

<b>Policy number</b>	Policy 021
<b>Policy title</b>	Elected member fees, expenses and allowances
<b>Strategic outcomes supported</b>	CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community. CL8 – Visionary civic leadership with sound and accountable governance that reflects objective decision making.

### Policy objective:

To outline the fees, allowances and entitlements available to elected members in accordance with the *Local Government Act 1995 (Act)* and the *Local Government (Administration) Regulations 1996 (Regulations)*, and to support them in performing their duties.

### Policy scope:

This policy applies to elected members.

### Policy definitions:

**ICT expenses** means rental charges in relation to one telephone and one facsimile machine and any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the Regulations.

**Tribunal** means the Salaries and Allowances Tribunal established under the *Salaries and Allowances Act 1975*.

### Policy statement:

#### Elected members

#### Fees and allowances (s.5.98, s5.99, s.5.99A Act)

#### Annual meeting attendance fee in lieu of meeting fees

1. All elected members are entitled to the maximum annual meeting attendance fees as determined by the Tribunal, and as adopted by Council in the annual budget.

#### Information Communication Technology (ICT) expenses allowance

2. All elected members are entitled to the maximum annual ICT expenses allowance in lieu of reimbursement of ICT expenses as determined by the Tribunal, and as adopted by Council in the annual budget.

#### Annual local government allowances for Mayor and Deputy Mayor (s.5.98, s5.98A Act)

3. The Mayor is entitled to the maximum annual local government allowance as determined by the Tribunal, and as adopted by Council in the annual budget.

4. The Deputy Mayor is entitled to the maximum percentage of the mayoral annual local government allowance as determined by the Tribunal, and as adopted by Council in the annual budget.

#### Reimbursement of Expenses for Elected Members (s.5.98 Act)

5. Elected members are entitled to be reimbursed for expenses of the kind prescribed in Regulations 31 and 32 of the Regulations, including but not limited to child care and travel costs.
6. The extent to which elected members can be reimbursed for expenses of the kind prescribed in Regulations 31 and 32 of the Regulations shall be as determined by the Tribunal.
7. Child care costs will not be paid for where the care is provided by a member of the immediate family or relative living in the same premises as the elected member.
8. Under no circumstances is any reimbursement to be made in connection with costs incurred for re-election to the office of elected member or election to the office of Mayor or Deputy Mayor.
9. Elected members are entitled to reimbursements for travelling expenses incurred, in the performance of their duties, to/from their normal place of residence or work, with respect to the following:
  - a. Council meetings, civic functions, citizenship ceremonies or briefings called by either Council, the Mayor or the Chief Executive Officer;
  - b. Committees to which an elected member is appointed a delegate or deputy by Council;
  - c. Meetings, training and functions scheduled by the Chief Executive Officer;
  - d. Conferences, community organisations, industry groups and local government associations to which an elected member has been appointed by Council as its delegate or a deputy to the delegate;
  - e. Gatherings or events (i.e. funerals, local business or community events), attended by the Mayor or the Mayor's nominated deputy as a representative of the Town;
  - f. Site inspections in connection with matters listed on any Council Agenda paper. When making this claim, elected members are to state the Item Number listed on any Council Agenda paper along with the date and time of the visit on the claim form;
  - g. In response to a request to meet with a ratepayer/elector, but excluding the day of Council elections. When making this claim, elected members are to state the time and purpose of the visit and the name and address of the ratepayer/elector on the claim form.

#### Professional development expenses

12. The guidelines for expenses related to professional development are set out in Policy 022 Elected member professional development.

#### Payments

##### Payments of fees and allowances ~~monthly~~ fortnightly in arrears

13. All elected members will be paid annual meeting attendance fees and all other allowances in arrears on a ~~monthly~~ fortnightly basis, as per the Town of Victoria Park payroll system.

### Reimbursement of expenses

14. All claims for reimbursements by elected members are to be submitted to the Chief Executive Officer within 60 days of the expense being incurred, accompanied by:
- Date of the claim
  - Type of travel (as identified in Section 3)
  - Distance travelled
  - Origin and destination of travel.
15. Reimbursements, once approved, will be paid during the next scheduled payment run following approval.

### Related documents

[Determinations of the Salaries and Allowances Tribunal](#)

[Policy 022 – Elected member professional development](#)

[Code of Conduct for Council Members, Committee Members and Candidates](#)

<b>Responsible officers</b>	Coordinator Governance and Strategy Mayoral and Governance Support Officer
<b>Policy manager</b>	Manager Governance and Strategy
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	April 2026

### Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	25/05/1999	Council	-	Item 3.12
1	Reviewed	15/08/2006	Council	-	Item 4.1
1	Reviewed	09/07/2013	Council	-	Item 10.1

1	Reviewed	11/08/2015	Council	-	Item 10.1
2	Amended	19/02/2019	Council	26/2019	Item 14.7
3	Reviewed and amended	20/08/2019	Council	148/2019	Item 10.1
4	Amended	15/09/2020	Council	518/2020	Item 15.1
5	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
6	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
7	Reviewed and amended	21/05/2024	Council	84/2024	Item 11.3



<b>Policy number</b>	Policy 114
<b>Policy title</b>	Community Funding
<b>Strategic outcomes supported</b>	CL1 – Effectively managing resources and performance CL3 – Accountability and good governance EC2 – Connecting businesses and people to our local activity centres through place planning and activation EN1 – Protecting and enhancing the natural environment S1 – Helping people feel safe S2 – Collaborating to ensure everyone has a place to call home S3 – Facilitating an inclusive community that celebrates diversity S4 – Improving access to arts, history, culture and education

### Policy objective:

This policy 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.

### Policy scope:

This policy applies to any eligible party seeking funding from the Town through the following programs:

- Grants.
- Donations.
- Operating Subsidies (including peppercorn lease).
- Rebates.

### Policy definitions:

The following definitions apply in this policy:

**acquittal** means information provided by a grant recipient that ensures the funds have been administered responsibly and in line with the funding agreement/conditions of the funding program also known as an evaluation.

**auspice organisation** means legal entity which must take responsibility for applying, receiving, holding, administering and acquitting against a grant or funding on behalf of an unincorporated organisation or individual.

**business** means a registered trading business.

**business group** means a group of two or more local businesses who work in partnership.

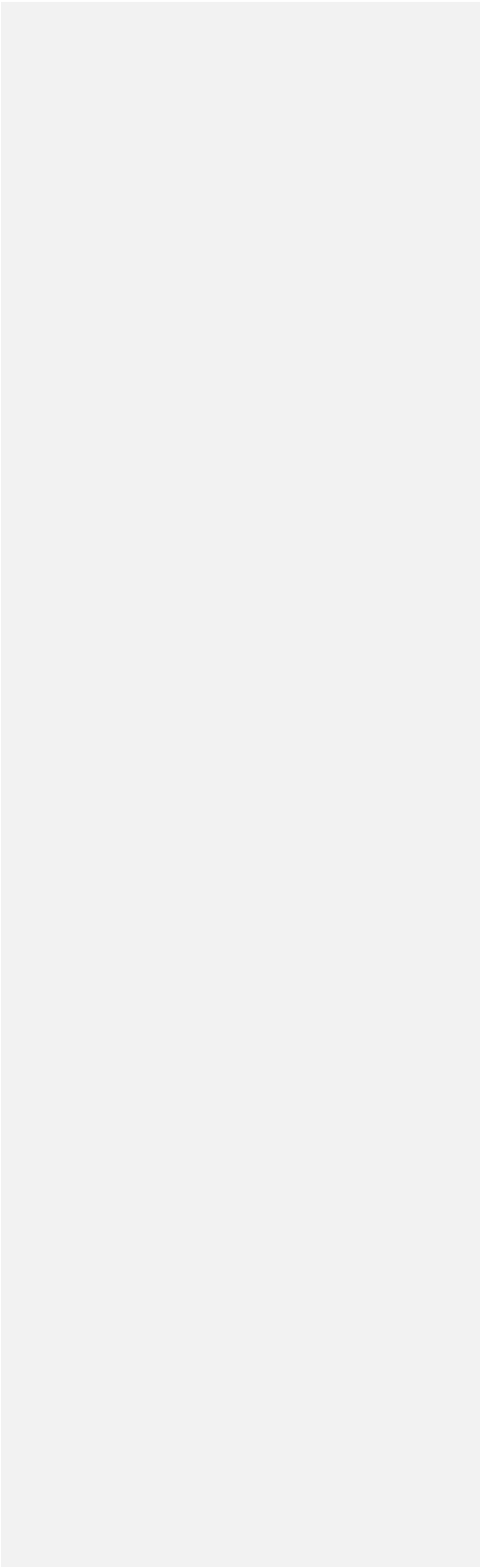
**community grants program** includes any grant program which is open to the local community and residents in return for social outcomes at an individual and community level.

**community group** means a not-for-profit organisation, incorporated or unincorporated, that operates for the benefit of the local community and delivers activities, services, and/or programs. It includes volunteer-led groups, clubs, associations, and community-based organisations.

**conflict of interest** relates to a situation in which a person can derive personal benefit from actions or decisions made in their official capacity.

**cost-benefit comparison** relates to social benefits and outcomes achieved at an individual and community level being greater than the totality of funding and support provided by the Town. The funding recipient will be required to

attribute a cost against the operational service delivery cost required to achieve the social benefits and outcomes.



**cost-effectiveness** analysis means the comparison of two similar programs or services taking into consideration cost and resourcing against the benefits and outcomes anticipated to be achieved or achieved. A cost-effectiveness analysis helps to determine which 'applicant' should receive funding/ resources based upon:

- a. the greatest potential impact at an individual and community level informed through a cost-benefit comparison; and
- b. should sufficient funds be available Council may elect to approve two or more similar operating subsidies.

**donation** means a financial gift to an eligible party.

**economic efficiency** is when goods and services that are produced are the ones that are most valued by society, produced at least cost and allocated to those who value them most highly. Economic efficiency comprises:

- a. allocative efficiency- allocating resources to their most productive use;
- b. technical efficiency- providing goods and services at least cost; and
- c. dynamic efficiency- ensuring that investments are optimal over the long-term (~~three-year maximum contracts~~) in both their timing and location.

**established and solvent** means:

- a. operating a business for all or part of the income year;
- b. cash reserve and/or guaranteed income to cover three months' worth of operating costs at any time;
- c. has an aggregated turnover less than \$10 million annually; and
- d. has demonstrated capacity to deliver upon Funding Agreements.

**funding agreement** means a contract entered into by the Town and funding recipient which stipulates obligations inclusive of, deliverables, reporting requirements, roles and responsibilities, termination of funding and funding period.

**funding program** means any grant, operating subsidy, donation or rebate allocated based on merit through an application and assessment process.

**incorporated association** means an association, as defined by the Associations Incorporation Act 2015 (WA), inclusive of any association, society, club, institution, community group or body formed or carried on for a lawful purpose. All profits made by the association must be used to benefit the association or, in the case of a charity, the beneficiaries of that charity, and not for the gain of its individual members.

**in-kind support** means goods or services provided to eligible parties by the Town. Such as fee waiver for the use of the Town's facilities and services, inclusive of parks, reserves; or support inclusive of but not limited to cross-promotion through social media platforms and production of marketing material. In-kind support will be attributed a monetary value and considered within the totality of funds provided by the Town to the eligible party.

**intervention** means a program, service or initiative.

**operating subsidy** means a cash payment and/ or peppercorn lease made to an eligible party to support its sustainable operating capacity to deliver programs, support and services to the local community, capped at 50% of total operating costs.

**party** means any person, community group, business group, organisation or other, applying for funding from the Town.

**peppercorn lease** means a subsidised nominal rental amount which is significantly below the market valuation, thus forfeiting revenue in return for social benefits for the community (to be informed by cost-benefit comparison).

**program** means an intervention, event, initiative, or service delivered by a party to a specific community cohort or the general community.

**rebates** ~~means a financial reimbursement of the expenditure of funds, to an eligible party, excluding rate rebates or concessions.~~ are a form of financial assistance to partially reimburse eligible applicants for approved goods, services or activities that support identified community outcomes.



social enterprise (also referred to as business) means:

- a. ~~is a not-for-profit entity led by an economic, social, cultural or environmental mission consistent with a public or community benefit;~~
- b. ~~derive a substantial portion of their income from trade; and~~
- c. ~~reinvest the majority of their profits/ surplus in the fulfilment of their mission.~~

**sustainable operating capacity** means the capacity of an organisation to remain financially viable over a long-term period through diverse revenue and funding streams which meet the full cost of services delivery, attract and retain human capital, and manage operational risks.

**town team/ place-based group** means a group of residents, businesses and landowners working collaboratively to improve their local neighbourhood.

**unincorporated group** means a not-for-profit organisation that operates for the benefit of the community (does not engage in trade or commerce or make a profit for its members), and while eligible for incorporation does not currently have a certificate of incorporation.

**year** means the financial year from 1 July to 30 June inclusive.

## Policy statement:

### Administration of funding programs:

1. The Town will administer funding programs to support the resilience of the community.
2. Funding programs are subject to an annual budget approval process. The Town reserves the right to withhold the administration or availability of any of the following funding programs based upon the long-term and annual financial position of the Town.
3. Any party wishing to apply for funding must have Public Liability Insurance of \$10 million with the exception of rebates, donations and for grants, in instances where initiatives are not exposed to public risk.
4. The Town reserves the right to deny funding to any party should the proposed program or initiative or party conflict with the Town's Vision, Mission or Values, or bring the Town's brand or reputation into disrepute, or at its discretion.
5. The Town reserves the right to:
  - a. Move unallocated funds between funding programs/rounds;
  - b. Utilise unallocated funds in an additional funding round; or
  - c. Retain unallocated funds as savings.
6. All funding provided under this policy is to be reported on in the Annual Report.
7. The Town must ensure that all documentation relating to community funding programs, including executed agreements, is recorded, as required under the State Records Act 2000.

### Ineligibility criteria:

8. Unless otherwise stated in additional ineligibility criteria under each funding program, applicants will be ineligible where:
  - a. the applicant has an outstanding debt to the Town;
  - b. the applicant has failed to submit a satisfactory acquittal for a previous Town funding program; or
  - c. the application is submitted retrospectively i.e. after a project, activity and/or program has already taken place.
  - d. Any party that does not comply with the operational Terms and Conditions of the funding program.
  - e. Any local, state, federal government agencies or political parties.
  - f. Any projects that promote or advance religious beliefs, including worship services, religious instruction, proselytising, or faith-based advocacy.

- d.g. Elected Members, Town staff, [the spouse or de-facto partner of an Elected Member or Town staff, anyone residing at the same address as an Elected Member or Town staff](#), or a relative of an Elected Member or Town staff ~~are not eligible~~.
- o Relative (as described by the Local Government Act 1995 or as amended) – in relation to a relevant person, means any of the following –
    - a. a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, [cousin](#), lineal descendant of the relevant person's spouse or de facto partner;
    - b. [The relevant person's spouse or defacto partner or the spouse or de facto partner of any relative specified in paragraph \(a\), whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is natural relationship or a relationship established by a written law.](#)
- e.h. [Any company or business owned or run by Elected Members, Town staff, the spouse or de-facto partner of an Elected Member or Town staff, anyone residing at the same address as an Elected Member or Town staff, or a relative of an Elected Member or Town staff.](#)

#### Conflicts of interest:

9. In the administration and awarding of community funding programs any real, potential or perceived conflicts of interest are to be managed in keeping with the Local Government Act 1995, the code of conduct and the Town's values.
10. In order to achieve this, in keeping with the requirements of the Local Government Act 1995, Town of Victoria Park Code of Conduct for employees and Town of Victoria Park Code of Conduct for Council Members, Committee Members and Candidates, employees and elected members with any involvement in community funding programs shall declare:
  - a. any financial, indirect financial, proximity or gift interests that they have with any applicant for a community funding program; and
  - b. any impartiality interests they have with any applicant for a community funding program.
11. As required under the Act, where any employee or elected member discloses a financial, indirect financial, proximity or gift-related interest, they must not be involved in that community funding program application. If:
  - a. this is as a member of a panel; they must not participate in the panel and the CEO should appoint another person as a member of the panel;
  - b. as an employee who awards or assesses applications for funding, the application must be referred to another appropriate employee who can award or undertake the assessment for the funding; and
  - c. the application is referred to a committee or Council, in accordance with the requirements of the Act.
12. Where an impartial interest by an employee is disclosed, the interest should be referred to the CEO to establish if it continues to be appropriate for that employee to be involved in the assessment process.

#### Lobbying of Elected Members:

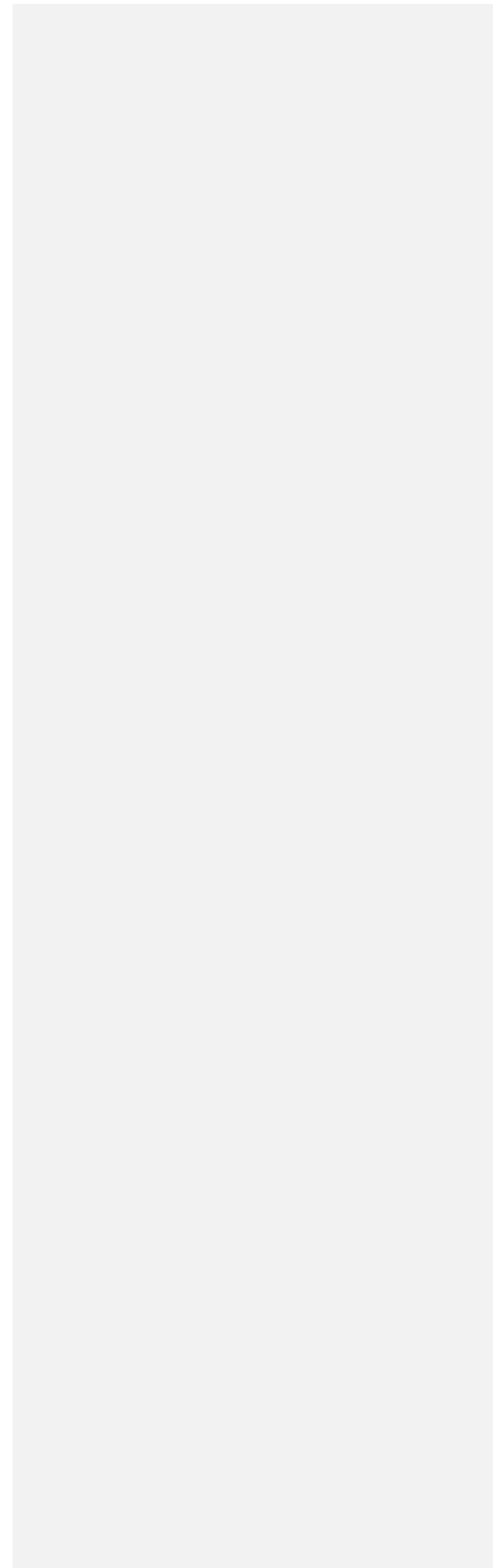
13. Applicants may not lobby or seek to influence the decision-making of Elected Members or Town staff, in relation to their submitted funding applications.
14. If, during the period between submitting a funding application and a determination by Council, an applicant seeks to lobby any Elected Member or Town staff of the Town of Victoria Park, or attempts to provide additional information, either directly or indirectly, on any matter relating to the funding application to an Elected Member or Town staff, the person/organisation may be disqualified and the grant or donation excluded from being considered for approval.

#### Management of Grant Applications:

15. Applicants can submit applications to separate funding programs within the same financial year/round (in

line with relevant grant guidelines) providing that the applications are for different activities.

16. The Town recognises that without ongoing funding some activities would not continue. For this reason, the Town may fund the same activity in subsequent grant rounds (in line with the grant guidelines), for example successful community events that continue to build community connections and reduce social isolation.



17. All information collected during the application process will be treated in accordance with Council's Privacy Statement. It is important that (outside of meeting agendas) no information is shared publicly until the assessment process has been finalised and funding allocations fully assessed.

#### Grants:

18. The Town's grants will 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.

#### Grant Funding Programs:

19. The Town's grants comprise of, but are not limited to:
  - a. Art Grants
  - b. Business Grants
  - c. [Community Event Grants](#)
  - d. Community Grants
  - e. Community Group Insurance Grants
  - f. Place Grants
  - g. Sport Grants
  - h. Community and Sport Equipment Grants
  - i. Urban Forest Grants

#### Approval process:

20. The CEO will be responsible for receiving, assessing and approving grant applications up to \$15,000. The CEO shall establish a panel of no less than three members to assess all eligible applications received. Once approved, the CEO will notify Council of all grant application outcomes.
21. Dependent upon annual budget approval, funding will be available as per the specific grant funding guidelines.
22. The Town may require public recognition of the grant through means as deemed appropriate by the Town.

#### Art Grants:

##### Aims:

23. The Arts Grants program in the Town of Victoria Park invests in artists and creatives to develop and deliver artistic, cultural, or creative activities that engage with the local community in meaningful ways. This includes:
  - a. Engage the local community within the Town of Victoria Park in meaningful arts, cultural, and creative experiences.
  - b. Develop and strengthen Victoria Park's unique and vibrant arts, creative, and cultural sector, and include local artists and/or creatives in activities.
  - c. Nurture and support artists and creatives to extend their artistic, cultural, or creative practice.

##### Eligibility:

24. Eligible applicants are:
  - a. Individuals with an ABN or an eligible auspice organisation.
  - b. Not for profit organisations including incorporated associations and public companies limited by guarantee

#### Business Grants:

##### Aims:

25. Business grants funding aims to support projects that deliver the objectives of the Economic Development Strategy or any other adopted strategic plan that progress the economic priorities of the Town's Strategic Community Plan.

##### Eligibility:

26. Eligible applicants:
  - a. a business whose principal place of trading is within the Town of Victoria Park Local Government Area;
  - b. an Incorporated Association where the proposed project, activity or program is to take place primarily within the Town of Victoria Park Local Government Area; or
  - c. an unincorporated association, group or individual with formal support of an auspice organization, where the proposed project, activity or program is to take place primarily within the Town of Victoria Park Local Government Area.

#### Community Event Grants:

##### Aims:

27. To assist the community, including individuals, community groups, sporting clubs and organisations, located in the Town to deliver events which encourage community engagement, supports participation and celebrates diversity and inclusion.

##### Eligibility:

28. Eligible applicants:
  - a. not-for-profit organisations
  - b. community group or clubs
  - c. artists, individuals, and businesses
  - d. resident associations
  - e. town teams or place-based groups
  - f. parents and citizen (P&C), and parents and friends (P&F) associations
  - g. schools (only for events falling outside the Department of Education responsibilities)
  - social enterprises

#### Community Grants:

##### Aims:

- 29,30. Community grants provide an opportunity for the groups and individuals to build the capacity and wellbeing of Town of Victoria Park community, with the aim to:
  - a. complement and achieve the Town of Victoria Park's strategic objectives;

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- b. provide financial assistance to the community to develop and implement projects, activities and programs that enhance the wellbeing of the community;
- c. strengthen local community capacity and cohesion through capitalising on the strengths and abilities of the community to effectively identify its own needs and to plan, develop and implement innovative solutions;
- d. facilitate fair, transparent and equitable distribution of community resources and programs through the Town; and
- e. increase participation and accessibility to a range of quality and innovative programs and activities for the residents of the Town.

Eligibility:

~~30.31.~~ Eligible applicants are:

- a. not-for-profit organisations;
- b. community group or clubs;
- c. artists, individuals, and businesses;
- d. resident associations;
- e. town teams or place-based groups;
- f. parents and citizen (P&C) and parents and friends (P&F) associations;
- g. schools (only for projects falling outside the Department of Education responsibilities); ~~and,~~
- ~~h. social enterprises.~~

**Community Group Insurance Grants:**

**Aims:**

~~31-32~~ The Community Group Insurance Funding Stream provides local community groups reimbursement for insurance policy premiums, allowing the affordability of insurance, and providing insurance protection for local community and neighbourhood group members, volunteers, and participants.

**Eligibility:**

~~32-33~~ Eligible applicants:

- a. Applicants need to demonstrate how the association will deliver benefits to the residents and ratepayers within the Town.
- b. The group is a not-for-profit group providing a community benefit to Victoria Park residents and has no more than \$10,000 in annual net ~~profits~~surplus generated from (a) core business or (b) donations or sponsorships for operational costs in the previous twelve months.
- c. The group does not have the option to affiliate to a peak body or state/national organisation with insurance provisions or can't access insurance cover by other means.
- d. The group is not a religious body or political interest group or party.
- e. Provide a copy of their Certificate of Incorporation as not-for-profit association.
- f. Provide a copy of their Constitution that clearly outlines the core function/purpose of the association.
- g. Evidence of previous insurance cover for a minimum of 12 months.
- h. Two quotes for each insurance policy to be provided from a reputable (APRA reputable listed within the National Insurance Brokers Association) insurance provider.
- i. Total insurance amount requested.
- j. Applicants must provide evidence of an annual or on-going program of activity which seeks to engage residents and ratepayers. These may be calendar of events, programming lists or similar.
- k. The applicant commits to reapplying and providing updated insurance information annually in July to ensure the Town's insurer has the correct information.

**Place Grants Program:**

**Aims:**

~~27-34~~ Place grants aim to support community-led initiatives that:

- a. make a positive contribution to the physical character, amenity, or activation of a neighbourhood
- b. build the capacity and capability of a town team or place-based group.

**Eligibility:**

~~28-35~~ Eligible applicants are:

- a. not-for-profit organisations;
- b. community group or clubs;
- c. artists, individuals, and businesses;

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- d. resident associations;
- e. town teams or place-based groups;
- f. parents and citizen (P&C) and parents and friends (P&F) associations;
- g. schools (only for projects falling outside the Department of Education responsibilities); and
- h. g. social enterprises.

**Sport Grants:**

**Aims:**

- 29-36. The aims of the Town's sports grant are to:
- a. complement and achieve the Town of Victoria Park's strategic objectives
  - b. provide financial assistance to local community and recreation and sporting clubs for projects, initiatives that benefit the development of sport and recreation to residents of the Town.
  - c. strengthen local community capacity and cohesion through capitalising on the strengths and abilities of the community to effectively identify its own needs and to plan, develop and implement innovative solutions
  - d. facilitate a fair, transparent and equitable distribution of community resources and programs through the Town
  - e. increase participation and accessibility to a range of quality and innovative programs and activities for the residents of the Town.

**Eligibility:**

- 30-37. Local sporting clubs or groups who are located and undertake their training and/or competitions in the Town.

**Community and Sport Equipment Grants:**

**Aims:**

- 31-38. The Community and Sport Equipment grant provides financial assistance to local community groups and sporting clubs for equipment that benefit the development of sport or recreation activities to the residents of the Town of Victoria Park.

**Eligibility:**

- 32-39. Local community groups and sporting who are located in and undertake their activities in the Town.

**Urban Forest Grants:**

**Aims:**

- 33-40. Urban Forest funding aims to support community members, groups, and organisations to deliver community-led greening initiatives that contribute to the Urban Forest Strategy (UFS) and progress the actions from the UFS Implementation Action Plan (UFSIAP).

**Eligibility:**

- 34-41. Urban Forest Grants are open to:
- a. Individuals, groups (unincorporated bodies/partnerships) or organisations (not-for-profit and for-profit) whose proposed project will be undertaken within the Town of Victoria Park.

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**Donations:**

- ~~35-42.~~ The donations program will support the local community through an annual financial assistance program.
- ~~36-43.~~ Donations will be for charitable purposes or services or to support individual or group achievement at a state, national, or international level of competition.
- ~~37-44.~~ The Town reserves the right to request a profile of the donation recipient including what the funds will be or have been used for.

**Donation Funding Programs:**

- ~~38-45.~~ The Town's donation programs include, but are not limited to:
- Youth National and International Sport Development Donation
  - Youth Leadership and Development Donation
  - School Welfare Development Donation

**Aims:**

- ~~39-46.~~ The aims of the Town's Community Donations Program are:
- To complement the Town of Victoria Park's strategic objectives; and
  - The support the following three (3) categories through financial assistance:
    - Youth National and International Sport Development Donation*
      - To support local residents who reside within the Town aged between 12- 25 years to participate within their sporting discipline at a national or international level.
      - Applicants must produce a letter of selection from their state sporting association or national body.
    - Youth Leadership and Development Donation*
      - To support individuals aged between 12-25 years nominated to undertake a youth leadership or development course delivered by a recognised organisation for personal and/or professional development.
      - Applicants must demonstrate a letter of offer to undertake personal or professional development.

<b>Policy number</b>	Policy 115
<b>Policy title</b>	Public Art
<b>Strategic outcomes supported</b>	S4 – Improving access to arts, history, culture, and education.

**Policy objective:**

To guide the Town’s aspirations to be a leader of contemporary public arts and to further develop the cultural identity of Town of Victoria Park.

**Aims:**

The aims of the Town of Victoria Park’s Public Art Policy are:

- a) To complement the Town’s strategic objectives.
- b) To enhance the built and natural environment.
- c) To enhance public engagement, enjoyment and understanding of the continuous integration of public art throughout the Town.
- d) To assist the Town of Victoria Park in becoming recognised as a vibrant and dynamic community within Perth, Australia, and the World.
- e) To ensure that all public art displayed in the public realm is maintained to the highest standard for the community.
- f) To increase profile of the Town through activating public spaces and contributing to the stimulation of the local economy.

**Policy scope:**

This policy applies to all public art in the Town.

**Policy definitions:**

1. **Public Art** refers to the integration of an artistic concept within or adjacent to the public realm, such that it is capable of being viewed and appreciated by the public. Public art can take many forms, incorporate many different materials and be produced in many ways. It can be stand-alone, applied to surfaces, or integrated into building facades, road infrastructure elements or landscaped outdoor spaces and can include cultural infrastructure, a transient activation or experience, and artist residency programs. Public art can be permanent, site-specific, temporary, or ephemeral. The distinguishing feature of these works is that a professional artist (or artist team) is wholly, or partly, responsible for the creation, design, facilitation and/or fabrication.
2. **Public realm** refers to an outdoor public space from which the public has the ability to view and appreciate artwork, and may include streets, parks, foreshores, squares, plazas, and other publicly accessible outdoor spaces.
3. **Professional Artist** refers to an individual (or artist team) responsible for producing the artwork in fulfillment of this policy and must meet the below criteria:

- A person who has a history of exhibiting their artwork at reputable art galleries that sells the work of professional artists
- A person is represented in major public collections; and
- A person who earns more than 50% of their income from arts related activities, such as teaching, selling artwork or undertaking public art commissions.

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In some cases, this definition may be relaxed where it may be specified for a particular project. For example, a project involving emerging artists, Indigenous artists, students or street/urban artists or a senior artist/emerging artist mentor arrangement.

4. **Percent for Art** is public art contributed by developers. The artwork budget is set to the value of one per cent (1%) of the estimated value of building work of the approved development, where the development has an estimated development cost of \$2,000,000 or more.
5. **Private Developer Contributions** refers to cash-in-lieu funds received by the Town from a private developer in lieu of providing public art as part of the development. These funds can be accumulated and then used to deliver public art projects.

#### Policy Statement:

6. The Town recognises the important role played by public arts in expressing the cultural identity of the Town of Victoria Park, as well as the broader benefits of associating a place with art, rather than art about a specific place.
7. To achieve this cultural aspiration, the Town's approach to public arts management is driven by a focus on contemporary, quality and professionally significant artwork, created by a professional artist, that elevates the status of the Town as an investor in a culturally enriched environment that activates public spaces to increase people traffic.
8. For the Town, promoting and encouraging a significant public arts education program is key to providing the a community opportunities to engagement with the public art collection. This program will provide a clear reflection of Victoria Park, the place and its people whilst also creating opportunities to build relationships and educate the community on the investment in the culture and health of the community.
9. Any public art purchased and managed by the Town must be in accordance with Policy 301 Procurement and the relevant procedures, unless otherwise resolved by Council.

~~10. The processes for managing the Town's public art projects are detailed in the Public Art Management Practice. The commissioning of new artworks will be undertaken in line with the Town's Procurement Policy.~~

~~11.10.~~ The Town will fund Public Art projects through several avenues including:

- a) *Special Projects* - Special projects such as public art to compliment Town led redevelopments may be allocated funds through the Town's annual budgeting process.
- b) *Private Developer Contributions* - Private developers are encouraged to contribute to public art in major developments. Local Planning Policy 29: Public Art Private Developer Contributions,

require developers to provide public art as part of their development or to provide equivalent cash-in-lieu funds to the Town’s Victoria Park’s Community Art Fund which may be accumulated for the future provision of public art by the Town.

- c) *Donations and Gifts* - The Town will consider artwork donations and philanthropic monetary donations on a case-by-case basis.

12.11. The ~~Town’s Public Art Management Plan details~~ management ~~regarding of the~~ acquisition of new public artworks, maintenance, deaccessioning and copyright is reviewed and budgeted each financial year.

**Related documents**

- [Arts and Culture Strategy](#)
- [Arts and Culture Plan](#)
- [Public Art Management Plan](#)
- [Mural Arts Plan](#)
- [Developers Public Art Handbook](#)
- [Public Arts Strategy](#)
- [Local Planning Policy No. 29](#)

<b>Policy manager</b>	Manager – Community
<b>Responsible Officers</b>	Coordinator Events, Arts and Funding Arts Development Officer
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	

**Revision history**

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	09/05/2019	Council	-	Item 15.2
2	Reviewed and Amended	20/08/2019	Council	148/2019	Item 10.1
3	Reviewed and Amended	21/04/2020	Council	384/2020	Item 15.7
4	Reviewed and Amended	13/12/2022	Council	262/2022	Item 15.1
5	Administratively amended	24/08/2023	Delegation		

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<b>Policy number</b>	Policy 301
<b>Policy title</b>	Procurement
<b>Strategic outcomes supported</b>	EC1 – Facilitating a strong local economy EN1 – Protecting and enhancing the natural environment EN2 - Facilitating the reduction of waste. CL1 – Effectively managing resources and performance CL2 – Communication and engagement with community CL3 - Accountability and good governance

### 1. Policy objective:

- 1.1 The objective of this policy is to:
- Provide a policy and guidance to all Town of Victoria Park (Town) workers to allow consistency and robust control over the Town’s procurement activities.
  - Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, codes of practice, standards, and other Town policies and procedures.
  - Ensure records and evidence are kept of the procurement activities in accordance with the *State Records Act 2000* and the Town’s Risk Management Framework.
  - Use consistent, transparent, and accountable procurement processes and decision-making, including competitive quotation processes, assessment of best value for money and sustainable procurement principles for all procurement activities, including tender exempt arrangements.

### 2. Policy scope:

- 2.1 This policy applies to all employees, contractors, consultants, and entities that procure goods, services, or works for, or on behalf of, the Town of Victoria Park.

### 3. Policy definitions:

**Aboriginal Business:** means a business:

- with a majority ownership by a person of Aboriginal or Torres Strait Island descent; and
- is currently registered on the Aboriginal Business Directory WA issued by the Small Business Development Corporation; and/or
- registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation).

**Australian Disability Enterprise:** means an Australian Disability Enterprise registered as such on the Australian Business Register.

**Emergency Purchases:** means the supply of goods or services associated with:

- A Local Emergency and the expenditure is required (either with or without relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and *Local Government (Functions and General)*

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Regulations r.11(2)(a); OR

- (ii) A State of Emergency is declared under the *Emergency Management Act 2005* and therefore, the *Local Government (Functions and General) Regulations* rr.11(2)(aa), (ja) and (3) apply to vary the application of this policy.

**Local Businesses:** means a business that is located within the boundaries of the Town or its adjoining Local government areas (LGAs). Furthermore, an eligible local business must:

- (i) have a physical business premises (in the form of an office, depot, shop, outlet, headquarters, or other premises, including home offices, where goods or services (including professional services) are being supplied from), located with the Town or adjoining LGAs. This does not exclude suppliers whose registered business is located outside the town or adjoining LGAs, but undertake the business from premises located in the Town or adjoining LGAs;
- (ii) have permanent staff that are based at the business premises located within the Town or adjoining LGAs;
- (iii) manage or deliver the majority of the outcomes which will be carried out from the business premises located in the Town or adjoining LGAs; and
- (iv) provide to the Town sufficient evidence which demonstrates compliance with the above criteria.

**Local Emergency:** means an "Emergency" as defined in Section 3 of the *Emergency Management Act 2005* that is located within the boundaries of the Town or its adjoining local governments.

**Officer:** means Town of Victoria Park employee or an external party engaged to perform works for the Town (i.e. consultants, temporary personnel, etc.).

**Pre-Qualified Tender Exempt Supplier:** means a supplier that has met the pre-qualification and due diligence requirements to be contracted to either a WALGA Preferred Supplier Program (PSP) or a State Government Common Use Arrangement (CUA).

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**State of Emergency Declaration:** has the meaning given in Section 3 of the *Emergency Management Act 2005*.

**Sustainable Product Stewardship:** means that producers will take on the financial or physical responsibility for their products once they reach the end of their life cycle by designing products to reduce waste and make it easier to recover materials or recycle them when they are no longer in use.

**Town:** is the Town of Victoria Park.

**WALGA:** means Western Australian Local Government Association.

**WALGA PSP:** means the Western Australian Local Government Association Preferred Supplier Program. A specified grouping of suppliers that have been pre-qualified and appointed by WALGA to supply a category of goods or services to Local Governments under the preferred supplier program.

**WA State CUA:** means the Government of Western Australia Common Use Arrangement.

#### 4. Policy statement:

4.1 The Town is committed to efficient, effective, economical and sustainable procedures in all procurement activities. This policy:

- (a) Provides the Town with a procurement policy as required by regulation 11A of the *Local Government*

*(Functions and General) Regulations 1996.*

- (b) Ensures that the procurement of goods, services, or works are managed appropriately, sustainably and transparently for the benefit of the community.
- (c) Ensures that the use of alternative procurement methods, such as corporate credit cards, transaction cards and supplier panels are supported where benefits through improved administrative practices and more efficient cash management can be demonstrated.
- (d) Ensures that the Town considers the environmental impact of the procurement process throughout the life cycle of the goods, services, and works.
- (e) Ensures that throughout the procurement process, the Town will:
  - (i) maintain transparency, probity, and good governance to rate payers and relevant stakeholders on procurement activities;
  - (ii) maintain consistency and control over procurement activities;
  - (iii) encourage competitive procurement of goods, services or works and maximise community value;
  - (iv) use Town funds effectively and economically to gain value for money by considering both qualitative and quantitative factors; and
  - (v) as much as practicable support local business.
- (f) includes monetary values stated exclusive of GST.

## 5. Principles for procurement

5.1 The principle of responsible financial management is to be applied to all procurement activities. Town funds are to be used efficiently and effectively to procure goods, services, or works and every attempt must be made to contain the cost of the procurement process without compromising any of the procurement principles set out in this policy.

### Procurement Requirements

Legislation	All procurement activities must comply with legal obligations including the requirements of the <i>Local Government Act 1995</i> , <i>Local Government (Functions and General) Regulations 1996</i> , <i>Local Government (Financial Management) Regulations 1996</i> , as well as the <i>Competition and Consumer Act 2010</i> .
Honesty and fairness	Town officers must conduct all procurement with honesty, fairness and probity and must not disclose any confidential information.
Accountability and transparency	All procurement activities are undertaken through a process that is open, clear, and documented.
Declaration of conflicts of interest	Any conflicts of interest (actual, potential, or perceived) during the procurement process must be declared and managed.
No anti-competitive practices	Town officers must not engage in practices that are anti-competitive or engage in any form of collusive practice.
No improper advantage	Town officers must not engage in practices that aim to give any supplier an advantage over other suppliers.
Intention to proceed	The procurement process must be undertaken with an intention to proceed with the purchase including having funding available for the purchase.

Cooperation	Town officers must encourage business relationships based on open and effective communication, respect, and trust.
Gifts and Hospitality	No Councillor or Town officer shall, either directly or indirectly solicit or accept gifts or presents from any member of the public involved with any matter that is connected with the duties of the officer, or in which the Council is interested.

## 6. Value for money

6.1 Value for money is a key principle in procurement, ensuring the best possible outcomes for the Town. Value for money is the consideration of not only the lowest purchase price but also the maximum efficiency and effectiveness of the purchase. To achieve this at the individual purchase level, assessments must consider both cost and non-cost factors, relevant objectives, and make a value judgment about the best outcome. An assessment of the best value for money outcome for any procurement should consider:

- (a) All relevant whole of life costs and benefits, whole of life costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as, but not limited to, consumables, deployment, maintenance, and disposal.
- (b) The supplier's financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history).
- (c) A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.
- (d) Consider the environmental sustainability of the proposed goods, services, and works (such as energy efficiency, environmental impact, and the use of re-usable, recycled, and recyclable products).
- (e) The technical merits of the goods, services, and works being offered in terms of compliance with the specifications, contractual terms and conditions, plus any relevant methods of assuring quality.

## 7. Sustainable Procurement

- 7.1 The Town is committed to sustainable procurement and where possible shall endeavour to design quotations and tenders to advantage goods, services, and works that minimise negative environmental, social, and local economic impacts. Consideration shall be given to the inclusion of sustainable evaluation criteria in the evaluations process for goods, services, and works requiring a formal request for quotation or tender process.
- 7.2 Practically, sustainable procurement means the Town will endeavor to identify contractors who engage in sustainable product stewardship and procure products and services that:
- (a) Demonstrate environmental best practice in energy efficiency/ and or consumption, which can be demonstrated through recognised sustainability rating systems and eco-labelling.
  - (b) Demonstrate environmental best practice in water efficiency.
  - (c) Can be refurbished, reused, recycled, or reclaimed shall be given priority and those that are designed for ease of recycling, remanufacture, or otherwise to minimise waste.
  - (d) Ensure recycled products are procured competitively from licensed waste processing facilities.
  - (e) Demonstrate policies and practices that have been implemented by the business as part of its operations.
  - (f) Demonstrate waste prevention, recycling, market development, and use of recycled/recyclable materials.
  - (g) Demonstrate capabilities to reduce waste and make it easier to recover materials, obtain spare parts or recycle the products when they are no longer in use.

- 7.3 The Town adoption of a sustainable procurement criterion that considers environmental, social and local economic impacts will be selected at the time that a formal request for quotation or tender document is prepared, with consideration to the type of contract and industry involved. The Town will adopt an approach to procurement that supports sound environmental considerations in its procurement activities. For example, a sustainable procurement criterion will be included and applies an appropriate qualitative weighting, typically between 5 and 20 per cent, which will be used in the evaluation process of quotations or tenders.

## 8. Socially Sustainable Suppliers

- 8.1 The Town will support the procurement of goods, services, and works from socially sustainable suppliers such as Australian Disability Enterprise, Aboriginal and Local Businesses.

### Australian Disability Enterprises

- 8.2 *Local Government (Functions and General) Regulations 1996* regulation 11(2)(i) provides a tender exemption if the goods or services are supplied by an Australian Disability Enterprise (**ADE**).
- 8.3 The Town will support procurement from ADEs. Where practical, the Town will provide opportunities to ADEs to provide goods, services or works to the Town. All requests should consider ways to encourage ADEs to respond.
- 8.4 When procuring from ADEs, officers must ensure that all employees or contractors of the ADE are paid no less than the Australian National Minimum Wage.
- 8.5 For example, a socially sustainable procurement criterion will be included, and appropriate qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises in instances where they are not directly contracted. An Australian Disability Enterprise may be contracted directly without the need to comply with the requirements pertaining to the threshold levels outlined in point 10 of this document.

### Aboriginal Businesses

- 8.6 *Local Government (Functions and General) Regulations 1996* regulation 11(2)(h) provides a tender exemption if the goods or services are supplied by a person on the Aboriginal Business Director WA published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Officer Limited (trading as Supply Nation), where the consideration under contract is \$250,000 or less, or worth \$250,000 or less.
- 8.7 The Town will support procurement from Aboriginal Businesses. Where practical, the Town will provide opportunities to Aboriginal Businesses to provide goods, services, or works to the Town. All requests should consider ways to encourage Aboriginal Businesses to respond.
- 8.8 For example, a socially sustainable procurement criterion will be included, and appropriate qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to Aboriginal Businesses in instances where they are not directly contracted. An Aboriginal Business may be contracted directly without the need to comply with the requirements pertaining to the threshold levels outlined in point 10 of this document.

### Local Businesses

- 8.9 The Town will support procurement from local businesses. Where practical, the Town will provide opportunities for local businesses to provide goods, services or work to the Town. All requests should consider ways to encourage local businesses to respond.
- 8.10 The evaluation panel may consider a graduated score which recognises businesses that are primarily located within the Town boundary, and a lower graduated score for businesses located within the adjoining LGAs. The Town will also consider adopting key performance indicators for successful suppliers that encourage the placement of the local workforce i.e. employees that reside within the Town's boundary. This could take the form of promotional activities for recruitment that target local residents or schools. However, recruitment activities must not discriminate in favour of employees that reside within the Town's boundary.

## 9. Procurement

### Anti-avoidance

9.1 In accordance with *Local Government (Functions and General) Regulations 1996* regulation 12(1), procurement activities for the same good or service should be aggregated into a single procurement activity to achieve best value for money and efficiencies for the Town. Multiple procurement activities, for the same good or service, must not be conducted, with the dominant purpose (unintentional or otherwise) of separating the procurement over two or more purchase orders or contracts, so that the effect is to avoid a procurement threshold outlined in the following section.

### Superannuation

When engaging a contractor who is a sole trader and defined as employees under the Superannuation Guarantee (Administration) Act 1992, all officers need to be aware of and account for the payment of superannuation to avoid incurring penalties.

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### Procurement order of priority

9.2 When approaching the market to obtain quotations, where applicable, the Town will consider and apply, the following Procurement Order of Priority:

<b>Priority 1:</b>	<b>Existing Pre-Qualified Supplier Panel</b> Current contracts, including a Panel of Pre-Qualified Suppliers or contracted suppliers, must be used where the Town's supply requirements can be met through the existing contract.
<b>Priority 2:</b>	<b>Local Suppliers</b> Where the total purchase value does not exceed the tender threshold, and a relevant local supplier that is permanently located within the Town can provide the required goods or services.
<b>Priority 3:</b>	<b>Tender Exempt Arrangement</b> Use a relevant WALGA PSP or WA State CUA regardless of whether or not the total procurement value will exceed the tender threshold.
<b>Priority 4:</b>	<b>Other Tender Exempt Arrangement</b> Investigate and seek quotations from relevant WA Disability Enterprises and Aboriginal Businesses that are capable of providing the required goods or services regardless of whether or not the total procurement value will exceed the tender threshold.
<b>Priority 5:</b>	<b>Other Suppliers</b> Where there are no relevant existing contract or tender exempt arrangements available, procurement activities from any other supplier are to be in accordance with relevant procurement value thresholds.

**Procurement value thresholds**

9.3 The following procurement value thresholds apply where the total value (excluding GST) of the full contract period for the procurement of goods and/or services (including any option(s) to extend) is, or is expected to be:

<p><b>Up to \$5,000</b></p>	<p>The Town seeks direct source purchase with at least one visual, verbal or written quotation.</p> <p>Goods and services of a low risk and occasional and not repetitive in nature.</p>
<p><b>From \$5,000 up to \$50,000</b></p>	<p>The Town must seek at least <del>three</del> <u>two</u> written quotations,</p> <p style="text-align: center;"><u>OR</u></p> <p><del>and obtain a minimum. The Town must seek at least of one quotation from a supplier in accordance with the relevant management practice from Pre-Qualified Tender Exempt Supplier.</del></p> <p>The Town must clearly define the specifications for the goods, services, or works being procured with the intent being to enable suppliers to respond and to appropriately price their quote.</p>
<p><b>From \$50,000 up to \$100,000</b></p>	<p>The Town must seek at least three written quotations,</p> <p style="text-align: center;"><u>OR</u></p> <p><del>and obtain a minimum of. The Town must seek at least two quotations from a supplier in accordance with the relevant management practice from Pre-Qualified Tender Exempt Supplier.</del></p> <p>The Town must clearly define the specifications for the goods, services, or works being procured with the intent being to enable suppliers to respond and to appropriately price their quote.</p>
<p><b>From \$100,000 up to \$250,000</b></p>	<p>The Town must seek at least three written quotations from relevant suppliers by invitation via a formal Request for Quotation process (including detailed written specifications for the goods, services, or works required, and pre-determined evaluation criteria) in accordance with the relevant management practice.</p> <p>All quotations above \$100,000 must be sought in conjunction with the Town's Procurement Team.</p>

<p><b>Above \$250,000</b></p>	<p>The Town must conduct a formal public Request for Tender process (including detailed written specifications for the goods, services or works required, and pre-determined evaluation criteria) in accordance with the <i>Local Government Act 1995</i>, <i>Local Government (Functions and General) Regulations 1996</i>, and other relevant Town policy, procedure, or management practice.</p> <p style="text-align: center;">OR</p> <p>Seek at least three written quotations from Tender Exempt Suppliers via a Formal Request for Quotation process.</p> <p>All tenders and tender exemptions must be sought in conjunction with the Town's Procurement Team.</p>
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#### Waiver of Quotations

- 9.4 In accordance with this policy, multiple quotations are required for purchases of \$5,001 and above. In exceptional circumstances, a request for exemption from obtaining multiple quotations for procurement up to ~~\$250,000~~\$500,000 may be obtained from the CEO.
- 9.5 For the purpose of this clause, exceptional circumstances may be defined as:
- (a) Emergency Purchases; or
  - (b) Sole Supplier Arrangement; or
  - (c) Unexpected equipment failure or sudden deterioration where delays in replacement would impact the Town's service delivery; or
  - (d) Where there is a significant financial or other adverse impact to;
    - (i) The business continuity of an essential service; or
    - (ii) The safety and security of Town Officers, Contractors, volunteers or the public; or
    - (iii) The integrity and security of the information held by the Town.
- 9.6 Further to the above, the Town may waive the requirement to call for multiple quotations for the following goods and services:
- (a) subscriptions
  - (b) association and professional memberships
  - (c) conferences, seminars and training programs
  - (d) Government Gazette advertising (regulatory requirement – Local Government Act Section 3.12)
  - (e) government rates
  - (f) non-contestable utility services (e.g. Synergy, Water Corp)
  - (g) banking fees and costs
  - (h) insurance premiums with LGISWA
  - (i) proprietary consumables, parts and maintenance for existing equipment where there is no substitute or warranty is voided if a substitute is used
  - (j) proprietary software license renewals (including support and maintenance), where the software continues to meet the needs and budget of the Town, and there would be a migration and implementation cost to change software.
  - (k) Legal advice of an urgent, specialist or ongoing nature.
- 9.7 All waiver of quotation arrangements must be in accordance with the relevant management practice, and all documentation, approved or declined, must adhere to the record management practice outlined within this

policy.

### **Sole Supplier Arrangement**

- 9.8 After intensive market research, for procurement of goods, services or works available from only one source of supplier is only permitted without undertaking a procurement process (public Tender, RFQ or Tender exempt processes) in circumstances where the CEO is satisfied that there is genuinely only one source of supply that falls within the CEO's delegated authority.
- 9.9 An arrangement of this nature will only be approved for a period not exceeding three (3) years. For any continuing procurement requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.
- 9.10 All Sole Supplier arrangements must be in accordance with the relevant management practice, and all documentation, approved or declined, must adhere to the record management practice outlined within this policy.

### **Tender exemptions**

- 9.11 The Town is exempt from publicly inviting tenders when procurement meets any of the requirements outlined under regulation 11(2) of the Local Government (Functions and General) Regulations 1996 (WA). Accordingly, tenders do not have to be publicly invited for contracts over \$250,000 in the following instances:
- (a) The purchase is obtained from pre-qualified supplier panel under the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA);
  - (b) The purchase is from a Regional Local Government or another Local Government;
  - (c) The purchase is from a person registered on the WA Aboriginal Business Directory, as published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Officer Limited (trading as Supply Nation), where the consideration under contract is \$250,000 or less, or worth \$250,000 or less;
  - (d) The purchase is acquired from an Australian Disability Enterprise and represents value for money;
  - (e) The purchase is from a pre-qualified supplier under a Panel established by the Town; or
  - (f) Any other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 (WA).
- 9.12 All tender exemption arrangements must be in accordance with the relevant regulation, delegated authority, management practices, and all documentation, approved or declined, must adhere to the record management practice outlined within this policy.

### **Probity advisor**

- 9.13 To ensure a transparent and fair assessment of the procurement process and to achieve best value for money, an independent person may be appointed to act as a Probity Advisor. Circumstances by which a Probity Advisor may be engaged include:
- (a) A procurement with an expected total value of \$2,000,000 or over.
  - (b) A procurement that is complex or unusual in nature.
  - (c) A procurement consideration that is politically sensitive or subject to a high degree of public scrutiny.
- 9.14 The decision to appoint a Probity Advisor will be at the discretion of the Chief Executive Officer.

### **Approval of expenditure**

- 9.15 Subject to conditions imposed under delegations, policy and relevant management practices, management discretion may be used to incur expenditure for all approved budget items except those identified in the

budget as requiring a report, or a further report, to Council.

9.16 The CEO may as appropriate, through a management practice establish bands for the approval of expenditure and procurement decisions to be undertaken by Officers or particular groups of Officers.

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## 10. Panels of pre-qualified suppliers

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10.1 In accordance with Regulation 24AC of the Local Government (Functions and General) Regulations 1996, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- (a) The Town determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- (b) There are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money'.
- (c) The procurement activity under the intended Panel is assessed as being of a low to medium risk;
- (d) The Panel will streamline and will improve procurement processes

### Application

10.2 If the Town determines it beneficial for a Panel to be created, it must do so in accordance with Part 4, Division 3 of the Local Government (Functions and General) Regulations 1996.

### Establishment of a Panel of pre-qualified suppliers

10.3 The CEO is to provide a list of recommended pre-qualified suppliers to Council for approval before appointment to the panel. The CEO is to also recommend to Council how the panel will be structured in one of two ways:

- (a) A ranking system where the top ranked supplier is listed as No.1. The CEO can then always seek written quotes from No.1. If No.1 can't supply or does not wish to supply a quotation, the CEO can then proceed to the next highest ranked supplier until a supplier is able to quote for the Town's requirements.
- (b) An equally ranked system where the CEO seeks written quotations from each supplier and a value for money determination is made in relation to which supplier will be successful.

10.4 Where considered by the CEO to be operationally beneficial the CEO is able to purchase from any prequalified supplier appointed to the panel. The CEO will endeavour to distribute the goods, services or works required between each panel member evenly, subject to the operational requirements of the Town at the time. Care is to be taken to ensure that no one supplier is over-committed at any one time.

10.5 Where a panel of pre-qualified suppliers is established, the duration of the panel contract is to be no longer than 5 years.

### Procuring from the panel

10.6 The Town will request quotations from pre-qualified suppliers and ensure each pre-qualified supplier will be invited to quote for the supply of goods and services by:

- (a) Maintaining a comprehensive panel register.
- (b) Inviting each pre-qualified supplier to quote for the supply of goods and services.

10.7 When engaging a supplier from a pre-qualified panel, the following must be undertaken:

- (a) Detailed written specifications for the goods, services, or works required, and pre-determined evaluation criteria must be prepared.
- (b) Authorisation received from relevant authorised officer to the respected limit to invite panel members to respond.
- (c) Follow the relevant process outlined in the town procedures.

10.8 Each quotation process, including the invitation to quote, communication with panel members, quotation

received, evaluation of quotes and notification of award (via purchase order) communication must all be captured in the Town's record management system. A record is to be maintained for each quotation process made under each Panel that captures all communication between the Town and Panel members.

## 11. Procurement Policy Non-Compliance

~~11.1~~ 11.1 All of All the Town's procurement activities are subject to financial and performance audits, internally and externally. These audits review compliance with legislative requirements and compliance with the Town's policies and management practices.

~~11.2~~ 11.2 If non-compliance with legislation, this policy, or the Code of Conduct, is identified it must be reported to the Chief Executive Officer and/or the Chief Financial Officer.

~~11.311.1~~ 11.311.1 A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking procurement activities, may be subject to investigation, with findings to be considered in context of the ~~responsible person~~ person responsible for training, experience, seniority and reasonable expectations for performance of their role.

~~11.411.2~~ 11.411.2 Where a breach is substantiated, it may be treated as:

- (a) An opportunity for additional training to be provided.
- (b) A disciplinary matter, which may or may not be subject to reporting requirements under the Public Sector Management Act 1994.
- (c) Where the breach is also identified as potentially serious misconduct, the matter will be reported in accordance with the Corruption, Crime and Misconduct Act 2003.

## 12. Contract Management

12.1 All contracts will be proactively managed by the officer responsible in accordance with the relevant management practice during the contract lifecycle to ensure the Town receives value for money and to enforce performance against the contract.

12.2 The Town's Procurement team are responsible for the administration and maintenance of the Town's contract management system and register. All goods and services contracts valued at \$50,000 (ex GST) and above will be maintained in the register.

12.3 The Town prefers procurement to be conducted under its own terms and conditions to mitigate risks. However, procurement under a supplier's terms can present significant adverse risks for the Town. In cases where it is not reasonable or practicable to proceed with the Town's terms, acceptance of a supplier's terms should be considered and referred to by the responsible officer in conjunction with the Procurement Team for evaluating whether the risks associated with accepting the supplier's terms are sufficiently low to be acceptable and whether further advice should be obtained.

12.4 Upon expiry of the original contract, and after any options for renewal or extensions included in the original contract have been exercised, the Town is required to review the procurement requirements and commence a new competitive procurement process in accordance with this Policy.

### Contract variations

12.5 In accordance with Local Government (Functions and General) Regulations 21A, a contract must not be varied unless:

- (a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of

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the contract, or

- (b) The variation is a renewal of extension of the term of the contract where the extension or renewal options were included within the original contract.

### 13. Record Management

13.1 All records associated with procurement activities must be retained in compliance with the State Record Act 2000 (WA), the Town’s Record Keeping Policy, and associated procurement procedures.

13.2 For a formal tender/quotation process this includes:

- (a) All tender/quotation documentation
- (b) Internal documentation
- (c) Evaluation documentation
- (d) All correspondence including enquiry and response documentation
- (e) Notification and award documentation

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13.3 For a direct procurement process this includes:

- (a) Quotation documentation, including correspondence and file notes
- (b) Internal documentation
- (c) Order forms and requisitions

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### 14. Related documents

**Legislation:**

- [Local Government Act 1995 \(WA\)](#)
- [Local Government \(Functions and General\) Regulations 1996 \(WA\)](#)
- [Local Government Act 1995 – Section 9.49A\(4\) - Execution of documents](#)
- [Public Sector Management Act 1994](#)
- [Corruption, Crime and Misconduct Act 2003](#)
- [State Records Act 2000 \(WA\)](#)

**Organisational:**

- [Policy 312 Credit Card Transaction Card](#)
- [Policy 332 Record Keeping Policy](#)
- [Management Practice 301.1 Purchasing](#)
- [Codes of Conduct](#)

<b>Responsible officers</b>	Manager Strategic Accounting Manager Finance <a href="#">Coordinator Contracts and Procurement</a> Procurement Officer <a href="#">Contracts and Procurement Officer</a> <a href="#">Procurement Support Officer</a>
<b>Policy manager</b>	Chief Financial Officer

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<b>Approval authority</b>	Council
<b>Next evaluation date</b>	<del>June 2025</del> <u>March 2026</u>

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### Revision history

Version	Action	Date	Authority	Resolution number	Report number
1					



<b>Policy number</b>	Policy 308
<b>Policy title</b>	Financial hardship
<b>Strategic outcomes supported</b>	CL1 – Effectively managing resources and performance CL3 - Accountability and good governance EC1 – Facilitating a strong local economy

### Policy objective:

To support the community in meeting unprecedented challenges arising from circumstances such as but not limited to state of emergencies, a public health emergency, economic downturn, chronic or mental health issues and provide assistance to debtors that may experience financial hardship during this time.

### Policy scope:

This policy applies to debt owed to the Town.

This policy is not intended to provide relief to persons who are not able to evidence financial hardship, and the statutory provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996 will apply.

This policy is intended to ensure that the Town offer a fair, equitable and dignified approach to individuals and organisations suffering financial hardship, whilst balancing the needs and expectations to the community.

### Policy definitions:

**Debtor** means any person who owes money to the Town, including persons owing rates and service charges.

**Payment difficulties, or short term financial hardship** means where a change in a debtors circumstances result in an inability to pay a debt.

**Financial hardship** occurs where:

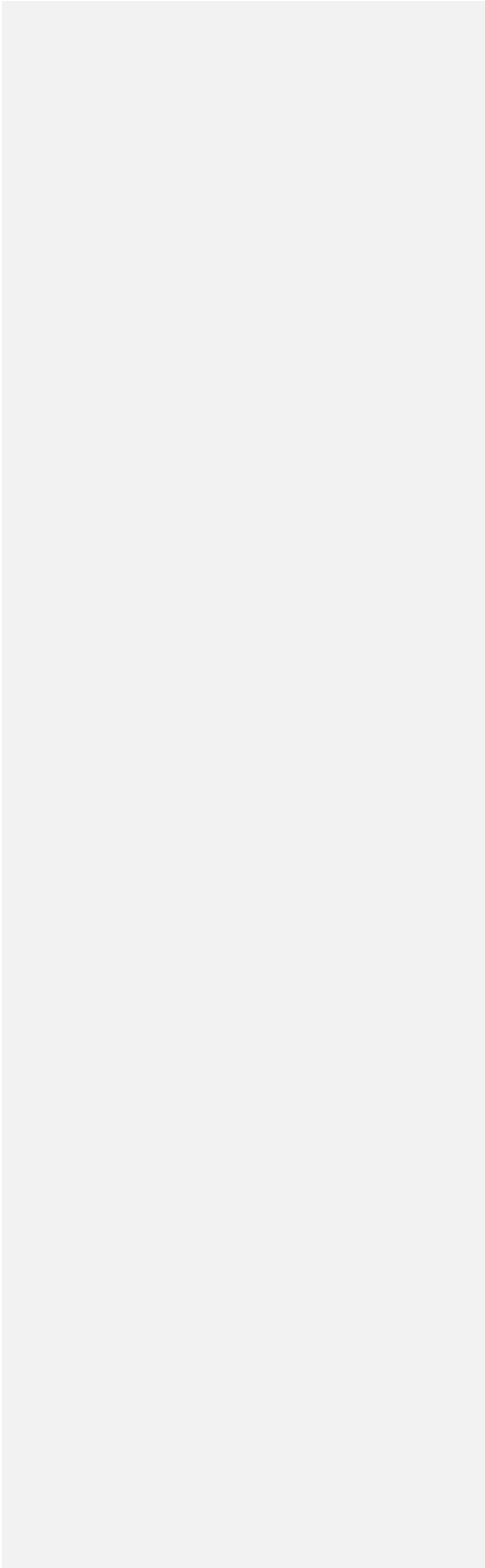
- a. a natural person who is identified by themselves, by the Town, or an accredited financial counsellor, or by a welfare agency as having the intention, but not the financial capacity, to make required payments in accordance with the Town's payment terms.
- b. a body corporate is experiencing financial hardship if it has:
  - i. a significant decline in revenue such that it is no longer profitable; and
  - ii. no reserves to draw upon such that payment to the Town would require an increase in the businesses debt.

**Residential ratepayer** means a person who is liable to pay a rate or service charge to the Town on the basis that the land is used for residential purposes.

**Small business** has the meaning given in the Small Business Development Corporation Act 1983.

**Small business** means a person who is liable to pay a rate or service charge to the Town on land used by the person

for the purpose of carrying out a small business owned or operated by the person.



### Policy statement:

1. This Policy is intended to ensure that the Town offers fair, equitable, consistent and dignified support to ratepayers, residents and businesses suffering hardship, while treating all members of the community with respect and understanding during this difficult time.
2. This relief provided to ratepayers will not include the write off of rates or service charges debt. It is an expectation that rates and service charges levied against will be paid within a reasonable time in order to ensure the Town can continue to provide services that benefit the whole community.

### Payment difficulties, hardship and vulnerability

3. During an economic downturn, public health emergency or other disaster, the occurrence of payment difficulties, financial hardship and vulnerability in the community increases. This policy is intended to apply to all debtors experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.
4. Many persons experience financial hardship during an economic downturn, public health emergency or other disaster. It is anticipated the probability that additional financial difficulties will arise when a rates notice or other invoice is received from the Town.
5. During an economic downturn, public health emergency or other disaster, the Town will write to debtors at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible debtors to apply for financial hardship consideration. Where possible and appropriate, The Town will also provide contact information for a recognised financial counsellor and/or other relevant support services.
6. Where a person experiences financial hardship outside of an economic downturn, public health emergency or other disaster, the mechanisms of the Town to assist a person experiencing financial hardships still apply.

### Financial hardship criteria

7. While evidence of hardship will be required, the Town recognises that not all circumstances are alike. The Town will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:
  - a. Recent unemployment and changes in household income;
  - b. Sickness or recovery from sickness;
  - c. Low income or loss of income;
  - d. Unanticipated circumstances such as caring for and supporting extended family;
  - e. A requirement to close a business due to government direction or natural disaster;
  - f. A loss of tenants at a property with a long term inability to obtain new tenants, or tenants that are unable to make payment of rent;
  - g. Family and domestic violence;
  - h. Estate issues.
8. Debtors are encouraged to provide any information about their particular circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. The Town will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying with statutory responsibilities.
9. Other documentation that could be requested are statutory declarations, proof of Centrelink benefits inclusive of job seeker payments and documentation from an appropriate medical professional.

10. An application for financial hardship consideration, in relation to rates and service charges, should be related to the circumstances of each individual rates assessment.

11. Applications relating to investment properties will generally not be considered eligible for financial hardship relief, as these properties are considered income-generating properties. Relief may only be considered in exceptional circumstances, where the applicant can demonstrate severe and unforeseen hardship, there is clear evidence that no rental income is being received and all reasonable steps to mitigate the financial impact have taken.

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## Payment arrangements

~~14-12.~~ Payment arrangements for rates and service charges facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- a. That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- b. The payment arrangement will establish a known end date that is realistic and achievable;
- c. The ratepayer will be responsible for informing the Town of any change in circumstance that jeopardises the agreed payment schedule.

~~12-13.~~ In the case of financial hardship, the Town reserves the right to consider waiving additional charges or interest (excluding the Emergency Services Levy, including any fees or interest associated, as this is levied on behalf of the State Government).

~~13-14.~~ Where a ratepayer is a residential ratepayer or small business ratepayer and is experiencing financial hardship as a result of a pandemic, no interest shall be charged or instalment/payment plan fees applied to these ratepayers.

~~14-15.~~ Payment arrangements for other debts can be facilitated as appropriate in accordance with Policy 303 Debt collection.

## Deferment of rates

~~15-16.~~ Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- a. remains as a debt on the property until paid;
- b. becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- c. may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- d. does not incur penalty interest charges.

## Debt recovery

~~16-17.~~ Despite Policy 303 Debt collection, the Town will suspend debt recovery processes whilst negotiating a suitable payment arrangement with a debtor experiencing financial hardship. Where a debtor experiencing financial hardship is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3<sup>rd</sup> due payment, then we will continue to suspend debt recovery processes.

~~17-18.~~ Where a debtor has not reasonably adhered to the agreed payment plan, then for any debts that remain outstanding at the end of the financial year in which the rates notice/invoice was issued, the Town will offer the debtor one further opportunity of adhering to a payment plan that will clear the total debt by the end of the following financial year.

~~18-19.~~ Debts that remain outstanding at the end of the following financial year, will then be subject to the debt recovery procedures prescribed in the Local Government Act 1995 and Policy 303 Debt Collection.

## Review

~~19.20.~~ The Town will establish a mechanism for review of decisions made under this policy.

~~20.21.~~ Applicants will be advised of the outcome of their application within four weeks.

## Communication and confidentiality

~~21.22.~~ The Town will maintain confidential communications at all times and the Town will undertake to communicate with a nominated support person or other third party at a debtors request.

~~22.23.~~ The Town will advise debtors of this policy and its application, when communicating in any format (i.e. verbal or written) with a debtors that has an outstanding rates or service charge debt.

~~23.24.~~ The Town recognises that applicants for hardship consideration are experiencing additional stressors, and may have complex needs. The Town will provide additional time to respond to communication and will communicate in alternative formats where appropriate. The Town will ensure all communication with applicants is clear and respectful.

## Related documents

[Local Government Act 1995](#)

[Local Government \(Financial Management\) Regulations 1996](#)

[Rates and Charges \(Rebates and Deferments\) Act 1992](#)

[Policy 303 Debt collection](#)

<b>Responsible officers</b>	Manager Finance Coordinator Finance Senior Rates Officer
<b>Policy manager</b>	Chief Financial Officer
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	May 2026

## Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	19/05/2020	Council	414/2020	Item 15.2
2	Administratively amended	24/08/2023	Delegation		
3	Reviewed	20/02/2024	Council	7/2024	Item 11.3
4	Reviewed	20/05/2025	Council	95/2024	Item 11.3

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<b>Policy number</b>	<b>Policy 351</b>
<b>Policy title</b>	Parking permits
<b>Strategic outcomes supported</b>	EC1 – Facilitating a strong local economy EN6 – Improving how people get around the Town

### Policy objective:

1. To provide clear guidelines for the issue and control of Parking Permits, in accordance with the *Town of Victoria Park Vehicle Management Local Law 2021*.

### Policy scope:

2. This policy applies in relation to the issue of Parking Permits.

### Policy definitions:

3. Nil.

### Policy statement:

#### Types of permits

4. Residential Permits
5. Transitional Permits
6. Event Permits
7. Support Workers Permit

#### RESIDENTIAL PERMITS

##### Purpose

8. To provide residents who have limited onsite parking, with an exemption to access parking near their properties where certain sign-posted restrictions are in place.

##### Maximum Number

9. An eligible residential property, which does not comply with the on-site parking requirements of the State Planning Policy 7.3 Residential Design Codes (R Codes), may apply for a maximum of **one** residential permit.
10. Each permit may list up to three vehicle registrations, however, the permit may only be used by one vehicle at any one time.
11. Properties are ineligible for a residential permit if:

- a. They comply with the on-site parking requirements of the State Planning Policy 7.3 Residential Design Codes (R Codes); or
- b. The development approval concedes less than the required number of on-site parking bays under the R Codes.

### Application Process

12. To obtain a residential permit the applicant must complete the required application form.
13. The application form will not be accepted without payment of the applicable fee.
14. Documents demonstrating that the applicant resides in the Town are required to be provided along with the application form.
15. The application form must include documents demonstrating that the vehicle/s subject to the application are owned by, or exclusively accessible, to the applicant, who is also a resident at the applicable address.

### Eligibility Criteria

16. When assessing how many onsite parking bays are available the following criteria for a parking bay will be followed.
17. A standard parking bay on private property is equivalent to a space of 2.4m x 5.4m + an additional 300mm width for any wall or other barrier it abuts.
18. Driveways on private land leading to a carport or garage which are equivalent to the space of a parking bay are considered to be a parking bay for the purposes of assessing the application.
19. Spaces that could reasonably be converted into parking are considered to be a parking bay for the purposes of assessing the application.
20. Parking bays which are being used for purposes other than parking (such as storage of goods) are considered to be a parking bay for the purposes of assessing an application.
21. Residential Permits will not be issued to:
  - a. Heavy or Long Vehicles,
  - b. Caravans/Motorhomes/Campervan,
  - c. Boats,
  - d. Trailers,
  - e. Taxis, or
  - f. Buses,
22. Only residents of the Town of Victoria Park are eligible to apply for a permit.
23. Businesses, visitors and non-residents are ineligible for a residential parking permit.

## Terms and Conditions

24. Each residential permit is valid for **one** year.
25. Each permit can only be used by the vehicle/s allocated listed against the permit.
26. Residential permits cannot be used in parking bays where parking fees are payable.
27. Residential permits can only be used in the streets ~~or areas~~ as stated on the permit.
28. Residential permits give the user an exemption to park for longer than the sign-posted time limit where the time limit is ~~one~~two hours or greater.
29. All residential permits expire 12 months after the date of issue.
30. A permit does not guarantee the holder a parking bay.
31. All permits held by the applicant will be revoked without refund if misused.

## Applicable Fees

32. The application fee as stated in the Town's Schedule of Fees and Charges is required to be paid before an application will be accepted.
33. The application fee will not be refunded for incomplete or unsuccessful applications.
34. Refunds do not apply for unused permits.

## TRANSITIONAL PERMITS

### Purpose

35. To provide a period of up to **one** year for residents where new parking restrictions of one hour or more have been implemented adjacent to their residence, to make alternative arrangements if there is inadequate on-site parking available.

### Maximum Number

36. An eligible residential property may apply for a maximum of ~~three~~two transitional permits.
37. Properties with 2 or less onsite parking bays are eligible for up to ~~three~~two transitional permits.
38. Properties with 3 onsite parking bays are eligible for up to ~~two~~one transitional permits.
- ~~39. Properties with 4 onsite parking bays are eligible for one transitional permits.~~
- ~~40.~~39. Properties with 5 or more onsite parking bays are ineligible for transitional permits.

### Application Process

- ~~41.~~40. To obtain a transitional permit the applicant must complete the required application form.

~~42.41.~~ The application form will not be accepted without payment of the applicable fee.

~~43.42.~~ Documents demonstrating that the applicant resides in the Town are required to be provided along with the application form.

~~44.43.~~ The application form must include documents demonstrating:

~~45.44.~~ That the vehicles subject to the application are owned by, or exclusively accessible, to the applicant, who is also a resident at the applicable address.

~~46.45.~~ That the vehicles subject to the application were owned by, or exclusively accessible, to the applicant at the time that the parking restrictions were installed.

~~47.46.~~ One application form can be submitted for up to ~~3~~two permits.

~~48.47.~~ Transitional permits cannot be transferred between vehicles.

### Eligibility Criteria

~~49.48.~~ Transitional permit's may be issued to residents of properties where new parking restrictions of one hour or more have been implemented adjacent to their residence.

When assessing how many onsite parking bays are available the following criteria for a parking bay will be followed.

~~50.49.~~ A standard parking bay on private property is equivalent to a space of 2.4m x 5.4m + an additional 300mm width for any wall or other barrier it abuts.

~~51.50.~~ Driveways or similar on private land leading to a carport or garage which are equivalent to the space of a parking bay are considered to be a parking bay for the purposes of assessing the application.

~~52.51.~~ Space that could reasonably be converted into parking are considered to be a parking bay for the purposes of assessing the application.

~~53.52.~~ Parking bays which are being used for purposes other than parking (such as storage of goods) are considered to be a parking bay for the purposes of assessing an application.

~~54.53.~~ Transitional Permits will not be issued to

- a. Heavy or Long Vehicles,
- b. Caravans/Motorhomes/Campervan,
- c. Boats,
- d. Trailers,
- e. Taxis, or
- f. Buses,

~~55.54.~~ Only residents of the Town of Victoria Park are eligible to apply for a transitional permit.

~~56.55.~~ Businesses, visitors, and non-residents are ineligible for a permit.

## Terms and Conditions

~~57-56.~~ Each transitional permit is valid for **one** year after which time they will not be renewed or replaced.

~~58-57.~~ Each permit can only be used on the vehicle/s shown on the permit.

~~59-58.~~ Transitional permits cannot be used in parking bays where parking fees are payable.

~~60-59.~~ Transitional permits can only be used in the streets or areas as stated on the permit.

~~61-60.~~ Transitional permits provide the user with an exemption to park longer than the allowed limit in sign-posted time limited parking where the time limit is **one** hour or greater.

~~62-61.~~ A permit does not guarantee the holder a parking bay.

~~63-62.~~ All permits held by the applicant will be revoked without refund if misused.

## Applicable Fees

~~64-63.~~ The application fee as stated in the Town's Schedule of Fees and Charges is required to be paid before an application will be accepted.

~~65-64.~~ The application fee will not be refunded for incomplete or unsuccessful applications.

~~66-65.~~ Refunds do not apply for unused permits.

## Community Engagement

~~67-66.~~ In the event new or reduced timed parking or paid parking restrictions are introduced into an area, affected residents adjacent to the restrictions shall be notified in writing about the availability of appropriate permits.

## EVENT PERMITS

### Purpose

~~68-67.~~ To provide residents and businesses with an exemption to access parking near their properties, on dates which are published on the Optus Stadium website, for events held at Optus Stadium.

### Maximum Number

~~69-68.~~ An eligible residential or commercial address may apply for a maximum of one permit.

### Application Process

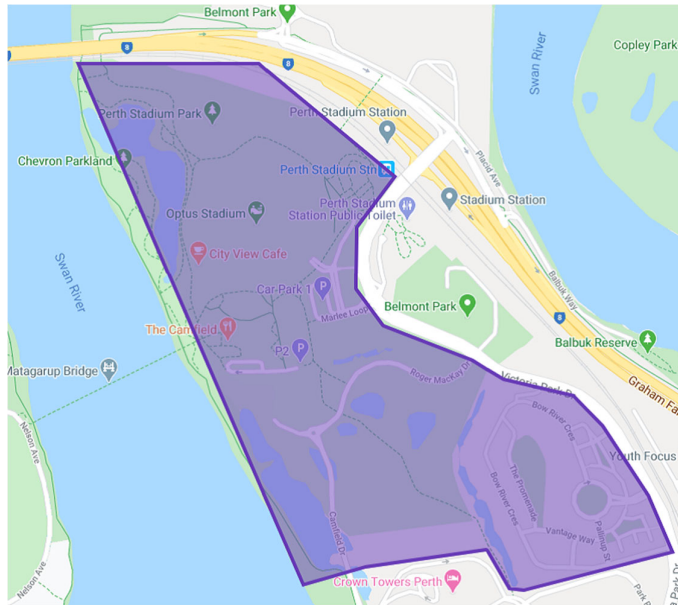
~~70-69.~~ To obtain an event permit the applicant must complete the required application form.

~~71-70.~~ The application form will not be accepted without payment of the applicable fee.

72-71. Documents demonstrating that the applicant resides or is registered at the address stated in the application form, are required to be provided along with the application form.

### Eligibility Criteria

73-72. The applicant must reside or be a registered business in the Burswood Peninsula, in Town of Victoria Park's local government area, and within the indicated area shown in the map below.



- 74-73. Event Permits will not be issued to:
- a. Heavy or Long Vehicles,
  - b. Caravans/Motorhomes/Campervans,
  - c. Boats,
  - d. Trailers,
  - e. Taxis, or
  - f. Buses.

### Terms and Conditions

75-74. Each event permit is valid for **one** year and will expire 12 months after the date of issue.

76-75. Event permits cannot be used in parking bays where time restrictions apply or where parking fees are payable.

77-76. Event permits can only be used in the streets or areas as stated on the permit.

78-77. A permit does not guarantee the holder a parking bay.

79-78. Vehicle registration details on the digital permit system must always be up to date.

~~80-79.~~ Each permit can only be used on the vehicle shown on the permit.

~~81-80.~~ Permits will be revoked without refund if misused.

### Applicable Fees

~~82-81.~~ The application fee as stated in the Town's Schedule of Fees and Charges is required to be paid before an application will be accepted.

~~83-82.~~ The application fee will not be refunded for incomplete or unsuccessful applications.

~~84-83.~~ Refunds do not apply for unused permits.

### SUPPORT WORKER PERMIT

#### Purpose

~~85-84.~~ To provide registered support workers attending residents with limited onsite parking, an exemption to access parking near the resident's property where certain sign-posted restrictions are in place to assist with the provision of care.

#### Maximum Number

~~86-85.~~ An eligible resident may apply for a maximum of **one** (1) permit.

### Application Process

~~87-86.~~ To obtain a support workers permit the applicant must complete the required application form.

~~88-87.~~ The application form will not be accepted without payment of the applicable fee.

~~89-88.~~ Documents demonstrating that the applicant resides or is registered at the address stated in the application form, are required to be provided along with the application form.

~~90-89.~~ Documents demonstrating the need for care by a registered support worker and the care schedule is required to be provided along with the application form.

#### Eligibility Criteria

~~91-90.~~ Only residents of the Town of Victoria Park are eligible to apply for a permit on behalf of their support worker.

~~92-91.~~ The support worker must be registered with an accredited provider.

#### Terms and Conditions

~~93-92.~~ Where support is ongoing, a support workers permit is valid for **one** year and will expire 12 months after the date of issue.

~~94.93.~~ Where support is short-term, a support worker permit is valid for the time specified as part of the permit conditions.

~~95.94.~~ Support worker permits cannot be used in parking bays where time restrictions of less than ~~one-two~~ (12) hours apply or where parking fees are payable.

~~96.95.~~ Support worker permits can only be used in the streets or areas as stated on the permit and during periods when care is required.

~~97.96.~~ A permit does not guarantee the holder a parking bay.

~~98.97.~~ Vehicle registration details on the digital permit system must always be up to date.

~~99.98.~~ Each permit can only be used on the vehicle shown on the permit.

~~100.99.~~ Permits will be revoked without refund if misused.

~~101.100.~~ Permits will not be issued to:

- a. Heavy or Long Vehicles,
- b. Caravans/Motorhomes/Campervans,
- c. Boats,
- d. Trailers,
- e. Taxis, or
- f. Buses.

### Applicable Fees

~~102.101.~~ The application fee as stated in the Town's Schedule of Fees and Charges is required to be paid before an application will be accepted.

~~103.102.~~ The application fee will not be refunded for incomplete or unsuccessful applications.

~~104.103.~~ Refunds do not apply for unused permits.

### Discretionary Authority

2. Notwithstanding any other provisions which restrict the number of permits that may be issued, the Chief Executive Officer may approve the issue of additional permits, to any resident or business, under such conditions as the Chief Executive Officer considers necessary.

### Related documents

*Town of Victoria Park Vehicle Management Local Law 2021*

**Responsible  
officers**

**Coordinator Parking and Rangers**

**Supervisor—Parking**

<b>Policy manager</b>	Manager Business Services
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	October 2026

### Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	09/10/2012	Council		Item 14.4
2	Reviewed	09/07/2013	Council		Item 10.1
3	Reviewed	11/08/2015	Council		Item 10.1
4	Reviewed	20/08/2019	Council	184/2019	Item 10.1
5	Reviewed and amended	21/04/2020	Council	384/2020	Item 15.6
6	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5
7	Administratively amended	24/08/2023	Delegation		
8	Reviewed and amended	15/10/2024	Council	258/2024	Item 11.3

<b>Policy number</b>	Policy 404
<b>Policy title</b>	Fireworks events
<b>Strategic outcomes supported</b>	EC2 – Connecting businesses and people to our local activity centres through place planning and activation

## Policy objective:

To provide a clear, consistent process for the assessment of Fireworks Event Notices and to outline the criteria by which the Town will assess proposals for the use of fireworks.

## Policy scope:

The Department of Local Government, Industry, Regulation and Safety (LGIRS) is responsible for the approval of fireworks displays. Prior to lodging an application with LGIRS, a fireworks contractor must lodge a Fireworks Event Notice with the WA Police, the Department of Fire and Emergency Services (DFES) and the relevant local government. The Town's role is to indicate support or opposition to the fireworks event to assist LGIRS in its decision making process.

This policy applies to all Fireworks Event Notices for fireworks displays proposed within the Town.

The Town does not assess fireworks events for compliance with the requirements of the relevant legislation for the use and storage of fireworks. This is the sole responsibility of the Licensed Fireworks contractor and LGIRS under the Dangerous Goods Safety Act 2004.

The Town's function in assessing a Fireworks Event Notice is limited to community impacts associated with noise from fireworks display, proximity to residences and environmental impacts.

## Policy definitions:

**Fireworks** has the meaning given to the term in the Dangerous Goods Safety (Explosives) Regulations 2007 being: "an article or substance containing one or more explosives with or without other substances, that is designed to entertain people by producing light, sound, gas, smoke, or a combination of them, by means of or a combination of them, by means of an exothermic chemical reaction that does not rely on oxygen from external sources to sustain the reaction, but not a model rocket motor".

**Fireworks event** has the meaning given to that term in regulation 136 of the Dangerous Goods Safety (Explosives) Regulations 2007 being:

"an event or show that involves the use of a firework outdoors to entertain one or more people, whether at a public or private event or show".

For the purposes of this policy, fireworks displays that occur over a number of days/times at one venue for the same purpose are regarded as one event.

**Fireworks Event Notice** refers to the relevant LGIRS form or notice submitted to the Town for a fireworks event. The Notice is a pre-requisite for a Fireworks Event Permit, issued by the Department.

**Licensed fireworks contractor** is the contractor licensed by LGIRS as stipulated in the Fireworks Event Notice.

**Private events** means an event that is private (normally by invitation) and not open to the public such as private parties, weddings, etc; held at function centres (or similar venues).

**Community/Public Events** means an event open to the community or the public, whether ticketed or not (i.e. shows, fairs, fetes, concerts etc).

## Policy statement:

### Assessment of Fireworks Event Notice:

1. When considering a Fireworks Event Notice, the Town's principal considerations will include:
  - a. The environmental health impact of the fireworks event upon the community including but not limited to the noise impact;
  - b. Ensuring the community is reasonably informed of the fireworks event.

### Process to assess Fireworks Event Notice:

2. A Fireworks Event Notice application is to be submitted to the Town at least 14 60 days prior to the event.
3. Applications received less than 14 60 days prior to the event will be charged a late application fee.
4. ~~A Fireworks Event Notice will not be supported by the Town without the submission of an application under Regulation 18, and the issuing of an approval.~~

### Assessment criteria considered by the Town:

5. In assessing a Fireworks Event Notice, the Town will consider the following matters:
  - a. Whether the event is in the public interest;
  - b. The duration of the event;
  - c. The frequency, including both for the proposed event as well as the number of other events that have occurred at the same venue in the same calendar year.
  - d. The day(s) and time(s) of the event;
  - e. Shell sizes;
  - f. Consideration of previous applications and any previous complaints;
  - g. The likely noise impacts.

### No objection to Fireworks Event Notice:

6. Having regard for the principal considerations outlined in clause 1 above, the Town will offer no objection to a Fireworks Event Notice where the following circumstances are met:
  - a. The event at which the fireworks display is proposed, is in the officer's opinion in the public or community interest, having regard for the reason for the event and expected size of the event; and
  - b. The fireworks display is no greater than 30 minutes in duration; and
  - c. ~~The subject venue has not had more than five (5) fireworks events in any twelve (12) month period;~~ and

- d. Scheduled to occur within the following day and time limitations:
  - i. From Sunday to Thursday displays will conclude no later than 10.00pm.
  - ii. On Fridays and Saturdays, displays will conclude no later than 11.30pm; or
  - iii. On New Year's Eve (31 December) displays will conclude no later than 12.30am on 1 January.

#### Consideration of fireworks events in other cases:

7. Where a proposed fireworks event does not satisfy one or more of the items listed in clause 6 above, then the Town will consider the proposal on its merits having regard to the relevant considerations outlined at clauses 1 and 5.

#### Objection to Fireworks Event Notice:

8. Having regard to clauses 1 and 5, the Town may object to a Fireworks Event Notice where it believes the fireworks event is not in the public interest or will present an unacceptable impact upon the residents of the Town.
- ~~9. If the Town intends to object to a Fireworks Event Notice, it will provide the applicant with a right of reply to the objection before it completes the Fireworks Event Notice.~~

#### Conditions deemed necessary:

10. Where the Town supports the Fireworks Event Notice, it will be subject to the following conditions and any other conditions considered appropriate:
  - a. That public notification of the event be undertaken by the applicant as follows:
    - i. In relation to a community or public event, the notification is to comprise:
      - ~~• a notice published in a newspaper circulated throughout the Town, detailing the location, date and time of the fireworks event, and the relevant event and~~
      - a letter to all **noise sensitive premises** properties within 1 km radius of the event location and
      - ~~• a notice on the Town's website.~~
    - ii. In relation to a private event, the notification is to comprise a letter to all **noise sensitive premises** properties within a 250m radius of the event location; and
    - iii. In either instance, the relevant notification is to occur between 7 and 21 days prior to the event and a copy and evidence of the notification is to be provided to the Town prior to the event.
  - b. The licensed fireworks contractor must hold a current public liability insurance policy to a minimum value of \$10,000,000.
11. The Town reserves the right to vary conditions within clause 10a of this policy or apply additional conditions on a case-by-case basis in response to events varying in location and size.
12. All conditions will be applied with the intention to:
  - a. ensure Fireworks Events do not cause unnecessary nuisance to the residents of the Town.
  - b. ensure the community is adequately informed of the fireworks event; and
  - c. reduce any unreasonable disturbance to the community.

## Related documents

[Environmental Protection \(Noise\) Regulations 1997](#)  
[Local Government Act 1995](#)  
[Dangerous Goods Safety Act 2004](#)  
[Dangerous Goods Safety \(Explosives\) Regulations 2007](#)

<b>Responsible officers</b>	Principal Environmental Health Officer Environmental Health Officer
<b>Policy manager</b>	Manager Development Services
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	February 2026

## Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	20/08/2002	Council		Item 1.3
2	Reviewed	15/08/2006	Council		Item 4.1
3	Reviewed	09/07/2013	Council		Item 10.1
4	Reviewed	11/08/2015	Council		Item 10.1
5	Reviewed	20/08/2019	Council	148/2019	Item 10.1
6	Reviewed and amended	12/04/2022	Council	83/2022	Item 15.3
7	Administratively amended	24/08/2023	Delegation		
8	Reviewed	20/02/2024	Council	7/2024	Item 11.3

<b>Policy number</b>	Policy 406
<b>Policy title</b>	Temporary food businesses and itinerant food vendors
<b>Strategic outcomes supported</b>	EC1 – Facilitating a strong local economy EC2 – Connecting businesses and people to our local activity centres through place planning and activation

## Policy objective:

- To promote the success and vibrancy of the Town’s established food destinations and commercial strips, including Albany Highway;
- To provide opportunities for the development and growth of small businesses;
- To balance the competing needs and interests of pedestrians, consumers and local business proprietors by detailing the circumstances in which temporary food businesses and itinerant food vendors are permitted to operate in public places; and
- To outline the process and type of permit that temporary food businesses must apply for and obtain from the Town in order to trade in public places.

## Policy scope:

- This policy applies to all temporary food businesses operating in public places (whether on private or public land) within the Town of Victoria Park.
- All temporary food businesses are required to comply with the Food Act 2008, the Food Regulations 2009 and the FSANZ Food Standards Code, in addition to any requirements that may be applicable under this Policy or conditions stipulated on a Temporary Food Business Permit.

## Policy definitions:

**Food stall** includes a stall, tent, marquee or barbecue stand that is used to sell food at an occasional event and is usually dismantled after an event.

**Food vehicle** includes any:

- Registered vehicle, caravan, trailer or any other method of transport from which food is sold; and
- Non-road registered vehicles such as, but not limited to, coffee carts, hotdog carts or similar vehicles; but does not include a food stall.

**Itinerant food vending** means any food vehicle or food stall selling food or drink from the roadway or other public place that travels from place to place to engage in trade, and not staying in one location other than while executing a sale.

**Itinerant food vendor** is a person or business that engages in itinerant food vending.

**Local Law** where mentioned in this Policy refers to the Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 (as amended).

**Public place** has the same meaning given to it under Part 5, Clause 5.1 of the Local Law and includes:

- a. any thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property; and
  - b. local government property;
- but does not include premises on private property from which trading is lawfully conducted under a written local law.

**Temporary food business** is a person or business involved in the preparation and dispensing of food products from a food vehicle or food stall.

**Temporary Food Business Permit** means a permit issued by the Town under the provisions of the Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 (as amended), granting conditional approval to trade.

## Policy statement:

### Temporary Food Business Permit ~~required to trade~~

1. Any food truck **vehicle** or food stall engaging in trade in a public place within the Town must first apply for and obtain a Temporary Food Business Permit.
2. The approval and issue of a Temporary Food Business Permit by the Town to permit trading of a food stall constitutes the granting of a "stallholder's permit" under Part 5, Clause 5.2 of the Local Law.
3. The approval and issue of a Temporary Food Business Permit by the Town to permit trading of a food vehicle constitutes the granting of a "trader's permit" under Part 5, Clause 5.3 of the Local Law.
4. The permit holder must at all times comply with the requirements of the Local Law, this Policy and any conditions or other trading requirements specified on the Temporary Food Business Permit.
5. Applications for a Temporary Food Business Permit must be in the form prescribed by the Town.
- ~~6. Temporary Food Business Permits may be applied for on:~~
  - ~~a. an annual basis to trade at multiple separate events within the same financial year, with the required fee to be paid in full or calculated on a pro-rata basis of the annual fee up until 30 June (subject to any minimum fee requirement); or~~
  - ~~b. for a single event only (whether the event operates on a single day or over multiple days).~~
- ~~7. Payment of any applicable fees and charges as prescribed in the Town's adopted Fees and Charges must be paid prior to the issue of the Temporary Food Business Permit.~~
8. For small scale events (with ten or less temporary food businesses intending to trade) applications for a Temporary Food Business Permit should be submitted at least two weeks prior to the intended date of trade. Late applications may be refused.
9. For large scale events (more than ten temporary food businesses intending to trade) applications for a Temporary Food Business Permit should be submitted at least four weeks prior to the intended date of trade. Late applications may be refused.
10. Land owner consent to trade must be provided with an application where the trade is proposed to occur on private land or other land not under the Town's control and management.
11. The consent of the land owner(s) and/or event organiser is required in order for a Temporary Food Business Permit to be issued.
12. The Town reserves the right to refuse an application to trade in a public place for reasons of public safety, convenience, amenity, noise, traffic or any other risks or potential impacts it considers appropriate.

### Trading on land under control and management of the Town

13. Temporary food businesses may only trade in public places under the control and management of the Town on a temporary basis in association with Town approved events.

14. Where an application for a Temporary Food Business Permit is made seeking to trade at an event which requires the Town's approval, a permit will not be granted until such time as the event has been approved.
15. Trading on the Town's verges, public car parking bays or on-street is not permitted, except where such trade is occurring in association with an approved event and the Town has actively sought to invite or engage such trade to occur.
16. Trading in public places under the control and management of the Town on an opportunistic, commercial basis that is not associated with an approved event is not permitted. Examples of these public places include, but are not limited to, public open spaces, roads, streets, laneways, public car parks/car parking bays and verges.

### Itinerant food vending

17. Itinerant food vending is not permitted in public places under the control and management of the Town in view of the following:
  - a. the unregulated and highly transient nature of trading that may present a public safety risk to pedestrians, vehicles and other road users through frequent stopping and moving on of itinerant food vehicles, and the potential conflict between customers and vehicles that may occur during trade;
  - b. the playing of music or other forms of noise to attract customers that may cause disruption or nuisance to the residents of locations that itinerant vendors may travel through or trade within; and
  - c. the highly transient nature of the trade, which undermines the objectives of this Policy to promote the Town's established food destinations.
  - d. Ice cream trucks to be exempt from the above.
18. The public places where itinerant food vending is not permitted to occur include, but are not limited to, public open spaces, roads, streets, laneways, public car parks/car parking bays and verges.
19. Itinerant food vendors are encouraged to seek approval to trade as an authorised temporary food business at approved events held within the Town.

### Related documents

[Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 Local Government Property Local Law 2000](#)  
[Food Act 2008](#)  
[Food Regulations 2009](#)

<b>Responsible officers</b>	Principal Environmental Health Officer
<b>Policy manager</b>	Manager Development Services
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	February 2026

## Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	20/08/2019	Council	151/2019	Item 11.1
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3	Administratively amended	24/08/2023	Delegation		
4	Reviewed	20/02/2024	Council	7/2024	Item 11.3

