses does not adversely impact the amenity of the surrounding residential area.
EN6 - Improving how people get around the Town.	The car park is proposed to address current parking issues experienced on Gerard Street.

Social	
Community Priority	Intended public value outcome or impact
S3 - Facilitating an inclusive community that celebrates diversity.	The car park is to be used in association with the existing Coptic Orthodox Church at the subject site.

Further consideration

In response to matters raised at the Agenda Briefing Forum meeting held on 4 February 2025, the following information and comments are provided :

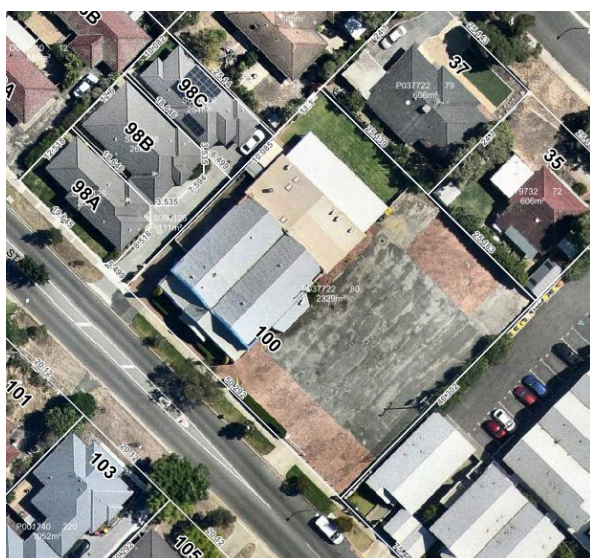
53. A review of Council's records indicate that :

- The property at No. 318 (Lot 5) Shepperton Road has approval as a Place of Worship and is being used for this purpose.
- The property at No. 320 (Lot 6) Shepperton Road has approval as a Child Care Premises and appears to be used for church related activities including a Sunday school.
- The property at No. 322A/322B (Lot 7) Shepperton Road has approval for two residential dwellings and appears to be used for church related activities, possibly including a kitchen for the church.

54. Under Local Planning Scheme No. 2 all three lots are zoned Residential. The land use classification 'Place of Worship' is a discretionary land use within the Residential zone.

55. The development of land to provide public or private car parking would fall under the land use classification of 'car park' which is a 'X' (prohibited) use on Residential zoned land, if a standalone car park.

56. However, in this instance the application proposes to construct on-site car parking for use in association with the church (Place of Worship) rather than a standalone car park.
57. On this basis, the proposed car parking is ancillary to the Place of Worship and does not involve a change in land use classification to 'car park'.
58. The provision of car parking ancillary to the Place of Worship is able to be approved.
59. Recommended condition 2 requires the amalgamation of the lots so that all three lots will form part of one site comprising a Place of Worship with ancillary car parking. From a land use classification perspective, the entire site will be considered as a Place of Worship notwithstanding part of the site is only being used for ancillary parking.
60. Notably the permitted maximum patronage of the church remains as per the Public Building approval and therefore there is no increase in the land use intensity.
61. Within the Town there are numerous examples of properties zoned Residential, but used for non-residential purposes, which have their associated car parking located on a distinct and separate part of the site. This includes a number of examples of Place(s) of Worship. One relevant and similar example is the church at No. 100 Star Street, Carlisle (see aerial photo below).



62. In this and other similar scenarios, recognising the car parking is ancillary, the approved land use classification is the primary use (eg.. Place of Worship) rather than the primary use and 'car park' (eg. Place of Worship and Car Park).
63. The development description has been amended to be clear that the proposal is not for a car park land use classification in its own right, but rather for the addition of car parking ancillary to a Place of Worship.
64. The description of the subject properties has been amended to reflect that Lot 7 contains a duplex pair of residential units known as Nos. 322A and 322B Shepperton Road.

12.2 Application for Development Approval for a Change of Use from Grouped Dwelling to Unhosted Short-Term Rental Accommodation at 63 Mackie Street Victoria Park

Location	Victoria Park
Reporting officer	Senior Planning Officer
Responsible officer	Chief Community Planner
Voting requirement	Simple majority
Attachments	1. Development Site and Floor Plans [12.2.1 - 1 page] 2. Management Plan [12.2.2 - 4 pages] 3. Applicant's Cover letter [12.2.3 - 1 page] 4. Schedule of Submissions [12.2.4 - 3 pages]

Landowner	Mr Y D Simpson and Mrs M D Simpson
Applicant	Mr Y D Simpson
Application date	23/10/2024 (received); 29/10/2024 (accepted)
DA/BA or WAPC reference	DA 5.2024.406.1
MRS zoning	Urban
LPS zoning	Residential
R-Code density	R30
Use class	Unhosted Short-Term Rental Accommodation
Use permissibility	A – discretionary subject to advertising
Lot area	278m ²
Right-of-way (ROW)	No.
Municipal heritage inventory	No.
Residential character study area/weatherboard precinct	N/A
Surrounding development	Medium density residential properties

Summary

The purpose of this report is to consider an application for development approval for a Change of Use from a Grouped Dwelling to Unhosted Short-Term Rental Accommodation at 63 Mackie Street, Victoria Park (Lot 1 on SP56050).

This item is referred to Council for determination as the proposed land use does not meet the minimum number of location criteria required under the Town's Local Planning Policy 31 'Serviced Apartments and Residential Buildings including Short Term Accommodation.'

For the reasons outlined in this report, it is recommended that the application be refused.

Recommendation

That Council refuse the application for development approval for a Change of Use from a Grouped Dwelling to Unhosted Short-Term Rental Accommodation at 63 Mackie Street, Victoria Park (Lot 1 on SP56050), in accordance with the provisions of the Town of Victoria Park Local Planning Scheme No. 2 and the Metropolitan Region Scheme, for the following reasons:

1. The location of the property does not meet sub-clause 1.2 of the Town's Local Planning Policy 31 – 'Serviced Apartments and Residential Buildings including Short Term Accommodation', as the property does not meet the required minimum two locational criteria.
2. The location of the property does not satisfy Objectives a), d), e) and f) of the Town's Local Planning Policy 31 – 'Serviced Apartments and Residential Buildings including Short Term Accommodation' as the proposed use is not appropriately located.
3. The proposed use is not consistent with matters a), g), m), n), x) and y) of Deemed Clause 67 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Background

1. A review of the Town's records indicates that the existing dwelling was originally built prior to 1953 (earliest available aerial imagery) and has been occupied as a dwelling ever since.
2. In mid-April 2024 a Short-Term Rental Accommodation (STRA) Register was introduced by the State Government requiring all STRA in WA to be registered by 1 January 2025, in accordance with the *Short-Term Rental Accommodation Act 2024*. In addition, property owners have until 1 January 2026 to provide evidence of compliance with local planning requirements to remain registered. The STRA Register enables information to be gathered on the STRA sector in WA to provide the State Government with clear, information based, picture of the sector enabling data driven decision-making.
3. The applicant registered the subject site as Unhosted STRA with the State Government on 18 August 2024.
4. On 19 September 2024, amendments to the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted and implemented. The changes introduced new land use terms (definitions) for STRA along with exemptions from development approval for Hosted STRAs and some Unhosted STRAs subject to conditions. These changes automatically applied to local planning schemes, however, the Town of Victoria Park Town Planning Scheme No. 1 (TPS1), which was operative at that time, did not include the new STRA land uses in the Zoning Table. As such, the application was classified as a Residential Building land use, and the Town's initial assessment, including community consultation, was undertaken accordingly.

5. On 18 December 2024, the new Town of Victoria Park Local Planning Scheme No. 2 (LPS2) was gazetted and implemented, and subsequently TPS1 was revoked. The new LPS2 Zoning Table includes the Unhosted STRA land use, as defined in the Deemed Provisions. Apart from a change of land use term, in this instance, the land use permissibility and development requirements of the revoked TPS1 remain largely unchanged by the new LPS2.
6. The application seeks approval for an unhosted STRA to operate for more than 90 nights in a relevant 12-month period, which requires development approval to be obtained from the Town.

Applicant’s submission

7. The application proposes a Change of Use from a Grouped Dwelling to an Unhosted STRA at 63 Mackie Street, Victoria Park.
8. The submitted development plans (Attachment 1) depict an existing single-storey dwelling with three bedrooms and two bathrooms, and two onsite car parking bays located in a carport which has direct access to Mackie Street.
9. The submitted management plan and cover letter (Attachments 2 and 3) advise that the Unhosted STRA will be occupied for a minimum two-night stay by up to five (5) persons at any one time, with two of the bedrooms containing double beds and the third bedroom containing a single bed. The STRA is proposed to be operated and managed by the owners of the property, with the intention being for the property to be occupied at times by the owners parents who live in the country, and at other times cater to families and overseas visitors.
10. The management plan provides information in relation to the following:
 - (a) Contact details of the owner/manager;
 - (b) Check in / check out times;
 - (c) Mitigation and complaints procedure, along with a complaints form;
 - (d) Use and maintenance of the property;
 - (e) Safety, hygiene and security; and
 - (f) Car parking.
11. As briefly outlined in the Background section of the management plan, the Applicant contends that the property is located close to high frequency bus routes, commercial land along Albany Highway, and Swan River Precinct, Optus Studium and the Crown Resort.

Relevant planning framework

Legislation	Town of Victoria Park Local Planning Scheme No. 2 Planning and Development (Local Planning Schemes) Regulations 2015
State Government policies, bulletins or guidelines	Western Australian Planning Commission (WAPC) Position Statement: Planning for Tourism and Short-Term Accommodation (Statement) WAPC Planning for Tourism and Short-Term Rental Accommodation Guidelines (November 2024) WAPC Planning Bulletin 115 Short-Term Rental Accommodation (STRA) Guide for Local Government

	WALGA Local Planning Policy Guideline: Unhosted STRA
Local planning policies	Local Planning Policy 31 – Serviced Apartments and Residential Buildings including Short Term Accommodation (LPP 31)
Other	Not applicable.

General matters to be considered

LPS2 Residential Zone Objectives	The following objectives of the Residential zone contained within LPS2 are relevant to consideration of the application. • To provide for a range of housing and a choice of residential densities to meet the needs of the community. • To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. • To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
Local planning policy objectives	The following objectives of Local Planning Policy 31 are relevant in determining the application. • a) To facilitate the development of appropriately located and high quality accommodation other than permanent residential dwellings within the Town of Victoria Park; • d) To protect the residential amenity of permanent and long term residents and minimise the perceived negative impacts that may be caused by the transient nature of alternative forms of accommodation; • e) To ensure various forms of accommodation, particularly where they are to be located within existing residential areas, are of a compatible scale and design with surrounding development; • f) To locate Residential Buildings and Serviced Apartments in a coordinated manner that provides accessibility and convenience for guests/occupants while minimising potential adverse amenity impacts, particularly within low density residential areas and local neighbourhood streets.
Deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015	The following are relevant matters to be considered in determining the application. • (a) the aims and provisions of this Scheme (including any planning codes that are read, with or without modifications, into this Scheme) and any other local planning scheme operating within the Scheme area; • (g) any local planning policy for the Scheme area; • (m) the compatibility of the development with its setting, including — (i) the compatibility of the development with the desired future character of its setting; and (ii) the relationship of the development to development on adjoining

land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (zb) any other planning consideration the local government considers appropriate.

Compliance assessment

12. The table below summarises the planning assessment of the proposal against the provisions of the Town of Victoria Park Local Planning Scheme No.2, the Town's local planning policies, and other relevant documents, as applicable. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the detailed assessment section following from this table.

Change of use application		
Planning element	Permissibility/deemed-to-comply	Requires the discretion of the Council
LPS2 - Land use permissibility	Unhosted Short-Term Rental Accommodation (STRA) is an 'A' (discretionary) land use in the Residential Zone	Yes
LPP31 - Location requirements	Meets only one location criteria in lieu of a required minimum two location criteria.	Yes
Deemed clause 67(2) - Matters for consideration	Relevant matters for consideration	Yes

13. The Deemed Provisions contains the following general terms for a short-term rental accommodation and short-term rental arrangement, along with the definition of an Unhosted STRA land use:

"short-term rental accommodation — (a) means a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement; ...

short-term rental arrangement means an arrangement under which —

A) a dwelling, or part of a dwelling, is provided for occupation by a person; and

b) the person occupies the dwelling, or part of the dwelling, for a period or periods not exceeding a total of 3 months in any 12-month period;

unhosted short-term rental accommodation means short-term rental accommodation that —

- b) is not hosted short-term rental accommodation; and
- b) accommodates a maximum of 12 people per night;"

14. In accordance with subclauses 61 (2) (ea) and (be) of the Deemed Provisions, development approval is not required for the following:

- (a) the use of a dwelling as hosted STRA. However, it is important to note that hosted STRA still requires registration under the State Government's registration scheme.
- (b) the use of a dwelling as unhosted STRA if the dwelling is —
 - (i) wholly or partly in the metropolitan region; and
 - (ii) registered under the *Short-Term Rental Accommodation Act 2024* Part 3; and
 - (iii) used as unhosted STRA for no more than 90 nights in a relevant 12-month period; and
 - (iv) not located in a zone in relation to which the use of a dwelling as unhosted STRA is a class X use or a use that is not consistent with the objectives of that zone.

15. As the application proposes an Unhosted STRA that will operate for more than 90 nights in a relevant 12-month period, development approval is required to be obtained from the Town.

16. Under clause 17. Table 13 - Zoning Table of the Town's LPS2, an Unhosted STRA is classed as an 'A' land use in the subject Residential Zone. Clause 18 provides the following interpretation of an 'A' land use:

"A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the Deemed Provisions."

17. In accordance with deemed clause 67, the local government (being the Council in this instance) in exercising its discretion to determine the application, is required to consider the merits of the case with due regard to the relevant planning matters including:

- "(a) the aims and provisions of the Scheme;*
- (g) any local planning policy for the Scheme area*
- (m) the compatibility of the development with its setting, including —*
 - (i) the compatibility of the development with the desired future character of its setting; and*
 - (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) any submissions received on the application;*
- (z) any other planning consideration the local government considers appropriate."*

18. The following provisions of LPP31 are relevant:

"1. Location

- 1.1 *Residential Buildings (short term accommodation) and Serviced Apartments should be appropriately located to ensure they are in convenient, easily accessible locations for their guests, and to minimise potential adverse impacts on the amenity of surrounding residential properties, particularly within low density, suburban environments.*
- 1.2 *To achieve 1.1 above, Residential Buildings and Serviced Apartments will only be supported by the Council where they are located on sites which meet at least two or more of the following criteria:*
- a) Are on a Primary, District or Local Distributor road;*
 - b) Are within 400 metres of a train station or high frequency bus route stop;*
 - c) Are within 400 metres of an area of tourist potential as determined by the Town, such as adjacent to the Swan River foreshore and major sporting/entertainment complexes;*
 - d) Are within 400 metres of a District Centre zone, Commercial zone or other location providing convenience shopping and access to everyday goods and services; and/or*
 - e) Are within 800 metres of a higher education provider (TAFE or University campus), where the proposal is for Short Term Accommodation to house students."*

19. The application was assessed against the above location criteria and was found to satisfy only item b) in lieu of the required minimum two locational criteria.

20. An assessment of these matters is provided in the Planning Assessment section below.

Engagement

Internal engagement	
Stakeholder	Comments
Place Planning	Unhosted STRA can have a cumulative impact on the Town's housing goals however the extent of this impact is not known. Until elected members and the community have been re-engaged on defining the suitability of different locations within the Town where unhosted-STRA may be supported the existing locational criteria set by LPP31 are valid reasons for the development application being recommended for refusal.

External engagement	
Stakeholders	Owners and occupiers of adjoining properties
Period of engagement	14 calendar days from 9 December 2024 to 23 December 2024
Level of engagement	2. Consult
Methods of engagement	Letters provided to owners and occupiers of adjoining properties outlining the proposed change of use, the comment period and the availability of the application documents on the Town's website

Advertising	Notification letter posted to owners and occupiers of adjoining properties, publication of the application documents and information on the Town website.
Submission summary	Two (2) submissions were received objecting to the proposal. Please refer to Attachment 4 for a schedule of submissions, containing a summary of the submission objection reasons along with the Applicant's responses and the Town Officer's comments.
Key findings	The key concern raised by submitters related to the land use not being appropriate for the subject locality, which would impact on the availability of long-term rental accommodation within the Town.

Planning Assessment

21. LPS2 requires the exercise of discretion when considering the suitability of the proposed Unhosted STRA use in a Residential Zone, taking into consideration the provisions of Council policies in relation to the location and potential impact on the amenity of surrounding properties.
22. As outlined in the following table the proposal does not meet LPP31 clause 1.2 which requires the location of the property to meet a minimum of two specific location criteria, and as a result does not satisfy policy objective a).

LPP31 - 1. Location	
<i>Policy Requirement</i>	Compliance Assessment
1.1 Residential Buildings (short term accommodation) and Serviced Apartments should be appropriately located to ensure they are in convenient, easily accessible locations for their guests, and to minimise potential adverse impacts on the amenity of surrounding residential properties, particularly within low density, suburban environments. 1.2 To achieve 1.1 above, Residential Buildings and Serviced Apartments will only be supported by the Council where they are located on sites which meet at least two or more of the following criteria:	No. Note: several of the location criteria requires an assessment of a 'straight line' distance, measured between the closest points of the property boundary and the subject location criteria. For comparative purposes, the following assessment also provides 'walking distances', measured from the front of the property along the footpath/street network to the subject location.
a) Are on a primary, district or local distributor road;	No. The background in the Applicant's Management Plan states that Mackie Street is a 'Local Distributor Road', however, both Main Roads WA road hierarchy database and the Town's road hierarchy mapping classify Mackie Street as an 'Access Road'.

b) Are within 400 metres of a train station or high frequency bus route stop; Note: a high frequency bus route includes: A bus stop on a high frequency transit route that stop every 15 minutes during weekday peak periods (7am-9am and 5pm-7pm); or A bus stop on multiple transit routes, that when combined stop every 15 minutes during weekday peak periods (7am-9am and 5pm-7pm).	Yes. The property is located within 250 metres of high frequency bus route stops on Geddes Street and Berwick Street, as outlined below: <u>Geddes Street</u> • To Perth – 236 metres straight line (329 metres walking distance) to bus stop 11740 serviced by routes 75 and 72. • From Perth – 230 metres straight line (349 metres walking distance) to bus stop 11737 is serviced by routes 72 and 75. <i>(Note: these buses routes connect with high frequency bus route 221 at the Causeway Bus Station on Albany Highway).</i> <u>Berwick Street</u> • To Perth – 413 metres straight line (497 metres walking distance) to bus stop 11778 serviced by multiple bus routes 33, 75 & 72 that when combined are equivalent to a high frequency bus route. • From Perth – 400 metres straight line (458 metres walking distance) to bus stop 11749 serviced by multiple bus routes 75 & 72. <i>(Note: buses routes 72 and 75 connect with high frequency bus route 960 at the Causeway Bus Station on Albany Highway).</i>
c) Are within 400 metres of an area of tourist potential as determined by the Town, such as adjacent to the Swan River foreshore and major sporting/entertainment complexes;	No. The closest tourism destination is 645 metres straight line distance (820 metre walking distance) to the Swan River Foreshore (McCallum Park). Further, the property is a 2.5km straight line distance from Optus Stadium and 1.5km from the Crown Casino.
d) Are within 400 metres of a District Centre zone, Commercial* zone or other location providing convenience shopping and access to everyday goods and services; and/or *Note: This policy refers to land zoned Commercial under the revoked TPS1. This land is now zoned Mixed Use under the operative LPS2.	No. The property is located: • 441 metres straight line distance (643 metres walking distance) to land zoned Mixed Use at 181 Albany Highway (corner Geddes Street); • 448 metres straight line distance (559 metres walking distance) from land zoned District Centre at 2 Cargill Street (corner Albany Highway); and • 472 metres straight line distance (472 metres walking distance) to land zoned District Centre at 100 Albany Highway (corner Cargill Street).

	walking distance) to land zoned District Centre at 249 Albany Highway (corner Makie Street).
e) Are within 800 metres of a higher education provider (TAFE or University campus), where the proposal is for Short Term Accommodation to house students.	Not applicable. The proposal is not for student housing.

23. As the property does not meet the minimum number of location criteria it is considered that the use does not meet the policy objectives. In this respect, the Unhosted STRA is not considered to be in a location that provides the expected higher level of accessibility and convenience for guests/occupants.
24. A review of the relevant report presented to the Ordinary Council Meeting on 14 February 2012 when the draft Policy was being considered provides some of the background rationale for the locational criteria in the Policy -
- "The Town is well known for its diversity of food, arts and culture particularly along the Albany Highway commercial strip, as well as its frontage to McCallum Park adjoining the Swan River which boasts impressive views of the Perth CBD. The Policy encourages the location of specialised forms of accommodation within or in close proximity to these locations to capitalise upon this tourism potential. Proximity to commercial areas also provides the benefit of access to public transport and everyday goods and services, such as restaurants, banks and shopping centres, which is particularly important for overseas or interstate visitors who may not have the use of a private vehicle.*
- The draft Policy does not specifically exclude Residential Buildings comprising Bed and Breakfast Accommodation or Short Stay Accommodation from low density residential areas given the definitions for these forms of accommodation restrict the maximum number of guests/occupants to 6 persons, which aside from the temporary nature of the accommodation is consistent with the maximum number of unrelated persons permitted to occupy a building approved as a dwelling. However, the preferred locations outlined in the Policy will encourage their location in medium to higher density locations in any case, given they are encouraged to locate in close proximity (walking distance) to public transportation, main roads, commercial areas and everyday goods and services, which are typically locations where medium to high density residential development is permitted, and where there is an interface with non-residential vehicular and pedestrian movements, and in some cases noise and other activities of a non-residential nature."*
25. In relation to potential amenity impacts, the applicant in their management plan outlines management strategies and a mitigation and complaints procedure that meets the LPP31 requirements. The applicant's intended measures to manage the STRA are noted. Given the owner/manager lives within a 10 minute drive of the property, it is expected that the STRA would be well managed, and any adverse impacts would be addressed promptly.
26. Additionally, an alternative scenario where the dwelling may be rented out for a period of three months or more to the same person or persons, would be classed as permanent accommodation, and would not require further development approval. The need for development approval arises in this instance because the occupancy period is proposed to be for a temporary period (less than 3 months being considered to be short-term) providing the opportunity for turnover of occupants to be occurring up to every couple of days.
27. In respect to the proposed temporary period of occupancy, two objection submissions were received as a result of community consultation. A summary of the submission comments along with the Applicant's responses and Town Officer comments is provided in the attached Schedule of Submissions

(Attachment 4). The key objection reason related to the land use not being appropriate for the subject locality, which would impact on the availability of long-term rental accommodation within the Town. This opinion is supported by the Town's Officers, as it is considered that further expanding Unhosted STRA into residential areas may impact on the LPP31 intent to preserve some areas for long-term (permanent) housing purposes.

28. While the use of the premises is likely to be well managed, approval of the application would undermine the intent of the policy to only permit such land uses in areas which meet at least two of the location criteria. Subsequently, it is considered that the Unhosted STRATA land use is not supported as it does not meet objectives and policy requirements of the Town's LPP31 and the relevant matters for consideration under deemed clause 67. In particular, the property does not have adequate proximity to commercial activity nodes or tourism destinations.
29. Approval of the application would represent a shift in Policy position from one that confines short-term accommodation uses to areas in closer proximity to tourism and commercial attractors and without encroaching into lower density residential areas, to effectively allowing for short-term accommodation anywhere in the Town.
30. With the recent State changes to STRA, it is necessary for the Town to review LPP31. It is anticipated that a report will be presented to Council within the next couple of months which reviews LPP31 and the Town's approach to STRA. In this respect WALGA have released a guideline Local Planning Policy for STRA, for consideration and adoption by local governments. Notably this document suggests that such Local Planning Policies contain locational criteria of a kind contained in the Town's current Policy. It is therefore likely that Officers will recommend the retention of locational criteria as part of the future review of LPP31, as opposed to opening up the ability for STRA to be located anywhere in the Town.
31. On the basis of the analysis conducted and giving due regard to the relevant matters for consideration it is concluded that on balance the property is not suitability located for STRA. Therefore, the application is recommended for refusal.

Financial implications

Current budget impact	No impact
Future budget impact	Should the applicant be aggrieved by the Council's decision they have a right of review to the State Administrative Tribunal. If the applicant were to exercise this right, then there may be financial implications for the Town in terms of representation to defend Council's decision.

Risk management considerations

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable			
Environmental	Not applicable			
Health and safety	Not applicable			

Data, Information Technology and Cyber	Not applicable			
Assets	Not applicable			
Compliance Breach	The applicant has a right of review to the State Administrative Tribunal (SAT) in relation to a refusal or any conditions of approval.	Low	Low	Accept - Ensure that Council is provided with information to make a sound recommendation based upon the relevant planning considerations including the Local Planning Scheme and applicable Local Planning Policies.
Reputation	Negative public perception towards the Town may result if the use is approved, taking into account the objections received during community consultation.	Low	Low	Accept - Provide sound reasons for decision of application and advise submitter/s of decision in a timely manner
Service delivery interruption	Not applicable			

Strategic alignment

Environment	
Community Priority	Intended public value outcome or impact
EN3 - Enhancing and enabling liveability through planning, urban design and development.	To enable the provision of short-term rental accommodation in a coordinated manner that provides accessibility and convenience for guests/occupants while minimising potential adverse amenity impacts, particularly within low density residential areas and local neighbourhood streets.

Further consideration

Not applicable.

12.3 Community Funding Program, Art, Community, Sport Equipment and Urban Forest Grants

Location	Town-wide
Reporting officer	Community Development Officer, Grants, Donations and Administration
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	1. Attachment One Art Grants R2 2425 [12.3.1 - 3 pages] 2. Attachment Two Community Grants R2 2024 25 [12.3.2 - 6 pages] 3. Attachment Three Sport Equipment Grants R2 2024 25 [12.3.3 - 2 pages] 4. Attachment Four Urban Forest Grants R1 2024 25 [12.3.4 - 6 pages] 5. CONFIDENTIAL - Community Funding Program Urban Grant Confidential information [12.3.5 - 1 page]

Summary

To provide Council with oversight of the Town's Art, Community, Sport Equipment and Urban Forest grant applications and assessments, with recommendations for Council endorsement.

- The Town's Community Funding Program increases opportunities for local collaboration and partnership between the Town and community to deliver the Town's objectives as per the Strategic Community Plan and address local priorities.
- The Town's Funding Programs for Art, Community and Sport Equipment Grants opened on 1 October and closed on 20 November 2024. The Urban Forest grants opened on 11 October 2024 and closed on 3 January 2025.
- The Town received a total of 17 applications requesting a total of \$106,053.01 (cash) and \$1,728.00 (In-kind assistance):
 - Four Art Grants totaling \$17,002.03 (\$15,470.00 available of total budget of \$30,000)
 - Four Community Grants totalling \$23,324.00 (In-Kind \$1,728.00) (\$10,898.00 available of total budget of \$70,000)
 - Two Sport Equipment Grants totalling \$10,769.23 (25% of \$2,692.30) (\$13,156.10 available of total budget of \$20,000)
 - Seven Urban Forest Grant applications requesting a total of \$54,957.75 (\$32,593 available of total budget of \$25,000, plus \$7,593 in unspent grants returned to the Town from the previous year.)

Recommendation

That Council:

1. Endorses the following Art, Community, Sport Equipment and Urban Forest grant applications:

Arts grants:

- a. Headspace Cannington – Paint and Slurp - \$2,075.00
- b. Curate Arts Incorporated – Singing Holiday Program - \$5,000.00
- c. Rook Ari – BEASTS exhibition - \$4,927.03

Community grants:

- a. Sussex Street Community Law Service Incorporated – Quick Guide Legal Education Booklet - \$2,950.00 and \$500.00 (In-Kind)
- b. Victoria Park Community Centre Incorporated – Supporting the New, Emerging and Established - \$5,004.00 (part funding – Men in the Hood)
- c. Victoria Park Community Garden Incorporated – History of Victoria Park Community Garden Book \$2,944.00 and \$360.00 (In-Kind)

Sport equipment grants:

- a. Carlisle Cricket Club Incorporated – New Sports Equipment - \$692.30 (25% of \$2,769.23)

Urban Forest grants:

- a. Perth Region NRM Incorporated - ReWild demonstration garden -\$8,563.75
 - b. Kendal Becu – Community planting of food trees for black cockatoos - \$7,100.00
 - c. Kensington Secondary School - Banksia woodland patch rehabilitation program (Phase 1) -\$4,837.00
 - d. Kent Street Senior High School Parents and Citizens Association – School tree planting - \$7,435.25
 - e. Sukhjit Kaur Khalsa – Tree planting and landscape design - \$4,657.00
2. Unspent Sport Equipment budget funding of \$4,976.00 to be repurposed to community grant funding for:
 - a. Victoria Park Community Centre Incorporated – Supporting the New, Emerging and Established - \$4,976.00 (part funding for Noongar language \$3,976.00 and Conversational English classes \$1,000.00)
 3. In accordance with section 9.49(4) of the Local Government Act1995, Council authorise the following officer to sign the corresponding documents in alignment with Category Two documents in Policy 009 – Execution of Documents: Art, Community, Sport Equipment Letter of Agreements – Manager Community, and Urban Forest Letter of Agreement – Manager Place Planning.

Background

1. The Town acknowledges the significant role it plays in supporting the community through the provision of funding opportunities and the impact these opportunities can have within the community.

2. The Town's Policy 114 Community Funding aims to ensure the success and prosperity of the Town's community while ensuring transparency of funding decisions and accountability of those parties receiving funding.
3. The community funding program aims to increase the capacity of community groups, businesses, clubs, and organisations within the Town of Victoria Park, to implement projects, activities and programs that enhance and promote community wellbeing, aligned to the Town's Strategic Community Plan.
4. In making a recommendation to Council each Community Funding Assessment Panel provides the following information to ensure Council can make informed and transparent decisions:
 - a. Details of all applications including title, project scope, amount of assistance applied for (ex GST), evaluation, and score.
 - b. The information provided is inclusive of successful and unsuccessful applications.
5. To ensure that each Community Funding Assessment Panel continues to be fit for purpose and remains meaningfully engaged, panel member positions were recruited via expressions of interest and direct approaches to ensure appropriate skills, knowledge and experience could be applied to the assessment process.

Discussion

6. The Art, Community, Sport Equipment and Urban Forest grants were promoted across various platforms to reach target audiences.
 - a. The Town provided drop-in sessions with the Grants Administration Officer and Arts Development Officer for people considering applying for a grant. It was an opportunity for potential grant applicants to talk about their project and see if it is suitable for funding. A link was provided where people could book directly, accompanied by Grant Administration Officer and Arts Development Officer availability.
 - b. Two people attended art grant drop-in sessions, and the Art Development Officer received four calls.
 - c. Six people attended a community grant drop-in session, and the Grant Administration Officer received five calls.
 - d. Three people attended the Sport Equipment grant drop-in sessions and the Grant Administration Officer received three phone calls.
 - e. Direct emails were sent to community organisations and sporting organisations advising them of the second round of funding.
 - f. Whilst the Urban Forest team did not offer drop-in sessions for their program, staff received enquiries from 18 prospective applicants and undertook two site visits to support applicants preparing their proposals.
 - g. Direct emails were sent to 72 businesses, schools, churches and not for profits whose land holding was over 500m².
 - h. Direct emails were sent to seven community organisation's with aligned interests and direct reach outs to 12 interest aligned Facebook groups asking them to share posts/information on the Urban Forest grants with their networks.

7. Art Grants

The Town's Art Grant Funding Assessment Panel consisted of the following Town Officers:

- Arts Development Officer
 - Customer Relations Officer
 - Administration Officer - Planning
 - Acting/Coordinator Public Realm
8. Applications were assessed individually and then reviewed in a formal panel meeting by the Town's Art Grants panel members, in line with Policy 114 Community Funding and the criteria outlined in the Community Funding Program.
9. The Town's initial assessment questions are as follows:
- Eligibility
 - Applicant details (organisation, auspice arrangements etc)
 - Project details (brief description, risks, locations, dates etc)
 - Assessment criteria questions
10. The Town's assessment criteria questions are as follows:

Art assessment criteria	Weighting per questions per panel member
Question 1: Describe how your project/activity provides a quality arts and cultural experience for the Victoria Park community.	Weighting 40% • Five points per panel member • Total 15 points available
Question 2: How will your initiative foster collaboration and active participation of local people (residents, workers, business owners, local creative community, and/or community groups etc)?	Weighting 25% • Five points per panel member • Total 15 points available
Question 3: How will your initiative align with any of the Town's Strategic Community Outcomes or Arts and Culture Plan?	Weighting 25% • Five points per panel member • Total 15 points available
Question 4: Tell us about your experience managing projects like this?	Weighting 10% • Five points per panel member • Total 15 points available
	Total weighting for four questions = 100% Total score available = 60 points

11. The Art funding attracted four applications with a requested total of \$17,002.03
12. Evaluation summaries related to all Art grant applications are provided in Attachment One.
13. The Town recommends Council endorses three of the four Art grant applications outlined in the below table, for a requested funding of \$12,002.03 from the remaining \$15,470.00 available in round two. The total annual budget for this category was \$30,000.

Applicants	Project	Amount
Headspace Cannington	Paint and Sip – Bubble Tea	\$2,075.00
Curate Arts Incorporated	Singing Holiday Program	\$5,000.00
Rook Ari	Beasts Exhibition	\$4,927.03
Total		\$12,002.03

14. The Town does not recommend the following Art grant applications for endorsement by Council:

Applicants	Project	Amount
Shaun Draper	Mural	\$5,000.00
Total		\$5,000.00

15. Community Grants

The Town's internal Community Grant Funding Assessment Panel consisted of Town officers:

- Manager Community
 - Social Impact Specialist
 - Projects Officer
16. Applications were assessed individually and then reviewed in a formal panel meeting by the Town's Community Grants panel members, in line with Policy 114 Community Funding and the criteria outlined in the Community Funding Program.
 17. Applications were assessed individually and then reviewed in a formal panel meeting by the Town's Community Grant panel members, in line with Policy 114 Community Funding and the criteria outline for the Vic Park Funding Program.
 18. The Town's initial assessment questions are as follows:
 - a. Eligibility
 - b. Applicant details (organisation, auspice arrangements etc.)
 - c. Project details (brief description, risks, locations, dates etc.)
 - d. Assessment criteria questions

19. The Town's assessment criteria questions are as follows:

Community Grant Assessment Criteria	Weighting per question per panel member
Question 1: How does the project/initiative align with the Town's Strategic Community Plan 2022-32 objectives?	Weighting 25% • Five points per panel member • Total 15 points available
Question 2: What measures have you taken to ensure this initiative is suitable, accessible, and inclusive of all members?	Weighting 25% • Five points per panel member • Total 15 points available
Question 3: How do you know the project is needed by the community (research, survey, time to upgrade)?How many people will benefit?	Weighting 25% • Five points per panel member • Total 15 points available
Question 4: How does this initiative encourage involvement of the Victoria Park community? (i.e., consider volunteers that will assist with organising the activity, the extent of which your events will be providing opportunities for local organisations and businesses to be involved and the extent to which you will be purchasing goods and services from local businesses.	Weighting 10: • Five points per panel member • Total 15 points available
	Total weighting for four questions = 100% Total score available = 60 points

20. The Community grants attracted four applications with a total requested of \$23,342.00 and \$1,78.00 (In-Kind).

21. Evaluation summaries related to all Community grant applications are provided in Attachment Two.

22. The Town recommends Council endorse three of the four Community grant applications outlined in the below table, for a requested funding total of \$10,898.00 and \$860.00 (in-kind), from the remaining \$10,898.00 available in round two Community Grants. The total annual budget for this category was \$70,000.

23. The Town also recommends repurposing unspent Sport Equipment funding to Victoria Park Community Centre Inc., to support the remainder of their application. The full requested support was \$9,980. The panel proposes \$5,004 being supported through the Community Grant budget, with the remaining \$4,976 being supported through the unspent Sport Equipment budget.

Applicants	Project	Amount
Sussex Street Community Law Service Incorporated	Quick Guide Legal Education Booklet	\$2,950.00 (In-Kind) \$500.00
Victoria Park Community Centre Incorporated	Supporting the New, Emerging and Established (part funding for Men in the Hood component of the grant)	\$5,004.00 (from Community Grant)
Victoria Park Community Garden Incorporated	History of Victoria Park Community Garden Book	\$2,944.00 (In-Kind) \$360.00
Total		\$10,898.00 (In-Kind) \$860.00

Applicants	Project	Amount
Victoria Park Community Centre Incorporated	Supporting the New, Emerging and Established (funding for Noongar Language \$3,976.00 and Conversational English classes \$1,000.00 component of the grant)	\$4,976.00 (from unspent Sport Equipment Grant)
Total		\$4,976.00

24. The Town does not recommend the following Community Grant application for endorsement by Council:

Applicants	Project	Amount
Chinese Dance Australia Incorporated	English Class and Cultural Dance Activity for Immigrant Women	\$7,468.00
Total		\$7,468.00

25. Sport Equipment Grants

The Town's Internal Sport Equipment Grant Funding Assessment consisted of Town Officers:

- Booking Officer
- Team Leader Customer Relations Officer
- Community Development Officer – Clubs and Capacity
- Leisure Facilities Programs Manager

26. Applications were assessed individually and then received with a formal panel meeting by the Town's Sport Equipment Grant panel members in line with Policy 114 Community Funding and the criteria outlined in the Community Funding Program.

27. The Town's initial assessment questions are as follows:

- Eligibility
- Applicant details (organisation, auspice arrangements etc.)
- Project details (brief description, risks, locations, dates etc.)
- Assessment criteria questions

28. The Town's initial assessment questions are as follows:

Sport Equipment grant assessment criteria	Weighting per question per panel member
Question 1: What are you planning to purchase from the grant funding?	Weighting 20% • Five points per panel member • Total 20 points available
Question 2: Why are uniforms and equipment necessary? Please briefly explain the need for the items?	Weighting 30% • Five points per panel member • Total 20 points per panel member
Question 3: Alignment to the Town's Strategic Community Plan 2022-32 objectives?	Weighting 40% • Five points per panel member • Total 20 points available
Question 4: Demonstrate the applicant's capacity to deliver proposed initiative within specified period?	Weighting 10% • Five points per panel member • Total 20 points available
	Total weighting for four questions = 100% Total Score available = 80

29. The Sport Equipment grants attracted two applications with a total requested of \$10,769.23.

30. Evaluation summaries related to all Sport equipment grant applications are provided in Attachment Three.

31. It is recommended that the Council endorse one of the two applications outlined in the table below, for a requested funding total of \$692.30 (25% of \$2,769.23) from the \$13,156.10 available in round two. Total annual budget for this category is \$20,000.

Applicants	Project	Amount	
Carlisle Cricket Club Incorporated	New Sports Equipment	\$2,769.23	\$692.30 (25%)
Total			\$692.30 (25%)

32. The Town does not recommend the following Sport Equipment Grant applications for endorsement by Council.

Applicants	Project	Amount	
Curtin University Boat Club	Oar Maintenance	\$8,000.00	\$2,000.00 (25%)
Total			\$2,000.00 (25%)

33. Urban Forest Grants

The Town's Urban Grant Funding Assessment Panel consisted of the following Town Officers:

- Acting Manager Place Planning
- Greening Care Officer
- Metronet Liaison Officer and Acting/ Coordinator Public Realm Planning

34. Applications were assessed individually and then reviewed in a formal panel meeting by the Town's Urban Forest Grants panel members, in line with Policy 114 Community Funding and the criteria outlined program's Management Practice.

35. The Town's initial assessment questions are as follows:

- Applicant details (organisation, auspice arrangements etc.)
- Project details (description, locations, dates etc.)
- Financial details
- Planting and community engagement statistics

36. The Town's assessment criteria are as follows:

Urban Forest Assessment Criteria	Weighting per questions per panel member
Criteria 1: Demonstrated contribution to the Strategic Outcomes of the Urban Forest Strategy, within the Town of Victoria Park	Weighting 20% • Five points per panel member • Total 15 points available
Criteria 2: Demonstrated contribution to • Environmental Wellbeing (improvements in water management, soil health, biodiversity, and ecology) and/or • Community Wellbeing (improved mental health, physical activity, general health outcomes).	Weighting 20% • Five points per panel member • Total 15 points available

Criteria 3: Positively impacts the experience of the place.	Weighting 20% - Five points per panel member - Total 15 points available
Criteria 4: Demonstrates strong community support	Weighting 20% - Five points per panel member - Total 15 points available
Criteria 5: Demonstrates good planning and financial responsibility in relation to both the projects implementation and ongoing maintenance requirements.	Weighting 20% - Five points per panel member - Total 15 points available
	Total Weighting 100% Total Score available 75

37. The Urban Forest Grant funding attracted seven applications, requesting a total of \$54,957.75.

38. Evaluation summaries related to all Urban Forest grant applications are provided in Attachment Four.

39. The Town recommends that the Council endorse five of seven Urban Forest grant applications outlined in the below table, for a requested funding of \$32,593.00, from the remaining \$32,593 available in this round. The total annual budget is \$32,593 which comprises \$25,000, plus \$7,593 in unspent grants returned to the Town from the previous year.

Applicants	Project	Amount
Perth Region NRM Incorporated	ReWild demonstration garden	\$8,563.75
Kendal Becu	Community planting of food trees for black cockatoos	\$7,100.00
Kensington Secondary School	Banksia woodland patch rehabilitation program (Phase 1)	\$4,837.00
Kent Street Senior High School Parents and Citizen's Association	School tree planting	\$7,435.25
Sukhjot Kaur Khalsa	Tree planting and landscape design	\$4,657.00
Total		\$32,593.00

40. The Town does not recommend the following Urban Forest applications for endorsement by Council:

Applicants	Project	Amount
Carlisle North Post Office	Post Office Shopfront Landscape	\$ 10,000.00
Domenica Harrison	Creating a Native Backyard Garden	\$ 9,800.00
Total		\$ 19,800.00

Funding Administration

- 41. Subject to Council endorsement, successful Art, Community, Sport Equipment and Urban Forest Grant applicants will be notified of the decision within five (5) business days of the Council resolution.
- 42. If an applicant is not satisfied with the endorsed outcome, a complaint can be formally lodged via the Town’s Customer Service Delivery Management Practice and complaints guidelines, within 14 days of notification. Information on how to lodge a complaint will be contained within the letter and outlined in the Vic Park Funding section on the Town’s website.
- 43. The Town encourages previous unsuccessful applicants to contact the Town for feedback to support future applications.
- 44. Successful Art, Community, Sport Equipment and Urban Forest grant applications must complete the Town’s acquittal reporting documentation within three months of the program or event’s completion.
- 45. Decisions regarding funding or not funding grant applications are the responsibility of the Council. Policy 009 Execution of Documents requires the execution of Grant Agreements for successful applications by the Chief Executive Officer. However, as the issue of Grant Agreements is a standard administration practice which utilises a standard template, this report requests the Council provide authorisation to the Manager Community and Manager Place Planning to execute Grant Agreements in-lieu of the CEO as permitted under Clause 10 of Policy 009 Execution of Documents and 9.49A(4) of the Local Government Act, 1995.

Relevant documents

[Policy 114 Community Funding](#)

[Policy 009 Execution of Documents](#)

Legal and policy compliance

Not applicable

Financial implications

Current budget impact	\$80,257.25 was expended in the first round of Art, Community, and Sport Equipment grant funding programs. The remaining funds of \$39,742.75 is being offered in the second round of funding in October 2024 for the following:		
	Grants	Round 1 Expended	Round 2
			Remaining Budget
	Art Grant (Budget \$30,000)	\$15,470.00	\$12,002.03
			\$2,527.97
	Community Grant (Budget \$70,000)	\$57,995.25	\$10,898.00
			\$1,106.75

	Sport Equipment Grant	\$6,792.00	\$692.30	\$12,515.70
	Funds transferred from Sport Equipment to pay community grant (Budget \$20,000)		\$4,926.00	\$7,589.70
	Total Budget \$120,000	\$80,257.25	\$28,518.33	\$11,224.42
The Urban Forest Grants only had one grant round, and it opened in October 2024.				
	Grants	Round 1	Round 2	Remaining Budget
	Urban Forest Grant Round opened in October 2024 (Budget \$25,000, available funds \$32,593)	\$32,593.00	N/A	\$0.00
	Total Funds Available \$32,593.00	\$32,593.00	N/A	\$0.00
Future budget impact	Not applicable – allocated funds will be expended in the 2024/25 budget			

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Loss of funds if successful programs/events are cancelled or do not deliver on intended purpose.	Moderate	Low	TREAT – Acquittal process to be well organised and monitored.
	Conditions are put on letter of agreement regarding date of expenditure.	Moderate	Low	TREAT – Letter of agreement states date of expenditure and monitored
	Event bookings, permits	Moderate	Low	TREAT – Event Management advice and coordination process explained and

	and forms not approved.			monitored.
Environmental	Not applicable			
Health and safety	Not applicable			
Data, Information Technology and Cyber	Not applicable			
Assets	Not applicable			
Compliance Breach	Proposals which incorporate verge treatments fail to meet legislative requirements	Moderate	Low	TREAT - Successful applicants advised of current Verge Guidelines and approvals process. A review of current policy framework to reflect preferred practice & application would reduce compliance issues and improve/streamline approvals processes.
Reputation	Negative public Perception towards the Town should applications not be funded.	Minor	Low	TREAT – Transparent application and approval process with rationale and feedback to unsuccessful applicants.
Service delivery Interruption	Not applicable			

Engagement

Internal engagement	
Stakeholder – Assessment Panels	Art Funding Assessment Panel Community Funding Assessment Panel Sport Equipment Assessment Panel Urban Forest Grant Assessment Panel
Engagement	Consultation with prospective applicants and community networks Consultation and management of grant administration Consultation and panel evaluation

External engagement	
Stakeholders	All community

Period of engagement	Art, Community, Sport Equipment Grants opened for applications on 14 October 2024 and closed on 18 November 2024. The Urban Forest Grants opened on 11 October 2024 and closed on 3 January 2025.
Level of engagement	Inform
Methods of engagement	Town's website Town's social media platforms – Facebook and Town's e-newsletters Direct email Grant drop-in sessions Town's Club Connect Funding and Fundraising Workshop Site visits with prospective applicants (Urban Forest Grants)
Advertising	Town's website Town's social media platforms – Facebook and Town's e-newsletters Direct email Grant drop-in sessions Poster and flyer distribution
Submission summary	Four Art grant submissions received Four Community grant submissions received Two Sport equipment grant submissions received Seven Urban Forest grant submissions received
Key findings	Art grant program: Three submissions are recommended for Council endorsement One submission not recommended for Council endorsement Community grant program: Three Submissions are recommended for Council endorsement Four Submissions not recommended for Council endorsement Sport equipment grant program: One Submissions are recommended for Council endorsement One Submission not recommended for Council endorsement Urban Forest grant program: Five Submissions are recommended for Council endorsement Two Submissions not recommended for Council endorsement

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Funds are managed with full, accurate and timely disclosure of financial information relating to the Council. Town grants funds are maximised by seeking the greatest possible benefit to the community within the available monetary resources.

Environment	
Community Priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	Protect and enhance the natural environment by environmental sustainability, conserve and support the creation of more green space and shaded areas in the Town.

Social	
Community Priority	Intended public value outcome or impact
S3 - Facilitating an inclusive community that celebrates diversity.	Funds used for organisations to facilitate an inclusive community through local celebrations including food markets, local performances from culturally diverse artists, multicultural art exhibitions, sporting events and storytelling.
S4 - Improving access to arts, history, culture and education.	To support local organisations and individuals to deliver services and initiatives that encourage awareness of arts, history, culture and education.

Further consideration

At the Agenda Briefing Forum meeting held on 4 February 2025, the following information was requested.

Urban Forest Grants

Note: Funding proposals submitted to the Urban Forest Grants program, include a considerable level of detailed information which is provided by applicants for the express purpose of assessing their project. Applicants have not consented to have the specific details of their proposals made available to the public. Staff have attempted to answer the following questions as fully as possible, whilst being mindful to maintain the confidentiality of individual applications and not publish applicants personal information without consent.

46. Q. Please clarify the project scope in relation to the fifth project proposed? Please provide confirmation whether the proposal, which involves planting on a suburban property adjacent to Kate Street Reserve, includes trees, shrubs, and ground cover all for a single private property owner?

A. The project scope includes a full landscape re-design of the applicant's property and adjacent public verge including native plant tree, shrub and edible native species. The design includes planting 16 trees of 8 different species.

47. Q. Provide the rationale of the item that was approved, specifically the aspects of access to the community and community benefit.

A. The application has demonstrated a strong relationship with the local community; collaborating with local community experts and focusing planting on the front yard and verge which will be able to be experienced by the community (like other UFS Grant recipients). The project also proposes to act as a catalyst for informal discussion and education opportunities including undertaking a neighborhood launch event.

48. Q. Include the address of the property in the confidential attachment.

A. The address of the property will be included in the confidential attachment.

49. Q. Provide confirmation on whether Urban Forests Grants have been approved for private residential properties with single dwellings.

A. Yes, a number of the recommended projects have proposed planting activities on 51 private residential properties. We anticipate that most of these properties comprise of single dwellings however

this detail was not specified in the application. In a previous year a UFS grant was awarded to Connect Vic Park for the implementation of a very similar project at residential multiple dwelling under their ownership.

50. Q. Provide additional details about the information session on tree planting for private gardens under the Food Trees for Vic Park's Black Cockatoos project.

A. The proposal includes a 1hr education and information session to educate participants about Black Cockatoos and considerations for effective planting.

51. Q. Referring to attachment 12.3.4, page 2, the project includes planting 61 trees across 50 residential properties, along with information sessions and ongoing community engagement. Is part of the grant allocated for information sessions? Additionally, who will be responsible for conducting these sessions?

A. Providing the information sessions is part of the grant proposal. The grant recipient is responsible for delivering these sessions.

52. Q. In relation to the Food Trees for Vic Park's Black Cockatoos project – food corridor, is there mapping of food corridor provided?

A. Yes, a map was provided as part of the proposal indicating the planting locations which are distributed across the Town. Administration agreed that these locations fall within a Black Cockatoo food corridor.

12.4 Operating Subsidies 2025 - 2027 - Round One

Location	Town-wide
Reporting officer	Community Development Officer – Grants, Donations and Administration
Responsible officer	Chief Community Planner
Voting requirement	Simple majority
Attachments	1. Attachment One Operating Subsidy 2025 2027 [12.4.1 - 3 pages] 2. Attachment Two - Harold Hawthorne Senior Citizens' Centre - Theory of Change [12.4.2 - 9 pages]

Summary

To provide Council with oversight of the Town's three-year operating subsidy application and assessments for Council consideration.

- Operating subsidies are made available to support the ongoing operating capacity of service providers operating within the Town to deliver a range of programs, services, events, and partnerships, that align with the Town's strategic outcomes to enhance the quality of life of the community.
- Applications for the Operating Subsidy applications were open from 14 October and closed on 29 November 2024.
- The Town received an Operating Subsidy application from one organisation with a combined value of \$100,000 + GST.

Recommendation

That Council:

1. Endorses the following Operating Subsidy:
 - a. Harold Hawthorne Community Centre and Homes Incorporated – Operating Subsidy - \$100,000 + GST, for a three year term, with Perth All Areas CPI applied to years two and three of the Agreement.
2. In accordance with section 9.49(4) of the Local Government Act 1995, Council authorise the following officer to sign the corresponding documents in alignment with Category Two documents in Policy 009 – Execution of Document: Operating Subsidy Letter of Agreement – Manager Community.

Background

1. The Town recognises that community health and wellbeing is influenced by numerous factors, including social connectedness, a sense of belonging, a place where people have meaningful and accessible opportunities to participate in the arts, culture, education and to celebrate heritage.
2. As the tier of government closest to community, local government plays a significant role in shaping and supporting the overall health and wellbeing of the community. This is achieved through a collective impact approach of working in collaboration with the local groups, volunteers, service providers and other stakeholders.

3. Operating subsidies are to support the ongoing operating capacity of the Town's service providers to deliver a range of programs, services, events, and partnerships, which enhance the community's quality of life.
4. At the 7 December 2021 Concept Forum, elected members provided input into future focus themes for operating subsidies to guide the prioritisation of applications to be more aligned with local government core business.
5. Based on this feedback, the following Primary and Secondary focus areas were integrated into the 2022-23 Operating Subsidy application process:
 - a. Primary
 - Youth development/services
 - Seniors/aged
 - Arts and culture
 - Community safety
 - b. Secondary
 - LGBTQI+
 - Multicultural
6. The primary theme of "Community Safety" was added in 2023 in response to the MARKYT Community and Wellbeing Scorecard that indicated the community's strong prioritisation of safety.
7. Complementing these themes were the addition of the following strengths-based criteria:
 - a. Community engagement and social connection
 - b. Capacity building and skill development
 - c. Supporting system identification, alignment, and improvement, and
 - d. Seeks collaboration and partnering.
8. The Town currently provides operating subsidies to the following groups:

Organisation	Amount	Timeframe
Connect Victoria Park Incorporated	• Three-year operating subsidy • \$100,000 + Perth CPI annually • Financial assistance contributing to direct program delivery for the wider community and deliver and implement a Diversity and Inclusion Plan for their organisation.	Contract ends 30 June 2027
Harold Hawthorne Community Centre Incorporated	• Three-year operating subsidy • \$99,040.00 and \$960.00 (In-Kind) + Perth CPI annually • Financial assistance to deliver underpinned programs and activities and events. Also build new collaborations and partnerships with other	Contract ends 30 June 2025

	providers and services to deliver projects focused on health and overall wellbeing of seniors, culturally diverse and LGBTQ+ groups. • Peppercorn lease	
Victoria Park Centre for the Arts	• Three-year operating subsidy • \$98,800 and \$1,200 (In-Kind) + Perth CPI • Financial assistance to deliver underpinned programs and activities and events. The funding will also cover administration and operating expenses such as staffing costs, utilities, maintenance costs and office and course resources.	Contract ends 30 June 2027
Victoria Park Community Centre Incorporated	• Three-year operating subsidy • \$100,000 + Perth CPI • Financial assistance to deliver underpinned programs. With at least 225 inclusive and accessible events delivered or supported by the Victoria Park Community Centre including activities and programs.	Contract ends 30 June 2027

Discussion

9. To assist the ongoing monitoring, review and management of Town's Subsidies, agreement holders are required to provide six and twelve-month reports, as well as annual financials to the Town. These reports and associated findings are reviewed and discussed at structured engagement sessions.
10. Key aspects of the reports include:
 - Partnerships initiated
 - Activities delivered (outputs)
 - Outcomes arising from activities, aligned with the Strategic Community Plan
 - Operating capacity during the period
 - Trends identified
 - Issues identified
 - Case study (de-identified)
 - Other funding – secured / changes
 - Anything the Town can support / help with.
 - Completion checklist
 - 12-month financials
11. Applications for Operating Subsidies were open from 14 October to 29 November 2024.

12. Additional relevant and reasonable questions were received by organisations during the application process. Questions were dealt with and answered by the Grants Officer with support from the Manager Community, when needed.
13. The Town delivered an Operating Subsidies Information Session on 6 November 2024, with three organisations attending. The workshop provided participants with information on eligibility, evaluation criteria, application process, application tips and how to demonstrate social impact.
14. The Town received one Operating Subsidy application submissions with a total request of \$100,000 + GST.
15. The application requires the completion of four parts:
 - a. Eligibility
 - b. Application Details (organisation, auspice arrangements)
 - c. Project details; and
 - d. Assessment Criteria as outlined in the table below.
16. The Operating Subsidy application form was aligned with the Town's Strategic Community Plan outcomes and consisted of four questions with a maximum score of five points per question. With four panel members scoring across the four assessment criteria with a maximum score of 80 available per application. The final weighted score for the complete application was out of 100%.
17. The Town's assessment criteria questions are as follows:

Assessment criteria questions	Weighting per question per panel member
Question 1 – Demonstrated evidence-based need (25% weighting) 1.1. Planned Initiatives What initiatives do you specifically aim to deliver, as a result of receiving an operating subsidy? What will you have capacity to deliver due to receiving an operating subsidy that you would not normally be able to? 1.2. Theme Which are the primary and or secondary priority themes you are addressing? 1.3 Purpose Why does your service/offering exist? 1.4 Client Profile What information can you provide about the demographics of the clientele who use your services? For example: age, gender and whether they are residents of the Town of Victoria Park. 1.5 Service Gap/Duplication Is your service a duplication of a service that already exists in the community? If so, in what ways? If it is a duplication, please outline how your service/initiative addresses a specific priority theme not being met by others. 1.6. Secondary Data	Total score available is five points per panel member = 20 points total

Are there other secondary data sets to support the need for your service in the local community? For example, from the ABS, Profile ID, Town of Victoria Park Demographics and Statistics, State and Federal Government, AEDC, Health and Wellbeing Indicators, industry specific research/modelling. 1.7 Design and Evaluation Have you undertaken Human centered-design and development evaluation (consultation and engagement with stakeholders in program design, monitoring and evaluation) to enhance your focus of approach? If so, what did this tell you?	
Question 2 – Alignment to Strategic Community Plan (25% weighting) 2.1. Top Three Outcomes Please identify the top three outcomes of the Town’s Strategic Community Plan that your service / approach will deliver upon. We understand that you will more than likely achieve more than three outcomes. However, to ensure proportionate, consistent and comparable reporting and acquittals, you will be required to acquit against the three you select, should you be successful. 2.2. How will Outcomes be Achieved Using Strengthen Based Approaches How will you address and or integrate one or more of the following strength-based elements into your initiative/approach as you achieve these outcomes? • community engagement and social connection • capacity building and skill development • supporting system identification, alignment and improvement; • seeking out collaboration and partnering 2.3 Evidence of Past Outcomes Please provide evidence of past outcomes achieved at an individual and/or community level that aligned with our Primary or Secondary Themes, and how they were measured. 2.4 Theory of Change and Program Logic Have you created a Theory of Change and Program Logic to help you demonstrate an alignment to the Town’s Strategic Outcomes? 2.5 Monitoring Evaluation/Evidence of Past Outcomes Do you have monitoring, evaluation and outcome measurement processes in place? If so, provide details as to how you will collect data for the Annual Outcome Report. 2.6 Staff Capacity to Measure Outcomes Provide evidence of the skill set, capabilities and capacity of staff to measure outcomes.	Total score available is five per panel member = 20 points total
Question 3 – Value for Money (25% weighting)	Total score available is

3.1 Service Provision How many people (approximately) will benefit from your service/initiative within a 12-month period? 3.2. Value for Money Have you calculated the cost per participant for your service (total service cost divided by number of people accessing your offering/services)? 3.3. Role/Salary Wage Assessment If you are seeking funds to cover salaries please provide examples of similar positions, an average wage for such positions and an explanation of why the role/salary is required. 3.4 Service Location Is this initiative/service located within the Town? Yes/No 3.5 Cost to Clients Is the initiative/service free located within the Town? Yes/No If you charge a fee, how does this compare to other like services? 3.6 Relative Cost of Program If you are seeking funds for an ongoing program, provide examples of similar programs and operational costs. 3.7 Volunteer Contribution You may like to consider including the number of volunteers and accumulative hours engaged in your service/initiative over the previous 12-month period, or their estimated level of involvement.	five per panel member = 20 points total
Question 4 – Governance (25% weighting) 4.1. Board of Management Provide details of the Board of Management structure and core areas of expertise. 4.2 Staff Capacity Provide details of staff skills, experience, and capabilities in delivering proposed activities outlined within the Operating Subsidy. 4.3 Risk mitigation Details of risk mitigation 4.4. Strategic Plan Have you attached your current Strategic Plan? 4.5 Financials Have you attached Financials for the previous two years? 4.6 Other Evidence	Total score available is five per panel member = 20 points total

Attach any other evidence of relevance to demonstrate a capacity to effectively and safely deliver your service/approach.	
Total weighting for four questions = 100%	Total score available = 80 points

18. The Town’s internal assessment panel consisted of four Town Officers:
 - a. Chief Community Planner
 - b. Manager Community
 - c. Social Impact Specialist
 - d. Coordinator Community Development
19. The application was assessed individually utilising a defined assessment matrix with descriptions and rating scale to guide the assessor with appropriate scoring. The application was reviewed within a formal panel meeting in line with Policy 114 Community Funding and the criteria outline for the Town’s Operating Subsidy funding program. On average, it took the Community Funding Assessment Panel members between one to two hours per application to assess individually, with a subsequent one-hour panel meeting.
20. An evaluation summary related to the Operating Subsidies application, recommended, is provided in Attachment One.
21. Harold Hawthorne’s Community Centre’s Theory of Change is provided in Attachment Two.
22. The Town recommends the following tabled application for endorsement by Council:

Operating Subsidy Funding Recommendations

Applicants:	Project	Amount
Harold Hawthorne Community Centre Incorporated	Operating Subsidy 2025-2027	\$100,000 + GST, plus Perth All Areas CPI applied in years two and three of the Agreement
Total		\$100,000 + GST in 2025/26

Relevant documents

[Policy 114 Community Funding](#)

[Policy 009 Execution of Documents](#)

Legal and policy compliance

Not applicable.

Financial implications

Current budget impact	Not applicable
Future budget impact	Endorsement of this recommendation requires three-year operational subsidy commitment in future budget, starting 1 July 2025. Current supported operating subsidies with future budget implications include: - Connect Victoria Park Incorporated = \$100,000 per annum x three years (ending 30 June 2027) - Victoria Park Centre for the Arts = \$98,800 and \$1,200 (In-Kind) x three years (ending 30 June 2027) - Victoria Park Community Centre Incorporated = \$100,000 x three years (ending 30 June 2027) Total estimated commitment for 2025/26 is \$298,800 + GST, + Perth All Areas CPI, and \$1,200 (In-Kind) for current Operating Subsidies, plus \$100,000 + GST for the recommended Operating Subsidy. As per Policy 114 Community Funding, the Town will allocate up to 1% of rates revenue to support delivery of the operating subsidies funding program. The current and total recommended operating subsidies amount falls within the 1% ratio.

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Service providers not delivering outlined support to community	Moderate	Low	TREAT – by ensuring fair and equitable application and reporting process guided by Policy 114 Community Funding. Continue to work in partnership with service providers in relation to the operating subsidy and social outcomes measurements.
Environmental	Not applicable			
Health and safety	Not applicable			
Data, Information Technology and Cyber	Not applicable			
Assets	Not applicable			

Compliance Breach	Service providers not meeting agreed legislative requirements	Moderate	Low	TREAT – by sighting relevant documentation within the application process and including contractual agreement. Six- and twelve-month reports provided by successful organisations, accompanied by quarterly stakeholder meetings.
Reputation	Negative public perception towards the Town should applications not be funded	Moderate	Low	TREAT – by transparent approval process. Managed by outline funding platform and Council endorsement. Town funding panels ensure fair and equitable application process guided by Policy 114 Community Funding.
Service delivery Interruption	Not applicable			

Engagement

Internal engagement	
Stakeholder	Operating Subsidy Funding Assessment Panel
Engagement	Consultation and management of grant administration Consultation and Panel review and evaluation

External engagement	
Stakeholders	All Community
Period of engagement	14 October to 29 November 2024
Level of engagement	1. Inform
Methods of engagement	Town's website Town's social media platforms – Facebook and Town's e-vibe e-newsletter Direct email to previous grant recipients Direct email to not-for-profits and social enterprises on the Town's Community Service Database Operating Subsidy Information Session (three organisations represented)
Advertising	Town's website Town's social media platforms – Facebook and Town's e-vibe e-newsletter Direct email to previous grant recipients Direct email to not-for-profits and social enterprises on the Town's Community Service Database
Submission summary	One application was submitted to the Town for evaluation

Key findings	After detailed panel assessments and discussions had occurred, it was determined one subsidy application submission met the Town's criteria and is recommended for endorsement.
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Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Funds are managed with full, accurate and timely disclosure of financial information relating to the Council. Town grant funds are maximised by seeking the greatest possible benefit to the community within the available monetary resources.

Economic	
Community Priority	Intended public value outcome or impact
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	To connect businesses, community groups, and residents to gain a strong sense of place by activating public spaces and local activity centres to gain an inclusive, engaged and empowered community.

Environment	
Community Priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	Protect and enhance the natural environment by environmental sustainability, conserve and support the creation of more green space and shaded areas in the Town.

Social	
Community Priority	Intended public value outcome or impact
S1 - Helping people feel safe.	Creating an environment and offering support that instils a sense of security and well-being in the community.
S2 - Collaborating to ensure everyone has a place to call home.	Funds are used to work collaboratively with governments, support services and community organisations to coordinate an effective response to ending local homelessness.
S3 - Facilitating an inclusive community that celebrates diversity.	Funds are used for organisations to facilitate an inclusive community through local celebrations including food markets, local performances from culturally diverse artists, multicultural art exhibitions, sporting events and storytelling.
S4 - Improving access to arts, history, culture and education.	To support local organisations and individuals to deliver services and initiatives that encourage awareness of arts, history, culture and education.

Further consideration

At the Agenda Briefing Forum meeting held on 4 February 2025, the following information was requested.

23. Q. Noting that the Town has moved to a policy of capping operating subsidies per annum per application plus GST, with CPI applied to years two and three of the agreement, what happens to the financial sustainability of organisation after the third year?
Specifically, when the CPI adjustment causes the subsidy amount to increase, but organisations are

required to reapply for new funding after three years, they lose the benefit of the previous CPI adjustments when their subsidy is reset to the original amount.

- A. Organisations with an operating subsidy are aware that if they are successful in receiving another subsidy after an initial term, they will revert back to the maximum initial capped amount of \$100,000 plus GST, with CPI then added in years two and three.

Based on the current policy position organisations have been advised to consider future funding implications and seek additional and or alternate funding sources or partnering to offset a potential change in circumstances. Additionally, advice has included consideration regarding levels of operation / service to avoid shocks to sustainability due to this current policy approach, and or in the case that a future application for an Operating Subsidy is not supported by Council.

Policy 114 - Community Funding is currently being reviewed and will be provided to Council in the coming months for deliberation where there is an opportunity for review of its current position regarding CPI and other key components.

12.5 Mindeera Advisory Group Terms of Reference for endorsement

Location	Town-wide
Reporting officer	Coordinator Community Development
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	1. Draft TOR - November 2024 [12.5.1 - 2 pages]

Summary

- The Mindeera Advisory Group is seeking endorsement of the Terms of Reference for the group as included in attachment 1.
- On 4 November 2024 the Mindeera Advisory Group meeting was held, and the draft terms of reference were presented and discussed.
- After some amendments in consultation with the group, the Terms of Reference were agreed.
- Amendments suggested and agreed:
 - Include '*designated*' and '*Other elected members may opt to attend as observers*'.

Recommendation

That Council endorses the updated Terms of Reference for the Mindeera Advisory Group as per attachment 1.

Background

1. The first meeting of the new Mindeera Advisory Group (including new community members) was held 4 November 2024.
2. Policy 101 Governance of Council Advisory and Working Groups states that '*within three months of members being appointed, the Chief Executive Officer, with agreement from members of that group, is required to present a group's proposed terms of reference to Council for adoption.*'
3. The Terms of Reference were discussed at the meeting on 4 November 2024. The Terms of Reference were also circulated to the group by email after the meeting for comment and review.
4. No feedback or changes were received from the group.

Discussion

5. On 4 November 2024 the Mindeera Advisory Group met. One of the items discussed at the meeting (and in an email circulated after the meeting) was the adoption of the draft terms of reference.
6. The group members discussed changes be made to the wording in the membership section to clarify the roles of elected members who were '*designated members*' of the group and other elected members that may choose to attend meetings as observers.
7. The members supported progression of the revised terms of reference to go to February 2025 OCM for final endorsement.

Relevant documents

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

Legal and policy compliance

Not applicable.

Financial implications

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Insufficient funds within the annual budget to address recommendations.	Low	Medium	TREAT risk by allocating annual budget towards the delivery of advisory group meetings, and endorsement of a revised Terms of Reference.
Environmental	Not applicable			
Health and safety	Not applicable			
Data, Information Technology and Cyber	Not applicable			
Assets	Not applicable			
Compliance Breach	Not applicable			
Reputation	Not applicable			
Service delivery interruption	The Mindeera Advisory Group does not adhere to the Terms of Reference, resulting in project/consultation delays and potential service delivery implications.	Low	Medium	TREAT risk by adopting the revised Terms of Reference to guide the group's role and function.

Engagement

Internal engagement

Stakeholder	Comments
Governance	Advice provided on the Terms of Reference and impact of Policy 101 Governance and Council Advisory and Working Groups.

External engagement

Stakeholders	Mindeera Advisory Group
Period of engagement	30 September 2024 – 4 November 2024
Level of engagement	2. Consult
Methods of engagement	The draft Terms of Reference were included with the meeting agenda for pre reading. The document was discussed at both the 30 September 2024 (related to nominations for Office Bearers) and the 4 November 2024 Mindeera Advisory Group meetings. The document was recirculated to the group members for final input after the 4 November 2024 meeting.
Advertising	Not applicable.
Submission summary	Not applicable.
Key findings	The group requested minor wording changes of the Terms of Reference to clarify the roles of elected members. These changes were made and circulated to the group, who agreed to the revised terms of reference.

Strategic alignment

Civic Leadership

Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Good governance is practiced in consultation with the advisory group and adherence to Policy 101.

Further consideration

Not applicable.

12.6 Business Advisory Group - Terms of Reference

Location	Town-wide
Reporting officer	Place Leader (Economic Development)
Responsible officer	Manager Place Planning
Voting requirement	Simple majority
Attachments	1. Attachment 1 - Terms of Reference Business Advisory Group 2024 to 2026 [12.6.1 - 3 pages]

Summary

The Business Advisory Group is seeking endorsement of the Terms of Reference as contained in Attachment 1.

Recommendation

That Council adopts the Terms of Reference (as contained at Attachment 1) for the third term of the Business Advisory Group.

Background

1. At the Council Meeting on 15 October 2024, Council appointed new members to the Business Advisory Group for its third term.
2. Clause 30 of 'Policy 101 Governance of Council Advisory and Working Groups' states that within three months of membership being appointed, the Chief Executive Officer, with agreement from members of that group, is required to present the group's proposed Term of Reference to Council for adoption.
3. The Draft Terms of Reference was added to the agenda as a discussion item at the Business Advisory Group meeting on 14 November 2024. The Business Advisory Group was requested to review and discuss the items of the terms of reference, inclusive of:
 - a. Purpose;
 - b. Objective;
 - c. Membership roles and responsibilities; and
 - d. Meeting procedures.

Discussion

4. On the 14 November 2024 the Business Advisory Group met and agreed to the proposed Terms of Reference contained in Attachment 1. The members supported the adoption of the Terms of Reference with no amendments.

Relevant documents

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

Legal and policy compliance

5. 'Policy 101 Governance of Council Advisory and Working Groups' states that upon adoption by Council the Terms of Reference, including its membership, must be made publicly available on the Town's website.

Financial implications

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial			Low	
Environmental			Medium	
Health and safety			Low	
Data, Information Technology and Cyber			Medium	
Assets			Medium	
Compliance Breach			Low	
Reputation			Low	
Service delivery interruption	Not endorsing the BAG Terms of Reference could lead to a lack of clarity around the Group's purpose, role and responsibilities.	Low	Medium	TREAT by adopting the proposed Terms of Reference to guide the group member's role and responsibilities.

Engagement

Internal engagement	
Stakeholder	Comments

Governance	Advice provided on the Terms of Reference and impact of Policy 101 Governance of Council Advisory and Working Groups.
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External engagement	
Stakeholders	Business Advisory Group
Period of engagement	14 November 2024
Level of engagement	2. Consult
Methods of engagement	The Draft Terms of Reference was added to the agenda at the meeting on 14 November 2024. The Draft Terms of Reference were included as pre reading and then discussed at the meeting with no amendments..
Advertising	Not applicable.
Submission summary	Not applicable.
Key findings	The group agreed to the Terms of Reference.

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	The Town is able to consult with the local Business community to receive strategic advice on the delivery of economic community priorities.
CL3 - Accountability and good governance.	An updated Terms of Reference will provide a clear understanding of the roles and responsibilities for participating members.

Economic	
Community Priority	Intended public value outcome or impact
EC1 - Facilitating a strong local economy.	The Town receives strategic advice on the delivery of economic development initiatives, events, campaigns and other projects that help facilitate a strong local economy.

Further consideration

Not applicable.

12.7 Draft Community Benefits Strategy 2025 - 2029

Location	Town-wide
Reporting officer	Social Impact Specialist
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	1. Draft Community Benefits Strategy 2025 - 2029 [12.7.1 - 21 pages] 2. Community Benefits Strategy Review Key Findings Report 2024 [12.7.2 - 28 pages]

Summary

The Community Benefits Strategy 2019 – 2024 has been reviewed, and the next 5-year Strategy has been drafted for Council consideration to advertise for public comment.

Recommendation

That Council:

1. Approves the advertising of the Draft Community Benefits Strategy 2025 – 2029 for public comment, as per attachment one, including feedback, and suggestions regarding a new name for the Strategy that better reflects its scope.
2. Requests the Chief Executive Officer to report the outcomes of the public comment period and present the updated strategy to Council in May 2025 for consideration.

Background

1. The Community Benefits Strategy is a partnership between the Town of Victoria Park, the West Coast Eagles (WCE), Waalitj Foundation (WF) (formerly Wirrpanda Foundation, a Not For Profit organisation founded by WCE in 2001), and Perth Football Club (PFC) that aims to deliver life-long learning opportunities, empower local community members, improve local amenities, and foster leadership and collaboration using a strengths-based and collaborative approach.
2. The lease agreement between the Town and WCE states that, *"community benefits delivered by [WCE] form part of the benefits to [the Town] in lieu of a wholly commercial transaction."* The Community Benefits Strategy articulates the benefits delivered for the community by WCE and WF.
3. The 2019 – 2024 Strategy was informed by extensive community engagement to ensure it addressed local community priorities. Partners committed to review the Strategy every five years to ensure programming remains relevant and responds to changing community priorities.
4. Between April – October 2024 an internal review was conducted by the Town, supported by Lydia Phillips Consulting, to determine whether the Strategy remains relevant, is sustainable, and delivery is effective and efficient.
5. The approach and findings of this review is provided as attachment two.
6. Development of the revised strategy included analysis of the 2023 MARKYT Community Scorecard, priorities within the Town's social plans and Strategic Community Plan, partner priorities and evaluation

feedback from key stakeholders to determine whether focus programming was still aligned to the current community priorities.

- 7. In November - December 2024 the Mindeera Advisory Group and the Access and Inclusion Advisory Group were engaged to identify opportunities for the Community Benefits Strategy 2025 – 2029.
- 8. In December 2024 Elected Members were engaged to advise on the strategic direction for the Community Benefits Strategy 2025 – 2029.

Discussion

- 9. The Draft Community Benefits Strategy 2025-2029 is an overarching document setting the strategic intent for benefits delivered to the community through the presence of the West Coast Eagles, Waalitj Foundation, and Perth Football Club being located within the Town.
- 10. An associated biennial Implementation Plan will be developed to define specific actions, priorities, deliverables, responsibilities and outcome indicators.
- 11. The objectives of the Strategy have been informed by the lease agreement between the Town and West Coast Eagles.
- 12. Community Benefits Strategy programs were selected to reflect community priorities and partner strengths while aligning with the capacity and capability of West Coast Eagles, Waalitj Foundation and Perth Football Club to deliver.
- 13. The name of the revised document does not reflect the scope of community benefits delivered through the strategy, as such there is an opportunity to rename the document to better reflect this scope.
- 14. The Draft Community Benefits Strategy 2025-2029 is now presented to Council for approval to advertise for public comment for a three-week period, including feedback and suggestions regarding a new name.
- 15. Upon integration of relevant feedback, the proposed final strategy will be presented to Council for formal adoption.

Relevant documents

- [Community Benefits Strategy 2019 - 2024](#)
- [2023 MARKYT Community and Wellbeing Scorecard](#)
- [Strategic Community Plan](#)

Legal and policy compliance

Not applicable

Financial implications

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable		Low	
Environmental	Not applicable		Medium	
Health and safety	Not applicable		Low	
Data, Information Technology and Cyber	Not applicable		Medium	
Assets	Not applicable		Medium	
Compliance Breach	Not applicable		Low	
Reputation	Not releasing the draft plan for public comment may result in dissatisfaction with the Town from members of the community.	Medium	Low	TREAT risk by approving the release of the draft Community Benefits Strategy 2025 – 2029 for public comment.
Service delivery interruption	Not applicable		Medium	

Engagement

Internal engagement	
Stakeholder	Comments
Community Development	Staff engagement, review of document and discussion regarding implementation opportunities.
Events, Arts and Funding	Staff engagement, review of document and discussion regarding implementation opportunities.
Mindeera Advisory Group	Engagement at the November 2024 meeting
Access and Inclusion Advisory Group	Engagement at the December 2024 meeting

Elected Members	Participation in the December 2024 Concept Forum to provide feedback and strategic direction. A survey remained open for 2 weeks to provide opportunities to give feedback beyond the workshop. Elected Member Portal posts have provided updates throughout the review process.
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External engagement	
Stakeholders	1. West Coast Eagles 2. Waalitj Foundation 3. Perth Football Club 4. Selected members of the Healthy Relationships Strategy Group 5. Waalitj Club participants and their parents 6. Local community groups supported by WCE through the current Strategy: 6.1 WA Disabled Sports Association 6.2 Healthy Strides 6.3 Kensington PCYC 6.4 Lathlain Playgroup 6.5 Connect Vic Park
Period of engagement	April – November 2024
Level of engagement	2. Consult
Methods of engagement	Workshop Meetings Surveys
Advertising	Not applicable
Submission summary	See Attachment 2 - Community Benefits Strategy Review document
Key findings	See Attachment 2 - Community Benefits Strategy Review document

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	The Community Benefits Strategy deliverables are monitored and reported quarterly. Outcomes evaluation of programs is built into program planning.
Economic	
Community Priority	Intended public value outcome or impact
EC1 - Facilitating a strong local economy.	Additional benefits resulting from the presence of West Coast Eagles in the Town include increased employment, including employment of Aboriginal and / or Torres Strait Islander people, and improved community assets in the Lathlain Park precinct.

Environment	
Community Priority	Intended public value outcome or impact
EN5 - Providing facilities that are well-built and well-maintained.	Additional benefits resulting from the presence of West Coast Eagles in the Town include improving community access to assets in Lathlain Park.

Social	
Community Priority	Intended public value outcome or impact
S1 - Helping people feel safe.	The Community Benefits Healthy Relationships program promotes increased safety through campaigning against Family and Domestic Violence.
S4 - Improving access to arts, history, culture and education.	The Community Benefits Strategy promotes lifelong learning opportunities through the Youth Engagement program.

Further consideration

Not applicable.

12.8 Access and Inclusion Advisory Group Terms of Reference for endorsement

Location	Town-wide
Reporting officer	Coordinator Community Development
Responsible officer	Manager Community
Voting requirement	Simple majority
Attachments	1. 2025 01 Access and Inclusion Advisory Group Terms of Reference [12.8.1 - 3 pages]

Summary

- The Access and Inclusion Advisory Group is seeking endorsement of the Terms of Reference for the group as included in attachment 1.
- On 11 December 2024 the Access and Inclusion Advisory Group meeting was held, and the draft Terms of Reference were presented and discussed.
- After some amendments in consultation with the group at the meeting and via email circular, the Terms of Reference were agreed.
- Amendments suggested and agreed (marked in red in attachment):
 - Include item 4 under Membership: *The group shall maintain representation of people with disability/lived experience.*

Recommendation

That Council endorses the updated Terms of Reference for the Access and Inclusion Advisory Group as per attachment 1.

Background

1. The first meeting of the new Access and Inclusion Advisory Group (including new community members) was held 11 December 2024.
2. Policy 101 Governance of Council Advisory and Working Groups states that '*within three months of members being appointed, the Chief Executive Officer, with agreement from members of that group, is required to present a group's proposed terms of reference to Council for adoption.*'
3. The Terms of Reference were discussed at the meeting on 11 December 2024. The Terms of Reference were also circulated to the group by email after the meeting for comment and review.

Discussion

4. On 11 December 2024 the Access and Inclusion Advisory Group met. One of the items discussed at the meeting (and in an email circulated after the meeting) was the adoption of the draft terms of reference.
5. The group members discussed and agreed that it was important to maintain representation of people with disability and lived experience on the group.
6. The group agreed to the change outlined in red in the attached Terms of Reference by email circular.

7. The members supported progression of the revised terms of reference to go to February 2025 OCM for final endorsement.

Relevant documents

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

Legal and policy compliance

Not applicable.

Financial implications

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Insufficient funds within the annual budget to address recommendations.	High	Low	TREAT risk by allocating annual budget towards the delivery of advisory group meetings, and endorsement of a revised Terms of Reference.
Environmental	Not applicable		Medium	
Health and safety	Not applicable		Low	
Data, Information Technology and Cyber	Not applicable		Medium	
Assets	Not applicable		Medium	
Compliance Breach	Not applicable		Low	
Reputation	Not applicable		Low	
Service delivery interruption	The Access and Inclusion Advisory Group does not adhere to the terms of reference, resulting in project/consultation delays		Medium	TREAT risk by adopting the revised Terms of Reference to guide the group's role and function.

and potential service delivery implications.

Engagement

Internal engagement

Stakeholder	Comments
Governance	Advice provided on the terms of reference and impact of Policy 101 Governance and Council Advisory and Working Groups.

External engagement

Stakeholders	Access and Inclusion Advisory Group
Period of engagement	2 December 2024 – 7 January 2025
Level of engagement	2. Consult
Methods of engagement	The draft terms of reference were included with the meeting agenda for pre reading. The document was discussed 11 December 2024 Access and Inclusion Advisory Group meeting. The document was recirculated to the group members for any final input after the 11 December 2024 meeting, with a deadline of 7 January 2025.
Advertising	Not applicable.
Submission summary	Not applicable.
Key findings	The group requested minor wording changes of the Terms of Reference to maintain representation of people with disability and lived experience on the group. These changes were made and circulated to the group, who agreed to the revised terms of reference.

Strategic alignment

Civic Leadership

Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Good governance is practiced in consultation with the advisory group and adherence to Policy 101.

Further consideration

Not applicable.

12.9 Notice of Motion - Options for permitting play equipment on verges

Location	Town-wide
Reporting officer	Place Leader (Strategic Planning)
Responsible officer	Manager Place Planning
Voting requirement	Absolute majority
Attachments	1. Attachment 1 : Play Equipment on Verges - Discussion Paper & Example Permit Conditions [12.9.1 - 16 pages]

Summary

The purpose of this report is to respond the Notice of Motion (286/2024) passed at the November 2024 Ordinary Council Meeting, requesting options for Council in their consideration of privately owned play equipment within street verges.

Recommendation

That Council defers the options relating to play equipment on verges, as detailed in the report and Attachment 1, for further discussion at the February 2025 Concept Forum.

Background

1. In recent years the Town has received several enquiries and complaints pertaining to residents keeping play equipment within the verge adjacent to their properties.
2. The Town has also received many other enquiries and complaints with regards to permissible verge treatments under the current Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law (Thoroughfares Local Law).
3. In November 2024, Council passed a Notice of Motion (286/2024) that requests:
"The CEO to provide a report to Council by February 2025 addressing the short, medium and long term options for permitting residents to install play equipment on their street verges, including but not limited to, consideration of:
 - a. temporary permits or verge use agreement to be granted by the Town;*
 - b. temporary moratorium on Town action requiring removal of existing play equipment installed on any verges pending further investigation of medium and long term options;*
 - c. a pilot or trial project;*
 - d. a policy response;*
 - e. amending the Town's relevant local laws"*

Discussion

4. Local communities across the Perth region have been advocating to use their verges more socially
5. While the keeping of play equipment on verges aligns with the community priorities identified in the Town's Strategic Community Plan, there are many complex issues that need to be addressed.

6. As Local Government has the care, control and management of roads, as cited in the Land Administration Act (WA) 1997, the Town needs to consider its liability risks for approved verge treatments, including play equipment.
7. In recent years, many Local Governments have made amendments to various Local Laws and Policies in response to their community's desire for using verges in this manner.
8. This varied and inconsistent approach to the types of permissible treatments and the approval processes involved, further highlights the complexities within Local Governments associated with:
 - a. Staff resourcing;
 - b. Liability risks;
 - c. Insurance concerns;
 - d. Discretionary enforcement of Local Laws;
 - e. Approval processes;
 - f. Need for community engagement.
9. The attached Discussion Paper (Attachment 1) provides an analysis of the options available to Council to facilitate privately owned play equipment within the verge. It considers feedback from internal service areas, discussions with LGIS, written legal advice and a review of other WA Local Government Local Laws, Policies, Guidelines, Management Practices and media articles.
10. Consideration of any option presented in the Discussion Paper (Attachment 1) is multifaceted and complex and for this reason the Administration is **recommending deferral for further discussion at the February 2025 Concept Forum.**
11. The Discussion Paper (Attachment 1) highlights the complexity of the matter within the Town's current legal framework and provides a comprehensive outline of relevant information that should be considered by Elected members.
12. A Concept Forum will allow elected members to review legal, insurance, and operational considerations in detail before committing to a course of action.
13. Following the February 2025 Concept Forum, a report will be presented back to Council making a recommendation on the best approach.

Relevant documents

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

[Verge Guidelines 2020](#)

[Policy 255 Tree Management](#)

Legal and policy compliance

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

[Section 4.20\(4\) of the Local Government Act 1995](#)

[Section 55\(2\) of the Land Administration Act 1997](#)

[Civil Liability Act 2002 \(WA\)](#)

Summary of Legal Advice:

14. Council staff have received legal advice to help understand the permissibility of play equipment as an activity or verge treatment, with or without a permit, under the Thoroughfares Local Law.

Financial implications

Current budget impact	Sufficient funds currently exist. There is currently \$10,000 available for the review of Public Realm (verge) Guidelines. This funding can be used as part of the recommendation in this report.
Future budget impact	Following Concept Forum, additional funds may be required to implement the future recommendations. • Legal Advice and/or Consultants to assess and provide recommendations on updates to the existing framework (Local Laws, Policies, Guidelines) • Marketing and Communication Costs • Staff and/or consultant time to prepare updated policy documents and reports for Council on trial outcomes and proposed modifications to the overall framework (including drafting and graphics). A possible total of \$30,000 could be required to ensure the suite of Town documents are reviewed holistically and in a timely manner.

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	• Costs associated with legal claims or compensation for injuries or property damage caused by keeping play equipment on verges. • Additional staffing costs associated with engagement, enforcement, inspections, or permit processing.	High	Low	<i>TREAT risk by:</i> Deferring to Concept Forum allows EM's to assess financial, legal and operational impacts of any decision/options to allow play equipment of verges. It also enables opportunities to identify cost-effective alternatives that may not have been identified by Staff.
Environmental	• Damage to verge areas and street trees caused by improperly placed or anchored equipment. • Environmental degradation due to litter, wear, or misuse of	Medium	Medium	<i>ACCEPT risk by:</i> Deferring to Concept Forum allows EM's to: - consider the introduction of clear guidelines for permissible Street Tree Attachments and understand benchmarking/practices of other Local Governments. - consider how to integrate street tree

	the verge			attachment plans with existing tree care and management programs.
Health and safety	Injuries to users or passersby resulting from improperly installed or maintained equipment.	High	Low	TREAT risk by: Deferring to Concept Forum allows for a thorough assessment of the Town's Duty of Care when it comes to management of its public places and ensuring traffic and pedestrian safety risks are properly understood and addressed before permitting play equipment on verges.
Data, Information Technology and Cyber	Not Applicable	NA	Medium	N/A
Assets	Damage to public infrastructure (e.g., footpaths, street trees) caused by improperly placed or anchored equipment.	Medium	Medium	TREAT risk by: Deferring to Concept Forum to ensure any decision made on next steps adequately addresses permissible types of play equipment and anchoring/attachment requirements.
Compliance Breach	Non-compliance with Local Laws, Policies, and Guidelines.	Medium	Low	ACCEPT the risk by: Defer to Concept Forum to ensure any approach taken includes a broader review process of the Town's approval process and legislative framework. The Forum allows time to determine priorities for local law amendments, new policies created, and permit requirements.
Reputation	Negative perception of the local government's decision-making or risk management processes.	Medium	Low	TREAT risk by: Defer to Concept Forum to ensure EM's are fully across the complexity of the issue, what other local governments are doing to ensure the best approach is taken to reduce liability risks, address the Town's Duty of Care and consider whether or not to introduce fees.
Service delivery interruption	Due to competing priorities, tight timeframes, and existing commitment of staff resources the recommendation may delay other projects or operational effectiveness.	High	Medium	TREAT the risk by: Deferring to Concept Forum will help to avoid immediate strain on service delivery teams without fully understanding the impact of decision making. Increase demand on service areas can be better understood with a clear process in place that Concept Forum will help achieve. This gives EM's an opportunity to understand the resourcing impact to the Town.

Engagement

Internal engagement	
Stakeholder	Comments
Governance	- Elected Members role to consider and determine whether level of risk is appropriate - Investigations of the options must consider and outline risk to people, trees, infrastructure and traffic - The statutory process for review and amending a Local Law could be 6 months to 1 year. - Council should consider how to minimise its risk and place the onus back on residents, including the consideration of introducing fees to manage the demand for treatments.
Place Planning	Place Leader (Urban Forest) - Support for appropriate attachments to trees to be considered. - Options for audits exist within the current tree audit process. - Support for play equipment to be located within the verge of micro parks/drainage sumps as it supports sense of ownership of these spaces to the community and encourages broader use. Place Leader (Urban Design) – - Play equipment on verges supports objectives in the Public Open Space Strategy and the Integrated Transport Strategy and can develop community connections, strengthen neighbourhoods, and encourage children to play and have physical activity.
Manager Infrastructure; Technical Officer Parks & Reserves; Streetscapes Supervisor	- Concern about the impacts that attachments may have on Street Trees. Micro Spaces could be a better option for allowing privately placed play equipment in public spaces. - Play equipment may also pose issues for tree contractors to access trees for maintenance and pruning purposes. - Consideration also needs to be made for who will be responsible for compliance and the impact this will have on staff resources.
Principal Street Improvement	Considerations to: - Appropriate Street Frontages - High Density Areas - Limited Opportunity within lot boundaries - Road Types – high order roads could be dangerous and not under management of the Town. - Setbacks and strict parameters on location (with relation to footpaths and overhead power lines) - Install and Maintenance – consider requirements to tie down equipment.
Parking & Rangers	Currently, Rangers would respond to complaint of a verge obstruction. The verge area needs to remain free from obstructions to ensure safe passage and emergency egress where required by pedestrians, cyclists etc.

	Rangers ensure there are no obstructions or trip hazards and follow up with adjacent property owners as required.
Manager Finance	- Regarding LGIS Insurance. The understanding from prior cases is the Town's insurance cover incidents that occur within the road reserve if the Town has been negligible. - It would be hard to determine if all incidents would be covered as the circumstance for every incident would likely be different.
Stakeholder Relations	Provided review and comment on the format of the proposed Permit Conditions (Attachment 1).

External engagement	
Stakeholders	Comments
Local Government Insurance Scheme (LGIS)	Initial discussions have been had and identified risks and uncertainties with regards to the Towns liability. Further investigations required.

Strategic alignment

Civic Leadership

Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Contemporary policies and local laws, which reflect community attitudes, can empower residents to participate in enhancing their local environment.

Social

Community Priority	Intended public value outcome or impact
S3 - Facilitating an inclusive community that celebrates diversity.	Allowing play equipment on verges can create opportunities for children and families of diverse backgrounds to interact within their streets.

Further consideration

Not applicable.

12.10 Integrated Transport Program Working Group - Terms of Reference

Location	Town-wide
Reporting officer	Place Leader (Transport)
Responsible officer	Manager Place Planning
Voting requirement	Simple majority
Attachments	1. Attachment 1 - Integrated Transport Working Group Terms of Reference [12.10.1 - 3 pages]

Summary

The Integrated Transport Working Group is seeking endorsement of their Terms of Reference as contained in Attachment 1.

Recommendation

That Council adopts the Terms of Reference (as contained at Attachment 1) for the Integrated Transport Working Group.

Background

1. At the Council Meeting of 15 October 2024, Council appointed nine (9) community members and three (3) Elected Members to the Integrated Transport Working Group (ITWG).
2. At the Council Meeting of 19 November 2024, a motion was passed to appoint a fourth Elected Member to the ITWG.
3. Clause 30 of 'Policy 101 Governance of Council Advisory and Working Groups' states that within three months of membership being appointed, the Chief Executive Officer, with agreement from members of that group, is required to present the group's proposed term of reference to Council for adoption.
4. The Draft Terms of Reference was added to the agenda as a discussion item at the ITWG meeting on 21 November 2024. ITWG was requested to review and discuss the items of the terms of reference, inclusive of:
 - a. Purpose;
 - b. Objective;
 - c. Membership roles and responsibilities; and
 - d. Meeting procedures.

Discussion

5. On the 21 November 2024 the ITWG met and discussed the Draft Terms of Reference.
6. The members supported the adoption of the Terms of Reference subject to modifications. The Draft Terms of Reference is contained in Attachment 1.

Relevant documents

[Policy 101 Governance of Council Advisory and Working Groups - Amended 15 August 2023](#)

Legal and policy compliance

7. 'Policy 101 Governance of Council Advisory and Working Groups' states that upon adoption by Council the terms of reference, including its membership, must be made publicly available on the Town's website.

Financial implications

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial			Low	
Environmental			Medium	
Health and safety			Low	
Data, Information Technology and Cyber			Medium	
Assets			Medium	
Compliance Breach			Low	
Reputation			Low	
Service delivery interruption	Not endorsing the ITWG Terms of Reference could lead to a lack of clarity around the Group's purpose, role and responsibilities.	Low	Medium	TREAT by adopting the proposed Terms of Reference to guide the group member's role and responsibilities.

Engagement

Internal engagement

Stakeholder	Comments
Governance	Advice provided on the Terms of Reference and impact of Policy 101 Governance and Council Advisory and Working Groups.

External engagement

Stakeholders	ITWG members
Period of engagement	21 November 2024
Level of engagement	2. Consult
Methods of engagement	The Draft Terms of Reference was added to the agenda at the meeting on 14 November 2024. The Draft Terms of Reference were included as pre reading and then discussed at the meeting.
Advertising	Not applicable.
Submission summary	Not applicable.
Key findings	The group agreed to the Terms of Reference.

Strategic alignment

Civic Leadership

Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	Community members are consulted in the implementation of the Integrated Transport Program.
CL3 - Accountability and good governance.	Good governance is practiced in consultation with the ITWG and adherence with Policy 101.

Environment

Community Priority	Intended public value outcome or impact
EN6 - Improving how people get around the Town.	The Town receives strategic advice on the delivery of transport initiatives, events, campaigns and other projects that help improve how people get around the town.

Further consideration

Not applicable.

13 Chief Operations Officer reports

13.1 Strategic Waste Management Plan

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

Summary

This report was deferred from the Ordinary Council Meeting held on 10 December 2024 as per Procedural Motion 293/2024.

The reason for this was to improve the overall clarity of alignment of the various SWMP actions with those within the Implementation Plan, both in terms of content and readability (e.g. numbering).

Upon review of the respective documents, it has become apparent to the Town that more time will be needed to undertake a full and proper integration of the suggested changes into the SWMP and the Implementation Plan. Given the changes, the Town recommends that the respective documents undergo further community consultation.

The Town therefore requests that SWMP and associated Implementation Plan **not be adopted** and, instead, a new report be brought back to Council for endorsement following document adjustment and further community consultation.

Recommendation

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

Background

1. Waste management is one of the most significant and necessary municipal essential services provided by the Town of Victoria Park ('the Town').
 - a. The Town has implemented significant changes, working in conjunction with stakeholders including the Mindarie Regional Council (MRC) based on the Town's SWMP 2018 – 2023 and will continue to do so with this new strategy.
 - b. The Town is aware of the current local and global waste and recycling opportunities and challenges.
 - c. This plan will ensure that The Town's current and future efforts are continuously aligned with industry best practice and optimised to achieve the best outcomes for the community.
2. Waste management is one of the most significant and complex municipal services provided by the Town. The annual cost of the Town's waste services is approximately \$8.2 million, and this represents approximately 15.5% of the total Town's rates revenue.

3. The Town engages in environmentally sustainable waste management practices including the reuse, recycling and recovery of materials and resources. This is a highlight of the Town's practices that align with the State's waste strategy.
 4. The Town responded to the challenge of the State's commitment to minimise the creation of waste and to efficiently reuse, recycle and recover resources from discarded materials, and dispose of waste responsibly by adopting the Strategic Waste Management Plan 2018-2023. The plan was developed in response to an initiative of the Western Australian Waste Management Board in 2007 and in accordance with the provisions of Division 3, Section 40-44 of the Waste Avoidance and Resource Recovery Act 2007. Some of the identified actions which have been successfully implemented by the Town were achieved by collaboration with stakeholders, including the MRC, since the development of this strategy.
 5. Some of the major achievements since the commencement of the SWMP 2018 – 2023 include:
 - a. MRC decommissioning of the Neerabup Resource Recovery Facility, which paved the way for the adoption of Organics processing and Waste to Energy (WtE) treatment to further improve the diversion of waste from landfill.
 - b. Adoption of the three bin garden organics system which helped to divert organic waste from landfill.
 - c. Continued active involvement with the MRC in developing contracts for large scale waste diversion options including WtE and food organics and garden organics (FOGO) processing; and
 - d. Delivery of waste and recycling education programs and workshops and at events within the Town.
 6. Whilst the Town has implemented significant changes since the adoption of the SWMP 2018-2023, the momentum must continue for the next five years with a new SWMP. This will ensure that the Town's current and future efforts are optimised to achieve the best outcomes for the community since many changes have taken place in the industry and more are anticipated in the future.
 7. With the roll out of the Town's Garden Organics (GO) bins and the awarding of the waste to energy contract soon, the Waste Authority's target of 70% waste diversion rate by 2025 within the Perth Metropolitan area is an achievable outcome. The introduction of the Food Organics and Garden Organics (FOGO) system will further push this percentage upward.
 8. The aim of SWMP 2024- 2029 is to provide a strategic direction for waste management of the Town that aims to align with the Town's strategic goals and the State's waste hierarchy of reducing the amount of waste created and sent to landfill.
 9. The objectives of the SWMP 2024-2029
 - a. to further develop best practices for waste management whilst striving to achieve the targets set in the State Waste Strategy 2030; and
 - b. set priorities for the next five years with the resources available to reduce waste sent to landfill and assist the community to participate in waste minimisation activities.
 10. As part of the development of the new SWMP 2024 - 2029, the issues considered include:
 - a. Actions achieved during the last SWMP 2018-2023;
 - b. Determine the future options for the Town and the MRC;
 - c. Identify priority issues for the Town in the context of the waste management environment;
 - d. Define what the Town must achieve;
 - e. Define who is accountable and how the achievements can be made;
 - f. Define the MRC priorities and strategies and how they influence the Town's strategy;
-

- g. Relationship between the Town and MRC; and
- h. Define how formal reviews and monitoring of progress of implementation will be undertaken.

Discussion

11. As a result of the public consultation and further internal consultation, some amendments have been made to the draft SWMP.
 - a. The objectives of the SWMP have been updated to include the aim of the Town to reach zero emissions by 2030.
 - b. Within the SWMP, there is a list of actions. These actions are now simplified for easier referencing within appendix 1.
 - c. As the State Waste Strategy is currently being reviewed, the SWMP has already anticipated the need for a further review in 2025 to adapt to any changes to the State Waste Strategy.
12. The SWMP contains priority activities:
 - a. A list of priority activities over the first four years and the last year to carry over activities not complete from previous years and develop new SWMP;
 - b. Include relevant activities from the previous SWMP; and
 - c. Include actions related to the Environmental Plan 2023-2028
13. The review of the previous SWMP identified the degree of success in achieving the previously proposed activities. Feedback was also sought by the Town through community consultation undertaken in late 2023. Based on an understanding of the requirements within the Town, the priority activities as identified are provided in the SWMP and in appendix 1.
14. There are strategic issues within the waste management industry that could significantly impact the Town's progression towards improved waste diversion from landfill. Some of these are directly within the control of the Town while others are highly dependent on other government agencies, MRC, or other Local Government organisations. These include:
 - a. Financial responsibility with the development of a 15-year waste services plan alongside other financial plans.
 - b. Annual Waste Plans that focus on accurate data collection and consistent reporting.
 - c. Tracking of historical waste data and current trends.
 - d. The Town's Climate Emergency Plan and the State's Climate Bill.
 - e. The future of MRC operations, namely the financial implication associated with the involvement in the MRC versus operating as an individual Local Government.
 - f. The Perth Metropolitan landfill levy is charged on all waste generated or landfilled in the Metropolitan area. The levy has been \$70 per tonne since 2018 but will increase to \$85/tonne next financial year. This represents an increase of \$157,000 for the Town in 2024/2025 which will remain until the waste is processed at the waste to energy (WTE) plant. For future planning, MRC member Councils could expect an ongoing annual landfill levy increase in the range of \$5/ to \$10/t. This should give a reasonable upper and lower range cost estimates which long term financial modelling for the Town and MRC can be based on.
 - g. Waste to Energy (WtE) is a treatment option that the West Australian waste industry has been considering for many years. WtE has the potential to dramatically improve the Town's landfill diversion rate, albeit at the lower end of the waste hierarchy pyramid. At this stage, MRC has

evaluated the WtE tender submissions and is in the process of seeking MRC Council decision regarding the awarding of the required contract.

- h. With the planned roll out of the Food Organics Garden Organics (FOGO) three bin system in 2025, it is anticipated that the Town will land at a higher order achievement based on the waste hierarchy and attain the State's waste targets in a timely manner. While progressing the initial phases of the 3 bin system project and delivering education program, and monitoring contamination rates, the Town successfully implemented its garden organics (GO) bin system in 2022. The amount of GO waste received has been under 2,000 tons per year, which is less than initially expected.
- i. Switching of kerbside collections of GO bins to FOGO bins and the new contract(s) required for general, FOGO and recyclable waste in 2026.
- j. Verge Collection services - Currently, the Town offers two rounds of bulk waste verge collection services per year with the residents placing bulk waste on the verge which is then collected by contractors. Reusable items have been salvaged by members of the public. The pros and cons of a bulk bin waste collection system have been considered by the Town and to date, verge collection system, as opposed to skip bin collection, is still considered to be the most cost effective and environmentally responsible option for the Town. It is noted that bulk bins have not been adopted in many of the higher density suburbs within and surrounding the Perth CBD. Alternative actions taken included working in partnership with charity organisations to increase the capturing of reusable items such as clothing before they are disposed of by residents.
- k. Other household waste items such as e-waste are being managed in line with the requirements of the landfill ban in 2024. Prebooked collections vs drop offs for this type of waste is being investigated.
- l. Public place disposal services will be investigated along with increased coverage and potential reintroduction of recycling options.
- m. Contingency planning will be further investigated in case of changes to landfills such as fires, shutdowns, or collection services being unavailable.
- n. Community drop-off, recycling and reuse shop is being investigated for minor recycling, education, community involvement as no current service is provided by the Town.
- o. Container Deposit or Container for Change Scheme - The State Government has implemented the Container for Change Scheme (CDS) successfully. This scheme is primarily aimed to reduce littering and targeted the beverage containers that are commonly found in the litter waste stream. This scheme reduced recyclable items collected in the yellow lid recycling wheelie bins of the Town.
- p. Recyclable Material Market - The cost of recycling is dependent on the revenue that recyclers receive for the recycled materials. This market has proven to be highly volatile over time. This volatility in the recycling market has a direct impact on the cost of recycling and hence the cost that the Town pays its recycling contractors. The current contracted rates secured by the Town since 2016 are amongst the lowest in the state if not the lowest. In future recycling tenders, the Town is considering options such as continuing to include options within the pricing structure whereby the tenderers provide an all-in price for the delivery of the recycling service and takes all risk of commodity price fluctuation. The Town will consider requesting tenderers to provide an alternative price for consideration by the Town whereby there is a variable recycling cost based on the fluctuation in recycling commodity costs.
- q. Hazardous Household Waste Management will continue, and it is envisioned to have more than one annual service.

- r. Illegal littering and dumping are ongoing and there are discussions between local governments on the different ways to deter and deal with this issue.
 - s. Sustainable Purchasing: The Town is responsible for leading by example in sustainable waste management practices. This includes using the Town's substantial purchasing power to encourage the consumption of sustainable products such as durable and repairable products. Ideally, this revolves around the purchasing of products that generate the least waste (waste avoidance), those items that are made of recyclable materials or materials that are easily repairable and recyclable (optimising recycling) and materials that are locally manufactured from recyclable materials (supporting local recycling efforts). Recent examples include the use of recycled road construction materials for laneway construction projects. The Town has a purchasing policy which includes Sustainable Procurement and Corporate Social Responsibility. This portion of the policy encourages the purchase of products that can be refurbished, reused, recycled, and/or reclaimed. Policy 301 Purchasing Policy includes sustainable and ethical procurement requirements.
 - t. Community Involvement - Most of the waste recycling or resource recovery activities cost more than a typical landfill disposal solution, even after the impact of the landfill levy. As the Town progresses with more waste diversion from landfill and strives to achieve an improved waste management and recycling outcome in line with the waste hierarchy pyramid, the cost of recycling will increase dramatically. To reduce the impact of this dramatic cost increase, the Town would be better positioned if it continues to encourage community participation in specific waste and recycling focused areas. This community involvement can vary from web page posting, word-of-mouth education to direct involvement in managing and operating small-scale waste management activities such as the current programs including home composting workshops and Garage Sale Trail.
 - u. Waste management is one area surveyed in the Town's Annual Satisfaction Survey.
15. The waste industry will continue to evolve. This Plan is recommended to be subject to minor reviews by Town staff annually.
 16. Towards the end of the Plan validity period, the Town will develop a subsequent SWMP for the next five-year period. This current Plan would form the baseline against which the successes over the past five years can be gauged and be the basis for the development of the future plan.
 17. Major achievements such as adoption of waste to energy treatments and diversion of organics from landfill are being achieved. Going forward, there is an opportunity to achieve measurable shorter-term improvements in the various waste streams currently managed by the Town. Several of the new possibilities came about due to the new services introduced in the industry. Within the SWMP, there are also goals and practices identified which are potentially more cost effective and environmentally sustainable and may be implemented in a more gradual manner over the medium to longer term future.
 18. The SWMP 2024-2029 will ensure that the Town's current and future efforts are optimised to achieve the best outcomes for the community, particularly considering the changes that have taken place in the industry during recent years.
 19. In relation to implementation, while a draft implementation plan is attached for information, this will be further updated to include more finite actions from the SWMP.

Relevant documents

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

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

Legal and policy compliance

Not applicable.

Financial implications

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

The Town will continue to collaborate with its contractors to ensure relevant revenue generating and cost saving opportunities are implemented. For example, the current revenue sharing arrangement with Cleanaway for CDS in recyclable bins generates approximately \$70,000 per year.

Risk management consideration

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

Engagement

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

	mattresses should be considered.
Environmental Management	Continue to deliver waste education programs.
Finance	Noted the potential fiscal impact due to significant increase in bin collection rates after the current contract has expired (in 2026)
Environmental Health	Planning approval conditions for commercial properties to include bin storage compound
Place Planning	The SWMP would benefit from inclusion of a clear vision and guiding principles to set the Town's strategic direction for waste management. While many actions noted within the SWMP are included in the implementation plan, not all are included. Each action identified within the SWMP should include commentary on the rationale as to why the action has been included/excluded from the final recommendations. It is appreciated that this report states that the implementation plan will be further updated to include more finite actions from the SWMP. The SWMP would benefit from being more ambitious in how we intend to deliver waste services to achieve Town strategic goals. The SWMP would benefit from including commentary on strategic principles for the Town to pursue in entering its next waste collection contract. Place Planning appreciate that the SWMP Implementation Plan now identifies an action to investigate options on how the Town intends to deal with waste management appropriately in increasingly urban settings with increasingly higher density. This could include preparing Waste Management Guidelines for commercial and high-density residential development within the Town, as well as consideration to the appropriateness of the current waste servicing vehicles. An associated action has been included in the implementation plan. The SWMP would benefit from being graphically formatted in a way consistent with other Town strategies to improve legibility. It is appreciated that the report acknowledges that the actions within the implementation plan will further reviewed. This could include: • Recognition and response to Town's Growth • Town's waste contract review • Further internal collaboration
Technical Services	It is important to be conscious of the cost of services to be provided to ensure that rate payers are not subsidizing any expensive services tailored to benefit certain developments which cannot be serviced by the normal waste trucks under current contract. Based on the advice provided by other metropolitan councils,

	new developments should be required to be designed to accommodate the standard large side lifting trucks. Otherwise, these developers should explore options such as engaging their own collection contractors to empty their nonstandard bins from inside private properties in a safe manner.
Urban Planning	Intend to prepare a Waste Management Local Planning Policy for developments which outlines the Town's expectations for waste collection in multi-storey or unit developments.

Internal engagement	
Stakeholders	Elected Members
Period of engagement	25 March 2024
Level of engagement	1. Inform 2. Consult
Methods of engagement	Face to face and via Teams – Concept forum
Advertising	Not applicable
Submission summary	Not applicable
Key findings	Discussion • Create a more streamlined SWMP for the community • Ongoing and future sustainable procurement within the Town of Victoria Park • Verge bulk waste pick-ups investigated in the future to analyse best interest to community when a review is conducted • Waste to Energy (WtE) commencement • Waste Education for community groups, ongoing workshops, and bin information communication • Data collection future waste audits compared to audit conducted five years ago and Investigation into timing for verge bulk waste disposal for university students • Containers for change continued support • FOGO commencement • Possibility of increase in household hazardous waste options • Involvement of community for re-using projects in conjunction with other local governments and charities • Trialling of on demand collection of certain materials such as mattresses • Recycling hub options to be further investigated involving other providers

External engagement

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

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

	for fortnightly collection and reduction of bin sizes.
Key findings	- A well thought out plan - Paintback too far away and yearly toxic waste drop off too infrequent - More information about loss of shared facilities with South Perth - More immediate action on large e-Waste - Excited about introduction of FOGO and bin tagging - Town could investigate incentivising business to minimise packaging at point of sale - More education on bulk waste and FOGO - Bulk waste is convenient and messy, and often what will be collected is not adhered too - I currently use the City of South Perth recycling as a Victoria Park resident, and they wave me through - It would be more convenient to have recycling bins at shopping centres - Vic Park Connect is working on a reuse shop and repair café, might be best not to duplicate - Reduce bin sizes - Skip/front lift bin for bulk collection like City of Belmont

Strategic alignment

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

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

Further consideration

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

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

23. Provide the appendix one in relation to 11(b)
- A. The reference to appendix one was used during the public consultation period but this reference has now been amended to "Implementation plan" as attached to the report.
24. Provide the statistics on the number of attendees for the home composting initiative prior to the Ordinary Council Meeting.
- A. A total of 73 people from 54 households have attended five workshops held during 2023.
- The total attendees for 2024 workshop series is forthcoming, following the final workshop on 7 December 2024.
25. Provide the breakdown between items of point 5.5 of attachment 13.1.2
- A. Estimated cost of \$5,000 for the cloth nappy program and the remaining is for the Garage Sale Trail program.
26. Further review and provide the reasons of the need for \$5,000 allocation to provide 600 metal water bottles (reference point 5.6 of attachment 13.1.2) and whether this is aligned with the waste strategy.
- A. The supply of metal bottles to schools as part of the Implementation Plan has been removed.
27. Provide more extensive information regarding \$100,000 annual allocation for developing a sustainability hub.
- A. The \$100,000 is an indicative estimate based on anticipated set up cost of the sustainability hub itself in partnership with other organisations such as City of South Perth, which would include a repair cafe, e-waste drop-off, sustainability hub staffing. This would be an on-going co-contribution to the City of South Perth. However, detailed costings would be determined when the partnership arrangement is further explored and solidified and there is clarity in the level of contribution required. Council will be kept informed of this as it progresses.
28. Provide the provision of the submissions from the community.
- A. Below is the formal public commentary received:
- A well thought out plan. I see lots of work completed here.
 - I want to see more info about the loss of our shared facilities. i.e. Sth Perth. Why? What happened?
 - Paintback is too far away and the yearly toxic waste drop off is too infrequent
 - -I would like to see more immediate action on local disposal of large eWaste items.
 - -I'm very excited about the introduction of FOGO, and the bin tagging program.
 - -I believe there needs to be more community education about waste streams; anecdotally I know several people who don't bother with properly separating waste, using recycling etc because they believe it mostly ends up in landfill anyway due to constraints within the system.
 - -I think the Town should investigate working with businesses to accept waste generated by their operations (eg. packaging) in order to incentivise minimisation approaches at the point of sale. Similarly businesses that sell eg. mobile phones should be part of the circular economy and accept eWaste as part of their operations.
 - More education, including in-person, with Dept of Communities tenants, and tenants in apartments, especially around bulk waste collection and FOGO. It not just language, its comprehension, and personal priorities.
-

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

This report was presented at the Ordinary Council Meeting held on 10 December 2024 and approved by the Council per Procedural Motion 293/2024 to defer to the Agenda Briefing Forum on 4 February 2025.

- Following the 10 December 2024 Ordinary Council Meeting, Council chose to defer the endorsement of the SWMP. The reason for this was to improve the overall clarity of alignment of the various SWMP actions with those within the Implementation Plan, both in terms of content and readability (e.g. numbering).
- The Town agrees with the feedback from Council. Upon review of the adjusted documents and recent waste industry information received, it has become apparent to the Town that a further community consultation is required and that more time would be needed to undertake the post consultation adjustment of the SWMP and the Implementation Plan.
- The Town therefore requests that SWMP and associated Implementation Plan **not be adopted** and, instead, a new report be brought back to Council for endorsement following community consultation on the adjusted document.

Alternative Officer Recommendation

That Council do not adopt the Strategic Waste Management Plan (SWMP) 2024-2029 that was presented to Council in December 2024.

13.2 Western Australian Local Government Association Sustainable Energy Project

Location	Town-wide
Reporting officer	Environment Officer
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	1. CONFIDENTIAL - Executive Summary [13.2.1 - 2 pages] 2. CONFIDENTIAL - WALGA Energy Project Stage 2 FA Qs v 1 19.12.2024 (ID 781748) [13.2.2 - 15 pages] 3. CONFIDENTIAL - Victoria Park Estimated cost and analysis of offer [13.2.3 - 2 pages] 4. Electricity Sale General Conditions (ID 780294) [13.2.4 - 17 pages] 5. CONFIDENTIAL - TOWN OF VIC PARK ELECTRICITY SALES AGREEMENT (ID 775781) [13.2.5 - 30 pages]

Summary

The purpose of this report is to seek Council's endorsement to engage Synergy to provide renewable energy as per a new Renewable Energy Supply Arrangement, effective 1 April 2025 for a three-year term.

Recommendation

That Council endorses the engagement of Synergy to provide renewable energy as per a new Renewable Energy Supply Arrangement under the the Energy Sustainability and Renewables Project, effective 1 April 2025 for a three-year term.

Background

1. In 2021 the Western Australian Local Government Association (WALGA) was requested by its members to explore alternative options for a whole of sector Power Purchase Agreement (PPA).
2. WALGA then assisted the Local Government sector to facilitate an aggregate market process to reduce the cost of conventional energy supply and renewable energy, known as the Energy Sustainability and Renewables Project. Under this project, WALGA sought a cost-effective solution to enable Local Government in Western Australia to achieve their renewable energy and carbon emissions targets.
3. The WALGA Sustainable Energy Project is an ACCC approved buying group of Local Governments that has contracted electricity under a volume aggregated purchasing process.
4. The project adopted locally sourced renewable energy derived from Albany Wind Farm, Collgar Wind Farm and Emu Downs Wind Farm. A complete renewable adoption from the Sector is the carbon reduction equivalent to planting 14 million new trees.
5. The Energy Sustainability and Renewables Project covered eight Town facilities (Aqualife, Leisurelife, Administration, Library, Depot, G.O. Edwards Park, Higgins Park and Fletcher Park) that were 'contestable' (i.e. consumed more than 50,000 kWh/year), and delivered to the Town savings of \$348,651 in the three years since its inception in 2022.

6. The current contract energy contract under this project will expire on 31 March 2025.
7. On behalf of the 48 Local Government Project Participants to the Energy Sustainability and Renewables Project, WALGA ran a Request For Quotation (RFQ) for a new three-year term of contract, commencing 1 April 2025.
8. As part of the RFT process, the Town of Victoria Park entered a Memorandum of Understanding with WALGA allowing the contestable energy spend to be represented for the purposes of pricing. The RFQ was overseen by a steering committee and evaluated by a team of WALGA officers, Local Government officers, and independent technical consultants.

Discussion

9. Modelling from WALGA shows that the Western Australian Wholesale Electricity Market (WEM) has changed significantly since the Project was first tendered to the market in 2021. The short-term electricity market price has increased from \$48.03/MWh in Q3 2021 to \$98.54/MWh at the end of June 2024, an increase of 105%.
10. According to WALGA, the most advantageous offer from the RFQ was the Synergy Alternate Offer, which is summarised as follows:
 - (a) A three-year contract term from 1 April 2025 to 31 March 2028.
 - (b) Like the current contract, this will be a NaturalPower product*.
 - (c) A new Time-of-Offer band that allows for Peak, Midday and Off-Peak rates allowing for spend optimisation by scheduling consumption into a business hours period that has a cheaper supply rate.
 - (d) Unbundled pricing. **

* Synergy now utilises a total of five local accredited sites to source LGCs for NaturalPower:

- (i) Greenough River Solar Farm: A joint venture with Bright Energy Investments, with a total production capacity of 40MW.
- (ii) Collgar Wind Farm: Located 25km south-east of Merredin, with a total production capacity of 222 MW.
- (iii) Denmark Community Wind Farm: A community-owned wind farm located 10km south of Denmark, with a total production capacity of 1.6MW.
- (iv) Mt Barker Community Wind Farm: A community-owned wind farm located 4km from the Mt Barker township and 50km from the coast, with a total production capacity of 2.4MW.
- (v) Warradarge Wind Farm: A joint venture with Bright Energy Investments, located near Eneabba, with a total production capacity of 180MW.

** 'Bundled' pricing is a simple pricing that includes the aggregated price of network, metering and other charges. Cost components are 'on-peak' and 'off-peak' rates with all other costs factored into these rates.

Conversely, 'Unbundled' pricing disaggregates the price into energy, network, capacity, and other charges separately. Using an unbundled pricing proforma, contractors can pass through regulated cost components over which they have no control. In this manner, they can offer customers a more competitive rate based on the cost components that they have control over.

11. The new Synergy offer has been collectively analysed by WALGA as 36% higher than the current contract spend. However, this is still a significant saving when modelled against comparable open market rates, where the contract price would otherwise increase in the aggregate by between 62% (for unbundled) and 81% (for bundled) offers.
12. The collective savings from the recommended offer are modelled (based on historic consumption profiles) to deliver an estimated \$221,235 saving in energy costs over a new three-year term for the Town, compared to standard market rates that may apply if the Town sought out a separate contractual arrangement with Synergy.
13. The modelling for the Town of Victoria Park shows as follows across our eight eligible contestable energy sites:

Total costs	
Year 1 (2025/26)	\$555,076
Year 2 (2026/27)	\$554,771
Year 3 (2027/28)	\$554,466
Total cost	\$1,664,314
Total estimated savings (from Open Market)	\$221,235

14. WALGA requires notification by 7 March 2024 to secure Synergy's offer.
15. Synergy's terms are dependent on 100% of Participants agreeing to the contract. If 100% contracting of participants is not achieved for the above rates, then the next most advantageous offer will become the fallback position for Contracting. This has been modelled by WALGA to be approximately 6% more expensive across the project base but will vary according to each Participant's consumption profile.
16. The Town of Victoria Park is estimated to have an additional cost of \$133,557 over three years if 100% of participants do not take up the offer. The pricing of the fallback position is as follows:

Total costs	
Year 1 (2025/26)	\$584,641
Year 2 (2026/27)	\$584,335
Year 3 (2027/28)	\$584,030
Total cost	\$1,753,006
Total estimated savings (from Open Market)	\$132,542

17. PLEASE NOTE: More detailed information regarding the proposed contract is available in the confidential attachments.

Relevant documents

Not applicable.

Legal and policy compliance

Not applicable.

Financial implications

Current budget impact

The new contract would come into effect from 1 April 2025. As such, for Q4, that would mean that there will be an anticipated 36% higher spend (than the current contract) for that quarter. The Town anticipates that sufficient funds exist within the annual budget to address this recommendation.

Future budget impact

The modelling for the Town of Victoria Park shows the below anticipated expenditure over the life of the proposed contract.

Total costs	
Year 1 (2025/26)	\$555,076
Year 2 (2026/27)	\$554,771
Year 3 (2027/28)	\$554,466
Total cost	\$1,664,314
Total estimated savings (from Open Market)	\$221,235
Proportion savings	12%

As mentioned above, the new contract would be in existence for three years, from 1 April 2025 to 31 March 2028.

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Supplier of choice goes into administration or financial distress during the term of the contract.	High	Low	Consistent monitoring of supplier by WALGA. Ongoing monitoring and assessment of financial due diligence during the term of the contract.
Financial	Green energy price spikes in WA.	Low	Low	WALGA evaluation process to identify green energy and alternative offers. WALGA to begin negotiating long term PPA as soon as possible.
Financial	The Town will need to accommodate an anticipated 36% higher spend each year than the current contract spend.	High	Low	Endorse the engagement of Synergy to provide renewable energy as per a new Renewable Energy Supply Arrangement.

	However, if the Town chooses to not take up the Renewable Energy Supply Arrangement then – based on modelling against comparable open market rates - the contract price will increase to between 62% (for unbundled) and 81% (for bundled) offers.			
Environmental	Should the Town choose to not take up the Renewable Energy Supply Arrangement and, instead, contract standard (non-green) energy supply, then this energy will presumably be sourced from fossil fuel burning operations, which negatively impacts the environment and is incongruous with our target of net zero carbon emissions by 2030.	High	Medium	Endorse the engagement of Synergy to provide renewable energy as per a new Renewable Energy Supply Arrangement.
Health and safety	Not applicable.		Low	
Data, Information Technology and Cyber	Not applicable.		Medium	
Assets	Not applicable.		Medium	
Compliance Breach	Not applicable.		Low	
Reputation	Should the Town choose to not take up the Renewable Energy Supply Arrangement then, and subsequently pay	High	Low	Endorse the engagement of Synergy to provide renewable energy as per a new Renewable Energy Supply Arrangement.

	more for energy supply for a different, individually-sourced open market contract, then this could risk being reputationally damaging for the Town.	
Service delivery interruption	Not applicable.	Medium

Engagement

Internal engagement	
Stakeholder	Comments
Finance	Liaised with Finance team regarding the budget to accommodate the anticipated higher spend (than current contract) for Q4. Whilst the new contract would mean that there will be an anticipated 36% higher spend (than the current contract) for that quarter, the Town anticipates that sufficient funds exist within the annual budget to accommodate the increase.

Strategic alignment

Environment	
Community Priority	Intended public value outcome or impact
EN5 - Providing facilities that are well-built and well-maintained.	The Energy Sustainability Project is a cost-effective solution to enable the Town of Victoria Park to achieve renewable energy and carbon emissions targets for our facilities.

Further consideration

At the Agenda Briefing Forum meeting held on 4 February 2025, the following information was requested.

18. Provide more details on the current costs the Town is incurring under the existing power purchase agreement, including a proportion of how much dirty energy compared to clean energy is going to cost going forward.

19. Below is the calculated comparison (\$/MWh) between the existing contract and the new proposed.

Proposed 2025 Contract	Peak	Shoulder	Off Peak	Total
Projected kWh consumption over life of contract	357,376	541,887	769,051	1,668,314 kWh
Projected MWh consumption over life of contract	357.38	541.89	769.05	1,668.31 MWh

Total Cost over life of contract				\$1,664,314
Equivalent \$/MWh				\$998 / MWh

Existing (Expiring) Contract	Peak	Shoulder	Off Peak	Total
Current kWh consumption over life of contract	357,376	541,887	769,051	1,668,314 kWh
Current MWh consumption over life of contract	357.38	541.89	769.05	1,668.31 MWh
Total Cost over life of contract				\$1,169,068
Equivalent \$/MWh				\$701 / MWh

20. Below also shows the cost breakdown for the proposed contract. The % represents the percentage of green energy that makes up the power mix. The cost for black power (base) is projected to be \$1,511,037 over three years; the cost for 100% green energy is an additional \$153,276 over three years.

Utility Cost Projections (\$)	Base	25%	50%	80%	100%
Year 1	\$ 503,984	\$ 508,071	\$ 523,739	\$ 542,541	\$ 555,076
Year 2	\$ 503,679	\$ 507,766	\$ 523,434	\$ 542,236	\$ 554,771
Year 3	\$ 503,374	\$ 507,460	\$ 523,129	\$ 541,931	\$ 554,466
Total	\$ 1,511,037	\$ 1,523,297	\$ 1,570,302	\$ 1,626,709	\$ 1,664,314

21. The Town recommends for paragraph number 9 to be struck from the report. The reason for this is due to lack of clarity in the information presented. The Town believes that this is now potentially misleading, as it concerns the wholesale electricity market and, as a customer, does not concern the Town.

13.3 Lathlain Precinct Redevelopment Project Zone 1 - Stage 2 Advocacy and Contractual Updates

Location	Lathlain
Reporting officer	Manager Projects
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	Nil

Summary

This report responds to the Council resolution of September 2024 (219/2024) requesting the Chief Executive Officer to report back to Council by no later than February 2025 with an update on funding advocacy efforts and potential options for continuing the construction contract with PS Structures for Stage 2 Lathlain Precinct Redevelopment Project – Zone 1. Council also requested options for the future of the project.

Recommendation

That Council:

1. Notes the advocacy efforts to external stakeholders for additional funding for Stage 2 Lathlain Precinct Redevelopment Project – Zone 1.
2. Notes the potential options for continuing the construction contract with the preferred tenderer at a later stage for Stage 2 Lathlain Precinct Redevelopment Project – Zone 1.
3. Notes the options for the future of Stage 2 Lathlain Precinct Redevelopment Project – Zone 1 will be presented to the Council in March 2025.

Background

1. In September 2024, a report was provided to Council recommending a Notice to Proceed for Stage 2 Lathlain Precinct Redevelopment Project – Zone 1.
2. At that meeting, Council resolved:

That Council:

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

5. Requests the Chief Executive Officer to report back to Council by no later than February 2025 with an update on points 3 and 4 of this resolution, and options for the future of this project.

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

7. Notes that the Town will commence any urgent works on the existing facility and will bring a report back to Council by December 2024 on the ongoing plan and funding for required works.

3. This report addresses Item 5.

Discussion

Advocacy for additional funding to address the funding shortfall:

4. On 24 September 2024, the Mayor, Acting CEO, Chief Operations Officer and Strategic Projects Manager met with Minister Templeman, Minister Beazley, Ms. Mascarenhas and representatives of Perth Football Club and West Coast Eagles to discuss the funding shortfall for the above project.
5. On 29 November 2024, the Strategic Projects Manager met with officers from DLGSC regarding the Lathlain Park Redevelopment.
6. On 5 December 2024, the CEO, Strategic Projects Manager and Manager Place Planning met with the Director General of the Department of Local Government, Sport and Cultural Industries regarding the funding shortfall. Follow up messages were sent on 19 December 2024 and 17 January 2025.
7. On 22 January 2025, the CEO wrote to the Director General of the Department of Local Government, Sport and Cultural Industries seeking assistance in obtaining information on the State's position regarding funding shortfall for the Lathlain Park Redevelopment – Zone 1.
8. On 23 January 2025, the Mayor wrote to the Deputy Premier, Minister Saffioti, requesting an update on whether the State was able to assist the Town with the funding shortfall.
9. To date, the Town has not received any response from external stakeholders on securing additional funding to address the project shortfall.
10. It is important to note that the State election will be on Saturday 8 March 2025. As such, the caretaker period will commence on 5 February 2025 meaning that entering into contracts, undertakings or major policy decisions will generally be avoided by the state. In addition, a Federal election is imminent and caretaker provisions will also apply for that election.

Liaison with PS Structures regarding the potential options for continuing the construction contract at a later stage:

11. Council approved the awarding of the contract for Stage 1 and Stage 2 for Tender TVP/2404 Two Stage Design and Construction Contract – Lathlain Precinct Redevelopment Project Zone 1, to PS Structures Pty Ltd in May 2024. A contract was subsequently entered into with PS Structures Pty Ltd (PS Structures) on 25 June 2024.
12. On 10th September 2024, PS Structures advised the Town that all Stage 1 Conditions precedent had been satisfied. Under the Contract, the Town then had 50 days to issue a notice to proceed to Stage 2.
13. A report was subsequently provided to Council in September 2024 advising that all conditions for Stage 1 had been completed as per the contractual obligations in the tender and requested a Notice to Proceed to Stage 2 be issued.
14. At that meeting, Council resolved:

"not to give notice of intention to proceed with the second part of the construction contract between the Town and PS Structures at this stage, pending the outcome of further advocacy for additional funding from external stakeholders"

15. Following this resolution, on 1 November 2024 the Town entered into a Deed of Variation with PS Structures Pty Ltd to extend the Notice to Proceed period to 13 February 2025, thereby negating the need for stage 2 to be publicly retendered.
16. The extended period to 13 February 2025 permits PS Structures to submit a revised pricing schedule. Once that pricing has been submitted, the Town will then have 50 days to either accept or reject the offer.
17. The Town has commissioned a value engineering report for the Lathlain redevelopment to enable further reductions in costings. PS Structures will use this value engineering report for their revised pricing schedule.

Options for the future of the project

18. Options for the future of the project will be presented in a report to the Council in March 2025.
19. The Town has been proceeding in accordance with Council resolutions and has not investigated any alternative options beyond those that were the basis of the \$15.2million in secured grants funds.

Next steps

20. The Town has applied for and is awaiting the outcome of a \$1 million grant from the Commonwealth Government's new Play Our Way grant program for sporting infrastructure to support women's participation in football.
21. Any significant change to the project will require the Business Case and Business Plan to be amended. This may take significant time to develop and to publish in accordance with legislative requirements.
22. A detailed report will be provided to Council in March 2025 detailing the revised funding schedule from PS Structures, updates on any advocacy efforts, funding shortfalls and timelines required to complete the project. At this meeting, Council will have the opportunity to determine whether to proceed with Stage 2 Lathlain Precinct Redevelopment Project – Zone 1.

Relevant documents

Not applicable.

Legal and policy compliance

Not applicable.

Financial implications

Current budget impact	Not applicable for this report
Future budget impact	Not applicable for this report

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial			Low	
Environmental			Medium	
Health and safety			Low	
Data, Information Technology and Cyber			Medium	
Assets			Medium	
Compliance Breach			Low	
Reputation	Negative media, stakeholder and political consequences due to the delays in delivering the project	High	Low	TREAT risk by acknowledging the advocacy efforts, liaison with the preferred tenderer and future options
Service delivery interruption			Medium	

Engagement

External engagement	
Stakeholder	Comments
State Government DLGSC	Meetings to discuss the current agreement and contractual framework.

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	The two-stage construction contract that includes an Early Contractor Engagement stage significantly reduces risk associated with large construction projects. It allows contractors, officers and consultants to work in partnership to target a set budget and resolve potential future issues proactively

Environment	
Community Priority	Intended public value outcome or impact
EN3 - Enhancing and enabling liveability through planning, urban design and development.	The project delivers a development that completes the long-term precinct level revitalisation. The project will further enhance the use and experience of Lathlain Park, its facilities and its surrounding environment. This development will be of social, economic and amenity value to the local community – with additional future proofing for the enhanced use of the facility through a Community room managed by the Town for all community members to use.

Further consideration

Regarding the advocacy for additional funding to address the funding shortfall point mentioned above, the following should be added:

- Under point 4, it should be noted that the Hon Rita Saffioti, MLA was also present in the meeting of 24 September 2024
- Mayor Karen Vernon and the CEO, Carl Askew, met with Zaneta Mascarenas MP on 12 December and discussed advocacy priorities including the Lathlain redevelopment project. A follow-up email was sent from the CEO on 20 December.
- Mayor Karen Vernon and the CEO, Carl Askew, met with the Hon Hannah Beazley MLA on 20 December and discussed advocacy priorities including the Lathlain redevelopment project. A follow-up email was sent from the CEO on 24 December 2024.
- Further to point 9 above, a response was received by the CEO on 10 February, indicating that "Due to the Western Australian State Election on 8 March 2025, the Department of Local Government, Sport and Cultural Industries is bound by the 2025 Caretaker Conventions, and therefore unable to respond on the State Government's position regarding the Town's funding shortfall for the project at this time." The DG finishes the letter by stating that "As soon as practicable following the outcome of the State Election, the Department will revert back to you."

14 Chief Financial Officer reports

14.1 Post Year-End Budget Review - 2023/24 final carry forward projects and surplus funds allocation

Location	Town-wide
Reporting officer	Manager Strategic Accounting
Responsible officer	Chief Financial Officer
Voting requirement	Absolute majority
Attachments	1. Final Carry Forwards Projects [14.1.1 - 3 pages] 2. Surplus Funds Allocation [14.1.2 - 1 page] 3. Revised Reserve Movements [14.1.3 - 1 page] 4. Revised Statement of Financial Activity [14.1.4 - 1 page]

Summary

To seek approval from Council to review the 2024/25 Annual Budget following the completion and sign-off the 2023/24 Annual Financial Statements.

Recommendation

That Council:

1. Approves the final carry forward projects detailed in Attachment 14.1.1.
2. Approves the surplus funds allocation detailed in Attachment 14.1.2.
3. Approves the revised budget reserve movements as detailed in Attachment 14.1.3.
4. Approves the revised budget Statement of Financial Activity as detailed in Attachment 14.1.4.

Background

1. When the Town's 2024/25 Annual Budget was adopted by the Council on 9 July 2024, the 2023/24 actuals within the Statement of Financial Activity were presented as estimated forecasts and therefore subject to final adjustments.
2. The Town has now completed and signed off the 2023/24 Annual Financial Statements. The confirmed financial position of surplus or deficit as of 30 June 2024 is \$10,492,913.

Discussion

3. The Town has completed and signed off the 2023/24 Annual Financial Statements and adjusted the figures for the final projects to be carried forward.
4. The estimated amount for the projects to be carried forward at the time of the 2024/25 Annual Budget adoption was \$22,924,849.
5. The final amount for the projects to be carried forward to the 2024/25 financial year is \$22,253,693. The list of the estimate and final carry forward projects can be found in Attachment 14.1.1.

6. After confirming the final carry forward projects and adjusting the estimated surplus, the Town has \$6,596,421 surplus funds to be allocated in the 2024/25 Annual Budget. The surplus funds were result of many elements, but the most significant of which are:
 - a. Grants subsidies and contributions: receiving 2024/25 financial assistance grant in advance at the end of June 2024.
 - b. Interest revenue: received more interest revenue because of the more fund in reserves.
 - c. Materials and contracts: less spent on consultancy.
7. In terms of allocating the surplus funds to the 2024/25 Annual Budget, the Town identified the budget adjustments as following. The itemised list can be found in Attachment 14.4.2.
 - a. Additional funding requests:
 - i. capital - \$104,328
 - b. New funding requests:
 - i. operating: \$85,000
 - c. Adjustment of revenue
 - i. operating grants: \$1,444,728
8. After allocating the budget adjustments at Item 7, there is \$5,027,365 available to consider for reserve transfers.
 - a. Reimburse the reserves which funded the unexpected project cost increase during the first six months of this financial year, totalling \$2,040,000.

Reserve name	Reason of use	Amount
Future Fund	OCM 22 Oct 24 - Res 268/2024 - 9.1 9.1 Tender award TVP/24/20 McCallum Park Active Area Redevelopment	\$1,391,000
	OCM 19 Nov 24 - Res 281/2024 - 13.2 TVP/24/16 Archer Mint Streetscape and blackspot funded intersections tender report	\$210,000
Future Project	OCM 19 Nov 24 - Res 281/2024 - 13.2 TVP/24/16 Archer Mint Streetscape and blackspot funded intersections tender report	\$369,000
Other Infrastructure	OCM 10 Dec 24 - Res 301/2024 - 13.7 Rutland Avenue - Lathlain - Traffic Calming	\$70,000

9. Additional \$4,207,665 to be transferred to following reserves. The detailed reserve movements can be found in Attachment 14.4.3.
- a. Building Renewal: \$800,000
 - b. Future Projects: \$1,700,000
 - c. Plant and Machinery: \$500,000
 - d. Roads Renewal: \$800,000
 - e. Urban Forest Strategy: \$407,665

Relevant documents

Not applicable

Legal and policy compliance

Section 6.8 of the Local Government Act 1995

Financial implications

Current budget impact	Adjustment to the carry forward projects and allocation of surplus will enable more assets and service deliveries within the 2024/25 financial year. Variations to the adopted annual budget, as contained within the attachments, will form a new revised budget once adopted.
Future budget impact	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 services.	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.			
Data, Information Technology and Cyber	Not applicable.			

Assets	Not applicable.			
Compliance Breach	Not applicable.			
Reputation	Not applicable.			
Service delivery interruption	Disruption to a service or major project in progress that may result in delays to delivery.	Unlikely	Medium	TREAT risk by ensuring stringent analysis and reconciliation is conducted to present the balanced budget.

Engagement

Internal engagement

Stakeholder	Comments
Service Area Managers	All Service Area Managers were consulted and reviewed 2023/24 capital and operating projects to input the final carry forward projects information.

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

10. Provide an update on the progress of the specific projects.

Project status together with Year To Date actual January 2025 and commitment raised can be found at table below.

Project No.	Project Name	Adjusted Carry Forward Project Cost	YTD Actual January 2025	Commitment	Progress Status
Capital					
Other Infrastructure					
4770	Old Spaces, New Places Project No.3 - Western Gateway (Capital)	\$77,850.00	\$35,700.00	\$36,350.01	Completed
4824	Street Lighting Replacement	\$7,601.00	\$6,925.00	\$0.00	Underway
4825	Parking Machines Replacement	\$37,564.00	\$8,682.00	\$0.00	Completed

Parks					
4492	McCallum Park Active Area	\$68,343.00	\$69,845.00	\$0.00	Underway
4693	Victoria Park Green Basins Program (UFS)	\$46,924.00	\$3,284.09	\$8,753.26	Underway
4695	Victoria Park Leafy Street Program (UFS)	\$137,921.00	\$88,768.37	\$76,593.68	Underway
4696	Urban Ecosystems Program (UFS)	\$97,439.00	\$76,475.37	\$17,455.50	Underway
4797	Edward Millen Park Masterplan	\$6,660,547.00	\$58,805.42	\$283,583.56	Underway
4815	Kent Street Sandpit Bushland Management Project	\$541,350.00	\$0.00	\$0.00	Potential Delay
4935	Victoria Park Carlisle Bowling Club - Synthetic Bowling Green	\$295,000.00	\$0.00	\$0.00	Potential Delay
4720	Higgins Park - Floodlight Upgrade	\$6,135.00	\$0.00	\$44,467.56	Completed
Path and Cycleways					
4386	Rutland Avenue Shared Path (Miller to Great Eastern Highway)	\$1,545,739.00	\$60,337.77	\$45,056.25	Project On Hold
4827	Archer / Mint Bike Lanes	\$287,186.00	\$153,116.09	\$81,331.34	Completed
4829	Pedestrian and Cycling Micro Improvements	\$67,673.00	\$1,710.00	\$9,079.32	Underway
Road					
4541	ROW 46 Upgrade	\$157,457.00	\$840.50	\$660.00	Potential Delay
4627	Archer Mint Streetscapes	\$46,352.00	\$21,624.92	\$0.00	Underway
4704	Shepperton and Miller - Intersection (Blackspot)	\$700,000.00	\$28,850.00	\$0.00	Potential Delay
4817	Roads - MRRG - Oats Street - Planet Street to Tuckett Street	\$388,340.00	\$0.00	\$0.00	Potential Delay
4818	Roads - MRRG - Oats Street - Shepperton Road to Albany Hwy	\$224,919.00	\$0.00	\$0.00	Potential Delay
4819	Roads - MRRG - Rutland Avenue - Welshpool Road to Oats Street	\$735,217.00	\$0.00	\$0.00	Potential Delay
4820	Skinny Streets Interventions	\$91,397.00	\$0.00	\$0.00	Underway
4828	Low Cost Road Safety Improvement Phase 2	\$9,864.00	\$22,760.66	\$71,501.52	Completed
4834	Road Renewals - Conlon St (Manning Road - End)	\$12,789.00	\$0.00	\$0.00	Underway
4842	Road Renewals - Northampton St (Devenish St - Jarrah Rd)	\$333,078.00	\$232,289.17	\$21,554.92	Completed
4844	Road Renewals - Esperance St (Berwick St - Moorgate St)	\$89,617.00	\$0.00	\$0.00	Underway
4845	Road Renewals - Thorogood St	\$159,269.00	\$145,030.85	\$0.00	Completed

	(Hawthorne Pl - Craig St)				
4847	Road Renewals - Gloucester St (Geddes St - Cargill St)	\$6,422.00	\$2,500.00	\$12,598.06	Final Stage
4848	Road Renewals - Gloucester St (Manchester St - Tuam St)	\$65,032.00	\$0.00	\$32,398.14	Final Stage
4850	Road Renewals - Cohn St (Star St - Harris St)	\$47,744.00	\$0.00	\$0.00	Underway
4853	Road Renewals - Cohn St (Planet St - Star St)	\$24,571.00	\$0.00	\$7,992.09	Final Stage
4855	Kerb renewal and drainage lid adjustments	\$81,467.00	\$0.00	\$0.00	Underway
4900	Road Renewals - Hawthorne PL St (Thorogood St - Cul De Sac)	\$42,673.00	\$36,281.92	\$9,282.97	Completed
4902	Road Renewals - Somerset St (Hubert Rd - Albany Hwy)	\$72,583.00	\$62,927.37	\$4,574.14	Completed
4903	Road Renewals - Somerset St (Shepperton Rd - Hubert St)	\$78,779.00	\$75,199.26	\$323.89	Completed
4904	Road Renewals - Lichfield St (Gresham Rd - Miller St)	\$136,036.00	\$76,577.30	\$17,539.67	Final Stage
4905	Road Renewals - Lichfield St (Salford Rd - Gresham St)	\$80,003.00	\$35,240.61	\$1,499.04	Final Stage
4909	Road Renewals - Balmoral St (Fraser Park Rd - Berwick St)	\$70,069.00	\$76,366.63	\$6,815.23	Completed
4910	Road Renewals - Balmoral St (Devenish St - Fraser Park Rd)	\$105,498.00	\$93,864.38	\$291.08	Completed
4911	Road Renewals - Alvah St (Upton St - Berwick St)	\$63,449.00	\$78,514.81	\$53,596.50	Completed
4912	Road Renewals - Alvah St (Blechynden St - Upton St)	\$93,983.00	\$121,982.34	\$90,816.32	Completed
4913	Road Renewals - Alvah St (Canny Rd - Blechynden St)	\$64,751.00	\$114,967.44	\$75,749.33	Completed
4914	Road Renewals - Alvah St (Buzza St - Canny Rd)	\$60,719.00	\$117,374.27	\$74,807.88	Completed
4915	Road Renewals - Gloucester St (Canning Hwy - Armagh St)	\$69,630.00	\$52,024.01	\$20,021.35	Completed
4917	Road Renewals - Hawthorne PL (Burswood Rd - Thorogood St)	\$86,108.00	\$42,921.91	\$10,598.22	Final Stage
4919	Road Renewals - Weston St (Holden Rd - Archer St)	\$82,289.00	\$60,225.76	\$3,019.92	Completed
4920	Road Renewals - Weston St (Apollo Rd - Holden St)	\$172,558.00	\$91,914.15	\$20,308.85	Final Stage
4921	Road Renewals - Ramsden Av	\$59,614.00	\$36,384.68	\$144.39	Final Stage

	(Huntingdon St - Pinedale St)				
4922	Road Renewals - Ramsden Av (Mazzini St - Huntingdon St)	\$55,014.00	\$39,862.21	\$2,789.74	Completed
4923	Road Renewals - Hertford St (Hertford Pl - Cul Da Sac)	\$34,399.00	\$21,566.80	\$2,784.55	Completed
4924	Road Renewals - Hertford St (Etwell St - Hertford Pl)	\$91,096.00	\$42,698.99	\$9,264.69	Final Stage
4925	Road Renewals - Hertford St (Jarrah Rd - Etwell St)	\$160,639.00	\$73,363.44	\$20,837.18	Final Stage
4926	Road Renewals - Hertford St (Hertford Pl - Basinghall St)	\$63,659.00	\$32,757.97	\$1,216.71	Final Stage
4927	Road Renewals - Ramsden Av (Pinedale St - Playfield St)	\$108,103.00	\$106,977.48	\$273.96	Final Stage
4929	Basinghall Street/Morgate Street Blackspot	\$150,000.00	\$3,060.00	\$1,983.37	Underway
1985	Star Street and Briggs Street (Blackspot)	\$66,982.00	\$11,432.50	\$4,181.82	Completed
4831	Road Renewals - Plummer St (Huntingdon St - Northampton St)	\$7,066.00	\$0.00	\$0.00	Not Started
4835	Road Renewals - Sussex St (Berwick St - Gloucester St)	\$10,000.00	\$0.00	\$0.00	Not Started
4838	Road Renewals - Creaton St (Hill View Tce - Pallitt St)	\$56,036.00	\$8,272.00	\$135.01	Final Stage
4839	Road Renewals - McCartney Cr (Lathlain Pl - Goddard St)	\$10,000.00	\$0.00	\$0.00	Not Started
4840	Road Renewals - Swansea St (Mint St - Dane St)	\$20,000.00	\$0.00	\$0.00	Not Started
4846	Road Renewals - Playfield St (Etwell St - Devenish St)	\$10,000.00	\$0.00	\$0.00	Not Started
4852	Road Renewals - Devenish St (Camberwell St - Playfield St)	\$10,000.00	\$0.00	\$0.00	Not Started
4852	Road Renewals - Washer St (Hill View Tce - Whittlesford St)	\$10,000.00	\$0.00	\$0.00	Not Started
Building					
4794	Lathlain Zone 1 - Perth Football Club - Community Facility /	\$4,510,526.00	\$575,801.96	\$170,839.16	Potential Delay
4810	Administration Building Renewal	\$262,020.00	\$384,039.94	\$23,928.91	Final Stage
4811	Building Capital Contingency	\$10,123.00	\$113,502.20	\$0.00	Underway
Furniture and Equipment					
4780	Aqualife 25m Indoor Pool Plant Asset Renewal	\$26,793.00	\$3,306.00	\$0.00	Underway

4812	Aqualife Hydro Therapy Pool and Plant Refurbishment	\$37,173.00	\$29,070.82	\$16,012.06	Underway
Plant, Fleet & Machinery/Equipment					
4857	1GMW988 - Nissan X Trail Wagon	\$31,318.00	\$30,796.18	\$0.00	Completed
4858	113VPK4 Subaru Impreza Hatch	\$31,318.00	\$30,796.18	\$0.00	Completed
4861	129 VPK VW Caddy Rangers	\$56,000.00	\$47,561.18	\$0.00	Completed
4862	130 VPK - Isuzu D-Max Space Cab Tray Back Ute	\$35,559.00	\$36,014.00	\$0.00	Completed
4864	174 VPK - Mazda CX5	\$35,000.00	\$0.00	\$34,791.45	Completed
4865	162 VPK Road Sweeper	\$450,000.00	\$0.00	\$459,000.00	Underway
4868	1GRR126 - Subaru Impreza Hatch	\$34,500.00	\$35,507.46	\$0.00	Completed
4876	New 3T Truck	\$127,466.00	\$127,465.70	\$0.00	Completed
4930	Vehicle Purchase - Pool Utility Events 117VPK - Plant 402 -	\$45,000.00	\$0.00	\$44,929.00	Completed
4934	Fertigation Unit (Peninsula)	\$38,200.00	\$0.00	\$0.00	Underway
Public Art					
4779	Art Collection	\$2,253.00	\$0.00	\$0.00	Underway
Operating					
Place Planning					
4375	Albany Highway Precinct Plan: Victoria Park Town Centre	\$274,017.00	\$107,553.00	\$0.00	Underway
4737	Business Case - Victoria Park Xavier Hockey Club	\$13,050.00	\$6,410.00	\$0.00	Underway
4738	UFS - Community Events (1L)	\$0.00	\$14,316.00	\$0.00	Underway
4741	Wayfinding Plan	\$8,540.00	\$4,620.00	\$0.00	Underway
4743	UFS - Urban Ecosystems (Bushland) (6)	\$80,243.00	\$20,760.00	\$0.00	Underway
4774	Oats Street Precinct Structure Plan	\$160,005.00	\$21,495.00	\$0.00	Underway
4802	Aqualife Masterplan	\$70,000.00	\$0.00	\$0.00	Not Started
4806	Skinny Streets Design Manual	\$1,600.00	\$0.00	\$0.00	Underway
4932	Burswood Social Infrastructure Planning	\$40,000.00	\$0.00	\$0.00	Not Started
Project Management					
3177	Consultancy - John Macmillan Precinct Planning	\$5,129.00	\$8,000.00	\$0.00	Underway
4382	Higgins Park Masterplan	\$36,840.00	\$0.00	\$0.00	Not started
4513	General Consultancy - Project Management	\$15,000.00	\$0.00	\$0.00	Not started
4767	Burswood South Detail Design	\$29,924.00	\$40,500.00	\$0.00	Underway

4768	Burswood Station East Detail Design	\$90,000.00	\$8,625.00	\$0.00	Underway
4778	Review of Telecommunications Provider lease / structures	\$25,000.00	\$0.00	\$0.00	Not Started
4781	Structural Assessments	\$5,000.00	\$0.00	\$0.00	Not Started
4782	Edward Millen Precinct	\$20,000.00	\$0.00	\$0.00	Not Started
4783	Aboriginal Heritage Cultural Context Study	\$45,000.00	\$0.00	\$0.00	Not Started
4784	Streetscapes Costings	\$12,250.00	\$0.00	\$0.00	Not Started
Other					
4300	IT Hardware - Server Infrastructure Refresh	\$150,000.00	\$129,081.00	\$0.00	Completed
12772.110 1.02	Asset Management - consultancy	\$51,303.00	\$66,594.00	\$0.00	Underway
5028	Customer Relations - consultancy	\$115,000.00	\$534.00	\$0.00	Underway
5029	Social Impact - consultancy	\$20,000.00	\$6,000.00	\$0.00	Underway
Carry Forward Projects Total		\$22,253,693.00	\$4,288,952.06	\$1,939,269.09	

There are projects whose actual spend is more than adjusted carry forward budget. This is due to these projects have current year budget allocation, which is not shown in the above table. The full view of Capital Works Project report is observed within the monthly financial statements report.

14.2 Chief Executive Officer - Credit Card

Location	Town-wide
Reporting officer	Manager Finance
Responsible officer	Chief Financial Officer
Voting requirement	Simple majority
Attachments	Nil

Summary

As listed in Policy 312 – Transaction Card the Council must approve the allocation of any type of transaction card to the Chief Executive Officer.

Recommendation

That Council approves the allocation of a corporate credit card with an individual card credit limit of \$5,000 to Carl Askew, Chief Executive Officer.

Background

1. In February 2024, Council adopted a revised Transaction Card policy which included in the policy statement that any type of transaction card for the Chief Executive Officer must be approved by Council.
2. Contained in the policy, the Chief Executive Officer can have a maximum credit limit of \$5,000.

Discussion

3. To meet operational needs, there has been a request that the Chief Executive Officer will be issued a corporate credit card.
4. All credit card transactions, including detailed information about each transaction, will be included in the Schedule of Accounts reports presented at each Ordinary Council Meeting.

Relevant documents

[Policy 312 - Transaction card](#)

Legal and policy compliance

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

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget	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	
Data, Information Technology and Cyber	Not applicable.		Medium	
Assets	Not applicable.		Low	
Compliance Breach	Not applicable.		Low	Not applicable.
Reputation	Not applicable.		Low	Not applicable.
Service delivery interruption	Not applicable.		Medium	

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	Compliance with the Town's policies and transparency around financial transactions.

Further consideration

Not applicable.

14.3 Schedule of Accounts- November 2024

Location	Town-wide
Reporting officer	Financial Services Controller
Responsible officer	Chief Financial Officer
Voting requirement	Simple majority
Attachments	1. Payment Summary November 2024 [14.3.1 - 8 pages] 2. Credit Card Transactions November 2024 [14.3.2 - 2 pages] 3. Fuel and Store Card Transactions November 2024 [14.3.3 - 1 page]

Summary

Council is required to confirm payments made from the municipal fund, payments by employees via purchasing cards each month and fuel and store card transactions under Section 13 and 13A of the Local Government (Financial Management) Regulations 1996. The information required for Council to confirm the payments made is included in the attachment for the month ended 30 November 2024.

Recommendation

That Council:

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

Background

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

- 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
Municipal Account		
Automatic Cheques Drawn		\$0
Creditors – EFT Payments		\$3,612,215.89
Payroll		\$1,357,711.57
Bank Fees		\$7,257.14
Corporate MasterCard	November 2024	\$13,535.26
Total		\$4,990,719.86

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

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	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.		Medium	
Health and safety	Not applicable.		Low	
Data, information technology and cyber	Not applicable.		Medium	
Assets	Not applicable.		Medium	
Compliance breach	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.		Low	
Service delivery interruption	Not applicable.		Medium	

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 – Communication and engagement with the community	The monthly payment summary listing of all payments made by the Town during the reporting month from its municipal fund and trust fund provides transparency into the financial operations of the Town.

CL3 – Accountability and good governance.

The presentation of the payment listing to Council is a requirement of Regulation 13 & 13A of Local Government (Financial Management) Regulation 1996.

Further consideration

Not applicable.

14.4 Schedule of Accounts- December 2024

Location	Town-wide
Reporting officer	Financial Services Controller
Responsible officer	Chief Financial Officer
Voting requirement	Simple majority
Attachments	1. Payment Summary December 2024 [14.4.1 - 10 pages] 2. Credit Card Transactions December 2024 [14.4.2 - 2 pages] 3. Fuel and Store Card Transactions December 2024 [14.4.3 - 1 page]

Summary

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

Recommendation

That Council:

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

Background

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

- 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
Municipal Account		
Automatic Cheques Drawn		\$0
Creditors – EFT Payments		\$6,932,285.47
Payroll		\$2,027,443.13
Bank Fees		\$12,082.6
Corporate MasterCard	December 2024	\$5,921.57
Total		\$8,977,732.77

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

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	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.		Medium	
Health and safety	Not applicable.		Low	
Data, information technology and cyber	Not applicable.		Medium	
Assets	Not applicable.		Medium	
Compliance breach	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.		Low	
Service delivery interruption	Not applicable.		Medium	

Strategic alignment

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

Further consideration

Not applicable.

14.5 Financial Statements November 2024

Location	Town-wide
Reporting officer	Financial Services Controller
Responsible officer	Chief Financial Officer
Voting requirement	Simple majority
Attachments	1. Financial Statements November 2024 [14.5.1 - 26 pages]

Summary

To present the statement of financial activity reporting on the revenue and expenditure for the period ending 30 November 2024.

Recommendation

That Council receives the financial statements for November 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

- The Financial Statements – November 2024 complies with the requirements of Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*. It is therefore recommended that the Financial Statements – November 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.		Medium	
Health and safety	Not applicable.		Low	
Data information technology and cyber	Not applicable.		Medium	
Assets	Not applicable.		Medium	
Compliance Breach	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.

Reputation	Not applicable.		Medium	
Service delivery interruption	Not applicable.		Medium	

Financial implications

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

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.

14.6 Financial Statements December 2024

Location	Town-wide
Reporting officer	Financial Services Controller
Responsible officer	Chief Financial Officer
Voting requirement	Simple majority
Attachments	1. Financial Statements December 2024 [14.6.1 - 26 pages]

Summary

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

Recommendation

That Council receives the financial statements for December 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

- The Financial Statements – December 2024 complies with the requirements of Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*. It is therefore recommended that the Financial Statements – December 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.		Medium	
Health and safety	Not applicable.		Low	
Data information technology and cyber	Not applicable.		Medium	
Assets	Not applicable.		Medium	
Compliance Breach	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.

Reputation	Not applicable.		Medium	
Service delivery interruption	Not applicable.		Medium	

Financial implications

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

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.

14.7 Award of Insurance and Risk Management Services Contract

Location	Town-wide
Reporting officer	Manager Finance
Responsible officer	Chief Financial Officer
Voting requirement	Simple majority
Attachments	Nil

Summary

The current contract for the provision of insurance and risk management services with Local Government Insurance Services Western Australia (LGISWA) and LGIS Insurance Broking (LGIS) expires in May 2025 after all extension options have been exhausted. The total contract value (TCV) for the proposed three-year contract exceeds the CEO's approval threshold amount of \$250,000.

Recommendation

That Council waives the requirement for quotation as per Policy 301 – Procurement, paragraph 9.6, and awards a three-year contract to Local Government Insurance Services Western Australia and LGIS Insurance Broking for insurance and risk management services.

Background

1. LGIS is entirely owned and controlled by its members to ensure long-term protection through an industry-based self-insurance scheme.
2. Several councils, including the Town, went out to tender for insurance services approximately five years ago to explore potential alternative options. LGIS was found to represent the best value for money at the time and no additional service providers have entered the market subsequently.
3. LGIS provides insurance services to majority of West Australian Councils.
4. In Policy 301 – Procurement, insurance premiums with LGISWA are listed as an item that the Town may waive the requirement to call for multiple quotations. However, the propose three-year TCV exceeds the threshold amount of \$250,000, where the CEO can approve the waiver.
5. In the 2024/25 financial year it is expected that the total cost of insurance services will be approximately \$980,000. This brings the TCV for the three-year contract to approximately \$3 million.
6. The current insurance policies the Town holds with LGIS are;
 - a. Public Liability
 - b. Property
 - c. Workers' Compensation
 - d. Motor Vehicle
 - e. Crime and Cyber Liability
 - f. Personal Accident

- g. Corporate Travel
- h. Management Liability
- i. Event Contingency

Discussion

7. LGIS specialise in local governments, offering tailored coverage and risk management that meets the unique needs of councils. They are familiar with statutory requirements, regulatory obligations, and the specific risks faced by councils. There may be limited companies with the capacity to fully meet the Town's insurance needs.
8. Maintaining the current provider ensures uninterrupted service and avoids potential disruptions during the transition to a new provider.
9. LGIS has demonstrated reliability and performance in managing claims and supporting risk mitigation is a key factor.
10. LGIS offer additional services such as risk audits, training and support for workplace health and safety initiatives. These benefits may not be included in tenders from alternative providers.
11. Participating in an industry-based mutual indemnity scheme, such as LGIS, allows the Town to benefit from risk pooling, which can stabilise costs over time. Such models prioritise the collective interests of local government bodies rather than increasing profits.

Relevant documents

[Policy 301 - Procurement](#)

Legal and policy compliance

[Part 4 Division 2 Regulation 11 of the Local Government \(Functions and General\) Regulations 1996](#)

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable.		Low	
Environmental	Not applicable.		Medium	
Health and safety	Not applicable.		Low	
Data, Information	Not applicable.		Medium	

Technology and Cyber		
Assets	Not applicable.	Medium
Compliance Breach	Not applicable.	Low
Reputation	Not applicable.	Low
Service delivery interruption	Not applicable.	Medium

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	A waiver aligns with the principle of achieving value for money while maintaining operational efficiency. It ensures that council resources are managed prudently without unnecessary administrative processes.

Further consideration

At the Agenda Briefing Forum meeting held on 4 February 2025, the following information was requested.

12. The report title has been amended.

13. Details on current insurance coverage and premiums were provided to elected members via the portal post.

15 Committee Reports

15.1 Interim CEO KPIs – report of Acting CEOs

Location	Town-wide
Reporting officer	Chief Community Planner and Manager Place Planning
Responsible officer	Chief Executive Officer (CEO)
Voting requirement	Simple majority
Attachments	1. CONFIDENTIAL REDACTED – 9. Progress Report of Interim CEO KPIs [6.1.1 – 3 pages]

Summary

The purpose of this report is to provide information relating to the completion of the interim key performance indicators (KPIs) for the Acting Chief Executive Officers (A/CEOs) from September – December 2024.

Recommendation

That the CEO Recruitment and Performance Review Committee recommends that Council:

Notes the satisfactory completion of the interim key performance indicators for the Acting Chief Executive Officers from September – December 2024.

Background

1. At a Special Council Meeting held on the 30 April 2024, Natalie Martin Goode and David Doy were appointed as joint Acting CEOs from 13 July 2024 until the position of CEO was filled on a permanent basis.
2. It is not a legislative requirement that an Acting CEO has KPIs established as no performance review is required for a CEO unless they are employed for a period of one year.
3. At the Special Council Meeting on 1 October 2024 Interim KPIs were adopted for the A/CEOs.

Discussion

4. A summary of the performance indicators is provided below:
 - Audit ready Financial Statements submitted to the Office of the Auditor General by 30 September 2024.
 - Develop Disaster Recovery Plan and document. Establish testing regime for the Disaster Recovery Plan. Schedule regular fall-over test to ensure veracity of the plan.
 - Amend the Procurement Management Practice (May 2020) to define when a probity reviewer is to be engaged.
 - Draft a management procedure capturing the protocol regarding cyber security testing and other measures. This should include contracts for external providers where appropriate.
 - Establish a regular review schedule for the plan as per section 1.3. 5.2.2.

- Tender report to Council with a recommendation for the contractor for McCallum Active works.
- Tender report to Council with a recommendation for the contractor for Ed Millen Park works.

5. Details relating to how the A/CEOs Interim KPIs have been achieved are included in Attachment 1.

Relevant documents

[Town of Victoria Park Standards for CEO Recruitment, Performance and Termination](#)

Legal and policy compliance

Section 5.38 of the *Local Government Act 1995* provides for the performance review of a CEO if the CEO is employed for more than 1 year. It is not a requirement that the Acting CEOs are tasked with interim KPIs, however it is considered good practice with CEOs acting for a significant period.

Financial implications

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

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial		High	Low	
Environmental			Medium	
Health and safety			Low	
Data, Information Technology and Cyber			Medium	
Assets			Medium	
Compliance Breach			Low	
Reputation			Low	
Service delivery interruption			Medium	

Engagement

Not applicable.

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Alignment of the CEO’s KPI’s to the strategic planning framework will assist in focusing work priorities based on community needs.

15.2 Chief Executive Officer Performance Indicators for 2025

Location	Town-wide
Reporting officer	Manager Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Simple majority
Attachments	1. CONFIDENTIAL - Performance Criteria [15.2.1 - 1 page]

Summary

This report confirms the Chief Executive Officer's Key Performance Indicator's do not require amendment and recommends a further review of these KPI's as part of the CEO probation review process.

Recommendation

The CEO Recruitment and Performance Review Committee recommends that Council:

1. Confirms the Chief Executive Officer Key Performance Indicators for 2025, as contained in Attachment 1, do not require amendment.
2. Undertakes a further review of the CEO KPIs as part of the CEO probation review process.
3. Directs the Committee to complete the review in point 2 above at a meeting of the Committee on 28 April 2025 at 5:00pm.

Background

1. At the Special Council Meeting held 9 September 2024, Council appointed Mr Carl Askew as the Town's new Chief Executive Officer (CEO) for a 5 year period.
2. The new CEO commenced on 2 December 2024.
3. According to the executed Contract of Employment, the Council and CEO must discuss the Performance Criteria contained within the contract within 3 months from the commencement of his employment.

Discussion

4. In accordance with the provisions of the Contract of Employment, the CEO has considered the Performance Criteria contained within the contract, and whether any amendments were appropriate.
5. The proposed Key Performance Indicators as contained within Attachment 1 are presented for confirmation.
6. The CEO has considered the KPIs contained within the contract and does not propose any amendments.
7. It is recommended that a further review of the CEO KPI's be considered as part of the CEO probation review process to enable alignment with the Council's budget process. This further review of the KPI's can be undertaken by the consultant appointed to undertake the CEO Annual Performance review process.

Relevant documents

Not applicable.

Legal and policy compliance

[Section 5.39 Local Government Act 1995](#)

Financial implications

Current budget impact	Not applicable.
Future budget impact	Not applicable

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable	High	Low	
Environmental	Not applicable		Medium	
Health and safety	Not applicable		Low	
Data, Information Technology and Cyber	Not applicable		Medium	
Assets	Not applicable		Medium	
Compliance Breach	Not setting the CEO KPI's will be a breach of contract and a breach of the Local Government Act 1995	Medium	Low	Treat the risk by endorsing KPI's for the CEO
Reputation	Not applicable	High	Low	
Service delivery interruption	Not applicable	Medium	Medium	

Engagement

Internal engagement

Stakeholder	Comments
CEO and Elected Members	The CEO and Elected Members have been involved in discussions regarding the selection of the CEO KPI's for 2025.

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Setting KPI's for the CEO for 2025 will help ensure that the Town's resources are managed appropriately and will help monitor performance.
CL3 - Accountability and good governance.	Setting KPI's for the CEO will comply with the provisions contained within the Local Government Act and Contract of Employment.

Further consideration

15.3 CEO Annual Performance review 2024/25 - Selection of External Facilitator

Location	Town-wide
Reporting officer	Manager People & Culture
Responsible officer	Manager Governance & Strategy
Voting requirement	Simple majority
Attachments	1. CONFIDENTIAL - Providers CEO Performance Review [15.3.1 - 1 page] 2. CONFIDENTIAL - CEO Performance Review and KPI Setting 2025 - Provider A [15.3.2 - 30 pages] 3. CONFIDENTIAL - CEO Performance Review and KPI Setting 2025 - Provider B [15.3.3 - 18 pages] 4. CONFIDENTIAL - CEO Performance Review and KPI Setting 2025 - Provider C [15.3.4 - 16 pages]

Summary

To commence the selection process for a consultant to coordinate the probation assessment, facilitate the development of the performance review process and the development of key performance indicators for the Chief Executive Officer.

Recommendation

That the CEO Recruitment and Performance Review Committee recommends that Council appoints Provider A to facilitate:

1. The CEO's probation review;
2. The 2025 CEO Annual performance review process and undertake a remuneration review;
3. The development of the CEO's Key Performance Indicators for 2025/2026.

Background

According to the CEO contract:

1. Clause 2.2.1 (and Schedule 2), the initial Probationary Period is 6 months from Commencement Date of 2 December 2024 – which is 2 June 2025;
2. Clause 2.2.2 provides that not less than 1 month before the end of the initial Probationary Period, Council must assess the CEO performance;
3. Clause 4.1.1 requires the CEO and Council to discuss the Performance Criteria (as set out in Schedule 3) including whether any amendments are appropriate, within 3 months of Commencement Date of 2 December 2024.
4. Clause 4.2(d) and (e) requires the CEO performance to be reviewed in accordance with the Town's CEO Performance Review Standards and the Town's Policy for CEO Annual Performance Review.
5. According to the Town's Standards for CEO Recruitment Performance and Termination, Clause 20 of the Town's Standards for CEO Recruitment Performance and Termination provides that the process for the

annual performance review for the CEO is to be coordinated by the CEO Recruitment and Performance Review Committee.

6. According to the Annual Performance Review for the Chief Executive Officer Policy 031, an external facilitator is engaged by the Council to assist the committee with the annual performance review.

The external facilitator is engaged to:

- a. Facilitate the development of the review process.
 - b. Report to the committee the findings of the performance review; and
 - c. Facilitate the development of the CEO's performance objectives (KPI's) and Key performance outcomes (KPO's) with the Elected Members for the following financial year.
7. The Council in consultation with the CEO, is to determine who the reviewer is to be. If the Council and the CEO are unable to agree on the selection of the reviewer, the Council is to make the relevant determination.

Discussion

8. Expressions of Interest were called from five (5) external providers suitably qualified to provide this service. Three (3) providers responded to the EOI and submitted proposals for consideration.
9. All providers were provided with a brief outlining the responsibilities of the successful consultant and the outcomes expected from the process.
10. The three (3) proposals have been reviewed on outcomes expected from the process, relevant experience, value for money and adhering to Policy 031 Annual Performance Review for the Chief Executive Officer.
11. Of the three (3) proposals received, Consultants A and B meet these criteria. Analysis of the proposals are in Attachment 1.
12. The CEO has reviewed the proposals from consultants A and B and has a preference for consultant B.

Relevant documents

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

[Local Government Act 1995](#)

[DLGSC - LG Operational Guideline - CEO recruitment and selection, performance review and termination standards-for-ceo-recruitment-performance-and-termination](#)

[Microsoft Word - Policy 031 Annual Performance Review for the Chief Executive Officer](#)

Legal and policy compliance

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

[Local Government Act 1995](#)

Financial implications

Current budget impact

Sufficient funds exist within the annual budget to address this recommendation.

Future budget impact	Not applicable.
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Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial				
Environmental				
Health and safety				
Data, Information Technology and Cyber				
Assets				
Compliance Breach	Noncompliance to section 5.36(4) of the <i>Local Government Act 1995</i> and the <i>Local Government (Administration) Regulations 1996</i> regulation 18A.	High	Low	Treat by complying with the Recruitment and Selection Standards of the <i>Local Government Administration Regulations 1996</i>
Reputation				
Service delivery interruption				

Engagement

This is a confidential matter of Council.

Strategic alignment

Civic leadership	
Community Priority	Intended public value outcome or impact

CL3 – Accountability and good governance.	Town compliance to legislative requirements.
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Further consideration

16 Applications for leave of absence

17 Motion of which previous notice has been given

17.1 Mayor Karen Vernon - Opposition to motorsport street circuit at Burswood Park

In accordance with clause 23 of the Town of Victoria Park Meeting Procedures Local Law 2019, Mayor Karen Vernon has submitted the following notice of motion.

Motion

That Council:

1. Does not support the construction of a motorsport street circuit (**motorplex**) at Burswood Park because:
 - (a) it will have negative impacts on the natural environment, including the Swan River and wetlands, the loss of public open space, tree canopy and wildlife habitat, and carbon emissions;
 - (b) it will have significant negative impacts on the surrounding residential communities, including noise, odour and light pollution, traffic congestion and loss of amenity;
 - (c) it is not included in the Burswood Park Board's 20 Year Vision for the future entertainment precinct at Burswood Park, prepared with community consultation;
 - (d) there has been no community consultation with the residents of the Town who will be impacted, or with the Town itself;
 - (e) there has been no disclosure of a feasibility study, environmental impact assessment, business case demonstrating a need for a motorplex in this location, or project costings;
2. Endorses the Burswood Park Board's 20 Year Vision for the future of Burswood Park released in 2024, which does not include a motorplex;
3. Requests the Mayor and Chief Executive Officer to engage in advocacy after the WA state election with the Premier of Western Australia, relevant Government Ministers and the Member for Victoria Park as to:
 - a. why the Town does not support construction of a motorplex at Burswood Park;
 - b. the need for appropriate consultation by the WA Government with the Town of Victoria Park and its community prior to making any decision to proceed with construction of a motorplex at Burswood Park.
4. Requests the Chief Executive Officer to report to the Ordinary Council Meeting in May 2025 about the progress of any advocacy pursuant to point 3 above.

Reason

In July 2024, Council endorsed its Advocacy Priorities for 2024/25 ahead of the upcoming State and Federal elections. These Priorities do not include supporting construction of a motorplex at Burswood Park.

On 12 January 2025, without any public engagement or consultation with the residential communities surrounding Burswood Park or with the Town of Victoria Park, Premier Roger Cook announced an election commitment to build a \$217.5 million motorsport street circuit and entertainment precinct at Burswood Park if re-elected at the WA election in March.

The motorplex is not a part of the Burswood Park Board's 20 Year Vision for the future of Burswood Park. It is likely to have significant negative social and environmental impacts on the natural environment and the residential communities living near Burswood Park. Neither those communities nor the Town has been consulted about the motorplex proposal.

An online public petition commenced on 21 January 2025 opposing the motorplex has already attracted approximately 2,000 signatures. Community reactions to the announcement, combined with the Town's lack of knowledge about this proposal, indicates a need for proper public engagement and consultation before any further action is taken.

This Notice of Motion will provide an important opportunity for the Council to make our community and the public aware of Council's position, the lack of consultation, and the need for proper community consultation before any further commitment is made by the future WA Government to build a motorplex at Burswood Park.

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL2 - Communication and engagement with the community.	Council's position on a controversial proposal to build a motorplex at Burswood Park will be known. Advocacy to the State Government for proper consultation with the community is a desirable outcome.

Economic	
Community Priority	Intended public value outcome or impact
EC1 - Facilitating a strong local economy.	The motorplex will not produce desirable social, economic and environmental impacts to facilitate a strong local economy.

Environment	
Community Priority	Intended public value outcome or impact
EN1 - Protecting and enhancing the natural environment.	The motorplex is inconsistent with the Town's Urban Forest Strategy.
EN3 - Enhancing and enabling liveability through planning, urban design and development.	The motorplex will adversely impact on liveability within the Town as it is a nature negative, environmentally unfriendly development of prime public open space.
EN4 - Increasing and improving public open spaces	The motorplex is inconsistent with the Town's Public Open Space Strategy and will not contribute to appropriate, inviting or sustainable green public spaces for everyone. It will result in the loss of such spaces.

Officer response to notice of motion

Location	Burswood
Reporting officer	Chief Community Planner
Responsible officer	Chief Community Planner
Voting requirement	Simple majority
Attachments	Nil

Officer comment

1. The Town of Victoria Park and its Administration play a critical role on the Burswood Peninsula being the responsible Local Government Authority for the area (noting that a portion of the Peninsula falls under the provisions of the *Casino (Burswood Island) Agreement Act 1985*). In addition to its regulatory activities, the Town also facilitates the Burswood Peninsula Alliance (an officer level working group) who work together under a Terms of Reference and Charter to deliver on the vision for the Burswood Peninsula, which is broadly captured in the State Governments Burswood Peninsula District Structure Plan.
2. The Town has also been a key contributor to the development of the Burswood Park 20 Year Vision (Burswood Park Masterplan), which – if fully developed - would see Burswood Park become a place of the highest quality for the local community and a destination of international repute.
3. The Burswood Park Masterplan does not include a Motorsport Street Circuit (motorplex), which the Administration understands to be an election commitment and position of the current State Government in the lead up to the 2025 State Election.
4. While the motorplex is not a feature that the Town's Administration would have advocated for or supported during the development of the Burswood Park Masterplan, it is (and will remain) willing to work collaboratively, positively and pragmatically with the State Government to ensure a great place outcome should the current State Government be returned to office following the 2025 State Election.
5. A great place outcome means delivering on the Burswood Park Masterplan in a way that prioritises the proposed park outcome and integrates with a motorsport street circuit and other related infrastructure. Administration is keen to see Burswood Park continue to emerge (and be used) as one of the States premier public open spaces, for the entire community to experience and enjoy, consistent with the vision in the State Governments Burswood Peninsula District Structure Plan.
6. The Administration also acknowledges the potential relationship risk between the Town and the State Government, should the Council determine not to support the motorplex. If Council determined to not support the motorplex, Administration would expect that the State would respect the position and reasoning of the Town's Council acting on behalf of the local community and that this position would not impact on the working relationship and partnering opportunities relating to this, or other matters in the Town.

Legal compliance

Nil

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
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Financial	-	-	Low	-
Environmental	The motorplex development could represent environmental risks (natural environment risks, noise, etc)	-	Medium	TREAT the risk by ensuring the Town's Administration works effectively with the State Government to ensure the project avoids negative impacts to the natural environment and manages noise during the use of the of the motorplex (if the project proceeds).
Health and safety	-	-	Low	-
Data, Information Technology and Cyber	-	-	Medium	-
Assets	-	-	Medium	-
Compliance Breach	-	-	Low	-
Reputation	Determining to not support the motorplex (a State Election commitment) may impact the relationship between the State Government and the Town at a political level.	High	Low	TREAT the risk by committing to maintain (from the Town's end) an open line of communication between the State Government and the Town.
Service delivery interruption	-		Medium	-

Financial implications

Current budget impact	Nil
Future budget impact	The budget impact of the Motorplex occurring, or not occurring is unknown at this time.

Relevant documents

Not applicable

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