

# Agenda

## Ordinary Council Meeting

**10 December 2024**

### Notice of Meeting

The next Ordinary Council Meeting will take place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on ***Tuesday, 10 December 2024*** commencing at ***7:00pm.***

Yours sincerely



**JEREMY EDWARDS**  
**CHIEF EXECUTIVE OFFICER**

**28 November 2024**

**Meeting Procedures**

1. All Council meetings are open to the public, except for matters dealt with under 'Confidential Items'.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a City Staff Member.
3. Members of the public may ask a question during 'Public Question Time'. Questions are limited to three per person before other members of the public will be invited to ask their questions. If there is sufficient time, the Presiding member may allow you to ask additional questions if there are no more questions from other members of the public.
4. Meeting procedures are in accordance with the City's *Standing Orders Local Law 2021*.
5. To facilitate smooth running of the meeting, silence is to be observed in the public gallery at all times, except for 'Public Question Time'.
6. Persons are not permitted to record (visual or audio) at the Council meeting without prior approval of the Council.
7. Council meetings will be livestreamed in accordance with the resolution of 24 August 2021. Images and voices may be captured and streamed. If you have any issues or concerns regarding the live streaming and recording of meetings, please contact the City's Governance team.
8. In the event of an emergency, please follow the instructions of City of Bayswater Staff.

**City of Bayswater**

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# Council Chambers Seating Plan



## West Ward



## Central Ward



## South Ward

Cr Nat Latter

Cr Michelle Sutherland

## North Ward



Public Gallery (including press)

### Nature of Council's Role in Decision Making

<b>Advocacy:</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<b>Executive/Strategic:</b>	The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<b>Legislative:</b>	Includes adopting local law, town planning schemes and policies.
<b>Review:</b>	When Council reviews decisions made by officers
<b>Quasi-Judicial:</b>	When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.  Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits/licenses (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

### *City of Bayswater Standing Orders Local Law 2021*

#### **6.9 DEPUTATIONS**

- (1) Allowance has been established for deputations to be heard at Agenda Briefing Forums the week prior to the Ordinary Council Meeting by any person or group wishing to be received. A deputation may be heard at the Council meeting, Agenda Briefing Forum or a Committee meeting open to the public at the discretion of Council, and the depute is to either-
  - (a) apply, before the meeting, to the CEO for approval and can be considered in both a verbal and written format;
  - (b) with the approval of the Presiding Member, at the meeting; and-
  - (c) are to be received by 1.30pm on the day of the forum receiving the deputation.
- (2) Upon receipt of a request for a deputation the CEO must refer the request to the relevant Council meeting, Agenda Briefing Forum or a Committee meeting.
- (3) Unless the Presiding Member allows, a depute invited to attend the meeting is not to address the meeting for a period exceeding 5 minutes.
- (4) Unless given leave by the Presiding Member, only two members of the deputation may address the meeting, although others may respond to specific questions from Members.
- (5) For the purposes of this clause, unless Council, Agenda Briefing Forum or the Committee determines otherwise, a deputation is taken to comprise all those people either in favour of, or opposed to, the matter which is the subject of the deputation.
- (6) Unless Council, Agenda Briefing Forum or the Committee resolves otherwise, any matter which is the subject of a deputation to the Council, Agenda Briefing Forum or a Committee open to the public is not to be decided by Council, Agenda Briefing Forum or the Committee until the deputation has completed its presentation.
- (7) The Presiding Member may require deputations to leave the meeting while other deputations are being heard in relation to that matter.
- (8) A member of the public who makes a deputation is to state his or her name and address, however only the name will be published in the minutes.



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## 1 Official Opening

## 2 Acknowledgement of Country

The Presiding Member will deliver the Acknowledgement of Country.

### Noongar Language

*Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Wadjuk moort Noongar moort, boordiar's koora koora, boordiar's ye yay ba boordiar's boordawyn wah.*

### English Language Interpretation

*We acknowledge the Traditional Custodians of the Land, the Whadjuk people of the Noongar Nation, and pay our respects to Elders past, present and emerging.*

## 3 Announcements From The Presiding Member

## 4 Attendance

### **Members**

Mayor Filomena Piffaretti (Presiding Member)

#### South Ward

Cr Elli Petersen-Pik Deputy Mayor

Cr Nat Latter

#### North Ward

Cr Josh Eveson

Cr Sally Palmer

Cr Michelle Sutherland

#### Central Ward

Cr Assunta Meleca

Cr Steven Ostaszewskyj

#### West Ward

Cr Dan Bull

Cr Lorna Clarke

Cr Giorgia Johnson

### **Officers**

Jeremy Edwards

Bianca Sandri

Luke Botica

Kym Leahy

Amanda Albrecht

Karen D'Cunha

Chief Executive Officer

Director Community Services

Director Infrastructure and Assets

Director Corporate Services

Manager Governance and Strategy

Coordinator Governance

### **Observers**

Press -

Public -

#### 4.1 Apologies

Nil at the time of publishing this agenda

#### 4.2 Approved Leave of Absence

Elected Member	Date of Leave	Approved by Council
Cr Steven Ostaszewskyj	2 December 2024 to 3 December 2024 inclusive	Ordinary Council Meeting 22 October 2024
Cr Steven Ostaszewskyj	13 December 2024 to 13 January 2025 inclusive	Ordinary Council Meeting 19 November 2024
Cr Giorgia Johnson	19 December 2024 to 26 December 2024 inclusive	Ordinary Council Meeting 22 October 2024

#### 4.3 Applications for Leave of Absence

#### 5 Disclosure of Interest Summary

In accordance with section 5.65 of the *Local Government Act 1995* (WA):

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

The following disclosure of interest was provided before the meeting:

Name	Item No.	Type of Interest	Nature of Interest
Bianca Sandri, Director Community Services	10.4.2	Impartial	The applicant is a former client.

#### 6 Public Question Time

In accordance with the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the *City of Bayswater Standing Orders Local Law 2021* the following procedures relate to public question time:

1. A member of the public who raises a question during question time, is to state his or her name and address.
2. Each member of the public with a question is entitled to ask up to 3 questions before other members of the public are invited to ask their questions. If there is sufficient time, the Presiding Member may allow additional questions if there are no more questions from other members of the public.
3. The minimum time to be allocated for public question time is 15 minutes.
4. Questions from the public must relate to a matter affecting the local government. Questions relating to matters of business listed on the agenda will be considered in the first instance, followed by questions relating to Council business not listed on the agenda.
5. A summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.
6. Where a question is taken on notice at the meeting, a summary of the response to the question will be provided in writing to the member of public and included in the agenda for the following meeting.

## 6.1 Responses to Public Questions Taken on Notice

**Gary Phillips**  
**Bedford**  
**Firebreaks**

### Question

**If there is a decision to install a firebreak on my property, which is 10m<sup>2</sup>, why is the lawn mower contractor allowed to bill me for 1,000m<sup>2</sup>, which is the size of my block?**

### Response

The Director Community Services and Manager Rangers and Security met with Mr Phillips on site on 25 November 2024.

The City's contractor currently charges a flat rate of \$139 for blocks up to 500sqm and \$247 for lots between 501sqm and 1000sqm.

Mr. Phillips query relates to clearing of his block by the City's contractor during the 2017/2018 fire season and the contracted rate was \$175 for lot sizes between 501sqm and 1000sqm at that time. At the time Mr. Phillips land had not formally been subdivided and City's records showed the total land area to be 983sqm.

**Harvey Tonkin**  
**Noranda**  
**Deschamp Reserve**

### Question

**My question in writing about Deschamp Reserve, the response references 1 McCarthy Place however the drainage reserve in question doesn't have access to McCarthy Place. Was there a reason why the drainage reserve was not incorporated as part of the reserve?**

### Response

On 21 November 2000, Council resolved to make the City of Bayswater Dogs Local Law 2001. Schedule 3 of the local law lists 36 public places designated as dog exercise areas and each of these places are listed by name of reserve, address and reserve/lot number.

Deschamp Reserve, Reserve Number 40589, was listed as a dog exercise area. This area remains an off-lead dog exercise area. The south eastern corner of the Reserve, referred to as the "drainage reserve" appears on City records as a separate entity as Lot 300.

The City has requested historical data and is awaiting a response however investigations to date show the zoning may have previously been considered "static" and therefore not fit for purpose. This may be due to its earlier zoning as "drainage" rather than "Public Open Space" and not considered as a dog exercise area.

### Question

**Can it be changed when we review the Dog Act?**

### Response

Whilst the City does not have authority to review the *Dog Act 1976* due to it being state legislation, section 33(A) authorises local governments to declare certain public places as dog exercise areas.

As the Reserve is owned by the City it is open for Council to consider changing its status to a dog exercise area if considered appropriate.

**6.2 Public Question Time**

**7 Confirmation of Minutes**

**7.1 Ordinary Council Meeting - 19 November 2024**

**The Minutes of the Ordinary Council Meeting held on 19 November 2024 which have been distributed, be confirmed as a true and correct record.**

**8 Presentations**

**8.1 Petitions**

**8.2 Presentations**

**8.3 Deputations**

Deputations are to be heard at the Agenda Briefing Forum at **7:00pm** on **Tuesday 3 December 2024**, in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley.

**8.4 Delegates Reports**

**9 Method of Dealing With Agenda Business**

With the exception of items identified to be withdrawn for discussion, the remaining reports will be adopted by exception (enbloc).

An adoption by exception resolution may not be used for a matter:

- (a) in which an interest has been disclosed;
- (b) that has been the subject of a petition or deputation;
- (c) that is a matter on which a Member wishes to make a statement; or
- (d) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

**10 Reports****10.1 Chief Executive Officer Reports****10.1.1 Transparency Update**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Executive/Strategic Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Confidential Items 2023 and 2024 Calendar Years [10.1.1.1 - 6 pages]
<b>Refer:</b>	Item: 11.2 OCM: 23.08.2022 Item: 10.1.5 OCM: 6.12.2022

**SUMMARY**

This report provides:

- an update to Council on transparency improvements made by the City in relation to Council agenda reports;
- the opportunity for Council to release information from confidential Council reports in the 2023 and 2024 calendar years to the public; and
- information about upcoming changes to confidentiality provisions as an outcome of the reform of the *Local Government Act 1995*.

**OFFICER'S RECOMMENDATION**

That Council:

1. **Notes the transparency improvements made by the City in relation to confidential Council report items.**
2. **Approves the release of information from confidential items for the 2023 and 2024 calendar years in accordance with the officer's recommendations in Attachment 1.**
3. **Notes the update provided in this report regarding reforms to the confidentiality provisions in the *Local Government Act 1995*.**

**BACKGROUND**

The Council has previously resolved to improve transparency of information available to the public in Council Meeting Agendas.

At its meeting of 23 August 2022, Council resolved:

*"That Council, in an attempt to ensure good governance and increase transparency, requests the Chief Executive Officer to reduce the amount of information classified as "confidential" at Council and Committee meetings by separating, wherever possible, non-confidential information from confidential reports and attachments and including it as part of the publicly available report"*

Further to this, at the Ordinary Council Meeting of 23 August 2022, the Council requested the City to adopt the following improvements in relation to the transparency of Council items:

- "...(a) Make the officer's recommendation and Council resolution on confidential items public where possible and provide centralised oversight to ensure that officers write public reports, with confidential attachments and only keep reports wholly confidential when it is not feasible to do so.*

- (b) *Provide an annual report for Council consideration at its December meeting, in relation to releasing information from confidential reports throughout the year that is no longer considered confidential."*

As no report was provided for release of confidential information at the December 2023 meeting, this report provides an analysis of information that may be considered by Council for release for both the 2023 and 2024 calendar years.

## EXTERNAL CONSULTATION

No consultation has occurred with the public or other agencies on this matter.

## OFFICER'S COMMENTS

### Transparency Improvements

The City has changed its approach to Council report writing in 2023 and 2024 to increase the amount of information provided in the officer report for the public domain and, where necessary, separate out confidential material into confidential attachments. This approach has achieved a significant reduction in the number of confidential items presented to Council, as shown in Table 1, below:

Table 1: Number of Confidential Items Considered by Council by Calendar Year

Calendar Year	Confidential Items
2021	39
2022	28
2023	20*
2024	9**

\* In 2023, one confidential item was published in full in the public minutes following Council's resolution to make it public.

\*\* Does not include December 2024 confidential items.

The City has also adjusted its approach to the drafting of officer recommendations for confidential reports. This improvement has enabled 12 of the 29 Council resolutions made in 2023 and 2024 from confidential reports to be published immediately in the public minutes, and 8 to be published on the City's website following completion of a particular action or event as specified in the resolution. Prior to 2023, the City's practice was to keep Council resolutions on confidential items confidential, with very few being made available to the public.

### Recommendation to Publish Confidential Information

A list detailing confidential items from the 2023 and 2024 calendar years is provided in Attachment 1. The list contains the officer's recommendation for release of confidential information for these items, and the rationale for doing so.

Should Council agree to the release of this information, it will be published on the agendas and minutes page of the City's website, in a separate document for each meeting to make the information easy for members of the public to find.

### Legislative Reform

The *Local Government Amendment Bill 2024* (the Bill) is currently progressing through Parliament. The Bill proposes to make changes to the *Local Government Act 1995* (the Act) which provide greater clarity on the types of information that might be considered confidential.

The proposed provisions will require meetings to be closed for the following matters:



- Where a committee of the Parliament has advised the local government that the subject matter is confidential.
- The recruitment, employment or termination of the CEO or a senior employee.
- The review of the CEO's performance.
- A matter prescribed by the Act.
- As directed by the local government Inspector.

The proposed provisions will allow meetings to be closed to the public to deal with the following types of confidential information:

- Legal advice, or other information, over which the local government holds legal professional privilege.
- Information relating to the personal affairs of an individual.
- In relation to tenders:
  - A tendered price.
  - A tendered methodology for calculating a price.
  - Information that discloses any technology or any manufacturing, industrial or trade process that the tenderer proposes to use in performing the contract to the extent that the information has not previously been made available to the public and making the information public would be likely to have an adverse effect on the tenderer's business interests.
- Information that would be likely to endanger the security (including cyber-security) of the local government's property or operations.
- Information that, if made public, would be likely to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law.
- Information prescribed by the Act.
- As directed by the Departmental CEO.

The proposed provisions will not allow meetings to be closed for the sole reason that the information:

- Would cause embarrassment to the local government, the council or a council member, a committee of council or a committee member or an employee.
- Would cause a loss of confidence in the local government or make it susceptible to adverse criticism.
- Relates to a matter that is controversial in the district.

Notably, the following reasons will no longer be sufficient for closing a meeting:

- The matter affects an employee or employees.
- The matter deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- A matter that if disclosed would reveal a trade secret; or information that has commercial value to a person; or information about the business, professional, commercial or financial affair of a person, where the trade secret or information is held by or is about a person other than the local government

- A matter which could be reasonably expected to prejudice the maintenance or enforcement of a lawful measure for protecting public safety.

The Bill also contains new provisions which stipulate that the decision to close a meeting must be made while the meeting is still open to members of the public, and the sets out what needs to be included in the minutes when the meeting is closed.

There is also a new section providing powers to the Local Government Inspector and Departmental CEO relating to closing of meetings, including:

- Powers to direct a local government to close a meeting to the public to ensure that information is kept confidential.
- Powers to make information that was dealt with during the closed part of a meeting available for inspection by members of the public, or to be published on the local government's website, including any recording made during the meeting.

## LEGISLATIVE COMPLIANCE

*Local Government Act 1995*

*Local Government Amendment Bill 2024*

## RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Medium
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

## FINANCIAL IMPLICATIONS

Nil.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## CONCLUSION

Over the past two years, the City has markedly reduced the number of confidential items submitted to Council. Transparency for Council reports may also improve further with the making of the *Local Government Amendment Bill 2024*, which is intended to provide greater clarity to local governments on the types of information for which a meeting may be closed to the public.

It is recommended that the Council approve the release of information from confidential items to the public for the 2023 and 2024 calendar years, as specified in **Attachment 1**.



Confidential Items determined by the Council in 2023 and 2024

Meeting	Item	Confidentiality Reason/s	Information currently available to the public	Officer's Recommendation	Rationale
Ordinary Council Meeting 31 January 2023	11.1 – Cr Josh Eveson – Potential Naming of Reserve 33059, Bayswater	Personal affairs of any person	Council's resolution	Make officer's report available to members of the public.	When the Council resolved on the item, it determined to keep the resolution confidential until such time as the matter was finalised. The matter was finalised by a further report on 23 May 2024, and the contents have been made available to the public in accordance with the Council resolution.  As the personal information contained in the report would likely be already accessible in the public realm, it is recommended that the officers report also be made available to the public.
Ordinary Council Meeting 31 January 2023	14.1.3 – Morley Sport and Recreation Centre Management Agreement Negotiations	A contract entered into, or which may be entered into, by the local government, and which relates to a matter to be discussed the meeting;  Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.  A matter that if disclosed would reveal a trade secret, or information that has commercial value to a person or information about the business, professional, commercial or financial affairs of a person.	Nil.	Retain officer's report as confidential.  Do not release Council's resolution now, however revisit whether Council's resolution can be released in December 2025.	At the time of considering this item, Council resolved to keep the resolution confidential.  Notwithstanding the other confidential information contained within the report, this report and the resolution should remain confidential at this stage due to the privileged legal advice contained within, and as the City is still finalising the matter.
Ordinary Council Meeting 31 January 2023	14.1.4 – Request to Change the Name of Millerick Reserve, Noranda	Personal affairs of any person	Council's resolution	Retain officer's report as confidential.	It is recommended that the officer's report remain confidential as it contains information about the personal affairs of members of the Perrin family.



Meeting	Item	Confidentiality Reason/s	Information currently available to the public	Officer's Recommendation	Rationale
Ordinary Council Meeting 31 January 2023	14.1.5 – Construction of Slip Lane – Lot 1146, 60 Russell Street, cnr Walter Road West	<p>A contract entered into, or which may be entered into, by the local government, and which relates to a matter to be discussed the meeting;</p> <p>Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.</p> <p>A matter that if disclosed, could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law.</p>	Nil.	Retain officer's report and Council's resolution as confidential.	<p>At the time of considering this item, Council resolved to keep the resolution confidential.</p> <p>Notwithstanding the other confidential information contained within the report, the report should also remain confidential due to the privileged legal advice contained within and as the matter has not been finalised.</p>
Ordinary Council Meeting 28 February 2023	14.1.1.1 - Debt Write-Off - North East Region Training Centre	A matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person	Council's resolution	Retain officer's report as confidential.	The officer's report contains details about the financial affairs of the North-East Region Training Centre.
Ordinary Council Meeting 28 February 2023	14.1.2.1 Presentation of Juniper's Offer	A matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.	Council's resolution	Retain officer's report as confidential.	In accordance with Limb 4 of Council's resolution <i>"That Council keep the resolution confidential until the Major Land Transaction business case is advertised"</i> , the resolution has been released, but not the full report, which contains Juniper's tendered prices and pricing methodology.
Ordinary Council Meeting 28 February 2023	14.1.3 - Extension of Waste Services Contract	<p>A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.</p> <p>A matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.</p>	Council's resolution	Retain officer's report as confidential.	The officer's report contains commercial in confidence contract and pricing information.
Ordinary Council Meeting 28 March 2023	14.1.1.1 - Business Plan for Major Land Transaction	A matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.	Council's resolution	Retain officer's report as confidential.	Limb 4 of the Council's resolution requested that it remain confidential until the major land transaction was advertised. As this has occurred, the resolution has been made available to the public. However, the officer's report should remain confidential as it contains tendered pricing information.



Meeting	Item	Confidentiality Reason/s	Information currently available to the public	Officer's Recommendation	Rationale
Ordinary Council Meeting 28 March 2023	14.1.1.2 – Update on Divestment of Mertome Gardens	A matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.	Nil.	Retain Council resolution and officer's report as confidential.	Limb 4 of the Council's resolution on this item requested that it remain confidential until negotiations between Hall and Prior and the State Government were finalised. As these negotiations are ongoing, the resolution and the officer's report must remain confidential at this stage.
Ordinary Council Meeting 28 March 2023	14.1.2 – Morley Sport and Recreation Centre Negotiations	<p>A contract entered into or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.</p> <p>Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.</p> <p>A matter that if disclosed, would reveal a trade secret; or information that has a commercial value to a person; or information about the business, professional, commercial or financial affairs of a person.</p>	Nil.	<p>Retain officer's report as confidential.</p> <p>Do not release Council's resolution now, however revisit whether Council's resolution can be released in December 2025.</p>	<p>At the time of considering this item, Council resolved to keep the resolution confidential.</p> <p>Notwithstanding the other confidential information contained within the report, the report and the resolution should remain confidential at this stage due to the privileged legal advice contained within, and as the City is still finalising the matter.</p>
Ordinary Council Meeting 28 March 2023	14.1.3 – Deed of Variation – Land ID 3134776	<p>The personal affairs of any person.</p> <p>Legal advice obtained or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.</p>	Council's resolution	Retain officer's report as confidential.	<p>Limb 4 of Council's resolution on this item requested that the resolution remain confidential until the consultation on the necessary road closures commences. As this has concluded, the Council's resolution has been made available to the public.</p> <p>Notwithstanding the other confidential information contained within the report, the officer's report should remain confidential due to the privileged legal advice contained within.</p>
Special Council Meeting 5 April 2023	13.1.1.1 - Chief Executive Officer Performance Review (Probation) 2023	A matter affecting an employee or employees.	Council's resolution.	Retain officer's report as confidential.	The officer's report should remain confidential as it relates to the Chief Executive Officer's performance review.
Special Council Meeting 5 April 2023	13.1.2 - Chief Executive Officer Report - Results of Organisational Assessments	A matter affecting an employee or employees.	Nil.	Retain officer's report and Council's resolution as confidential.	When Council resolved on this item, it requested that the recommendation be kept confidential as it relates to a matter affecting employees.
Ordinary Council Meeting 23 May 2023	14.1.1 – Proposed Naming of Reserve 33059	The personal affairs of any person.	Officer's report and Council's resolution	No recommendation required as the item has already been made public.	The full officer's report including Council's resolution are already available to the public in the minutes of the meeting in accordance with the direction of Council.



Meeting	Item	Confidentiality Reason/s	Information currently available to the public	Officer's Recommendation	Rationale
Ordinary Council Meeting 27 June 2023	14.1.1.1 – Update on Divestment of the Aged Care Assets	A matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.	Council's resolution	Retain officer's report as confidential.	Limb 3 of the Council's resolution instructed that the item remain confidential until the divestment was finalised. As the divestment has been finalised, the resolution has been released.  The officer's report should remain confidential as it contains information that is commercial in confidence.
Ordinary Council Meeting 27 June 2023	14.1.2 – Morley Sport and Recreation Centre Management Agreement Negotiations	A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.  Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting  A matter that if disclosed, would reveal a trade secret or information that has a commercial value to a person or information about the business, professional, commercial or financial affairs of a person.	Council's resolution	Retain officer's report as confidential.	Limb 3 of Council's resolution required the resolution to remain confidential until all relevant stakeholders were notified of the decision. As all stakeholders have been notified, the resolution has been made public.  The officer's report should remain confidential as it contains information that is considered commercial in confidence.
Ordinary Council Meeting 22 August 2023	13.2 – Outcome of Major Land Transaction	A matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.	Council's resolution	Retain officer's report as confidential.	The Council resolution is already included in the public minutes.  The officer's report should remain confidential as it contains information that is considered commercial in confidence.
Special Council Meeting 5 September 2023	8.1.1 – Chief Executive Officer Annual Performance Review 2022/23	A matter affecting an employee or employees	Council's resolution	Retain officer's report as confidential.	As the officer's report contains information about the Chief Executive Officer's performance review, it should remain confidential.
Ordinary Council Meeting 31 October 2023	14.1.1 – Health Local Law – Response from Joint Standing Committee on Delegated Legislation	Legal advice obtained, or which may be obtained by the local government, which relates to a matter to be discussed at the meeting.	Council's resolution	Retain officer's report as confidential.	This item should remain confidential as it contains information that is subject to parliamentary privilege.



Meeting	Item	Confidentiality Reason/s	Information currently available to the public	Officer's Recommendation	Rationale
Ordinary Council Meeting 21 November 2023	14.1.1 - EMRC Interim FOGO Supply Agreement	A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.  A matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.	Council's resolution	Retain officer's report as confidential.	The officer's report contains information that is considered commercial-in-confidence.
Ordinary Council Meeting 25 June 2024	14.1.1.1 – Service Review Update 2023/24	A matter affecting an employee or employees.	Council's resolution	Make officer's report available to the public however keep attachment confidential.	Council resolved that the resolution remain confidential until such time as the affected parties had been notified. As parties have been notified, the resolution was made available in the public minutes.  The officer's report can also be made available to the public however the attachment should remain confidential as it contains information affecting employees.
Ordinary Council Meeting 25 June 2024	14.1.1.2 - Cybersecurity Incident Report - April 2024	A matter that if disclosed, could be reasonably expected to endanger the security of the local government's property.	Nil.	Retain Council's resolution and officer's report as confidential.	Council resolved to keep its resolution confidential as it relates to the security of the City's information assets. For the same reason, it is recommended that the officers report also remain confidential.
Ordinary Council Meeting 25 June 2024	14.1.2 – Disposal of Land, Lot 171, 411 Guildford Road, Bayswater	A matter that if disclosed, would reveal a trade secret, or information that has a commercial value to a person, or information about the business, professional, commercial or financial affairs of a person.	Council's resolution	Retain officer's report as confidential.	Council requested that the resolution remain confidential until the settlement of Lot 171, 411 Guildford Road Bayswater is finalised. As the matter has been finalised, the resolution has been made available to the public.  The officer's report should remain confidential as it contains tendered pricing information and information about the financial affairs of persons.
Ordinary Council Meeting 27 August 2024	14.1.1 – Proposed Event Partnership Agreement	A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.  A matter that if disclosed would reveal information that has a commercial value to a person.	Council's Resolution	Make officer's report available to the public (excepting <a href="#">Attachment 2</a> )	Council requested that the resolution remain confidential until the event partner launches the program and event.  It can be confirmed that the event partner has launched the program and event, so the resolution has been made available to the public.  It is also considered that the officer's report can now be made available to the public. However, <a href="#">Attachment 2</a> should remain confidential as it contains a proposal marked confidential by the event partner.
Ordinary Council Meeting 27 August 2024	14.1.2 – Department of Education Request	A matter that if disclosed, would reveal information that has a commercial value to a person.	Nil.	Make officer's report and Council resolution available to the public when the action specified in the final limb of the Council resolution has occurred.	Council requested that the officer's report and Council resolution be made public following completion of an action that has not yet occurred.





Meeting	Item	Confidentiality Reason/s	Information currently available to the public	Officer's Recommendation	Rationale
Ordinary Council Meeting 24 September 2024	14.1.1 – Chief Executive Officer Performance Review 2023/24	A matter affecting an employee or employees.	Council's resolution.	Council resolution is already available to the public.  Officer's report to remain confidential.	As the officer's report contains information about the Chief Executive Officer's performance review, it should remain confidential.
Special Council Meeting 1 October 2024	14.1.2 – Eastern Metropolitan Regional Council	A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.  A matter that if disclosed, would reveal information that has a commercial value to a person; or information about the business, professional, commercial or financial affairs of a person.	Nil.	Officer's report and Council resolution to remain confidential.	This item should remain confidential as it relates to an ongoing commercial-in-confidence matter.
Ordinary Council Meeting 22 October 2024 (Adjourned to 28 October 2024)	14.1.1 - Reappointment of Independent Member to the Audit and Risk Management Committee	The personal affairs of any person.	Council's resolution.	Council resolution is already available to the public.  Officer's report to be made public.	The officer's report was made confidential as it provides information for Council to consider the reappointment of Ms Zulsdorf to the Audit and Risk Management Committee. As the reappointment has now been made, the report can become public as it does not contain any other information about the personal affairs of a person.
Ordinary Council Meeting 19 November 2024	14.1.1 – Eastern Metropolitan Regional Council	The personal affairs of any person.  A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.  Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.	Nil.	Officer's report and Council resolution to remain confidential.	This report is about an ongoing commercial-in-confidence matter and contains legally privileged information.

**10.1.2 Lots 208-212, 127 King William Street, Bayswater Letter of Intent**

<b>Applicant/Proponent:</b>	The Yellow Umbrella Foundation, AnglicareWA, BlueRock Projects and Rotherlowman
<b>Owner:</b>	City of Bayswater
<b>Responsible Branch:</b>	Property and Economic Development
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil
<b>Refer:</b>	Nil.

**SUMMARY**

Council's support is sought for a letter of intent between the City and the Yellow Umbrella Foundation and their partners AnglicareWA, BlueRock Projects and Rotherlowman (the Foundation). The letter of intent would enable the Foundation to seek funding to develop a homeless youth housing precinct at lots 208-212, 127 King William Street, Bayswater.

**OFFICER'S RECOMMENDATION**

**That Council:**

1. **Supports the Chief Executive Officer providing a Letter of Intent to the Yellow Umbrella Foundation, AnglicareWA, BlueRock Projects and Rotherlowman for Lots 208-212, 127 King William Street, Bayswater subject to the following key obligations:**
  - **The supported use is for a homeless youth housing precinct, with ancillary uses (office, cafe).**
  - **The timeframe for exclusivity over the site – 1 year from signing;**
  - **The terms the foundation must meet for the City to finalise a lease:**
    - **Approval of development plans**
    - **Funding commitments for the construction and operation of the project.**
  - **Key terms of the lease including:**
    - **Tenancy term – 20 years with two 10 year options as mutually agreed by both parties.**
    - **Rental Amount – peppercorn - \$1**
    - **A clause stipulating the foundation are to remove all buildings from the site and 'make good' the land at the end of the lease.**

**BACKGROUND**

On 26 April 2022 Council endorsed the Interim Economic Development Strategy 2022 (IEDS). One of the key objectives of the IEDS is to stimulate major development and attract key investment. This has occurred through the promotion of the City as 'open for business' and encouraging developers to approach the City to discuss development opportunities. As a part of this approach the Foundation has identified Lots 208-212, 127 King William Street, Bayswater as a site for the development of a homeless youth housing precinct.

The Foundation is dedicated to addressing the pressing issue of homelessness by supporting initiatives that provide crucial mental health services to young people in Australia. They have partnered with AnglicareWA, BlueRock Projects, Urban Collectives and Rotherlowman to develop a proposal for the site. The proposal is to develop another 'Foyer' style facility to address

the increasing number of homeless youths. The facility will provide support programs to empower young people to achieve their goals.

### Foyer Oxford

Foyer Oxford is a youth housing service located on Oxford Street in Leederville. It is part of the international Foyer movement based on the idea that ending youth homelessness can be achieved through education, training and sustainable employment.

Foyer Oxford is run by a consortium of Foundation Housing Ltd, Anglicare WA and North Metropolitan TAFE. The combination of housing, support and access to diverse education and work opportunities, allows Foyer Oxford to deliver significant outcomes for the young people who are resident.

The complex has the capacity to house and support 98 young people, including 24 young parents and their children. It is the largest single site homelessness service for young people in Australia.

More information on the Foyer Oxford project can be found on its website - <https://www.foyeroxford.org.au/>

### Site Details

The site is zoned 'Special Foreshore Development' under the City's Town Planning Scheme No.24. Previously it has been an open grassed area, however recently portions have been used as part of the laydown area for METRONET projects. The site contains an existing car park which services Riverside Gardens and the Eric Singleton Bird Sanctuary and some trees.



*Current zoning – Special Foreshore Reserve*



*Aerial Imagery of the site*

In June 2020, Council adopted the Land Acquisition and Disposal Strategy (LAADS). The LAADS guides the management and acquisition of land the City owns, cares for and is in control of that can be leveraged for community benefit and financial return to support the services that the City provides to the community. The LAADS identifies the site and surrounding City owned land along Guildford Road as a 'Strategic Opportunity' project.

### **EXTERNAL CONSULTATION**

No consultation has yet occurred with the public or other agencies on this matter. There is no requirement for the City to consult on a LOI, however in the event funding is secured and a formal lease is required the City will have to advertise the lease in accordance with section 3.58 of the *Local Government Act 1995*.

## OFFICER'S COMMENTS

### Proposal

The Foyer Bayswater concept plan has been developed to address the unique operational and resident needs of a Foyer facility, while also creating an accommodation precinct that is welcoming to both residents and the wider community. The proposal will provide:

- A sanctuary for young people that is approachable and safe.
- Curated spaces for residents to study, get counselling and break away.
- Communal spaces for residents to socialise, interact and receive support.
- Outdoor area that provide a sense of security and safety.
- An appropriate commercial tenancy that is accessible by the public and residents. 90-100 residential dwellings of a various mix.
- Single-storey construction that has commercial efficiencies and a sense of home.
- Fostering community through clusters of homes within a village.

### Councillor Workshop

At a Councillor Workshop held 5 November 2024 the Foundation and their partners presented their proposal to a Councillors. Councillors provided feedback on proposed lease terms including length and requirements to remove all development from the site at the end of the lease.

### LADS Comments

These lots are included in the LADS and are considered to be of strategic importance to the future of the City. They are of significant value and present unique opportunities for the City. There may be some potential for commercial returns, however the priority will be on using the property to deliver better services or built form outcomes for the community.

### Benefits to the City

The applicant considers that the proposal would result in the following benefits to the City:

- Addressing the high demand for accommodation by providing much-needed housing options.
- Transforming an underutilised site that has been challenging to develop into a vibrant asset.
- Increasing foot traffic and drawing a diverse group of visitors, residents, and customers to the area.
- Offering new amenities that benefit various community groups and foster local engagement.
- Establishing a café as a community hub, enhancing social connections.
- Creating business opportunities by providing essential services for residents and visitors, supporting local economic growth.
- Stimulating further development of nearby residential dwellings, enhancing the area's appeal.
- Encouraging the establishment of new educational facilities in surrounding vacant spaces, promoting learning and growth.
- Developing a facility that aids in attracting talent and fostering a thriving community.

In addition to the above it is considered that leasing the site to the Foundation would enable the site to be used and for the City to be a leader in this space.

### Letter of Intent

The Foundation have requested the City provide them with a Letter of Intent (LOI) for the site. A LOI would outline the City's preliminary commitment to lease the site to the Foundation and would outline the key terms of a future lease. The LOI would provide certainty over the future tenure of the land, enabling the Foundation seek funding for the development of the proposal.

A LOI is not a contract, it would bind the City to the following terms:

- Non-solicitation.
- Confidentiality.
- Exclusivity.

The LOI will outline the obligations of both parties including the following:

- The supported use is for a homeless youth housing precinct, with ancillary uses (office, cafe).
- The timeframe for exclusivity over the site – 1 year from signing;
- The terms the foundation must meet for the City to finalise a lease:
  - Approval of development plans
  - Funding commitments for the construction and operation of the project.
- Key terms of the lease including:
  - Tenancy term – 20 years with two 10 year options as mutually agreed by both parties.
  - Rental Amount – peppercorn - \$1
  - A clause stipulating the foundation are to remove all buildings from the site and 'make good' the land at the end of the lease.

The LOI is not a formal lease. In the event the Foundation meets their obligations within the LOI the City will progress a lease in accordance with section 3.58 of the *Local Government Act 1995*.

## LEGISLATIVE COMPLIANCE

There is no legislative requirement relating to the City providing a letter of intent. In the event Council progress to a lease would be done in accordance with section 3.58 of the *Local Government Act 1995*.

Delegation of Authority EF-D02 – Execution of Documents and the City's Execution of Documents and Application of Common Seal Policy applies.

## RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Medium
Reputation and Stakeholders	Medium	Medium
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR02 - Failure to strategically plan, deliver and maintain infrastructure and assets.  SR04 - Inability to work collaboratively to engage and partner with the stakeholders to promote and advocate opportunities to live and invest.	

**FINANCIAL IMPLICATIONS**

Nil at this time. Further financial implications would be considered if the project progress to a lease.

**STRATEGIC IMPLICATIONS**

It is considered that supporting this project would provide a unique opportunity for the City to help provide housing for homeless youth, enabling the City to act as a leader in the space and use an area which is currently underutilised.

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Community

Goal C1: Create safe and inviting places for people to come together.

Goal C3: Maximise the use of the City's facilities and parks by all sections of the community.

Theme: Leadership and Governance

Goal L2: Plan and deliver projects and services in a sustainable way.

Work together to deliver the best outcomes for the community by managing our resources in a financially sustainable way.

**CONCLUSION**

In light of the above it is considered appropriate to support a Letter of Intent between the City and the Yellow Umbrella foundation over Lots 208-212, 127 King William Street, Bayswater to enable them to progress plans for a homeless youth housing development.

**10.1.3 Road Closure - Fitzgerald Road near Bath Road for Cul-De-Sac creation**

<b>Responsible Branch:</b>	Property and Economic Development
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Advocacy
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Fitzgerald Road and Bath Road Cul-de-sac [ <b>10.1.3.1</b> - 1 page]
<b>Refer:</b>	Item: 10.1.3 OCM: 22.08.23 Item: 10.1.7 OCM: 30.04.24

**SUMMARY**

For Council to consider the permanent closure of a portion of Fitzgerald Road near Bath Road, Morley for the creation of a cul-de-sac and intersection upgrade.

**OFFICER'S RECOMMENDATION**

**That Council:**

- 1. Supports the closure of Fitzgerald Road as identified in Attachment 1;**
- 2. Authorises notification of the permanent closing of portion of road in accordance with Section 3.50 of the *Local Government Act 1995*; and**
- 3. Authorises the Chief Executive Officer to execute relevant documentation associated with the road closure.**

**BACKGROUND**

In response to the crash statistics occurring at the intersection of Morley Drive and Bath Road, MRWA is proposing the installation of a dual lane roundabout at the intersection which requires land beyond the current Metropolitan Regional Scheme (MRS) boundary.

**Main Roads Acquisition Area – Lot 205 & Lot 50, Morley.**

At the Ordinary Council Meeting held 30 April 2024, Council considered a request from Main Roads, for Main Roads to acquire a portion of the City owned Bath Street Reserve. Council resolved as follows:

*“That Council:*

- 1. Accepts Main Roads WA’s offer in accordance with Confidential Attachment 1 for the purchase of portions of Lot 55 and Lot 205 Woking Street, Morley for the construction of the Morley Drive / Bath Road intersection.*



2. *Accepts Main Roads WA's tree replacement proposal.*
3. *Authorises a request being made to the Minister for Lands, pursuant to Section 56 of the Land Administration Act 1997, to dedicate portions of Lot 55 and Lot 205 Woking Street, Morley as depicted on Land Dealing Plan 2360-021-1 (Attachment 2).*
4. *Keeps Limb 1 of this resolution confidential until the settlement of the property is finalised."*

The land acquisition was finalised in accordance with Council's resolution in September 2024.

Further to the acquisition of land from the City, Main Roads are currently undertaking the intersection upgrades and as such, Main Roads are requesting the formal closure of part of Fitzgerald Road near Bath Road. The closure of Fitzgerald Road will result in a cul-de-sac been built at the Bath Road end to improve traffic flow in the area and promote road user safety. The project is funded by the State Government.



**Proposed Cul-de-sac along Fitzgerald Road and Bath Road.**

## EXTERNAL CONSULTATION

Main Roads have conducted a notification period to adjacent landowners of the planned road closure and date of commencement of works. The outreach aimed to provide landowners sufficient time to understand the project objectives, anticipated impacts and timeline for the works.

In the event Council support the road closure, the City will undertake formal notification in accordance with Section 3.50 of the *Local Government Act 1995*. The notification will be undertaken by way of:

- Local newspaper;
- City's website; and
- Notifications placed in the City's Civic Centre and libraries.

## OFFICER'S COMMENTS

The realignment of the road and introduction of a dual lane roundabout have been designed to improve road safety for drivers, cyclists and pedestrians while optimising the efficiency and functionality of the road network. The new design layout will not impact land owners ability to access their properties.



The formal road closure aligns with the plans which have already been advertised by Main Roads. The City has no concerns with the proposed road closure as it is a part of wider upgrades to the surrounding network which will improve road safety for users of the area.

### LEGISLATIVE COMPLIANCE

Section 3.50 of the *Local Government Act 1995* outlines the requirements relating to the closure of roads to vehicles. The provisions include that prior to approving a closure exceeding four weeks, the Local Government is to:

(a) *give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and*

(b) *give written notice to each person who —*

*(i) is prescribed for the purposes of this section; or*

*(ii) owns land that is prescribed for the purposes of this section; and*

(c) *allow a reasonable time for submissions to be made and consider any submissions made.”*

### RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Medium
Reputation and Stakeholders	Medium	Medium
Service Delivery	Medium	Medium
Environment	Low	Low
Governance and Compliance	Low	Medium
Strategic Risk	SR02 - Failure to strategically plan, deliver and maintain infrastructure and assets.	

### FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** Advertisement for the proposed road closure in newspaper

**Asset Category:** Other

**Source of Funds:** Municipal

**LTFP Impacts:** Not itemised in the LTFP

**Notes:** N/A

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	EMPLOYEE				
1	\$450	-	-	-	-	-	\$1,311

**STRATEGIC IMPLICATIONS**

It is considered that the road closure along Fitzgerald Road, near Bath Road Morley will result in a safer road environment and help deliver Main Roads projects within the City.

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Vibrancy

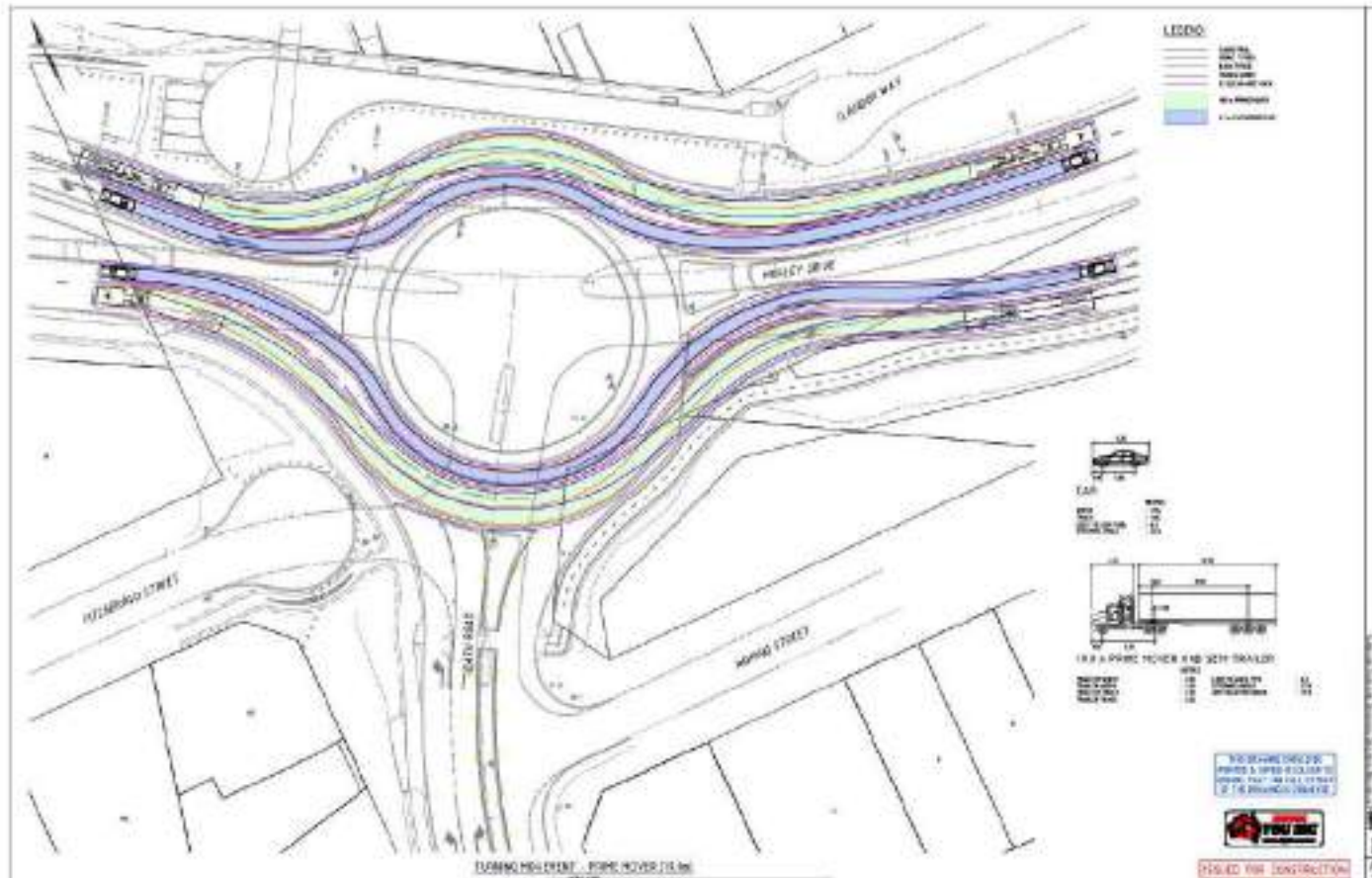
Goal V2: Encourage economic development across the City, and provide increased opportunities for people to live and work locally by facilitating new investment in the City.

Goal V3: Activate the City's town and neighbourhood centres.

**CONCLUSION**

Based on the information provided, it is recommended that a portion of Fitzgerald Road, near Bath Road Morley, be closed to establish a cul-de-sac. The closure is required to support Main Roads in completing the proposed intersection upgrades.

City of  
**Bayswater**



**10.1.4 Submission from Local Government (CFS-LG) - Potential Housing Options**

<b>Responsible Branch:</b>	Property and Economic Development
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Advocacy Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. CONFIDENTIAL REDACTED - Confidential Attachment 1 Property Assessment [10.1.4.1 - 3 pages]
<b>Refer:</b>	Item: 11.2 OCM: 22.10.2024

***Confidential Attachment(s) in accordance with Section 5.23(2) of the Local Government Act 1995 (WA):***

**REASON FOR CONFIDENTIALITY**

(e) *a matter that if disclosed, would reveal —*

(ii) *information that has a commercial value to a person; or*

**SUMMARY**

For Council to consider potential land options for the submission of the Calls for Submissions Local Government (CFS-LG) Potential Housing Program.

**OFFICER'S RECOMMENDATION**

**That Council:**

- Requests the Chief Executive Officer continue to advocate for partnerships with other organisations / developers to develop City owned land to deliver non-market housing options.**

**BACKGROUND**

The Department of Communities (DoC), through the State Government, is dedicated to building inclusive communities and offering Western Australians pathways to secure a place to call home. In September 2024, the State Government invited Local Governments to submit proposals identifying suitable land for the development of non-market housing, through CFS-LG framework.

The CFS-LG framework is designed to encourage collaboration between the DoC and Local Governments to enhance the availability of non-market housing targeted at social housing, Government Regional officers, Key/Service Workers and affordable rental housing options.

At the Ordinary Council Meeting held on the 22 October 2024 Council supported the following Notice of Motion:

*“Council requests the Chief Executive Officer present a report on potential City owned properties which may be considered for the Call for Submissions from Local Government, and the next steps to progress an application, to the December Ordinary Council Meeting.”*

In light of the above, City owned land assets have been assessed to identify alignment with the CFS-LG.

## EXTERNAL CONSULTATION

The City has consulted with the DoC to gain a deeper understanding of the land requirements for the CFS-LG program. DoC clarified that the CFS-LG framework is not intended to replace or duplicate existing housing supply programs, tenders, agreements, funding, or grant initiatives. Instead, it provides a structure to explore non-market housing opportunities through land identification and project development.

The City would be required to submit a housing proposal that aligns with CFS-LG guidelines, including considerations of housing composition, scale, location, financing, ownership, delivery and management.

Upon a project proposal completion, it will be submitted to the DoC for review, feedback and potential support.

## OFFICER'S COMMENTS

### Land Acquisition and Disposal Strategy

In June 2020, Council adopted the Land Acquisition and Disposal Strategy (LAADS). The LAADS guides the management and acquisition of land the City owns, cares for and is in control of that can be leveraged for community benefit and financial return to support the services that the City provides to the community.

The Strategy includes the identification of property, policy and the development of a plan to effectively and responsibly manage the future of the approximately 430 land and properties under the ownership, care or control of the City that requires analysis to determine and maximise usefulness.

The objectives of the policy set out principles for the retention, development, acquisition and disposal of property and enable action of acquisition, development or disposal to ensure community benefit such as ensuring services are provided from the most appropriate locations and the financial benefit the Strategic Property Reserve funds are maximised.

In identifying suitable land parcels for the CFS-LG, the LAADS framework was followed to ensure that all land presented to Council is underutilised and appropriate for this purpose.

Consideration was also given to the proximity of amenities and other essential services. The sites, primarily zoned for residential use, can support the development of various housing types as outlined below. The assessment of relevant properties is included in **Confidential Attachment 1**.

### CFS-LG

The CFS-LG is not a grant program and does not include any funding. Its role is to support Local Governments in identifying housing needs for their communities and to offer guidance on implementing non-market housing in partnership with the Department of Communities. The proposed land parcels outlined present feasible options.

Prior to submitting a project proposal and obtaining a meeting with the Department of Communities, the City must conduct a comprehensive analysis and have selected a suitable land parcel ensuring alignment with the CFS-LG objective. This process involves the following elements:

- **Project scoping:** Conduct an in-depth assessment of the project's scale, scope and intended outcomes. This involves defining key deliverables, timelines, and resources required to meet the strategic and operational goals of the initiative.

- Needs Assessment and Justification: Provide a well-researched understanding of the project necessity, addressing specific community needs, potential benefits, and long-term impact. The analysis will need to include economic implications and alignment to the City long term plans.
- Financial Commitment and Feasibility: Identify and outline the financial requirements for the project, including project costs, funding sources, and potential financial models to ensure financial feasibility.
- Land Allocation: Providing transfer of land, access to land, or leases for property owned or controlled by the local government. This could be at no cost, low cost, or market cost;
- Regulatory and Technical Support: Demonstrate evidence of regulatory compliance and technical advice. This includes permits, environmental considerations and zoning compliance.

The City has not undertaken any of the above for any of the properties identified.

The City currently promotes the City as 'open for business' and encourages developers to approach the City to discuss development opportunities. Over the past year the City has worked with developers on a number of proposals for affordable / non-market housing. One of these proposals is being considered by Council as separate report on this agenda and another is already in discussion with the State Government. It is considered more appropriate to partner with other organisations to deliver on non-market housing, as the City does not have the capacity, money or technical expertise to deliver on these types of projects.

## LEGISLATIVE COMPLIANCE

Nil

## RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Medium
Reputation and Stakeholders	Medium	Medium
Service Delivery	Medium	Medium
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR02 - Failure to strategically plan, deliver and maintain infrastructure and assets.	

## FINANCIAL IMPLICATIONS

Should Council approve of the CFS-LG project proceeding, it will require funding from the City covering all phases from land disposal, project scoping through to construction of the dwellings. The associated costs have not yet been costed and would be dependent on any development proposed.

In the event Council choose not to progress with the officer's recommendation there is currently no internal capacity to develop the required business cases and this work would be outsourced. Indicatively each business case would cost over \$20,000 which has not been included in the 2024/25 budget.

**STRATEGIC IMPLICATIONS**

Should Council proceed with selecting a land parcel for the CFS-LG program, this initiative could support the provision of additional non-market housing, thereby attracting a diverse workforce to the City

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Vibrancy

Goal V2: Encourage economic development across the City and provide increased opportunities for people to live and work locally by facilitating new investment in the City.

Theme: Leadership and Governance

Goal L2: Plan and deliver projects and services in a sustainable way.  
Work together to deliver the best outcomes for the community by managing our resources in a financially sustainable way.

**CONCLUSION**

Based on the information provided, it is recommended that the City continue to advocate for partnerships with other organisations to deliver housing rather than make a submission to the CFS-LG program.

### 10.1.5 Morley Station Precinct - Structure Plan, Scheme Amendment and MRS Amendment

<b>Responsible Branch:</b>	Property and Economic Development
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Part One - Morley Station Precinct Structure Plan [10.1.5.1 - 38 pages]</li> <li>2. Part Two - Morley Station Precinct Structure Plan [10.1.5.2 - ]</li> </ol>
<b>Refer:</b>	Item: 10.4.2 OCM: 27.06.2023

#### SUMMARY

The new METRONET Morley Station is scheduled to open on 8 December 2024. Council, in partnership with the Department of Planning, Lands and Heritage, engaged consultants Hames Sharley to prepare the Morley Station Precinct Structure Plan in December 2023 to facilitate the redevelopment of the area around the new station. The draft document has now been completed and is being referred to Council for support for advertising, along with concurrent amendments to Town Planning Scheme No. 24 and the Metropolitan Region Scheme.

#### OFFICER'S RECOMMENDATION

That Council:

1. Pursuant to Schedule 2 Regulation 17(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, accepts the Draft Morley Station Precinct Structure Plan set out in Attachments No. 1 and 2 for assessment and advertising, subject to:
  - a) Receipt of approval from the Minister for Planning to advertise Amendment No 100 to Town Planning Scheme No.24.
2. Requests the Chief Executive Officer to advertise the Draft Morley Station Precinct Structure Plan for a minimum of 60 days upon receipt of Minister approval for advertising of Amendment No 100 to Town Planning Scheme No.24.
3. Initiates Amendment 100 to the City of Bayswater Town Planning Scheme No.24 to:
  - a) Modify clause 7.1.1 Other Zones to include a seventh bullet point
    - Urban Development
  - b) Introduce a new clause 9.4 Urban Development zone:
 

**9.4 Urban Development Zone**

**9.4.1 The objectives of the Urban Development zone are to:**

    - To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.
    - To provide for a range of residential densities to encourage a variety of residential accommodation
    - To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.



- To provide an intermedial transitional zone following the lifting of an urban deferred zoning within the Metropolitan Region Scheme.
- c) Modify Table No 1 – Zoning Table to include ‘Urban Development’ zone with a permissibility of “refer to Morley Station Precinct Structure Plan” for all use classes.
  - d) Modify Appendix 2 – Schedule of additional uses to delete additional use 4.
  - e) Rezone Medium and High Density Residential, Business, Light Industrial, Special Use, Service Station and Showroom Warehouse within the Morley Station Precinct Structure Plan area, to Urban Development.
  - f) Modify Appendix 3 – Special Purposes Zone to delete Walter Road East / Beechboro Road North (south east corner).
  - g) Rezone Ripley Place road reserve from ‘Medium and High Density Residential’ zone to ‘Local Road Reserve’.
  - h) Rezone reserves R 40037, R 40038, R 40039 and R39315 from ‘Drainage Reserve’ to ‘Urban Development’.
  - i) Amend the Scheme Maps accordingly
4. Considers the proposed amendment to the City of Bayswater Town Planning Scheme No.24 to be ‘complex’ under the provisions of the Planning and Development (Local Planning Schemes) regulations 2015 for the following reasons:
    - a) The amendment is not addressed by a local planning strategy.
    - b) The amendment relates to development that is of a scale or will have an impact that is significant relative to development in the locality.
  5. Upon finalisation of the scheme amendment documentation, the documentation is to be forwarded to the Department of Water and Environmental Regulation for assessment and the Department of Planning, Lands and Heritage – Heritage and Land Use Planning Directorates for comment and approval to advertise.
  6. Upon the Notice of Assessment from the Department of Water and Environmental Regulation being received (and any issues raised being complied with), and approval from the Minister for Planning to advertise, the proposed scheme amendment be advertised for public comment for 60 days.
  7. The proposed scheme amendment is referred to Council for further consideration following public advertising.
  8. Request the Western Australian Planning Commission to amend the Metropolitan Region Scheme to rezone the ‘Industrial’ land within the Morley Station Precinct to ‘Urban’ for the land with access to reticulated sewer, and ‘Urban Deferred’ for the land without access to reticulated sewer.
  9. Roads identified in the Morley Station Precinct Structure Plan for future streetscape upgrades to be considered in the review of the forward capital works program, subject to funding availability, third party approvals, and feasibility assessment, including but not limited land holding ownership and other constraints.
  10. Request the Chief Executive Officer to review the City’s Payment in Lieu of Car Parking Policy to include the Morley Station Precinct.
  11. Request the Chief Executive Officer to seek commitment from the State Government to install reticulated sewer to service the industrial land located adjacent to the Morley Train Station, to enable transition to residential land uses.

## BACKGROUND

The Morley Station is being delivered as part of the METRONET Morley-Ellenbrook Line and forms the focal point for the Morley Station Precinct. The City considered the draft Morley Station Precinct Concept Master Plan (CMP) prepared by METRONET at its Ordinary Council Meeting held 25 May 2021, resolving to support the CMP in principle, subject to a number of comments being addressed. The CMP was endorsed by the Western Australian Planning Commission (WAPC) on 22 September 2021. The CMP sets the long-term vision and high-level roadmap for more detailed planning of the precinct, including key strategies for development of new medium and higher-density housing and mixed use buildings as well as streetscape and public realm upgrades.

An implementation action identified in the endorsed CMP was to prepare the Morley Station Precinct Structure Plan (MSPSP) to outline provisions to facilitate future development around the new station, as a joint responsibility between the State Government and the City. Council subsequently approved a 2022/23 budget amount of \$150,000 to commit to the preparation of the MSPSP. The Department of Planning, Lands and Heritage (DPLH) committed a matched amount of \$150,000 to the project, with a total of \$300,000.

The City and DPLH came to an agreement that the MSPSP area should not focus only around the Morley Station, but should include the two important linkages to the Morley Activity Centre, Broun Avenue and Walter Road. This is consistent with the City's draft Local Planning Strategy which is currently with the DPLH for final endorsement. The final MSPSP area is detailed below.



At the Ordinary Council Meeting held on 27 June 2023 Council considered a report on the outcomes of the tender process to engage a consultant to prepare the MSPSP and resolved as follows:

*“That Council authorises the Chief Executive Officer to negotiate with the Department of Planning, Lands and Heritage and Hames Sharley for a reduced scope of work for the Morley Station Precinct Structure Plan so that the project cost is within the budget amount, and to award the tender to Hames Sharley accordingly.”*

A reduced scope of works was prepared and agreed to, and Hames Sharley consultants were appointed to prepare the MSPSP in December 2023. The consultants have worked closely with the City and the DPLH to prepare the draft MSPSP, included at **Attachments 1 and 2**. The

attachments can be accessed separately on the City's Engage Bayswater page [Morley Station Precinct Structure Plan | Engage Bayswater](#)

## EXTERNAL CONSULTATION

### Community Engagement

Comprehensive preliminary community engagement was undertaken as a key component in preparing the draft MSPSP.

1341 letters were sent to all landowners and occupiers within and adjoining the MSPSP area advising of the opportunity to attend community workshops. Information was also included on Engage Bayswater. Two community workshops facilitated by the consultants were held at the Morley Windmills Club Rooms on Tuesday 12 March 2024 and Saturday 16 March 2024, with a total of 73 attendees. The outcomes of the workshops established design principles for the area.

Following the workshops an online survey to determine the community's support of the design principles was undertaken, with 143 respondents. Communication to raise awareness of the project was undertaken via:

- Those registered for the workshops were advised via email.
- Posters were displayed at the Civic Centre, Libraries, Bayswater Waves, Morley Recreation Centre, Charlies Fresh Food Market and Morley Windmills Soccer Clubrooms.
- Flyers were shared at some of the local businesses in the area.
- Paid Facebook campaign between 15 April and 2 May 2024.

The feedback from the community through the workshops and the survey were closely aligned and suggested a desire for the precinct to be a green, safe, pedestrian and cycle friendly area, with places for social interaction.

The full Engagement Outcomes Report can be accessed at [Morley Station Precinct Structure Plan | Engage Bayswater](#) along with the full technical appendices. The outcomes of the engagement were used to inform the draft MSPSP.

### Servicing Authorities

Meetings were held with relevant stakeholders including Main Roads WA, Water Corporation, Western Power and Perth Transport Authority / METRONET to ensure that the land use and densities proposed aligned with their service provisions.

### Department of Planning Lands and Heritage

The Consultants and the City's Officers have liaised extensively with Senior Officers of the DPLH's Precincts and Projects team during the preparation of the draft MSPSP.

A project meeting was also held in August 2024 with Senior Officers from the DPLH Land Use Planning, and Schemes teams, and the State Design Review Panel to ensure the draft MSPSP aligned with State Government requirements.

### Concurrent Public Advertising

Should Council support the draft MSPSP and initiate a TPS Amendment to enable the Structure Plan, the documents will be forwarded to the DPLH to advertise. Following Ministerial approval to advertise the TPS Amendment (and any modifications required being made), the two documents will be concurrently advertised for public comment for a minimum of 60 days in accordance with the requirements of Part 5 and Schedule 2 Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015 by way of:

- Letters being sent to all landowners within and adjacent to the MSPSP area;
- Notification being published in the local newspaper;

- The relevant public authorities being notified in writing of the TPS amendment details;
- Information being placed in the City's engagement website; and
- Hard copies of the documents being made available for inspection at the City's Civic Centre and libraries.

## OFFICER'S COMMENTS

### Structure Plan

The draft MSPSP has been prepared in accordance with the requirements of State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0), State Planning Policy 7.2 – Precinct Design Guidelines (SPP 7.2), and WA Planning Manual – Guidance for Structure Plans. It is comprised of Part One – Implementation, and Part Two – Explanatory Section. The Structure Plan will have an initial lifespan of 10 years, and is a “due-regard” document.

Part One is the implementation component of the structure plan and includes the structure plan map, showing zones and densities, and appropriate development controls.

The Part Two – Explanatory section contains the background information, design process, and rationale for the structure plan. It also contains supporting plans and figures and technical appendices.

The following objectives contained in the report for subdivision and development in the MSPSP area were formulated from the outcomes of the community engagement:

<b>SPP 7.2 design Element</b>	<b>Objectives</b>
Urban Ecology	Public and private spaces retain what is natural, optimising tree retention and planting to support healthy canopy growth wherever possible.
Urban Structure	Subdivision and development of larger light industrial and industrial lots supports transition into high quality residential and mixed use neighbourhoods, which provide new roads and open spaces to support a growing population.
Public Realm	<p>All streets and public open spaces are safe, well lit, shaded, and have points of interest and amenity, integrating natural features, trees and parkland.</p> <p>Streets and open spaces are overlooked by housing and commercial developments which encourage active use enhancing safety throughout the day and night.</p>
Movement	<p>Street designs reduce the amount of asphalt used, with more opportunities for landscaping provided.</p> <p>Local streets and places where people will gather prioritise accessibility for those with the greatest mobility challenges.</p> <p>Primary movement connections including Broun Avenue and Walter Road East, Embleton Avenue and Beechboro Road North are serviced with excellent cycling and pedestrian infrastructure.</p>

Land Use	<p>Neighbourhoods are designed to prioritise high and medium density housing close to the train station, near parks, and along urban corridors.</p> <p>New development facilitates a mix of residential, commercial and community facilities and amenities, including activities which support community interaction and well-being.</p>
Built Form	<p>New buildings respect Morley's traditional low density environment, with taller buildings in the core transitioning to a lower scale of development at the edges of the precinct.</p> <p>Buildings prioritise the retention and planting of trees and vegetation.</p> <p>Buildings provide adequate provision for parking requirements of residents, visitors and retail customers.</p> <p>Consideration of Crime Prevention Through Environmental Design principles.</p>

#### Land Use and Densities

The MSPSP area is split East/West by Tonkin Highway, and North/South by Broun Avenue / Walter Road West. The majority of the land within the area is currently zoned Medium and High Density Residential predominantly with a density code of R25, with small pockets of R30 and R40. East of the train station is a triangle of Light Industry, and to the south west the land is zoned General Industry. The land at the intersection of Walter Road East and Beechboro Road North includes Business, Showroom, Service Station and Special Purpose. The area also includes numerous sites of Public Open Space, including Wotton Reserve, Addlestone Reserve, Elstead Reserve, Broun Park, Tom Cameron Park, Ockley Square, Font's Place Basin and portion of Houghton Park.





*Existing Zones*

The land use and densities proposed in the MSPSP generally align with the Morley Station Precinct MCP. It is proposed to amend the zones around the train station to encourage higher density residential development in accordance with transit oriented development (TOD) principles, with taller buildings 5-6 stories at higher densities allowing for apartment development in close proximity to the train station, transitioning to lesser height 2-3 stories medium/high density along the urban corridors (Broun Avenue, Walter Road, Beechboro Road), and medium density of R40 within the remaining residential areas. To enable higher density apartments adjacent to the train station it is proposed to transition the 'Light Industrial' and 'General Industrial' land and a portion of Wotton Reserve to 'Residential' and 'Mixed Use'. To maintain the employment base in the area it is proposed to zone the area between Wotton Street and Chalkey Place 'Mixed Use' with a portion of 'Commercial' to act as a transition zone to the 'Residential' land.

It is proposed to rationalise the current mix of zones at the intersection of Walter Road East and Beechboro Road North to Commercial and Mixed Use, to allow for a range of land uses to enhance the area and provide retail and commercial services to the community.

The "Area subject to Future Planning" is zoned 'Industrial' under the Metropolitan Region Scheme (MRS) and therefore cannot be included in the current MSPSP. Once the MRS is amended to 'Urban' as discussed below, the MSPSP can be amended to include the future planning area.



A reasonably conservative approach to future density and development has been proposed, in order to mitigate significant impact on the Morley Activity Centre through overdevelopment of the MSPSP, whilst encouraging development along the connecting corridors. The proposed rezoning would result in an estimated dwelling yield (existing plus new) in the order of 2,940 (49%) low take up, to 4,322 (72%) high take up. The economic report contained in the appendices recommends an “outside in” approach to development due to the current economy, lower land values and construction costs – allow for medium density development in the form of grouped dwellings, town houses and low scale multiple dwellings on the outskirts of the MSP until the construction of apartments in the central core area near the train station becomes feasible.

To select the specific densities, from R40 (low -rise) up to R-AC3 (medium-rise), the MSPSP considered encouraging sensitive infill development, locating density around areas of high amenity such as public open space, transition to multi residential and mixed use for large lots, and an active and accessible core around the station. In particular, there is an expectation that the large lots will be developed in the future, and these have been allocated densities of R80, R100 and R-AC3 which can result in good quality development at a medium height, whilst still providing high density. Public consultation of the MSPSP will provide a mechanism to test these proposed densities with the community, and there will be opportunity to modify post-advertising if necessary.

A Land Use Permissibility table is also contained within the MSPSP, stand alone to the provisions of TPS 24. The land uses and permissibilities are similar to those within TPS 24, but include additional provisions to encourage opportunities for further activation and vibrancy of the area, such as small bar, brewery and short stay accommodation. The permissibilities also seeks to legitimise several of the existing land uses in the area, such as shops and pet grooming.

The land use table also seeks to make grouped dwellings an ‘X’ use at residential densities R80 and higher, to preserve that land for the future when apartments become feasible/viable.

### Precincts

The MSPSP translates the above proposed zones into seven defined sub-precincts, with precinct specific intentions and objectives. Some development control modifications to the R-Codes are

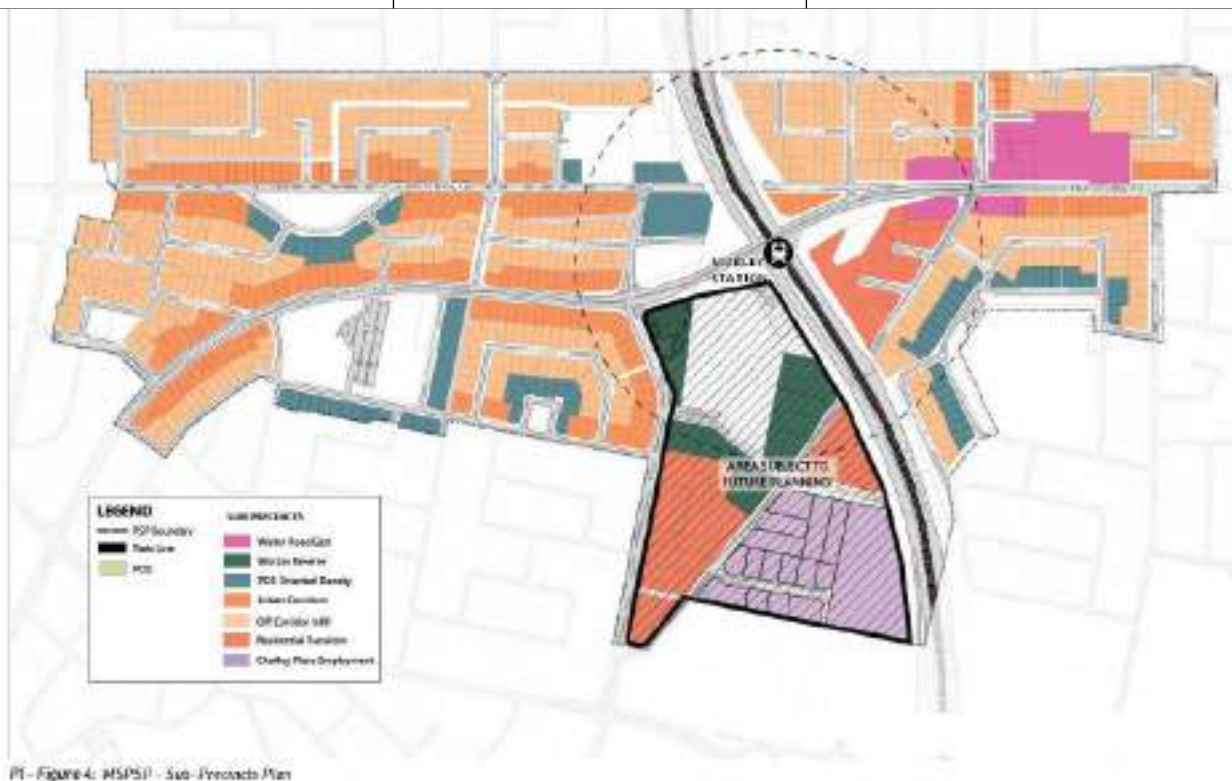
also proposed, to address the outcomes of the community engagement, for green spaces and active urban streets. The intent and objectives provide a framework for consideration of discretion in the event that any variations to the MSPSP or relevant development controls (eg, R-Codes) are proposed. These are summarised below:

Sub-precinct, Zone and Intent	Objectives	Custom Development Controls
<b>1. Walter Road East</b>  Mixed Use R80 and R100  A vibrant mixed-use precinct which provides opportunities for businesses, employment, and housing growth on the Urban Corridor.	<ul style="list-style-type: none"> <li>Mixed use residential, with active ground floor uses such as restaurants, cafés, shops and retail, and residential above.</li> <li>Development controls encourage deep soil and tree canopy in front and rear setback areas.</li> <li>Landscaped setbacks act as a green buffer, providing separation from the street, and shade for improved pedestrian experience.</li> <li>New buildings create an urban edge to Walter Road East, optimising public exposure by bringing more closer to the street.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum ground floor height 4.5m (in lieu of 2.7m)</li> <li>Front setback 4m (in lieu of 2 at R80)</li> <li>Secondary street setback 2m (in lieu of 1m)</li> <li>Rear setback 6m (in lieu of 1m to 3m)</li> <li>Maximum site cover for commercial 65% to 70%</li> </ul>
<b>2. Residential Transition</b>  Residential R100 and Mixed Use R100  Future Development Residential R60, R80,  Transition of existing light industrial land to urban uses, focusing on increased residential density within the core area surrounding Morley Station.	<ul style="list-style-type: none"> <li>Mixed use residential, with active ground floor uses such as restaurants, cafés, shops and retail, and residential above.</li> <li>Development controls encourage deep soil and tree canopy in front and rear setback areas.</li> <li>Landscaped setbacks act as a green buffer, providing separation from the street, and shade for improved pedestrian experience.</li> <li>New buildings create an urban edge to Walter Road East, optimising public exposure by bringing more closer to the street.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum ground floor height 4.5m (in lieu of 2.7m)</li> <li>Front setback 4m (in lieu of 2 at R80)</li> <li>Secondary street setback 2m (in lieu of 1m)</li> <li>Maximum site cover for commercial 65%</li> </ul>
<b>3. Urban Corridors</b>  Residential R60, R80  New medium density housing options which provide	<ul style="list-style-type: none"> <li>High quality grouped and multiple dwellings, street facing that enhance the attractiveness of urban corridors.</li> <li>Large front setbacks for</li> </ul>	<ul style="list-style-type: none"> <li>Front setback 4m (in lieu of 2 at R80)</li> <li>Secondary street setback 2m (in lieu of 1m)</li> </ul>



attractive new developments that capitalise on high frequency bus routes.	<p>landscaping to provide green edges which encourage dwellings to open out on to the street.</p> <ul style="list-style-type: none"> <li>• High non-permeable walls are discouraged, dwellings should orientate balconies / courtyards towards the primary street.</li> <li>• Visibility of parking on the primary street is minimised or screened from view.</li> </ul>	
<p><b>4. Public Open Space Density</b></p> <p>Residential R60,R80</p> <p>Medium density housing options providing attractive new developments that capitalise on their proximity to public open space reserves.</p>	<ul style="list-style-type: none"> <li>• Medium density housing oriented to optimise views over public open space, with private open spaces and balconies providing passive surveillance of the public realm.</li> <li>• Larger front and rear setbacks for landscaping to provide green edges along the park interface.</li> <li>• Low fences, to align with this approach.</li> <li>• Visibility of parking areas on the primary street is minimised or screened with landscaping.</li> </ul>	As per TPS 24 and R-Codes
<p><b>5. Off Corridor Infill</b></p> <p>Residential R40 and R60</p> <p>Medium density housing options which provide opportunities for infill housing.</p>	<ul style="list-style-type: none"> <li>• Medium density housing opportunities which unlock large parts of the MSP for infill.</li> <li>• Transition in scale and density, enhancing dwelling diversity.</li> </ul>	As per TPS 24 and R-Codes
<p><b>6. Wotton Reserve</b></p> <p>Future Development Mixed Use R160, R-AC3</p> <p>High density residential apartments and mixed use developments oriented to Wotton Reserve to increase activation.</p>	<ul style="list-style-type: none"> <li>• Mixed use residential, with active ground floor uses such as restaurants, cafés, small bars, with residential above.</li> <li>• New buildings provide an urban edge between 5-6 storeys which helps to activate Wotton Reserve.</li> <li>• Buildings towards Wotton Reserve bringing more activity closer to the street edge at ground level, and private open spaces and balconies for passive surveillance at upper</li> </ul>	As per TPS 24 and R-Codes

	levels.	
<b>7. Chalkley Place</b>  Future Development Commercial, Light Industrial  Promotes employment generating land uses in proximity to Morley Station, while also providing a transitional buffer between new residential land and heavy industry uses to the south.	<ul style="list-style-type: none"> <li>Land uses which support employment opportunities in close proximity to Morley Station.</li> <li>Design of sites protects residential land from noncompatible industrial uses while providing a buffer.</li> <li>Deep soil and tree canopy in front and rear setback areas to enhance urban tree canopy in industrial areas.</li> </ul>	As per TPS 24



### Other Development Controls

The MSPSP also includes development controls for non-residential development, including landscaping, car parking and bicycle parking.

Car parking ratios are proposed in accordance with the WAPC car parking requirements for non-residential land uses in Perth and Peel draft Interim Guidance document, with a minimum of 1 bay per 100m<sup>2</sup> NLA and maximum 1 bay per 50m<sup>2</sup> NLA. Bike parking and end of trip facility requirements are also proposed.

Given that there is likely to be re-development of the area due to the train station and subsequent MSPSP provisions, it is recommended that the City's Cash in Lieu of Car Parking Policy be modified to include the Station Precinct.

The MSPSP also notes the need for referrals to ATCO for sites near the Tonkin Highway High Pressure Gas Pipeline, noise assessments for sites impacted by road and rail noise, urban water

management requirements, Acid Sulphate Soil disturbance mitigation, and refers to the City's Sustainability Guidelines.

### Key upgrades

The MSPSP sets the framework for private development, however, also identifies several key components that local and state government can implement to facilitate a vibrant village around the new train station. These elements are examined in detail in Part 2 and summarised below:

- Sewer – the area of industrial land to the southwest of the train station does not have access to reticulated sewer. Without sewer, residential and other commercial land uses cannot be considered. As with the greater Bayswater Industrial Area (BIA), state government commitment to provide sewer would allow for high density residential development around the station. The Water Corporation already has a developer contribution plan in place for the immediate area around the station, however this is for upgrades to water, drainage and sewer as necessary, not as an upfront installation of sewer throughout the BIA.
- Fonts Place drainage basin – this Water Corporation owned POS has been identified as a key opportunity, for a focal point of the urban village around the station enabling better pedestrian access with additional pathways, as well as potential for high quality public open space landscaping. A high-level concept in Part 2 shows an ideal scenario where access round the drainage basin could be through private land. An example of beautifying a drainage basin is the Warf Street basin in Cannington is shown below. Upgrades such as this would need to be advocated for by the City but implemented by the Water Corporation possibly with assistance by Department of Water and Environment Regulation.



Warf Street Basin, Cannington

- Streetscape – the existing links to the train station are not optimal. Improved pedestrian and cycling infrastructure to the new station would assist in reducing reliance on cars. High level concepts for streetscape improvements are included in Part 2, and show suggested improvements such as more street trees, shared cycle paths, safe crossing points, bus lanes and embayed parking. Further work around detailed design, funding, and implementation is required.

- Intersection upgrades - the Walter Road East and Beechboro Road North intersection may require upgrading as use of the train and density increases. Main Roads has advised that the City should monitor this intersection and advise Main Roads of any concerns which they will then analyse and implement changes as required.
- Footbridge Bridge – a footbridge has been identified to reconnect the two sides of the precinct through the previous Beechboro Road alignment. This may be a project in the long term, once apartment development occurs either side of the PSP, and not a responsibility of the City.
- Wotton Reserve – the existing car park poses an opportunity for a landmark development, (a swap from the previous landmark site identified in the MSCMP on the corner of Broun Avenue and Beechboro Road North which has been developed with a service station). A high-level concept is shown in Part 2, with a mixed-use development incorporating new sports club rooms. Reciprocal parking with the new PTA train station car park could be negotiated given the difference in sporting hours and train station use.
- Laneways – there are four drainage reserves containing underground piped infrastructure that could be upgraded to allow for rear access for new residential development. Legal right for access would need to be obtained, however these create an additional opportunity for infill development.

MSPSP does not hold the City to implement the above, however these are identified as opportunities that could occur in the future.

### Staging

Part One section 3.1 identifies a number of actions to enable implementation of the MSPSP, in the short, medium and long term. These actions are high level concepts at this stage, which have not yet been explored in terms of resourcing, funding, scheduling and implementation. The City of Bayswater's responsibilities will largely be limited to advocating and preparing concept plans in the first instance, with implementation to be undertaken by the relevant government authorities as appropriate.

Actions identified for the City to advocate for include:

- Water Corporation providing sewer to the Industrial area, which is already listed as one of the City's priorities for advocacy. The MSPSP also recommends this extends to water upgrades as necessary.
- Water Corporation undertaking drainage upgrades, including Font's place drainage basin.
- State Government providing a pedestrian footbridge across Tonkin Highway re-linking Beechboro Road, and provision of noise walls adjacent to industrial land that is intended for transition to residential uses.
- Main Roads WA upgrades to the Walter Road East and Beechboro Road North.
- Reciprocal parking arrangements with PTA for shared use of the station deck carpark.
- State government power infrastructure upgrades.
- Amend the 'Industrial' MRS land to 'Urban' and 'Urban Deferred' to allow for future development in proximity to the station.

Actions identified for the City to undertake include:

- Initiate a TPS Scheme Amendment to enable implementation of the MSPSP.
- Preparation of streetscape master plans to coordinate future upgrades for Walter Road West (note this will become a high frequency bus route with the extension of the 950 route from

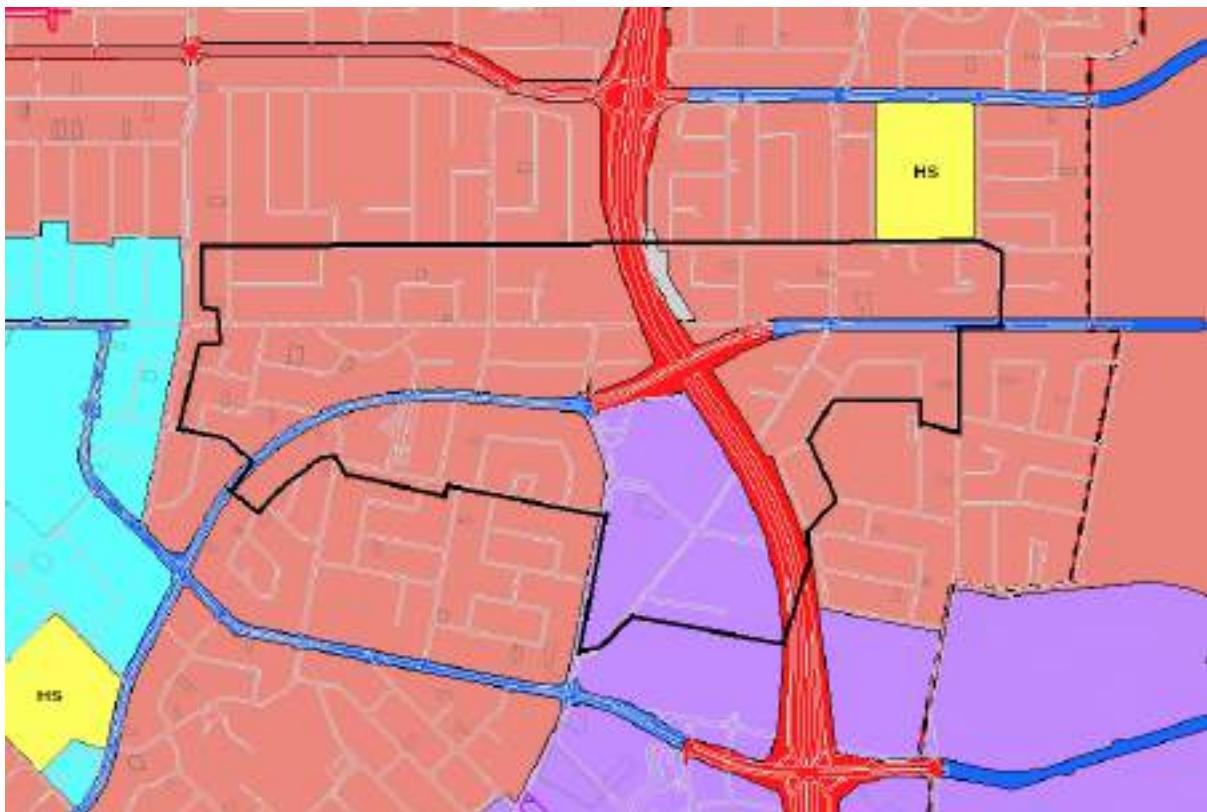
Galleria Bus Station to Morley Train Station), Walter Road East, Broun Avenue, Kingston Street, Bayswater Waves, train station access road, and portion of Beechboro Road North.

- Footpath expansion plan.
- Update Street Tree Planting Program.
- Explore options to guide upgrades at Wotton Reserve.
- Explore reopening public access ways.
- Explore formalising laneways (currently drainage reserves) to allow for rear access to development.
- Engage with the Reconciliation Advisory Committee to identify opportunities for how implementation can support the local Aboriginal community, such as public realm enhancements and upgrades.

It is noted that the concepts included in Part Two on how key streets could be upgraded to enable better pedestrian, cycle, car and bus movements to and from the station are indicative cross sections only and subject to detailed design. Design may vary along a street dependant on existing infrastructure and road layout. There is no funding proposed for any upgrades at this juncture, however it is recommended that these streets be considered in review of the future capital works program.

#### Metropolitan Region Scheme

The Metropolitan Region Scheme (MRS) is the underlying scheme that sets out the broad land use zones or reserves at a regional level. Whereas TPS 24 overlays this and sets out the specific zones at a local level. The MSPSP area contains land reserved for 'Primary and Other Regional Roads', 'Railway', 'Urban' and 'Industrial'.



MRS zones



Only the areas zoned 'Urban' (light red) under the MRS, can be rezoned under TPS 24 to enable the MSPSP to be implemented.

Wotton Reserve and the industrial land south of the station however are zoned 'Industrial' (purple) under the MRS and cannot be rezoned under TPS 24 to allow for anything other than industrial land uses. In order for the draft MSPSP to be implemented in the 'Industrial' area the MRS will need to be amended to 'Urban' before TPS 24 can be amended, therefore a request to amend the MRS needs to be submitted to the Western Australian Planning Commission.

Several of the properties adjoining Embleton Avenue have sewer available via a pipe located on the western side of the road, and could therefore be rezoned to 'Urban' under the MRS. The remaining properties in the industrial area do not have access to sewer, therefore can only be rezoned to 'Urban Deferred' until sewer is installed in the area. Once sewer is available the 'Urban Deferred' can be lifted, and the land will become 'Urban' under the MRS. The City has engaged with the DPLH on this matter who have also requested justification be provided demonstrating the economic impact of converting the zone.

Once the MRS is amended a scheme amendment to TPS 24 can be initiated to rezone the land to Urban Development, and the Structure Plan future planning implemented. This is likely to be done in two stages – the land with sewer available being rezoned first, then the land without sewer being rezoned when the infrastructure is installed. As noted above in Staging, the City is actively advocating for the State Government to fund and install sewer to the greater Bayswater Industrial Area.

#### Scheme Amendment

The current TPS 24 zones do not support high density development in proximity to the new train station, therefore a TPS Scheme Amendment is required to implement the proposals in the draft MSPSP.

The City's current TPS 24 does not conform with the current WAPC Model provisions for local planning schemes under the *Planning and Development (Local Planning Schemes) Regulations 2015* and is due for review. As such, at the 24 September 2024 Ordinary Council meeting, Council resolved to approve the Report of Review of TPS 24, and recommend to the WAPC that a new local planning scheme should be prepared.

Given TPS 24 is inconsistent with the Model provisions, and a scheme review process has been initiated (which has a longer timeframe than a scheme amendment), the DPLH have advised the least complicated way to enable implementation of the MSPSP is to amend the area to 'Urban Development'. This is a new zone to TPS 24, but compliant with the WAPC model provisions.



Other elements of the TPS scheme amendment to enable the provisions of the MSPSP are:

- The City's draft Local Planning Strategy (LPS), which shows the Morley Station Precinct, is currently with the WAPC pending final endorsement. Since the LPS is in draft format, and the TPS amendment will have an impact on development in the locality, the TPS amendment should be initiated as 'complex'..

In the event that Council endorses the draft MSPSP and associated Scheme Amendment and MRS amendments, the following will occur:

- Page 51

- Initiate an amendment to TPS 24 to rezone only the land currently zoned 'Urban' under the MRS to 'Urban Development', prepare the documentation, and submit to Department of Water and Environmental Regulation, and subsequently the WAPC for approval to advertise.
- On Ministerial approval to advertise the TPS amendment, concurrently advertise with the draft MSPSP for 60 days
- Request the WAPC to amend the MRS to rezone the 'Industrial' zone to 'Urban' for the sewer area adjacent to Embleton Avenue, and 'Urban Deferred' for the remainder of the industrial land without access to reticulated sewer.

Future actions will include:

- On approval of amending the MRS to rezone the sewer area 'Industrial' land to 'Urban', initiate a TPS amendment to rezone the land to 'Urban Development'.
- On installation of sewer, lifting of the MRS 'Urban Deferred' zone can occur so the land becomes 'Urban', and a further TPS amendment to rezone the land to 'Urban Development' can be initiated.
- Preparation of the new TPS 25 can include the provisions of the MSPSP, including zoning changes, subject to the underlying MRS amendments having occurred. Subject to the timing of the MRS amendment, additional TPS 24 amendments may not be required, and may be included directly in the new TPS 25.
- Update MSPS to include provisions for the MRS 'Industrial' areas currently shown as "Future Planning" once these have changed to MRS 'Urban'.

## LEGISLATIVE COMPLIANCE

### Structure Plan

Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for preparing a Structure Plan.

### TPS Amendment

Section 75 of the *Planning and Development Act 2005* permits a local government to amend its local planning scheme. Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for amending a local planning scheme.

## RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	low
Financial	Medium	medium
Reputation and Stakeholders	Medium	medium
Service Delivery	Medium	medium
Environment	Low	low
Governance and Compliance	Low	medium
Strategic Risk	SR01 - Inability to plan, provide and support socially connected, healthy and safe neighbourhoods.	

## FINANCIAL IMPLICATIONS

The following financial implications are applicable:



**Item 1:** Advertise the proposal for public comment

**Asset Category:** N/A

**Source of Funds:** Municipal

**LTFP Impacts:** Not itemised in the LTFP

**Notes:** \*Includes budget allocated for newspaper advertisements and letter to be sent to land owners and occupiers in relation to strategic planning matter.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	EMPLOYEE				
1	\$2,500						\$6,000 *

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Environment and Liveability

Goal E1: Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes.

The Morley Station Precinct Structure Plan will set an appropriate planning framework for future development around the new Morley train station.

## CONCLUSION

Given the above, it is recommended that Council supports the draft Morley Station Precinct Structure Plan for the purpose of public advertising, requests the Western Australian Planning Commission to amend the Metropolitan Region Scheme from 'Industrial' to 'Urban' and 'Urban Deferred' and initiates a local scheme amendment to zone the existing 'Urban' land to 'Urban Development'.

## City of Bayswater



# Morley Station Precinct Structure Plan

November 2024



II

MORLEY STATION PRECINCT STRUCTURE PLAN

NOVEMBER 2024

ENDORSEMENT PAGE

This Precinct Structure Plan is prepared under the provisions of the City of Bayswater Local Planning Scheme No. 24.

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:

DATE

Signed for and on behalf of the Western Australian Planning Commission:

\_\_\_\_\_

An officer of the Commission duly authorised by the Commission pursuant to section 16 of the Planning and Development Act 2005 for that purpose, in the presence of:

\_\_\_\_\_ Witness

\_\_\_\_\_ Date

\_\_\_\_\_ Date of Expiry

TABLE OF AMENDMENTS

AMENDMENT NO.	SUMMARY	DATE APPROVED BY WAPC

## IV

## MORLEY STATION PRECINCT STRUCTURE PLAN

NOVEMBER 2024

## EXECUTIVE SUMMARY

The Morley Station Precinct (MSP), part of the METRONET Program's 21km Morley-Ellenbrook Line, will provide essential passenger rail infrastructure for the suburbs of Morley, Embleton and parts of Bayswater. This city shaping infrastructure presents significant opportunities to revitalise the area surrounding the MSP, enable enhanced connections to the Morley Activity Centre and provide complementary transport, housing, employment and recreation choices within walking distance of Morley Station.

The MSP is identified as a planning area with a high priority in the City's draft Local Planning Strategy (LPS), as it surrounds a new train station and has the potential to accommodate denser forms of housing, local retail, employment, entertainment, and other amenities within the walkable catchment of Morley Station. The MSP is also identified by METRONET's Station Precincts Gateway as a Neighbourhood Centre Station Precinct, with the capacity for medium to higher density residential and some retail and services to meet the needs of the local community.

In 2021, METRONET in collaboration with the City of Bayswater (the City) prepared the Morley Station Precinct Concept Master Plan (CMP) to provide a vision for the MSP which will ensure it capitalises on this once in a lifetime investment. The CMP establishes the long-term vision, principles, land use changes, key connections and amenities to be developed over the next 30 years. It is a high-level road map for change that will be implemented over time by the public and private sectors through precinct planning and investment in streetscapes and public open space.

The vision for the MSP is:

***An authentic urban village that embraces change and the advantages that come from a new train station.***

***Building on established local character and celebrating diverse stories, the village has a vibrant street environment, variety of green spaces and a range of activities in interesting places.***

***A great place to live, visit and do business.***

To achieve this vision, it is necessary to establish a more detailed planning framework for the MSP, this will be through the Morley Station Precinct Structure Plan (MSPSP). This contemporary planning framework will guide future subdivision and development for the next 10 years and beyond, and will be prepared in accordance with the following key State planning documents:

- + State Planning Policy 7.0 - Design of the Built Environment;
- + State Planning Policy 7.2 - Precinct Design; and
- + WA Planning Manual - Guidance for Structure Plans.

It incorporates the following:

- + **Part One - Implementation:** Is the 'rule book', it sets out the structure plans purpose / objectives, staging considerations, and includes provisions to help guide preparation and assessment of future subdivision and development applications.
- + **Part Two - Explanatory Section:** Includes detailed background investigations, this includes a thorough analysis of the governance, community, and physical context. These findings inform the design approach, framed around six key elements of precinct design: Urban Ecology, Urban Structure, Public Realm, Movement, Land Use, and Built Form.
- + **Supporting Technical Appendices:** Site and Context Analysis, Community Engagement Outcomes Report, Environmental Constraint Assessment Report, Water Management Strategy, Sustainability Report, Traffic Impact Assessments, Civil Engineering, Infrastructure Servicing Strategy, and Market Analysis.

STRUCTURE PLAN SUMMARY TABLE

ITEM	DATA	STRUCTURE PLAN REF
Total area covered by the structure plan	170 hectares	Part One - Section 1.1
Area of each land use proposed	Mixed Use + 9.71 hectares Commercial + 1.79 hectares Residential + 76.90 hectare Industrial + 5.92 hectares	Part Two - Section 4.5.3 Land Use Mix
Estimated Number of Dwellings	<b>Current:</b> 1,022 dwellings <b>Total Capacity:</b> 6,004 dwellings full take-up rate of development (100%) 2,940 dwellings low take-up rate of development (49%) 4,322 dwellings high take-up rate of development (72%) <i>Note: This dwelling capacity calculation includes the area subject to further planning.</i>	Part Two - Section 4.5.5 Residential Densities
Estimated Residential Site Density	<b>Current:</b> 15 dwellings / hectare (based on current 69ha of residential zoned land) <b>Total Capacity:</b> 69 dwellings / hectare (based on total proposed 86.6ha of residential and mixed use zoned land at full take-up rate (100%) of development ) <i>Note: The estimated residential site density is inclusive of the area subject to further planning.</i>	Part Two - Section 4.5.5 Residential Densities
Estimated Population	<b>Interim Estimate:</b> 7,938 people <b>Ultimate Estimate:</b> 16,211 people <i>Note: based on average household size of 2.7 people. Interim Estimate based on low take-up rate of development (49%), and Ultimate Estimate based on full take-up rate of development (100%).</i>	Part Two - Section 4.5.5 Residential Densities
Number of High Schools	0	
Number of Primary Schools	0	
Estimated Area and Percentage of Public Open Space given over to:	+ Public Open Space + 10.68 hectares + Drainage + 2.9 hectares	Part Two - Section 4.3.1 POS Network

VI

MORLEY STATION PRECINCT STRUCTURE PLAN

NOVEMBER 2024

Revision Letter	Date	Reason for Issue	INITIAL
A	04-11-2024	Part 1 - First Draft for Client Review	NS
B	20-11-2024	Part 1 and 2- Updated following Client Review	NS
C	26-11-2024	Part 1 and 2- Final Draft for Public Advertising	NS

DISCLAIMER

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Shape Urban

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Colliers

Planning, Urban Design, Architecture

Appendix 1 - Site and Context Analysis

Landscape

Appendix 2 - Stakeholder Engagement Outcomes Report

Appendix 3 - Water Management Strategy

Appendix 4 - Environmental Assessment Report

Appendix 5 - Sustainability Report

Appendix 6 - Traffic Impact Assessment

Appendix 7 - Civil Engineering

Appendix 8 - Infrastructure Servicing Strategy

Appendix 9 - Market Assessment

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Appendix 2 - Engagement Outcome Report
Appendix 3 - Environmental Constraint Assessment
Appendix 4 - Water Management Strategy
Appendix 5 - Sustainability Report
Appendix 6 - Traffic Impact Assessments
Appendix 7 - Civil Engineering
Appendix 8 - Infrastructure Servicing Strategy
Appendix 9 - Market Analysis

ABBREVIATIONS

ABS	Australian Bureau of Statistics	PTA	Public Transport Authority
CPTED	Crime Prevention Through Environmental Design	P1	Part One
COB	City of Bayswater	P2	Part Two
DOT	Department of Transport	REIWA	Real Estate Institute of Western Australia
DPLH	Department of Planning Lands and Heritage	SCP	Strategic Community Plan
DWER	Department of Water and Environmental Regulation	SEIFA	Socio-Economic Indexes for Areas
EPA	Environmental Protection Authority	SPP	State Planning Policy
LPP	Local Planning Policy	TOD	Transit Oriented Development
LPS	Local Planning Strategy	UHI	Urban Heat Island
MSP	Morley Station Precinct	WAPC	Western Australian Planning Commission
MSPSP	Morley Station Precinct Structure Plan	WMS	Water Management Strategy
MRS	Metropolitan Region Scheme	WSUD	Water Sensitive Urban Design
MRWA	Main Roads Western Australia		
PAW	Public Access Way		
PLPP	Payment in Lieu of Parking Plan		
PLUC	Planning Land Use Category		
POS	Public Open Space		

# 01

---

## **STRUCTURE PLAN AREA AND OPERATION**

# 1.1 STRUCTURE PLAN AREA

The Morley Station Precinct Structure Plan (MSPSP) shall apply to the land contained within the inner edge of the line denoting the precinct boundary as shown on **P1 - Figure 2**.

The Morley Station Precinct (MSP) totals an area of approximately 170ha.

# 1.2 OPERATION

The MSPSP is in effect from the date stated on the cover **(insert date of WAPC decision letter)** and for a period of 10 years.

## 1.2.1. SCHEME RELATIONSHIP

The City of Bayswater Local Planning Scheme No. 24 (the Scheme) enables preparation of the MSPSP. The objectives and development standards are complementary to the provisions, standards or requirements of the Local Planning Scheme.

Where it is otherwise not covered, the provisions of the Scheme and the Residential Design Codes Volume 1 and Volume 2 (R-Codes) shall prevail. All relevant policies of the Western Australian Planning Commission, and City of Bayswater also apply.

## 1.2.2. EXERCISE OF DISCRETION

Where discretion is to be exercised under the MSPSP in relation to development requirements, due regard must be had to:

- + The design principles set out in State Planning Policy 7.0 – Design of the Built Environment;
- + The relevant provisions of the Scheme;
- + The objectives of the MSPSP; and
- + The intent and objectives of the relevant sub-precinct.

## 1.2.3. INTERPRETATIONS

The MSPSP applies the same definitions as set out in the *Planning and Development Act 2005* and *Residential Design Codes Volume 1 and Volume 2*, and *City of Bayswater Town Planning Scheme 24*.

# 02

---

## PURPOSE

## 2.1 PURPOSE

The following objectives apply to all areas located within the MSPSP area. All subdivision and development shall have due regard for the following objectives.

### 2.1.1. URBAN ECOLOGY

- + Public and private spaces retain what is natural, optimising tree retention and planting to support healthy canopy growth wherever possible.

### 2.1.2. URBAN STRUCTURE

- + Subdivision and development of larger light industrial and industrial lots supports transition into high quality residential and mixed use neighbourhoods, which provide new roads and open spaces to support a growing population.

### 2.1.3. PUBLIC REALM

- + All streets and public open spaces are safe, well lit, shaded, and have points of interest and amenity, integrating natural features, trees and parkland.
- + Streets and open spaces are overlooked by housing and commercial developments which encourage active use enhancing safety throughout the day and night.

### 2.1.4. MOVEMENT

- + Street designs reduce the amount of asphalt used, with more opportunities for landscaping provided.
- + Local streets and places where people will gather prioritise accessibility for those with the greatest mobility challenges.
- + Primary movement connections including Broun Avenue and Walter Road East, Embleton Avenue and Beechboro Road North are serviced with excellent cycling and pedestrian infrastructure.

### 2.1.5. LAND USE

- + Neighbourhoods are designed to prioritise high and medium density housing close to the train station, near parks, and along urban corridors.
- + New development facilitates a mix of residential, commercial and community facilities and amenities, including activities which support community interaction and well-being.

### 2.1.6. BUILT FORM

- + New buildings respect Morley's traditional low density environment, with taller buildings in the core transitioning to a lower scale of development at the edges of the precinct.
- + Buildings prioritise the retention and planting of trees and vegetation.
- + Buildings provide adequate provision for parking requirements of residents, visitors and retail customers.
- + Consideration to CPTED principles.

# 03

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## STAGING

# 3.1 STAGING

The MSPSP identifies critical staging/implementation actions, which give consideration for short term (0-5 years), medium term (5-10 years) and long term (10+ years) aspirations. Such actions are set out in **P1 - Table 1** to **P1 - Table 4**, noting that those actions listed as long-term, extend beyond the (initial) life of this structure plan (once operational). These actions are currently high level concepts at this stage, which have not yet been explored in terms of resourcing, funding, scheduling and implementation. The City of Bayswater's responsibilities will largely be limited to advocating and preparing concept plans in the first instance, with implementation to be undertaken by the relevant government authorities as appropriate.

**P1 - Table 1: Urban Ecology Actions**

TIMING	ACTION	RESPONSIBILITY	STAKEHOLDERS
Ongoing	Support Water Corporation in undertaking designs to support drainage upgrades in accordance with Water Corporation's Drainage for Liveability Program. Upgrades are undertaken to enhance its visual quality. Design to investigate ability for pedestrian access through the drainage reserves.	City of Bayswater (advocacy)	Water Corporation Adjacent landowners.
Short Term	The City to undertake initial engagement with its Reconciliation Advisory Committee to identify opportunities for how implementation of the MSPSP can support the local Aboriginal community. Initiatives could be linked to: <ul style="list-style-type: none"> <li>+ Public realm opportunities, including potential locations for public public realm enhancements.</li> <li>+ Housing opportunities.</li> </ul>	City of Bayswater	Reconciliation Advisory Committee

**P1 - Table 2: Public Realm Actions**

TIMING	ACTION	RESPONSIBILITY	STAKEHOLDERS
Short Term	Prepare a streetscape master plan to coordinate future upgrades on Walter Road West in accordance with the proposed vision set out in the MSPSP. Considerations to address: <ul style="list-style-type: none"> <li>+ Bus layover bays;</li> <li>+ On-street parking;</li> <li>+ Road carriageway and median widths;</li> <li>+ Shared path widths;</li> <li>+ Undergrounding of power.</li> </ul>	City of Bayswater	Public Transport Authority Adjacent Landowners
	Update the City's Street Tree Planting Program in accordance with the conceptual vision set out in the MSPSP.	City of Bayswater	Broader Community
Medium Term	Explore options to guide upgrades at Wotton Reserve in accordance with the concepts set out in the MSPSP  MRS Amendment required to enable integration of urban development.	City of Bayswater	Broader Community State Government
	Prepare a streetscape master plan to coordinate upgrades on Walter Road East in accordance with the conceptual vision set out in the MSPSP.	City of Bayswater	PTA, Main Roads, Broader Community



TIMING	ACTION	RESPONSIBILITY	STAKEHOLDERS
<b>Medium Term</b>	Prepare a detailed landscape plan to guide future upgrades at Fonts Place Basin to support enhanced access to Morley Station via Broun Avenue.	City of Bayswater (advocate for implementation)	Adjacent Landowners, Water Corporation, DWER
<b>Long Term</b>	Prepare a streetscape master plan to coordinate upgrades on Broun Avenue in accordance with the conceptual vision set out in the MSPSP.	City of Bayswater	PTA, MRWA, Broader Community
	Prepare streetscape master plans for the identified Places for People - Kingston Street, Bayswater Waves, PTA owned road along the eastern edge of Wotton Reserve, Portion of Beechboro Road North. Upgrades should be focused on pedestrian amenity and safety, shading, and street furniture.	City of Bayswater PTA (for PTA owned road along the eastern edge of Wotton Reserve only)	Broader Community and Adjacent Landowners

P1 - Table 3: Urban Structure and Movement Actions

TIMING	ACTION	RESPONSIBILITY	STAKEHOLDERS
<b>Ongoing</b>	Advocate for and support State Government in future planning and design of a pedestrian footbridge across Tonkin Highway connecting Beechboro Road South and Beechboro Road North. Provision of a noise wall on the western side of Tonkin Highway should also be considered.	City of Bayswater (advocacy)	DPLH Main Roads Western Australia Adjacent Landowners
	Develop a footpath expansion plan and program to improve pedestrian infrastructure across the precinct.	City of Bayswater	Adjacent Landowners Main Roads Western Australia (higher order roads)
<b>Short Term</b>	Support and advocate that Main Roads of Western Australia undertake detailed design investigations at the intersection of Walter Road East and Beechboro Road North to enhance safety and useability.	City of Bayswater (advocacy)	Main Roads Western Australia Adjacent Landowners
	As part of Wotton Reserve master planning advocate for reciprocal parking arrangements with the Public Transport Authority for shared use of the multi-level car park at Morley Station.	City of Bayswater (advocacy)	Public Transport Authority
	Coordinate the re-opening and addition of designated public access ways to enhance connectivity and accessibility for pedestrians.	City of Bayswater	Adjacent Landowners
<b>Medium Term</b>	Formalise identified laneways by preparing a streetscape design that seals the piped drainage areas and integrates them into the broader traffic network, enhancing connectivity and accessibility.	City of Bayswater	State Government (landowner), Adjacent Landowners

P1 - Table 4: Land Use Actions

TIMING	ACTION	RESPONSIBILITY	STAKEHOLDERS
Ongoing	Advocate for and support the State Government in providing sewer infrastructure for areas not currently serviced by sewerage infrastructure to enable industrial land to transition to urban uses.	City of Bayswater (advocacy)	Water Corporation Impacted Landowners
	Advocate for and support the State Government in providing water infrastructure for areas which require network upgrades to support future infill development.	City of Bayswater (advocacy)	Water Corporation Impacted Landowners
	Advocate for and support the State Government in providing power infrastructure for areas which require network upgrades to support future infill development.	City of Bayswater (advocacy)	Western Power Impacted Landowners
Short Term	Advocate for and support State Government in undertaking investigations to amend the MRS for the area identified on the Structure Plan Map. The intent is to transition this land from 'Industrial' to 'Urban Deferred'.	City of Bayswater (advocacy)	DPLH Impacted Landowners
	Initiate application for Scheme amendment to rezone the MSP to Urban Development.	City of Bayswater	DPLH
Medium Term	Landowners in the existing industrial zone to ensure that future subdivision provides all required roads and public open spaces to support urban development.	Landowners	City of Bayswater DPLH



P1 - Figure 1: MSPSP - Implementation Plan

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# 04

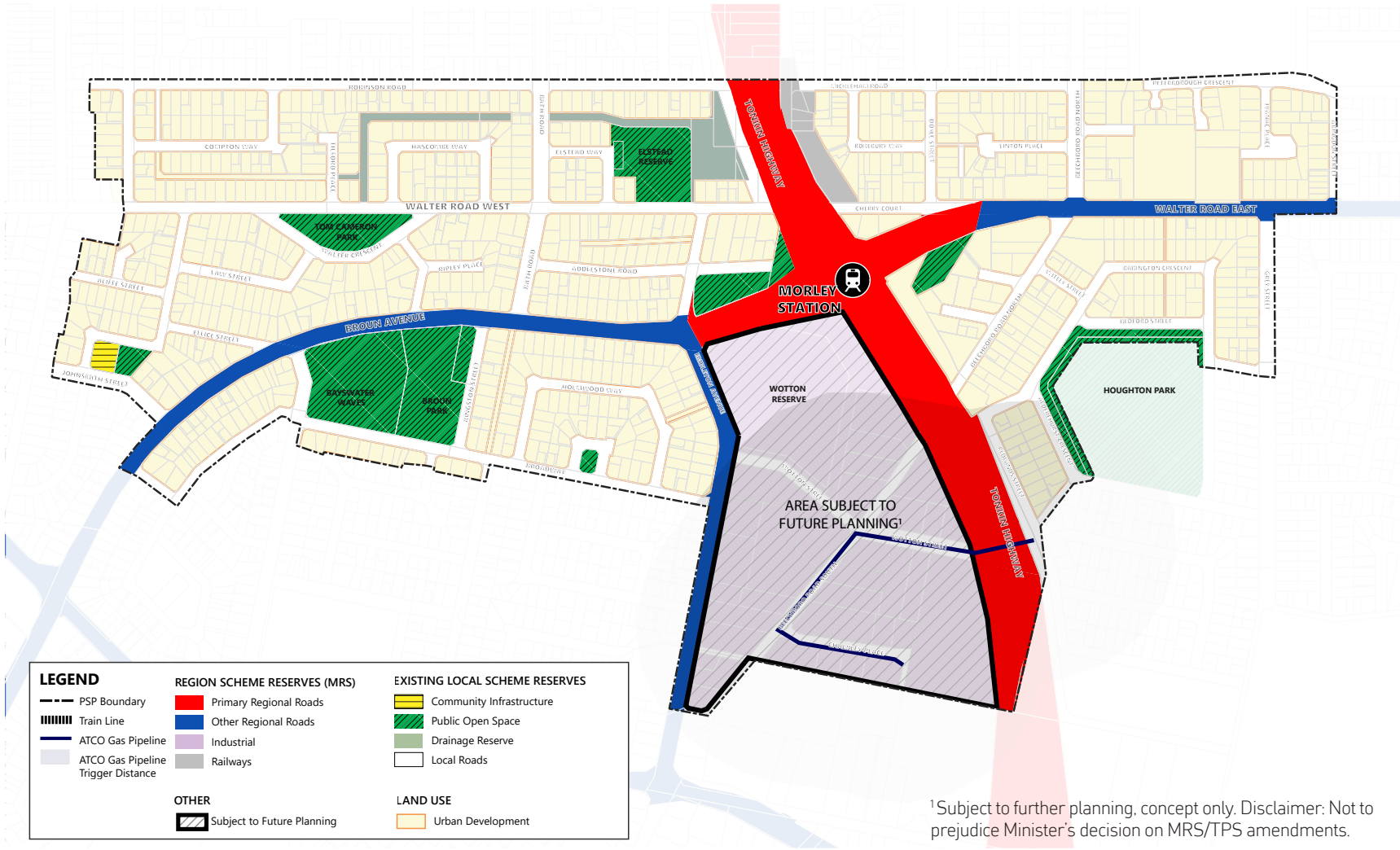
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## **SUBDIVISION AND DEVELOPMENT REQUIREMENTS**

## 4.1 LAND USE ZONES AND RESERVES

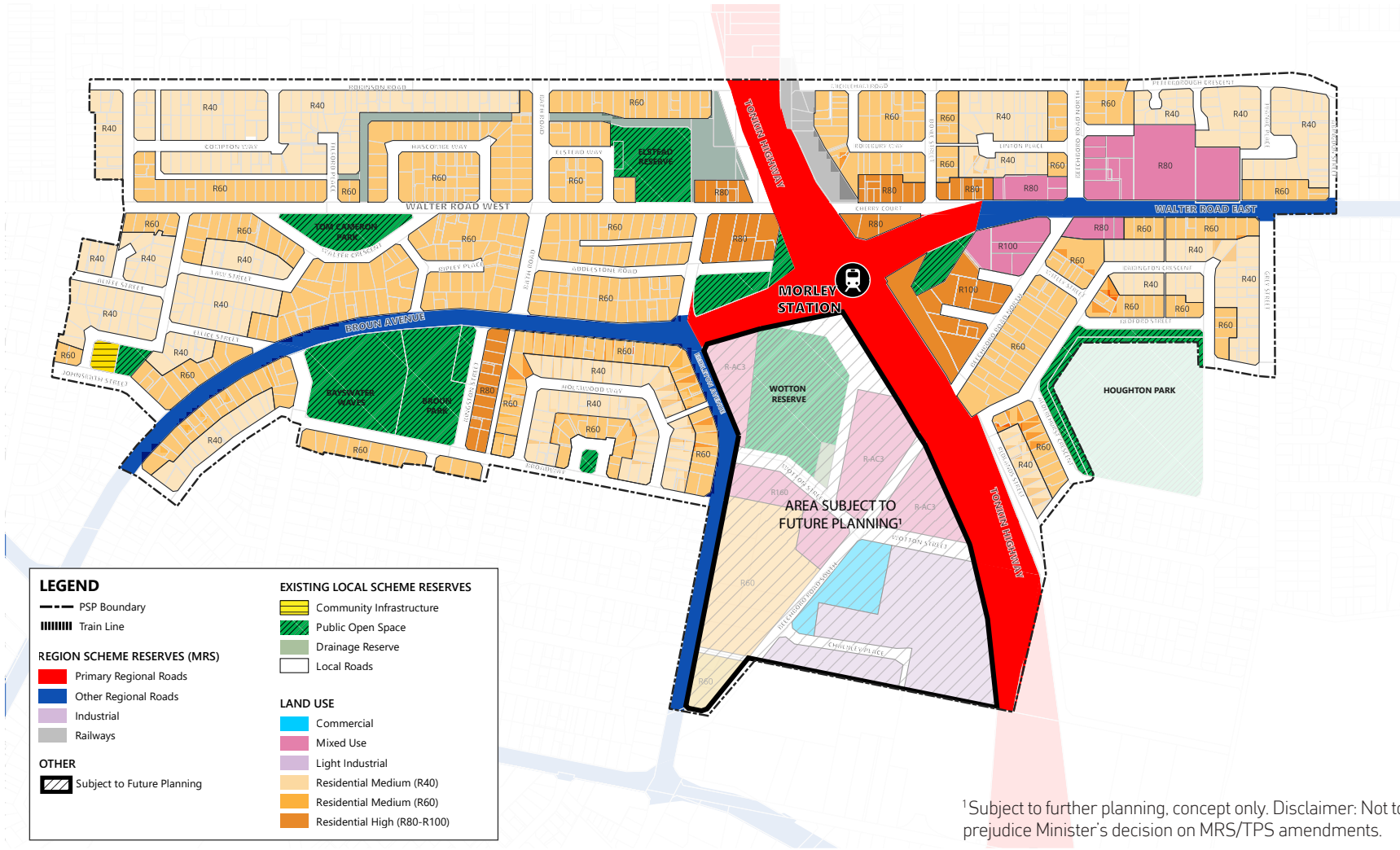
### 4.1.1. LAND USE ZONES

1. Land use permissibility within the MSPSP shall be based on the zones and reserves identified on **P1 - Figure 2**:
  - (a) For land zoned urban development, land use permissibility within the MSPSP shall be determined in accordance with **P1 - Figure 3** and **P1 - Table 6**.
  - (b) For reserved land, land use permissibility within the MSPSP shall be determined in accordance with the MRS or the City's Local Planning Scheme.



<sup>1</sup> Subject to further planning, concept only. Disclaimer: Not to prejudice Minister's decision on MRS/TPS amendments.

P1 - Figure 2: Structure Plan Map



<sup>1</sup>Subject to further planning, concept only. Disclaimer: Not to prejudice Minister's decision on MRS/TPS amendments.

P1 - Figure 3: Land Use and Residential Density Plan



P1 - Table 5: MSPSP Land Use Permissibility

USE CLASSES	URBAN DEVELOPMENT		
	RESIDENTIAL	LIGHT INDUSTRY	MIXED USE
Amusement Parlour	X	D	A
Animal Establishment	X	D	X
Automotive Panel Beating / Spray Painting	X	D	X
Automotive Repairs	X	D	X
Automotive Wrecking	X	X	X
Automotive & Marine Sales & Repairs	X	D	X
Betting Agency	X	X	X
Brewery	X	A	X
Builders Yard	X	P	X
Car Park	D	P	D
Car Wash	X	P	X
Caravan Park / Camping Area	X	X	X
Caretaker's Dwelling	P	D	D
Child Day Care Centre	D	D	D
Cinema / Theatre	X	D	X
Civic Buildings	D	D	D
Club Premises	A	D	D
Consulting Rooms (Medical)	D	D	D
Convenience Store	X	D	D

USE CLASSES	URBAN DEVELOPMENT		
	RESIDENTIAL	LIGHT INDUSTRY	MIXED USE
Cottage Industry	D	X	D
Display Home Centre	P	X	D
Dry Cleaning / Laundry Premises	X	P	X
Dwellings:			
Single House	P	X	X
Grouped Dwelling	P/Xi	X	X
Aged or Dependent Persons	P	X	P
Multiple Dwelling	P	X	P
Education Establishment	D	D	D
Extractive Industry	X	X	X
Factory	X	P	X
Factory Tenement Building	X	P	X
Fast Food Outlet	X	D	D
Fuel Depot	X	D	X
Funeral Parlour	X	D	X
Garden Centre	X	D	X
General Industry	X	D	X
Health Studio	X	D	A
Hire Service (Industrial)	X	P	X
Hire Service (Non-Industrial)	X	D	X

SUBDIVISION AND DEVELOPMENT REQUIREMENTS

CITY OF BAYWATER | HAMES SHARLEY

USE CLASSES	URBAN DEVELOPMENT		
	RESIDENTIAL	LIGHT INDUSTRY	MIXED USE
Home Business	A	X	A
Home Occupation	P	P	P
Home Office	P	X	P
Home Store	D	X	D
Hospital	D	X	D
Hosted Short-Term Rental Accommodation	P	X	P
Hostel	A	X	A
Hotel	X	X	A
Industry	X	D	X
Infant Health Clinic	D	D	D
Kiosk	X	D	D
Light Industry	X	P	X
Liquor Store - Small	X	X	X
Liquor Store - Large	X	X	X
Lunch Bar	X	P	D
Medical Centre	X	D	A
Motel	A	X	A
Noxious Industry	X	X	X
Occasional Uses	D	D	D

USE CLASSES	URBAN DEVELOPMENT		
	RESIDENTIAL	LIGHT INDUSTRY	MIXED USE
Office	X	D	D
Open Air Display	X	D	X
Public Amusement	X	D	X
Public Assembly	X	X	X
Public Utility	P	P	P
Public Worship	A	D	D
Radio Equipment	A	P	A
Radio & Television Installations	X	P	X
Reception Lodge	X	X	A
Recreation Facility (Private & Public)	X	D	D
Residential Building	A	X	A
Restaurant	X	X	D
Restricted Premises	X	X	X
Retirement Village	D	X	D
Service Industry	X	P	X
Service Station	X	X	X
Shop	X	X	Pii
Showroom	X	P	X
Showroom / Warehouse	X	D	X

USE CLASSES	URBAN DEVELOPMENT		
	RESIDENTIAL	LIGHT INDUSTRY	MIXED USE
Small Bar	X	D	D
Storage Yard	X	D	X
Tavern	X	D	X
Telecommunications Infrastructure	D	D	D
Trade Display	X	D	X
Transport Depot	X	D	X
Unhosted Short-Term Rental Accommodation	A	X	A
Veterinary Consulting Rooms	D	P	D
Veterinary Hospital	X	D	X
Warehouse	X	P	X
Zoological Gardens	X	X	X

Notes:

- i Grouped Dwellings are not permitted at R100 and above
- ii Shop use only permitted on the ground floor

4.1.2. ROAD RESERVES

4.1.2.1. PRIMARY REGIONAL ROAD RESERVE

The MSP includes two roads identified as Primary Regional Road reserves under the MRS as shown on **P1 - Figure 2**.

- + **Tonkin Highway** - the road is separated from private landholdings in the precinct with no access possible, therefore there are no specific development requirements.
- + **Broun Avenue** - A small portion of Broun Avenue between Embleton Avenue and Walter Road East is also reserved, subdivision and development on impacted properties will be in accordance with relevant State planning legislation.

4.1.2.2. OTHER REGIONAL ROAD RESERVE

Walter Road East and Broun Avenue are identified as Other Regional Road reserves under the MRS as shown on **P1 - Figure 2**. Any public realm upgrades, subdivision and/or development on impacted properties will be in accordance with relevant State planning legislation.

4.1.2.3. LOCAL ROAD RESERVES

The MSP includes numerous Local Roads reserved under the City’s Local Planning Scheme, these are shown on **P1 - Figure 2**. Upgrades to Local Roads will be primarily focussed on street tree planting and footpath widening as described in **Section 3.1**.

4.1.3. PUBLIC OPEN SPACE

The MSPSP incorporates a number of public open space and drainage reserves as illustrated on **P1 - Figure 2**, their type and function is described in **P1 - Table 6**.

P1 - Table 6: POS Reserve Distribution

TYPE	FUNCTION	SIZE
Public Open Space Reserves	Ockley Square Park Playground + Passive Recreation	0.1 ha
	Silverwood Reserve + Passive Recreation	0.2 ha
	Addlestone Reserve + Passive Recreation	0.7 ha
	Tom Cameron Park + Passive Recreation	1.1 ha
	Elstead Reserve + Passive Recreation + Drainage	1.7 ha
	Broun Park + Passive Recreation + Drainage	2 ha
	Wotton Reserve + Passive and Active Recreation + Drainage	4.8 ha
	Fonts Place Basin + Drainage	0.5 ha
	Multiple Reserves	
Drainage Reserves		
TOTAL POS		11.1 hectares

Any upgrades required to POS areas is captured in **Section 3.1**.

## 4.2 DENSITY CODING

### 4.2.1. RESIDENTIAL DENSITY

1. Residential density shall be in accordance with **P1 - Figure 3**.

### 4.2.2. RELATIONSHIP WITH R-CODES

The R-Codes apply to this MSPSP in the following ways:

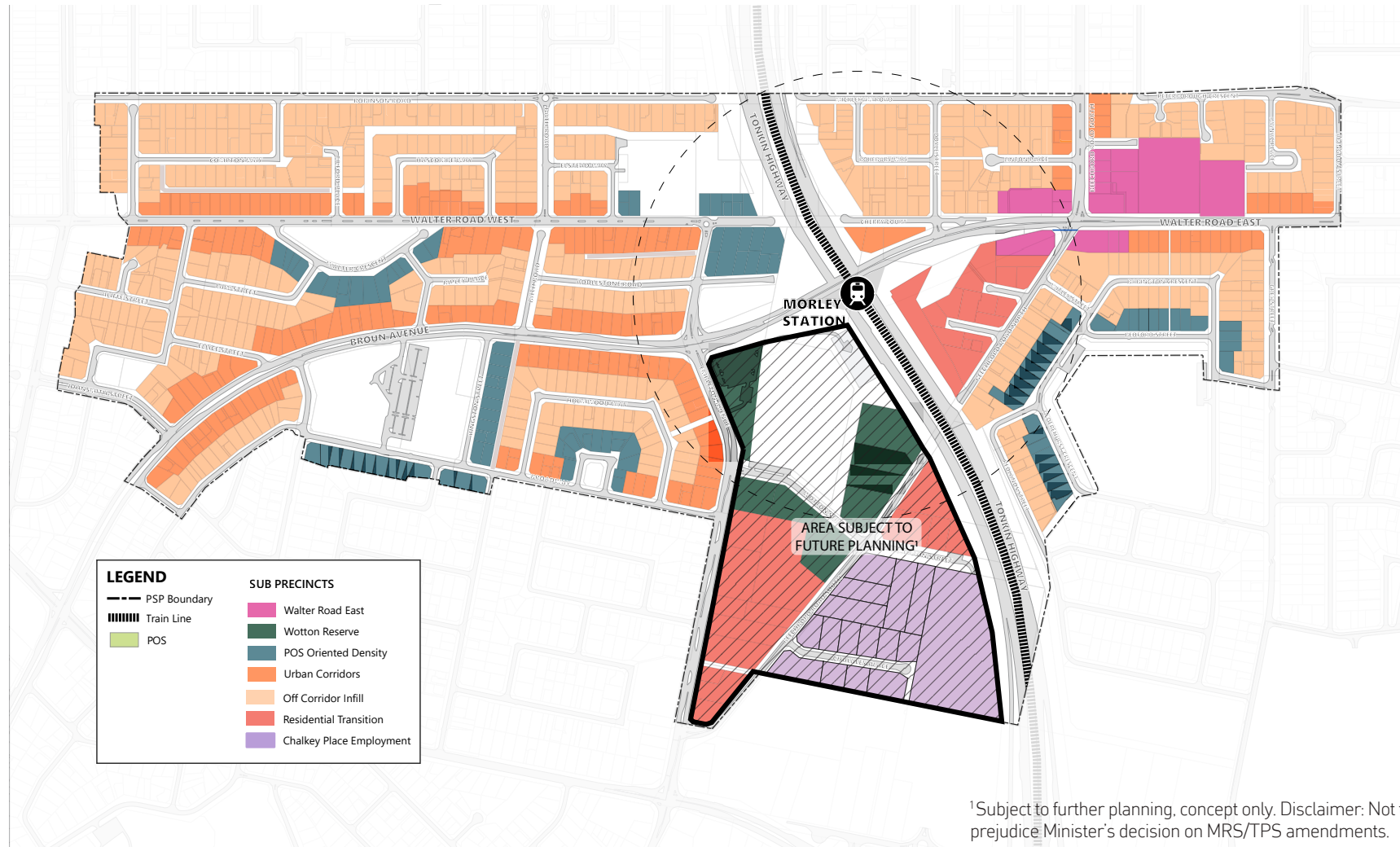
1. The R-Codes Volume 1 will apply to any single house or grouped dwelling developments that occur in the MSP.
  - (a) The deemed-to-comply provisions of the R-Codes Volume 1 are intended to apply, unless otherwise set out in **Section 4.3** of the MSPSP.
2. The R-Codes Volume 2 applies to multiple dwelling developments in areas coded R80 and above.
  - (a) The Acceptable Outcomes of the R-Codes Volume 2 are intended to apply, unless otherwise set out in **Section 4.3** of the MSPSP.

## 4.3 BUILT FORM PROVISIONS

### 4.3.1. SUB-PRECINCT REQUIREMENTS

As illustrated on **P1 - Figure 4**, the MSP has been divided into distinct sub-precincts areas as determined in Part 2 of the MSPSP.

1. Each identified sub-precinct includes a statement of intent and key objectives, any subdivision or development application in the MSP must demonstrate how it satisfies the Sub-Precinct Intent and Objectives set out within this section.
2. Any proposal that seeks a variation to a subdivision and development requirement of the MSPSP must address the Sub-Precinct Intent and Objectives in accordance with **Clause 1.2.2**.



<sup>1</sup>Subject to further planning, concept only. Disclaimer: Not to prejudice Minister's decision on MRS/TPS amendments.

P1 - Figure 4: MSPSP - Sub-Precincts Plan

4.3.1.1. SUB-PRECINCT 1 - WALTER ROAD EAST PRECINCT

SUB-PRECINCT INTENT	SUB-PRECINCT OBJECTIVES
Support establishment of a vibrant mixed-use precinct which provides opportunities for businesses, employment, and housing growth on the Walter Road East Urban Corridor.	<ul style="list-style-type: none"><li>+ Preferred typology is mixed use residential, vertically integrated with active ground floor uses such as restaurants, cafés, shops and retail, and residential on upper levels.</li><li>+ Site cover controls work with landscape requirements to encourage deep soil and tree canopy in front and rear setback areas.</li><li>+ Landscaped setbacks act as a green buffer and provide separation from the busy street, while also providing shade for an improved pedestrian experience.</li><li>+ Siting of new buildings create an urban edge to Walter Road East optimising public exposure by bringing more activity closer to the street edge.</li></ul>



P2 - Table 8: Walter Road East Primary Controls

ELEMENT	PROVISION	MSPSP ZONE		R-CODES VOLUME 2 APPLICATION	
		MIXED USE R80	MIXED USE R100	R80	R100
Building Height	Maximum Building Height	4 Storeys	4 Storeys	Compliant	Compliant
	Minimum ground floor finished level to first floor finished level	4.5m	4.5m	Modifies A 4.3.3	Modifies A 4.3.3
Street Setbacks	Minimum Primary Street	4m	2m	Modifies A 2.3.1	Compliant
	Minimum Secondary Street	2m	2m	Compliant	Compliant
Lot Boundary Setbacks	Minimum Side Setbacks	3m	3m	Compliant	Compliant
	Minimum Rear Setbacks	6m	6m	Modifies A 2.4.1	Compliant
Plot Ratio / Site Cover	Plot Ratio	1.0	1.3	Compliant	Compliant
	Maximum Site Cover	70%	65%	New Acceptable Outcome (Element 2.5)	

4.3.1.2. SUB-PRECINCT 2 - RESIDENTIAL TRANSITION PRECINCT

SUB-PRECINCT INTENT	SUB-PRECINCT OBJECTIVES
New development supports transition of existing light industrial land to urban uses with a focus on increased residential density within the core area surrounding Morley Station.	<div><div></div><div>Preferred typology is residential with some mixed use residential vertically integrated with active ground floor uses such as restaurants, cafés, shops and retail, and residential on upper levels.</div><div></div><div>Site cover controls work with landscape requirements to encourage deep soil and tree canopy in front and rear setback areas.</div><div></div><div>Landscaped setbacks act as a green buffer and provide separation from the busy street, while also providing shade for an improved pedestrian experience.</div><div></div><div>Siting of new buildings create an urban edge to Walter Road East optimising public exposure by bringing more activity closer to the street edge.</div></div>



<sup>1</sup> Subject to further planning, concept only. Disclaimer: Not to prejudice Minister's decision on MRS/TPS amendments.

P2 - Table 9: Residential Transition Primary Controls

ELEMENT	PROVISION	MSPSP ZONE	R-CODES VOLUME 2 APPLICATION
		MIXED USE R100	
Building Height	Maximum Building Height	4 Storeys	Compliant
	Minimum ground floor finished level to first floor finished level	4.5m	Modifies A 4.3.3
Street Setbacks	Minimum Primary Street	4m	Modifies A 2.3.1
	Minimum Secondary Street	4m	Modifies A 2.3.1
Lot Boundary Setbacks	Minimum Side Setbacks	3m	Compliant
	Minimum Rear Setbacks	6m	Compliant
Plot Ratio / Site Cover	Plot Ratio	1.3	Compliant
	Maximum Site Cover	65%	New Acceptable Outcome (Element 2.5)



4.3.1.3. SUB-PRECINCT 3 - URBAN CORRIDORS

SUB-PRECINCT INTENT	SUB-PRECINCT OBJECTIVES
Supports introduction of new medium density housing options which provide attractive new developments that capitalise on high frequency bus routes.	<div><div></div><div>Preferred typology is high quality grouped and multiple dwellings which provide street facing dwellings that enhance the attractiveness of urban corridors.</div><div></div><div>Large front setbacks are encouraged as a focus area for deep soil and soft landscaping to provide green edges which encourage dwellings to open out on to the street.</div><div></div><div>High non-permeable walls are discouraged, dwellings should orientate private open spaces and balconies / courtyards towards the primary street.</div><div></div><div>Visibility of parking areas on the primary street is minimised or screened from view.</div></div>

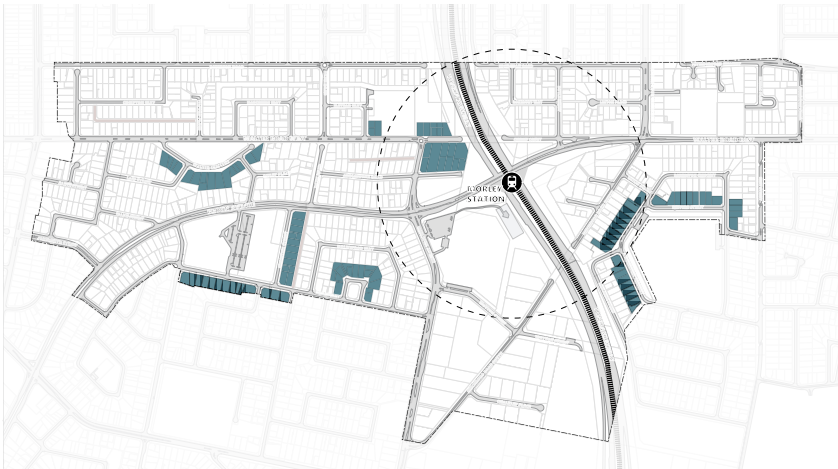


P2 - Table 10: Urban Corridor Primary Controls

ELEMENT	PROVISION	MSPSP ZONE		R-CODES VOLUME 1	R-CODES VOLUME 2
		RESIDENTIAL R60	RESIDENTIAL R80	APPLICATION R60	APPLICATION R80
Building Height	Maximum Building Height	3 Storeys	3 Storeys	Compliant	Modifies A 2.2.1
Street Setbacks	Minimum Primary Street	4m	4m	Modifies C3.3.1	Modifies A 2.3.1
	Minimum Secondary Street	2m	2m	Compliant	Compliant
Lot Boundary Setbacks	Minimum Side Setbacks	3m	3m	Compliant	Compliant
	Minimum Rear Setbacks	3m	3m	Modifies C3.4.1	Compliant
Plot Ratio / Site Cover	Plot Ratio	1.0	1.0	Compliant	Compliant
	Maximum Site Cover	70%	70%	Compliant	New Acceptable Outcome (Element 2.5)

4.3.1.4. SUB-PRECINCT 4 - PUBLIC OPEN SPACE DENSITY

SUB-PRECINCT INTENT	SUB-PRECINCT OBJECTIVES
Supports introduction of new medium density housing options which provide attractive new developments that capitalise on their proximity to public open space reserves.	<ul style="list-style-type: none"><li>+ Support new medium density housing which is oriented to optimise views over public open space, with private open spaces and balconies providing passive surveillance of the public realm.</li><li>+ Sites ensure use of larger front and rear setbacks as focus areas for deep soil and soft landscaping to provide green edges along the park interface.</li><li>+ Encourage use of low fences are also proposed to align with this approach.</li><li>+ Visibility of parking areas on the primary street is minimised or screened from view with landscaping.</li></ul>



4.3.1.5. SUB-PRECINCT 5 - OFF CORRIDOR INFILL

SUB-PRECINCT INTENT	SUB-PRECINCT OBJECTIVES
Supports introduction of new medium density housing options which provide opportunities for infill housing.	<ul style="list-style-type: none"><li>+ Support new medium density housing opportunities which unlock large parts of the MSP for infill.</li><li>+ Design ensures a transition in scale and density enhancing dwelling diversity.</li></ul>



4.3.1.6. SUB-PRECINCT 6 - WOTTON RESERVE PRECINCT

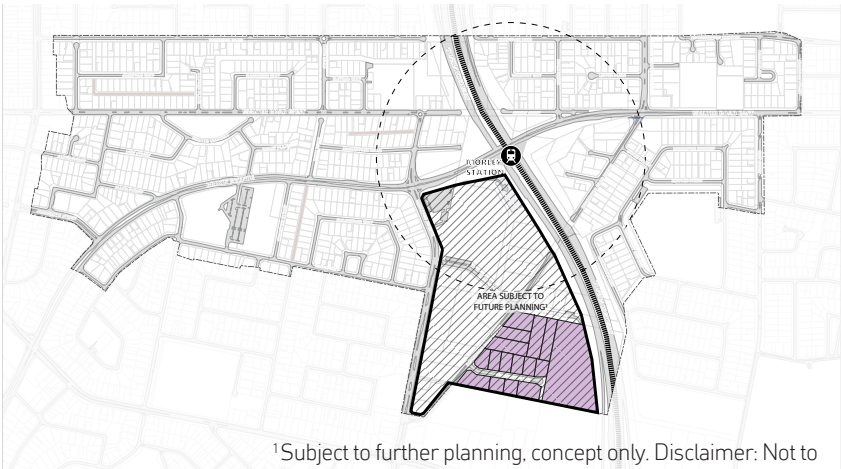
SUB-PRECINCT INTENT	SUB-PRECINCT OBJECTIVES
High density residential apartments and mixed use developments are established to activate Wotton Reserve, celebrating its primacy as a major focal point of the precinct.	<ul style="list-style-type: none"><li>+ Preferred typology is mixed use residential, vertically integrated with active ground floor uses such as restaurants, cafés, small bars with residential on upper levels.</li><li>+ New buildings provide an urban edge between 5-6 storeys which helps to activate Wotton Reserve.</li><li>+ Siting of new buildings to ensure orientation towards Wotton Reserve bringing more activity closer to the street edge at ground level, and private open spaces and balconies for passive surveillance at upper levels.</li></ul>



<sup>1</sup>Subject to further planning, concept only. Disclaimer: Not to prejudice Minister's decision on MRS/TPS amendments.

4.3.1.7. SUB-PRECINCT 7 - CHALKLEY PLACE PRECINCT

SUB-PRECINCT INTENT	SUB-PRECINCT OBJECTIVES
Promotes employment generating land uses in proximity to Morley Station, while also providing a transitional buffer between new residential land and heavy industry uses to the south.	<ul style="list-style-type: none"><li>+ Establish land uses which support employment generating opportunities in close proximity to Morley Station.</li><li>+ Design of sites protects residential land from non-compatible heavy industry uses while also providing a buffer.</li><li>+ Site cover an landscape requirements encourage deep soil and tree canopy in front and rear setback areas to enhance urban tree canopy in industrial areas.</li></ul>



<sup>1</sup>Subject to further planning, concept only. Disclaimer: Not to prejudice Minister's decision on MRS/TPS amendments.

### 4.3.2. LANDSCAPE AND DEEP SOIL ON NON-RESIDENTIAL LOTS

1. Mature existing tree/s\* that are located within the street or lot boundary setbacks are to be retained.
2. The removal of existing tree/s in the street or lot boundary setback area shall only be permitted when:
  - (a) The tree/s can be relocated to another portion of the site; OR
  - (b) The removal is supported by an arboriculture report; OR
  - (c) It can be reasonably demonstrated to the satisfaction of the Town that the retention of the tree/s will adversely compromise the development potential of the site, and the ability of a development to meet the MSPSP objectives.
3. Soft landscaping and deep soil areas must be provided in accordance with the below standards and **P1 - Table 11**:
  - (a) Where possible, deep soil areas are to be co-located with existing trees for retention and/or adjoining trees.
  - (b) Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided.
  - (c) Soft landscaping is to include a variety of ground cover, shrubs and small trees, and to be integrated with the site's water management response.
  - (d) In addition to the tree requirements of **P1 - Table 11**, uncovered at-grade car parking must include shade trees planted at a minimum ratio of one small tree for every four car spaces.

*P1 - Table 11: Landscaping, Deep Soil and Tree Requirements*

LAND USE	SITE AREA	SOFT LANDSCAPING	MINIMUM DEEP SOIL	MINIMUM REQUIREMENT FOR TREES**
Commercial and Mixed Use Zoned Land	Less than 700m <sup>2</sup>	10%	10%  <b>OR</b>  7% if existing tree(s) retained on site  (% site area)	1 medium tree and small trees to suit area
	700 - 1,000m <sup>2</sup>	10%		2 medium trees  <b>OR</b>  1 large tree and small trees to suit area
	More than 1,000m <sup>2</sup>	10% plus 1% additional for each 200m <sup>2</sup> of site area in excess of 1000m <sup>2</sup>		1 large tree and 1 medium tree for each additional 400m <sup>2</sup> in excess of 1000m <sup>2</sup>  <b>OR</b>  1 large tree for each additional 900m <sup>2</sup> in excess of 1000m <sup>2</sup> and small trees to suit area

\* Mature existing tree is defined by the criteria set out in A 3.3.1 of the Residential Design Codes (Volume 2).

\*\*Tree sizes to be in accordance with those set out in Table 3.3b of the Residential Design Codes (Volume 2).

### 4.3.3. CAR PARKING AND VEHICLE ACCESS

#### 4.3.3.1. CAR PARKING

1. Car parking for residential development within the MSPSP shall be provided in accordance with the R-Codes (Volume 1 and Volume 2).
2. Car parking for non-residential development within the MSPSP shall be provided in accordance with the ratios set out below:
  - (a) Minimum 1 bay per 100m<sup>2</sup> NLA
  - (b) Maximum 1 bay per 50m<sup>2</sup> NLA

#### 4.3.3.2. VEHICLE ACCESS REQUIREMENTS

1. For lots with laneway access the following applies:
  - (a) Where the laneway dimensions allow, all vehicle access, parking and servicing must be from the rear laneway.

### 4.3.4. BICYCLE PARKING AND END OF TRIP FACILITIES

1. For residential development, bicycle parking and end of trip facilities shall be provided in accordance with the R-Codes (Volume 1 or Volume 2).
2. For non-residential development, bicycle parking and end of trip facilities shall be provided in accordance with **P1 - Table 12**.

*P1 - Table 12: Minimum Bicycle Parking and EOTF Ratios*

LAND USE	MINIMUM BICYCLE PARKING RATE	
	EMPLOYEES	VISITORS
Aged Care	1 bay per 15 rooms	1 bay per 10 rooms
Entertainment	1 bay per 100m <sup>2</sup> NLA	1 bay per 100m <sup>2</sup> NLA
Medical / Consulting	1 bay per 4 consulting rooms	1 bay per 8 consulting rooms
Commercial Uses	1 bay per 100m <sup>2</sup> NLA	1 bay per 100m <sup>2</sup> NLA
Retail Uses	1 bay per 100m <sup>2</sup> NLA	1 bay per 100m <sup>2</sup> NLA

NUMBER OF BAYS REQUIRED	SHOWERS	LOCKERS
First 1 – 4 spaces	nil	nil
More than 5 spaces in total	0.25 per space for every bay in excess of 5 bays	0.25 per space for every bay in excess of 5 bays

Notes:

- + Where a standard set results in a shower or locker requirement that is not a whole number, the requirement shall be rounded up or down to the nearest whole number. Where calculation results in .5 decimal point to be rounded up.
- + Change room facilities must be provided in conjunction with the showers and are to comprise either of the following:
  - + A combined shower and change cubicle; or
  - + A separate male and female communal change room directly accessible from the shower(s).
  - + A combined shower and change cubicle may be unisex. Where all shower facilities and change cubicles are unisex, no communal change rooms are to be provided.
  - + Where two or more showers are required by Table 1 and are not unisex, the number of showers is to be equally distributed between males and females. Where an odd number of showers is required, the odd number may be provided as a unisex shower and change cubicle, or, the number of showers may be rounded up to an even number to facilitate even distribution

## 4.4 OTHER REQUIREMENTS

### 4.4.1. ATCO INFRASTRUCTURE TRIGGER DISTANCE

1. Prior to subdivision and/or development of any properties located within the Trigger Distance of the High Pressure Gas Pipeline as shown on **P1 - Figure 2**, landowners must:
  - (a) Ensure adequate consideration and implementation of the WAPC's draft Development Control Policy 4.3 Trigger Distance for ATCO Infrastructure.
  - (b) Consult with ATCO prior to preliminary designs being finalised.

### 4.4.2. ROAD AND RAIL NOISE

1. Where a site is identified as being within the State Planning Policy 5.4 - Road and Rail Noise trigger distance, full compliance with that SPP should be demonstrated as part of any subdivision and/or development application.

Roads impacted by SPP 5.4 within the MSP boundary include Tonkin Highway, Broun Avenue, and Beechboro Rd North.

### 4.4.3. URBAN WATER MANAGEMENT

The Local Water Management Strategy (LWMS) requires that Urban Water Management Plans (UWMP) be prepared by the developer should demonstrate to the satisfaction of WAPC and the City of Bayswater (and if required, DWER):

- + How the key principles and criteria of the LWMS have been met;
- + How the urban structure will address water use and management; and
- + Existing and required water management infrastructure.

The UWMP must demonstrate proof of concept including how the development

addresses the issues and criteria identified in the LWMS.

### 4.4.4. SUSTAINABILITY IN DESIGN

The use of sustainable design elements not only improves the impact on the surrounding environment, it also creates cost-efficient comfortable buildings. This can be achieved through tree retention, northern orientation of living spaces, passive design, efficient electric homes, choice of building material for air quality and thermal performance, water sensitive urban design, and landscaping.

The City's Sustainability in Design Guidelines provides sustainable design options for building new homes, renovating homes, and in a more general nature building and renovating non-residential buildings. Refer to the City's Local Planning Policies page to access this document.

### 4.4.5. ACID SULPHATE SOILS

Some areas within the MSP are potentially affected by Acid Sulphate Soils. Where a site is identified as being within a "high to moderate" acid sulphate soils risk additional mitigation requirements may apply.

Refer to SPP 2.0 Environmental and Natural Resources, 5.4 – Soil and Land Quality WAPC Acid Sulphate Soil Planning Guidelines, December 2008.

## City of **Bayswater**

61 Broun Avenue, Morley WA 6062  
Civic Centre Opening Hours: 8.30am – 4.30pm (Monday to Friday)

Mailing address: PO Box 467 Morley WA 6943

P: 9272 0622 | F: 9272 0665 | TTY: 9371 8493  
[mail@bayswater.wa.gov.au](mailto:mail@bayswater.wa.gov.au) | [bayswater.wa.gov.au](https://bayswater.wa.gov.au)

**10.1.6 Local Government Property Amendment Local Law 2024 - consent to advertise**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Proposed Draft Local Government Property Local Law 2024 - to advertise [<b>10.1.6.1</b> - 4 pages]</li> <li>2. Submission - Local Government Property Local Law - Cancer Council of WA - redacted [<b>10.1.6.2</b> - 4 pages]</li> <li>3. Proposed Local Government Property Local Law 2024 - marked up changes [<b>10.1.6.3</b> - 30 pages]</li> </ol>
<b>Refer:</b>	Item 10.1.5 OCM: 24.09.2024 Item 14.1 OCM: 31.05.2016

**SUMMARY**

The purpose of this report is to progress amendments to the City's *Local Government Property Local Law 2016* following its eight-year periodic review.

**OFFICER'S RECOMMENDATION**

**That Council:**

1. Approves the proposed *Local Government Property Amendment Local Law 2024* as contained in Attachment 1 to this Report for the purposes of public advertising; and
2. Notes local public notice of the proposed *Local Government Property Amendment Local Law 2024* will be given in accordance with section 3.12 of the *Local Government Act 1995*.

**BACKGROUND**

The City's current *Local Government Property Local Law 2016* (Local Government Property Local Law) was made by Council at the Ordinary Council Meeting held on 31 May 2016 and was published in the Government Gazette on 18 July 2016.

The purpose of the Local Government Property Local Law is to provide for the regulation, care, control, and management of property of the City of Bayswater, through prohibiting or permitting specified activities under a permit or determination.

During 2024, the City undertook an eight-year periodic review of three local laws to determine if they should be retained, amended or repealed. At the Ordinary Council Meeting held 24 September 2024 Council resolved as follows:

*"That Council:*

1. *Notes the submissions received during the eight-year review of the City's:*
  - (a) *Local Government Property Local Law 2016;*
  - (b) *Parking and Parking Facilities Local Law 2016;*
  - (c) *Dogs Local Law 2026, as detailed in this Report.*
2. *Determines the details of the review of the City's local laws as follows:*
  - (a) *amends the City's Local Government Property Local Law 2016;*
  - (b) *amends the City's Parking and Parking Facilities Local Law 2016;*



(c) amends the City's Dogs Local Law 2016.

3. Notes the amendments of the local laws detailed in Limb 2 above will be subject to further reports to Council in accordance with section 3.12 of the Local Government Act 1995."

## EXTERNAL CONSULTATION

As part of the eight-year periodic review, and in accordance with Section 3.16 of the *Local Government Act 1995* (the Act), local public notice was given seeking public feedback which helped the Council determine whether to retain, repeal or amend the City's *Local Government Property Local Law 2016*. The local public notice was provided from the period of 4 July 2024 to 23 August 2024. In addition to the local public notice information was also provided through the City's engagement hub Engage Bayswater, which included information about this local law, the review process and provided the opportunity for submissions to be uploaded.

If approved by the Council, the proposed *Local Government Property Amendment Local Law 2024* will undergo further community consultation.

## OFFICER'S COMMENTS

Following the Council resolution to proceed with the development of amendments to the Local Government Property Local Law 2016, City officers have given further consideration to the feedback received during the initial consultation period, and undertaken internal consultation with key stakeholders which has contributed to the proposed draft amendment local law that is recommended for further public consultation as contained in **Attachment 1**. The rationale for the amendments proposed is outlined below.

### **Submissions Received through eight-year review**

One submission was received during the first consultation period from the Cancer Council of WA, which is contained in **Attachment 2** to this Report.

In its submission, the Cancer Council requested that the City update the local law to closely align with the City of Vincent *Local Government Property Local Law 2021*, providing for:

- an extended definition of smoke and/ or smoking to include using e-cigarettes;
- the City to make determinations on smoke-free areas, rather than having smoke-free areas prescribed by the local law itself. Areas for which a smoke-free area may be prescribed to include activity centres, public open space and thoroughfares, which is now included in the City of Vincent's *Local Government Property Local Law 2021*.

City officers have considered the feedback provided by the Cancer Council and agrees that the definition of smoke and/or smoking should be extended to include e-cigarettes. This is addressed further in the proposed amendments outlined below.

With reference to the proposal for the City to make determinations on smoke-free areas, City officers note that the City's existing *Local Government Property Local Law 2016* has provision to make determinations around the use of property, including smoking on premises. There is also a penalty under 2.4 for 'Failure to comply with a determination'. City's officers consider that there are sufficient mechanisms already in place to regulate smoking as part of current local law.

If the City was to consider additional clauses to further restrict smoking on local government property, the issue of where the authority would come from to support this ability may be raised by the Joint Standing Committee on Delegated Legislation as the *Local Government Act 1995* does not specify this issue. The *Tobacco Products Control Act 2006* does not allow local laws to be made and therefore there is no head of power under this Act. The City of Vincent has adopted a "Smoke Free Areas – Education and Enforcement Policy" that provides additional support for their *Local Government Property Local Law 2021*.

## **Proposed Amendments**

### **Definitions**

As a result of the feedback received from the Cancer Council of WA and to update the City's local law with more contemporary terminology the City is proposing to include two new definitions as follows:

***e-cigarette*** means a portable device that is designed to generate or release an aerosol or vapour for personal use;

***smoke*** and/or ***smoking*** means to:

- (a) *smoke, hold or otherwise have control over an ignited tobacco product;*
- (b) *light a tobacco product; or*
- (c) *use an e-cigarette;*

### **Unclaimed items on Local Government Property**

It is proposed that a clause be added to the *Local Government Property Local Law 2016* regarding unclaimed items. Other local governments, such as City of Joondalup, City of Stirling and City of Melville have all incorporated clauses relating to this issue.

The City is proposing to add an additional clause 5.9 – “Unclaimed Items on Local Government Property,” which will provide staff with a structured approach for recording unclaimed lost property not claimed after 48 hours on a dedicated register. Although lockers are currently only relevant to Bayswater Waves this process may also be extended to all local government property and not just limited to lockers.

The keeping of an Unclaimed Property Register will help staff efficiently determine whether an individual's unclaimed property has been stored away and reduces liability on the City of Bayswater for giving back unclaimed property. This process will improve the confidence of individuals who hire City lockers that the City will maintain and return their property.

Clause 9.3 – “Disposal of lost property” states that “*An article left on any local government property, and not claimed within a period of 3 months, may be disposed of by the local government in any manner it thinks fit*”. The dates recorded in an unclaimed property register will assist staff in knowing whether the appropriate period of time has passed to allow disposal of unclaimed items without being in breach of clause 9.3. The Register can also be shown to individuals who dispute the time lapsed and question why their unclaimed item has been disposed of.

### **Increasing of Prescribed Offences – Schedule 1**

The City is proposing to increase some of the modified penalties within the proposed local law within Schedule 1.

As these penalty amounts were set eight years ago it is considered appropriate to review these and the City has undertaken a bench-marking exercise against several other local governments that have all recently reviewed their property local laws including:

- City of Joondalup
- City of Belmont
- City of Stirling

- City of Wanneroo
- City of Vincent
- City of Melville
- City of Perth
- City of Rockingham
- Town of Cottesloe.

The City is proposing to increase some penalty amounts from \$125 to \$150 and to increase the two penalties that relate to the protection of flora and fauna from \$300 to \$350 in order to demonstrate the City's commitment to conservation and protection of the environment. These proposed increases are consistent with those made by the local governments.

**Correction to clause – 3.13(1) – Failure to obtain a permit**

This City is also proposing to delete an incorrect clause that is shown in Schedule 1 – Prescribed Offences 3.13(1) – “Failure to obtain a permit” as this is not reflected in the local law itself and therefore is unenforceable.

The proposed changes are not considered significant and ensure that contemporary activities continue to be regulated by this local law. These changes are shown in a marked-up version of the local law in **Attachment 3**.

**Presiding Member to Give Notice**

In accordance with the Act and the *Local Government (Functions and General) Regulations 1996* the person presiding at a Council Meeting is to give notice of the purpose and effect of a local law by ensuring that:

- the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- the minutes of the meeting of the council include the purpose and effect of the proposed local law.

In view of this the purpose and effect of the Amendment Local Law is as follows:

- The purpose of the *Local Government Property Amendment Local Law 2024* is to amend the City of Bayswater's Local Government Property Amendment Local 2016.
- The effect of the *Local Government Property Amendment Local Law 2024* is to include a new clause 5.9 – “Unclaimed Items on Local Government Property” and to increase the modified penalties within the proposed local law within Schedule 1.

**LEGISLATIVE COMPLIANCE**

*Local Government Act 1995:*

- Section 3.12 sets out the procedure for making local laws, including public advertising.

**RISK MANAGEMENT CONSIDERATION**

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low

Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

### FINANCIAL IMPLICATIONS

The total cost of making the City of Bayswater's proposed *Local Government Property Local Law 2024*, which includes the public notices and final gazettal is approximately \$4,000.

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

### CONCLUSION

It is recommended that Council approves the proposed draft *Local Government Property Amendment Local Law 2024*, as contained In **Attachment 1** for the purposes of public advertising and comment in accordance with section 3.12 of the *Local Government Act 1995*.

**CITY OF BAYSWATER**

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**LOCAL GOVERNMENT ACT 1995**

**LOCAL GOVERNMENT PROPERTY AMENDMENT  
LOCAL LAW 2024**

DRAFT

**Local Government Act 1995**

**City of Bayswater**

**Local Government Property Amendment Local Law 2024**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Bayswater resolved on (insert date) to make the following amendment local law.

**Part 1 - Preliminary**

**1. Citation**

This local law may be cited as the *City of Bayswater Local Government Property Amendment Local Law 2024*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal Local Law**

This local law amends the *City of Bayswater Local Government Property Local Law 2016* published in the *Government Gazette* on 18 July 2016 ("Principal Local Law").

**Part 2 – Amendments**

**4. Clause 1.3 amended**

Clause 1.3 is amended by inserting the following definitions for "e-cigarette" and "smoke and/or smoking" in alphabetical order:

**e-cigarette** means a portable device that is designed to generate or release an aerosol or vapour for personal use;

**smoke** and/or **smoking** means to:

- (a) smoke, hold or otherwise have control over an ignited tobacco product;
- (b) light a tobacco product; or
- (c) use an e-cigarette;

**5. Clause 5.9 inserted**

Following Clause 5.8, insert the following new Clause 5.9, and renumber existing clauses 5.9 to 5.14:

**"5.9 Unclaimed Property in locker**

- (1) If an article in a locker is not claimed or collected within 48 hours after the date of hire, the article may be removed by an attendant or authorised person.
- (2) An attendant or authorised person must record in the Unclaimed Property Register, with respect to each article removed from a locker.
- (3) An attendant or authorised person must ensure that an article removed from the locker is stored at the place determined by the local government.
- (4) An attendant or authorised person may deliver to a person an article recorded in the Unclaimed Property Register on receiving:
  - a. satisfactory evidence of the person's right to obtain the article;
  - b. an accurate description of the article being claimed; and
  - c. payment of any outstanding fees or storage charges.
- (5) A person who receives delivery of an article from the Unclaimed Property Register must, by way of acknowledging receipt of the article, write their name and address and sign their name in the Unclaimed Property Register.
- (6) Neither the Manager or authorised person or employee of the local government shall in any way be responsible for any articles or money lost by or stolen from any person whilst in a centre or for any articles damaged whilst in or about a centre."

**6. Schedule 1 amended**

Delete the Table in Schedule 1 of the Principal Local Law and insert the following Table:

Item	Clause	Description	Modified Penalty (\$)
1	2.4	Failure to comply with determination	150
2	3.6	Failure to comply with conditions of permit	150
3	3.14(3)	Failure to obtain permit to camp outside a facility	150
4	3.15(1)	Failure to obtain permit for liquor	150
5	3.16	Failure of permit holder to comply with responsibilities	150
6	4.2(1)	Behaviour detrimental to property	200
7	4.3	Take, injure or kill fauna	350
8	4.4	Remove or damage flora on local government property	350
9	4.5	Under influence of liquor or prohibited drug	150
10	4.10	Failure to comply with sign on local government property	150
11	5.6	Failure to comply with sign or direction on beach	150
12	5.7	Unauthorised entry to fenced or closed local government property	150
13	5.8	Gender not specified using entry of toilet block or change room	150
14	5.11	Failure to comply with direction of controller or notice on golf course	150
15	6.2(1)	Unauthorised entry to function on local government property	150

16	7.3	Unauthorised use of any part of jetty which is closed or under repair or construction	150
17	7.4	Mooring of boats in unauthorised manner	150
18	7.5	Unauthorised mooring of a boat to jetty	150
19	7.6	Failure to remove moored boat on direction of authorised person	150
20	7.7	Launching of boat from jetty without consent	150
21	7.8	Mooring when not ready to load or discharge cargo, at times not permitted or for longer than permitted	150
22	7.9	Unlawful storing of goods on jetty	150
23	7.10	Removing goods from jetty during other than permitted hours	150
24	7.11	Failure to remove cargo on jetty on direction of authorised person	150
25	7.12	Unauthorised deposit of bulk cargo on jetty	150
26	7.13	Tip or deposit anything on to a jetty so as to pollute the surrounding area	150
27	7.14	Fishing from jetty or bridge so as to obstruct a boat or another person	150
28	10.2	Failure to comply with notice	200

The COMMON SEAL OF THE CITY OF BAYSWATER was affixed by authority of a resolution of the Council in the presence of:

.....  
FILOMENA PIFFARETTI  
MAYOR

Dated:

.....  
JEREMY EDWARDS  
CHIEF EXECUTIVE OFFICER





20 August 2024

Mr Jeremy Edwards  
Chief Executive Officer  
City of Bayswater  
PO Box 467  
Morley WA 6943

By email: [mail@bayswater.wa.gov.au](mailto:mail@bayswater.wa.gov.au)

Copied to: [governance@bayswater.wa.gov.au](mailto:governance@bayswater.wa.gov.au)

Dear Mr Edwards

**Submission – Review of Local Laws – Local Government Property Local Law 2016 -  
Smoke-Free Areas**

We refer to the above matter.

As the peak non-government cancer control organisation in WA, Cancer Council WA advises the State Government and other bodies on practices and policies to help prevent, detect and treat cancer. We develop, promote and contribute to policy and initiatives to reduce the impact of cancer on the Western Australian and Australian community.

In the spirit of deepening relationships, Cancer Council WA acknowledge all the traditional custodians and owners of country throughout Western Australia and recognise their continuing connection to land, waters and community. We also pay our respect to their Elders and extend that respect to all Aboriginal peoples living and working in this area.

Cancer Council WA is pleased to be given the opportunity to contribute to the above consultation regarding the City of Bayswater's Local Government Property Local Law 2016 (the Local Law). Cancer Council WA strongly advocates for and supports smoke-free (and vape-free) public places. Our submission is directed at expanding the ability of the City of Bayswater to make determinations regarding smoke-free (and vape-free) areas, similar to that provided for in the City of Vincent's Local Government Property Local Law 2021.

**Background**

Background – health impacts of tobacco products

The use of tobacco products, such as tobacco cigarettes, are universally known to cause and contribute to significant risks of disease and death. Tobacco use is the leading cause of preventable death and disease in Australia. In 2018, nearly 20,500 deaths (13% of all deaths) were attributed to tobacco use<sup>1</sup>. These risks are magnified when tobacco is smoked socially because of the serious harms associated with second-hand smoke<sup>2</sup>.

Funded by community donations

**Call us on 13 11 20**

[cancerwa.asn.au](http://cancerwa.asn.au)

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Version: 1, Version Date: 21/08/2024

**Cancer Council  
Western Australia**

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 @CancerCouncilWA  
 @CancerCouncilWestAus

#### Background – health impacts of e-cigarettes

The use of an e-cigarette device mimics the use of conventional cigarettes, and is increasing in the community, and is most common among young people<sup>9</sup>. E-cigarette use involves breathing in an aerosol, usually containing nicotine (amongst other ingredients)<sup>9</sup>.

The most up-to-date comprehensive systematic review of the global evidence, undertaken recently by The Australian National University (ANU), found<sup>10</sup>:

- identified risks of e-cigarettes include addiction, intentional and unintentional poisoning; acute nicotine toxicity, including seizures; burns and injuries; lung injury;
- less direct evidence indicates adverse effects of e-cigarettes on cardiovascular health markers, including blood pressure and heart rate, lung function and adolescent brain development and function; and
- there is strong evidence that non-smokers who use e-cigarettes are three times as likely to go on to smoke combustible tobacco cigarettes as non-users, supportive of a gateway effect.

E-cigarettes do have the potential to produce environmental pollutants in sufficient quantities to potentially harm health<sup>11</sup>.

There is substantial evidence that exposure to nicotine during adolescence may have long-term consequences for brain development, impacting learning, memory and attention, and increasing the risk for rapid and lasting addiction and future use of other drugs<sup>12</sup>.

#### Background - Smoke-free environments

Evidence shows that increasing smoke-free environments results in many benefits including protecting non-smokers from exposure to second-hand smoke, supporting current smokers to quit and reduce relapse, and reducing the perception that smoking is 'normal' that reduces uptake among young people<sup>13</sup>. There is also strong community support for smoke-free environments. An overwhelming majority of WA adults (87 per cent) support creating more smoke-free places in WA<sup>14</sup>. The WA community supports extending the prohibition of smoking to vaping, with 81 per cent of WA adults of the view that vaping should not be permitted in public places where smoking is banned<sup>15</sup>.

#### Background - Policy context

Reducing tobacco use is a key strategic priority of the State and Federal Governments<sup>16</sup>. An important strategy for reducing tobacco use is increasing smoke-free environments where tobacco smoking and e-cigarette use are prohibited.

The City of Bayswater's Public Health and Wellbeing Plan 2019-2024<sup>17</sup> aims to "reduce the negative impact of smoking and passive smoking in the community" and notes that 14.6% of people within the City of Bayswater currently smoke, which is above the State average.

Expanding the ability of the City of Bayswater in the Local Law to create smoke-free (and vape-free) environments would further the objectives set out in the Public Health and Wellbeing Plan, as well as further State and Federal Government priorities in relation to reducing tobacco use.

### Background - Example of the City of Vincent

The City of Vincent has introduced a Smoke-Free Town Centres Initiative which began as an action in its public health plan and is underpinned by the City of Vincent's Local Government Property Local Law 2021. The City of Vincent's Local Government Property Local Law 2021 has enabled the creation of smoke-free town centres in five different locations. Smoking and e-cigarette use is not permitted in those locations. The City of Vincent's comprehensive approach, which is outlined on their website, includes extensive consultation and strong focus on communication and community education.

### Current situation in relation to smoking in the Local Law

Currently the City of Bayswater's Local Law provides that a determination may be made prohibiting smoking on specified local government premises (clause 2.8). It is noted that a determination has been made in relation to smoking by the City of Bayswater that "a person must not smoke on premises owned by the local government or under the care, control or management of the local government or within 5m of such premises" (see Schedule 2 of the Local Law). The shortcomings in the current Local Law in relation to smoking are as follows:

- smoking is not defined to include e-cigarette use;
- the areas for which a smoke-free determination may be made are limited to a building, stadium or similar structure which is local government property (and does not more broadly include activity centres, public open space or thoroughfares).

### Changes proposed to the Local Law

We request that the Local Law be updated to closely align with the relatively recent local law changes by the City of Vincent in respect of smoke-free areas. The changes by the City of Vincent provide a flexible and modern framework to enable the local government to create smoke-free areas. In brief, the City of Vincent Local Government Property Local Law 2021 provides (amongst other matters):

- an extended definition of "smoke and/or smoking" which includes using an e-cigarette (clause 1.6);
- a determination may be made prohibiting smoking on specified local government property (clause 2.8);
- a new division (Division 6) on smoke-free areas that allows Council to prohibit smoking by way of determination (prescribing a local government property or thoroughfare, or any part thereof, as a smoke-free area). Areas for which a smoke-free area may be prescribed under the new division are limited by clause 5.18 (which includes an activity centre, public open space and thoroughfares with limitations). The procedure for making determinations and the considerations to take into account are provided for in clauses 5.19 and 5.20 respectively. There is also provision for smoke-free signage (see clause 5.21).

In particular, we recommend that City of Vincent's Local Government Property Local Law 2021 form the basis of a review of the Local Law in relation to smoke-free areas in the City of Bayswater. This is because the City of Vincent's Local Government Property Local Law 2021

- addresses both smoking and e-cigarette use;
- has appropriate areas that could be designated a smoke free (including activity centres, public open space and thoroughfares); and
- the framework provides for local government to make determinations of smoke-free areas, rather than having smoke-free areas prescribed by the Local Law itself. This enables greater flexibility into the future, minimising the need for future amendment to

the Local Law. Cancer Council WA supports the City of Bayswater using community engagement to assist in defining where the smoke-free areas should apply.

Cancer Council WA would be pleased to support the City of Bayswater's smoke-free (including vape-free) initiatives and has a range of resources such as posters, stickers, brochures and cessation resources that may be useful in this regard. Please let us know if we can assist.

Thank you for your consideration of the matters raised. Please contact [REDACTED] Legal Policy Advisor on [REDACTED] [REDACTED] [REDACTED] [REDACTED] should you wish to discuss or if you would like further information.

Yours sincerely



Cancer Prevention and Research Director, Cancer Council WA



Western Australia

LOCAL GOVERNMENT ACT 1995

CITY OF BAYSWATER  
LOCAL GOVERNMENT PROPERTY  
LOCAL LAW 2016 (consolidated version showing  
proposed amendments)

Document Control

This document is an administrative version that incorporates the amendments proposed in the draft amendment local law 2024 being considered by the City of Bayswater.

Proposed amendments (shown in tracked changes).

*Local Government Act 1995*

**LOCAL GOVERNMENT PROPERTY LOCAL LAW 2016 (with proposed amendments)**

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CITY OF BAYSWATER

**LOCAL GOVERNMENT PROPERTY LOCAL LAW 2016**

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Council of the City of Bayswater resolved on ~~31 May 2016~~ [\(insert date\)](#) to make the following local law.

**PART 1 – PRELIMINARY**

**1.1 Citation**

This local law may be cited as the City of Bayswater *Local Government Property [Amendment](#) Local Law 2024*.

**1.2 Commencement**

This local law commences on the 14th day after the day on which it is published in the *Government Gazette* [and amends the City of Bayswater Local Government Property Local Law 2016](#).

**1.3 Definitions**

In this local law unless the context otherwise requires

**Act** means the *Local Government Act 1995*;

**applicant** means a person who applies for a permit under clause 3.2;

**authorised person** means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

**boat** means any ship, vessel or structure capable of being used in navigation by water, however propelled or moved, and includes a jet ski;

**building** means any building which is local government property and includes a

- (a) hall or room;
- (b) corridor, stairway or annexe of any hall or room, and includes all plumbing, electrical installations, fixtures, fittings, furniture and other contents, owned or under the care, control and management of the local government; and
- (c) a jetty;

**CEO** means the chief executive officer of the local government;

**commencement day** means the day on which this local law comes into operation;

**Council** means the council of the local government;

**controller** means the person or persons for the time being appointed by the local government to direct, control and manage a golf course and includes any assistant to the controller approved in writing by the local government;

**Council** means the council of the local government;

**date of publication** means, where local public notice is required to be given of a matter under this local law, the date on which notice of the matter is published in a newspaper circulating generally throughout the district;

**determination** means a determination made under clause 2.1;

**district** means the district of the local government;

**e-cigarette** means a portable device that is designed to generate or release an aerosol or vapour for personal use;

**function** means an event or activity characterised by all or any of the following:

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club;
- (d) payment of a fee to attend it; and
- (e) systematic recurrence in relation to the day, time and place;

**golf course** means all that portion of land which is set aside and laid out as a golf course and includes all tees, fairways, greens, adjacent rough areas, practice tees, practice fairways, practice greens and any driving range; and all buildings, structures, fittings, fixtures and equipment forming part thereof;

**law**, the system of rules which are applicable to Western Australia or the Commonwealth and is recognised as regulating the actions of its members and which it may enforce by the imposition of penalties.

**liquor** has the same meaning as is given to it in section 3 of the *Liquor Control Act 1988*;

**local government** means the City of Bayswater;

**local government property** means anything except a thoroughfare

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an otherwise unvested facility within section 3.53 of the Act;

**manager** means the person for the time being employed by the local government to control and manage a pool area or other facility which is local government property and includes the person's assistant or deputy;

**model aircraft** means a drone not used for commercial or research purposes;

**permit** means a permit issued under this local law;

**permit holder** means a person who holds a valid permit;

**person** does not include the local government;

**pool area** means any swimming and wading pools and spas and all buildings, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of or used in connection with such swimming and wading pools and spas which are local government property;

**Regulations** means the *Local Government (Functions and General) Regulations 1996*;

**sign** includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;

**smoke** and/or **smoking** means to:

- (a) smoke, hold or otherwise have control over an ignited tobacco product;
- (b) light a tobacco product; or
- (c) use an e-cigarette;

**trading** means the selling or hiring, or the offering for sale or hire of goods or services, and includes displaying goods for the purpose of:

- (a) offering them for sale or hire;
- (a) inviting offers for their sale or hire;
- (b) soliciting orders for them; or
- (c) carrying out any other transaction in relation to them; and

**vehicle** includes:

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden or driven,

but excludes:

- (c) a wheel-chair or any device designed for use, by a physically impaired person on a footpath;
- (d) a pram, a stroller or a similar device; and
- (e) a boat.

#### 1.4 Interpretation

In this local law unless the context otherwise requires a reference to local government property includes a reference to any part of that local government property.

#### 1.5 Application

- (1) This local law applies throughout the district.
- (2) Notwithstanding anything to the contrary in this local law, the local government may —
  - (a) hire local government property to any person; or
  - (b) enter into an agreement with any person regarding the use of any local government property.
- (3) This local law is subject to any written law and any law of the Commonwealth about assistance animals as defined in section 9(2) of the *Disability Discrimination Act 1992* (Commonwealth).

#### 1.6 Repeal

- (1) The following local laws are repealed.
  - (a) By-laws relating to Controlling of Reserves published in the *Government Gazette* on 15 July 1938 and amendments; and
  - (b) By-laws relating to Bayswater Public Golf Course published in the *Government Gazette* on 26 February 1965 and amendments; and

- (c) By-laws relating to Bayswater Aquatic Centre published in the *Government Gazette* on 30 July 1982 and amendments; and
- (d) By-laws relating to Use of Halls and Other Buildings published in the *Government Gazette* on 25 January 1985 and amendments; and
- (2) Where a policy was made or adopted by the local government under or in relation to a local law repealed by this local law, then the policy is to be taken to no longer have any effect on and from the commencement day.
- (3) The Council may resolve that notwithstanding subclause (2), specified policies continue, or are to be taken to have continued, to have effect on and from the commencement day.

## **PART 2 – DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY**

### *Division 1 - Determinations*

#### **2.1 Determinations as to use of local government property**

- (1) The local government may make a determination in accordance with clause 2.2 -
  - (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7;
  - (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property;
  - (c) as to the matters in clauses 2.7(2) and 2.8(2); and
  - (d) as to any matter ancillary or necessary to give effect to a determination.
- (2) The determinations in Schedule 2 -
  - (a) are to be taken to have been made in accordance with clause 2.2;
  - (b) may be amended or revoked in accordance with clause 2.6; and
  - (c) have effect on the commencement day.

#### **2.2 Procedure for making a determination**

- (1) The local government is to give local public notice of its intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that -
  - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
  - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
  - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to -
  - (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
  - (b) amend the proposed determination, in which case subclause (5) will apply; or
  - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c) the Council is to -
  - (a) consider those submissions; and

- (b) decide
  - (i) whether or not to amend the proposed determination; or
  - (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice -
  - (a) of the effect of the amendments; and
  - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

### **2.3 Discretion to erect sign**

The local government may erect a sign on local government property to give notice of the effect of a determination which applies to that property.

### **2.4 Determination to be complied with**

A person shall comply with a determination.

### **2.5 Register of determinations**

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act are to apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

### **2.6 Amendment or revocation of a determination**

- (1) The Council may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the Council revokes a determination it is to give local public notice of the revocation and the determination is to cease to have effect on the date of publication.

*Division 2 – Activities which may be pursued or prohibited under a determination*

### **2.7 Activities which may be pursued on specified local government property**

- (1) A determination may provide that specified local government property is set aside as an area on which a person may -
  - (a) bring, ride or drive an animal;
  - (b) take, ride or drive a vehicle, or a particular class of vehicle;
  - (c) fly or use a motorised model aeroplane;
  - (d) use, launch or sail a motorised model boat, including electronic and remote controlled model boats;
  - (e) launch, beach or leave a boat;

- (f) take or use a boat, or a particular class of boat;
  - (g) use a children's playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;
  - (h) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;
  - (i) play or practice
    - (i) golf or archery; or
    - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular -
- (a) the days and times during which the activity may be pursued;
  - (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
  - (c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
  - (d) may limit the activity to a class of vehicles, boats, equipment or things, or may extend it to all vehicles, boats, equipment or things;
  - (e) may specify that the activity can be pursued by a class of persons or all persons; and
  - (f) may distinguish between different classes of the activity.

## 2.8 Activities which may be prohibited on specified local government property

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property -
- (a) smoking on premises;
  - (b) bring, ride or drive an animal;
  - (c) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device;
  - (d) taking, riding or driving a vehicle on the property or a particular class of vehicle;
  - (e) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
  - (f) use, launch or fly motorised model aeroplanes, helicopters, drones, gliders or rockets that are propelled by electrical, mechanical, hydraulic, combustion or pyrotechnic means;
  - (g) use, launch or sail a motorised model boat, including electronic and remote controlled model boats;
  - (h) taking or using a boat, or a particular class of boat;
  - (i) the playing or practice of -
    - (i) golf, archery, pistol shooting or rifle shooting; or
    - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
  - (j) the playing or practice of any ball game which may cause detriment to the property or adjacent property or any fauna on the property;

- (k) fishing, boating, kayaking or any other water sport activity on lakes or water bodies signposted as wildlife reserves;
  - (l) the release of 20 or more balloons gas-inflated balloons at or about the same time; and
  - (m) the traversing of land which in the opinion of the City has environmental value warranting such protection, either absolutely or except by paths provided for that purpose
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular -
- (a) the days and times during which the activity is prohibited;
  - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
  - (c) that an activity is prohibited in respect of a class of vehicles, boats, equipment or things, or all vehicles, boats, equipment or things;
  - (d) that an activity is prohibited in respect of a class of persons or all persons; and
  - (e) may distinguish between different classes of the activity.
- (3) In this clause -
- premises** means a building, stadium or similar structure which is local government property, but not an open space such as a park or a playing field.

*Division 3 - Transitional*

**2.9 Signs taken to be determinations**

- (1) Where a sign erected on local government property has been erected under a local law of the local government repealed by this local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

**PART 3 – PERMITS**

*Division 1 - Preliminary*

**3.1 Application of Part**

This Part does not apply to a person who uses or occupies local government property under a written agreement with the local government to do so.

*Division 2 – Applying for a permit*

**3.2 Application for permit**

- (1) Where a person is required to obtain a permit under this local law, that person shall apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law shall -
  - (a) be in the form determined by the local government;
  - (b) be signed by the applicant;
  - (c) provide the information required by the form; and
  - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.



- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The local government may require an applicant to give local public notice of the application for a permit.
- (5) The local government may refuse to consider an application for a permit which is not in accordance with subclause (2).

### **3.3 Decision on application for permit**

- (1) The local government may   
  - (a) approve an application for a permit unconditionally or subject to any conditions; or
  - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application for a permit, it is to issue to the applicant, a permit in the form determined by the local government.
- (3) If the local government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.

#### *Division 3 - Conditions*

### **3.4 Conditions which may be imposed on a permit**

- (1) Without limiting the generality of clause 3.3(1)(a), the local government may approve an application for a permit subject to conditions relating to   
  - (a) the payment of a fee;
  - (b) compliance with a standard or a policy of the local government adopted by the local government;
  - (c) the duration and commencement of the permit;
  - (d) the commencement of the permit being contingent on the happening of an event;
  - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
  - (f) the approval of another application for a permit which may be required by the local government under any written law;
  - (g) the area of the district to which the permit applies;
  - (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit or bond against such damage; and
  - (i) the obtaining of public risk insurance in an amount and on terms reasonably required by the local government.
- (2) Without limiting clause 3.3(1)(a) and subclause (1), the following paragraphs indicate the type and content of the conditions on which a permit to hire local government property may be issued
  - (a) when fees and charges are to be paid;
  - (b) payment of a bond against possible damage or cleaning expenses or both;
  - (c) restrictions on the erection of material or external decorations;
  - (d) rules about the use of furniture, plant and effects;
  - (e) limitations on the number of persons who may attend any function in or on local government property;
  - (f) the duration of the hire;

- (g) the right of the local government to cancel a booking during the course of an annual or seasonal booking, if the local government sees fit;
- (h) a prohibition on the sale, supply or consumption of liquor unless a liquor licence is first obtained for that purpose under the *Liquor Control Act 1988*;
- (i) the prohibition on the conduct of gaming unless a gaming approval has been obtained under the *Gaming and Wagering Commission Act 1987*;
- (j) whether or not the hire is for the exclusive use of the local government property;
- (k) the obtaining of a policy of insurance in the names of both the local government and the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer;
- (l) the amplification of, or any noise complies at all times with the *Environmental Protection (Noise) Regulations 1997*; and
- (m) the provision of an indemnity from the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer.

### 3.5 Imposing conditions under a policy

- (1) In this clause -  
**Policy** means a policy of the local government adopted by the Council containing conditions subject to which an application for a permit may be approved under clause 3.3(1)(a).
- (2) Under clause 3.3(1)(a) the local government may approve an application subject to conditions by reference to a policy.
- (3) The local government shall give a copy of the policy, or the part of the policy which is relevant to the application for a permit, with the form of permit referred to in clause 3.3(2).
- (4) An application for a permit shall be deemed not to have been approved subject to the conditions contained in a policy until the local government gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act shall apply to a policy and for that purpose a policy shall be deemed to be information within section 5.94(u)(i) of the Act.

### 3.6 Compliance with and variation of conditions

- (1) Where an application for a permit has been approved subject to conditions, the permit holder shall comply with each of those conditions.
- (2) The local government may vary the conditions of a permit, and the permit holder shall comply with those conditions as varied.

#### Division 4 - General

### 3.7 Duration of permit

A permit is valid for one year from the date on which it is issued, unless it is -

- (a) otherwise stated in this local law or in the permit; or
- (b) cancelled under clause 3.12.

### 3.8 Renewal of permit

- (1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.
- (2) The provisions of this Part shall apply to an application for the renewal of a permit as though it were an application for a permit.

### 3.9 Transfer of permit

- (1) An application for the transfer of a valid permit is to -
  - (a) be made in writing;
  - (b) be signed by the permit holder and the proposed transferee of the permit;
  - (c) provide such information as the local government may require to enable the application to be determined; and
  - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where the local government approves an application for the transfer of a permit, the transfer may be effected by an endorsement on the permit signed by the CEO.
- (4) Where the local government approves the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

### 3.10 Production of permit

A permit holder is to produce to an authorised person her or his permit immediately upon being required to do so by that authorised person.

### 3.11 Cancellation of permit

- (1) Subject to clause 8.1, a permit may be cancelled by the local government if the permit holder has not complied with a -
  - (a) condition of the permit; or
  - (b) determination or a provision of any written law which may relate to the activity regulated by the permit.
- (2) On the cancellation of a permit the permit holder -
  - (a) shall return the permit as soon as practicable to the CEO; and
  - (b) is to be taken to have forfeited any fees paid in respect of the permit.

*Division 5 – When a permit is required*

### 3.12 Activities needing a permit

- (1) A person shall not without a permit -
  - (a) subject to subclause subclause-3, hire local government property;
  - (b) advertise anything by any means on local government property;
  - (c) erect a structure for public amusement or for any performance, whether for gain or otherwise, on local government property;

- (d) teach, coach or train any person on local government property;
- (e) plant any plant or sow any seeds on local government property;
- (f) carry on any trading on local government property unless the trading is conducted with the consent of a person who holds a permit to conduct a function, and where the trading is carried on under and in accordance with the permit; or by a person who has a licence or permit to carry on trading on local government property under any written law;
- (g) unless an employee of the local government in the course of her or his duties or on an area set aside for that purpose drive or ride or take any vehicle on to local government property; or park or stop any vehicle on local government property;
- (h) conduct a function on local government property;
- (i) charge any person for entry to local government property, unless the charge is for entry to land or a building hired by a voluntary non-profit organisation;
- (j) light a fire on local government property except in a facility provided for that purpose and in accordance with the *Bushfires Act* and other local laws;
- (k) parachute, hang glide, abseil or base jump from or on to local government property;
- (l) erect a building or a refuelling site on local government property;
- (m) make any excavation on or erect or remove any fence on local government property;
- (n) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person; or
- (o) depasture any horse, sheep, cattle, goat, camel, ass or mule on local government property.
- (2) The local government may exempt a person from compliance with subclause (1) on the application of that person.
- (3) The local government may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

### 3.13 Permit required to camp outside a facility

- (1) In this clause  
**Facility** has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.
- (2) This clause does not apply to a facility operated by the local government.
- (3) A person shall not without a permit
  - (a) camp on, or lodge at local government property;
  - (b) occupy any structure at night for the purpose of sleeping on local government property;
  - (c) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
  - (d) park a vehicle on local government property where that vehicle is being used by that person or any other person, for purposes of camping or sleeping on local government property.
- (4) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a), (b) or (c) of subclause (3) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.

### **3.14 Permit required for possession and consumption of liquor**

- (1) A person, on local government property, shall not consume any liquor or have in her or his possession or under her or his control any liquor, unless
  - (a) that is permitted under the *Liquor Control Act 1988*; and
  - (b) a permit has been obtained for that purpose.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

#### *Division 6 – Responsibilities of a permit holder*

### **3.15 Responsibilities of permit holder**

A holder of a permit shall in respect of local government property to which the permit relates.

- (a) maintain law and order and decent behaviour by all in attendance at any function held on or within a local government property or building;
- (b) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the property or enforcing any provision of this local law;
- (c) leave the local government property or building in a clean and tidy condition after its use;
- (d) report any damage or defacement of the local government property or building to the local government;
- (e) make good any damage to the local government property or building which occurs during the term of hire, or at the option of the local government, pay the local government the cost of the repair and replacement of any such property;
- (f) prevent the consumption of any liquor on the local government property unless the permit allows it and a licence has been obtained under the *Liquor Control Act 1988* for that purpose;
- (g) ensure that all tents, beach shades or windbreak structures erected on local government property are weighted down through the use of sandbags or similar item and thereby prevent the use of any pegs, pickets and stakes whatsoever; and
- (h) comply with all conditions that are imposed on the hire and use of the local government property or building.

## **PART 4 – BEHAVIOUR ON ALL LOCAL GOVERNMENT PROPERTY**

### *Division 1 – Behaviour on and interference with local government property*

#### **4.1 Behaviour which interferes with others**

A person shall not in or on any local government property behave in a manner which

- (a) is likely to interfere with the enjoyment of a person who might use the property;
- (b) interferes with the enjoyment of a person using the property; or
- (c) is likely to interfere with the amenity of adjoining residential properties.

#### **4.2 Behaviour detrimental to property**

- (1) A person shall not behave in or on local government property in a way which is or might be detrimental to the property
- (2) In subclause (1) -

***detrimental to the property*** includes -

- (a) removing any thing from the local government property such as a rock, a plant or a seat provided for the use of any person; and
- (b) destroying, defacing or damaging any thing on the local government property, such as a plant, a seat provided for the use of any person or a building.

#### **4.3 Taking or injuring any fauna**

- (1) A person shall not, take, injure or kill or attempt to take, injure or kill any fauna which is on or above any local government property, unless that person is authorised under a written law to do so and so as not to contravene the Animal Welfare Act 2002.
- (2) In this clause -

***animal*** means any living thing that is not a human being or plant; and

***fauna*** means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal

- (a) any class of animal or individual member;
- (b) the eggs or larvae; or
- (c) the carcass, skin, plumage or fur

#### **4.4 Taking or damaging any flora**

- (1) A person shall not take, damage, or attempt to take or damage any flora which is on or above any local government property, unless that person is authorised under a written law to do so.
- (2) In this clause -

***flora*** means all vascular plants.

#### **4.5 Intoxicated persons not to enter local government property**

A person shall not enter or remain on local government property while under the influence of liquor or a prohibited drug.

#### **4.6 No prohibited drugs**

A person shall not take a prohibited drug on to, or consume or use a prohibited drug on, local government property.

#### **4.7 Appropriate behaviour and adequate clothing**

- (1) A person over the age of 6 years shall not on or in any local government property -
  - (a) appear in public unless properly dressed in clothing which covers the body to prevent indecent exposure;
  - (b) loiter outside or act in an unacceptable manner, in any portion of a toilet block or change room facility set aside for the opposite or same gender; and
  - (c) without the consent of the occupier, enter or attempt to enter any toilet or other compartment which is already occupied.
- (2) Where an authorised person considers that the clothing of any person on local government property is not proper and adequate to prevent indecent exposure, the authorised person may direct that person to put on adequate clothing and that person shall comply with that direction immediately.

#### **4.8 Refusal of entry to local government property**

- (1) An authorised person may refuse to allow entry, or suspend admission, to any local government property to any person whom he or she reasonably suspects has behaved in a manner contrary to the provisions of this Part.
- (2) This refusal or suspension can be for any period of up to 12 months as decided by that authorised person.

#### *Division 2 – Circuses on local government property*

#### **4.9 No functions with wild animals**

A function shall not be conducted on local government property, for public entertainment or otherwise, if the function involves the display or performance of

- (a) lions, tigers, leopards, other great cats, elephants, bears, giraffes, monkeys or apes; or
- (b) any other type of animal which, in the opinion of the local government, is either dangerous or wild by nature.

#### *Division 3 - Signs*

#### **4.10 Signs**

- (1) A local government may erect a sign on local government property specifying any conditions of use which apply to that property.
- (2) A person shall comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is
  - (a) not to be inconsistent with any provision of this local law or any other written law or any determination; and
  - (b) to be for the purpose of giving notice of the effect of a provision of this local law.

### **PART 5 – MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY**

#### *Division 1 – Swimming pool/Gymnasium areas*

#### **5.1 Directions of Manager to be observed**

Every person, coach and spectator at a swimming pool/gymnasium, shall at all times observe any reasonable direction given by the Manager or authorised person.

#### **5.2 When entry must be refused**

- (1) A manager or an authorised person shall refuse admission to, may direct to leave or shall remove or cause to be removed from a swimming pool/gymnasium area any person who
  - (a) in her or his opinion is
    - (i) under the age of 13 years and who is unaccompanied by a responsible person over the age of 16 years;
    - (ii) apparently suffering from any contagious, infectious or cutaneous disease or complaint, or is in an unclean condition; or
    - (iii) under, or apparently under the influence of liquor or a prohibited drug;

- (b) is to be refused admission under and in accordance with a decision of the local government for breaching any clause of this local law.
- (2) A person shall on being requested by the Manager or authorised person to leave a swimming pool/gymnasium area, do so immediately, quietly and peacefully.
- (3) The Manager or authorised person may temporarily suspend admission to, or remove from a swimming pool/gymnasium area or any part thereof, all or any person or persons, if in their opinion, such action is necessary or desirable.
- (4) At the discretion of the Manager or authorised person, the swimming pool/gymnasium area or any part thereof, may at any time be set aside for the use of certain persons to the exclusion of others.

### 5.3 Swimming Carnivals

A person, club, organisation or association conducting a carnival or event at a swimming pool shall be responsible for the conduct of the competitors and spectators during the carnival or event and shall take reasonable steps to prevent overcrowding and ensure that no damage is done to the buildings or fencing or any other portion of the swimming pool/gymnasium areas and that these local laws are observed by all competitors, officials and spectators attending the carnival or event.

### 5.4 Water-based Excursions

A State Education Department School conducting a school water-based excursion shall do so as a minimum, in accordance with the Education Department of Western Australia Water-based Excursions Procedures and Guidelines.

### 5.5 Responsibilities of swimming pool/gymnasium users

A person while in the swimming pool/gymnasium areas shall not

- (a) consume foodstuffs or drinks in any specific area in which food consumption is prohibited;
- (b) climb up or upon any roof, fence, wall or partition in the swimming pool/gymnasium area; or
- (c) whilst suffering from a contagious, infectious or cutaneous disease or whilst in an unclean condition, enter or use or attempt to enter or use the swimming pool, spa or pool gymnasium areas.

### *Division 2 - Beaches*

### 5.6 Persons to comply with signs and directions

- (1) In this Division -  
**beach** includes the foreshore of the Swan River within the City of Bayswater.
- (2) A person shall
  - (a) not act in contravention of any sign erected on a beach designating bathing areas and signs regulating, prohibiting or restricting specified activities on the whole or any part of a beach or in or on the water adjacent to the beach;
  - (b) not enter an area which has been temporarily closed with rope, hessian, wire or any other means, unless he or she has obtained permission to enter from the local government.



*Division 3 – Fenced or closed property*

**5.7 No entry to fenced or closed local government property**

A person must not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by the local government.

*Division 4 – Toilet blocks and change rooms*

**5.8 Only specified gender to use entry of toilet block or change room**

- (1) Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by
  - (a) females, then a person of the male gender shall not use that entry of the toilet block or change room; or
  - (b) males, then a person of the female gender shall not use that entry of the toilet block or change room.
- (2) Paragraphs (a) and (b) of subclause (1) do not apply to a child, when accompanied by a parent, guardian or caregiver, where the child is –
  - (a) under the age of 8 years; or
  - (b) otherwise permitted by an authorised person to use the relevant entry.

**5.9 Unclaimed property in locker**

- (1) If an article in a locker is not claimed or collected within 48 hours after the date of hire, the article may be removed by an attendant or authorised person.
- (2) An attendant or authorised person must record in the Unclaimed Property Register, with respect to each article removed from a locker-
- (3) An attendant or authorised person must ensure that an article removed from the locker is stored at the place determined by the local government.
- (4) An attendant or authorised person may deliver to a person an article recorded in the Unclaimed Property Register on receiving-
  - (a) satisfactory evidence of the person's right to obtain the article;
  - (b) an accurate description of the article being claimed; and
  - (c) payment of any outstanding fees or storage charges.
- (5) A person who receives delivery of an article from the Unclaimed Property Register must, by way of acknowledging receipt of the article, write their name and address and sign their name in the Unclaimed Property Register.
- (6) Neither the Manager or authorised person or employee of the local government shall in any way be responsible for any articles or money lost by or stolen from any person whilst in a centre or for any articles damaged whilst in or about a centre.

*Division 5 – Golf course*

**5.10 Interpretation**

In this Division -

**controller** means the person appointed by the local government to direct, control and manage a golf course;

**golf course** means that portion of a golf course reserve which is laid out as a golf course and includes all tees, fairways, greens, practice tees, practice fairways, practice greens and any driving range; and includes all buildings, structures, fittings, fixtures and equipment on that land.

#### **5.11 Directions of controller to be observed**

While on a golf course, every player, caddie and person shall at all times observe and comply with

- (a) the direction of a controller in respect of any special conditions of play;
- (b) the requirement of any notice erected to direct or control play;
- (c) the etiquette of golf and the rules of golf except as varied by any local rules detailed on any score card issued by the Controller and displayed on the notice board at the Controller's office.

#### **5.12 Controller's approval required**

A person shall not, without the prior approval of the controller or authorised officer

- (a) be accompanied by a non-playing spectator whilst playing golf on a golf course;
- (b) cross or trespass on any portion of the golf course prepared for play or practice or on any practice fairway or practice putting green, unless that person is a fee playing player;
- (c) offer himself for employment or be employed for a fee as a caddie on the golf course; or
- (d) sell, offer or expose for sale or exchange any golf ball or any golf equipment or other goods or services on a golf course.

#### **5.13 Inspection of authorisation**

A player or person on a golf course, shall at any time requested by the controller or other authorised person, produce any written authority granted or ticket issues to the player or person, to play golf for the number of holes being played and valid for play on that day and at that time.

#### **5.14 Use of vehicles and equipment**

(1) A person shall not

- (a) take on to a golf course a bicycle, motor cycle, motor car, motorised or other vehicle unless
  - (i) with the prior consent of the controller;
  - (ii) the vehicle is under the control of the controller and used for hire purposes;
- (b) drive, use or park a bicycle, motor cycle, motor car, motorised or other vehicle on any portion of a golf course except in such areas paved, marked and set apart for such purposes without the prior consent of the controller;
- (c) while driving, using or parking any bicycle, motor cycle, motor car, motorised or other vehicle on any portion of a golf course, refuse or fail to comply with all signs applicable thereto and any order or direction given by the controller or other authorised person;
- (d) take any golf buggy or like conveyance fitted with wheels on to any part of a golf course unless the width of its wheels are 25mm or greater;
- (e) take any golf bag or golf bag buggy onto any part of the golf course laid out as a putting green, practice putting green, sand trap or bunker; or
- (f) leave on a golf course any vehicle, object or thing or any animal which the controller or other authorised person has directed to be removed.

## PART 6 – FEES FOR AND USE OF LOCAL GOVERNMENT PROPERTY

### 6.1 No unauthorised entry

A person, other than an authorised person or contractor appointed by the local government carrying out their normal duties, shall not

- (a) enter or leave any local government property other than by the public entrance or exit ways, except in an emergency; and
- (b) enter or remain on local government property except on those days and during those times when access is available to the public.

### 6.2 No unauthorised entry to function

- (1) A person shall not enter local government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorised, except -
  - (a) through the proper entrance for that purpose; and
  - (b) on payment of the fee chargeable for admission at the time.
- (2) The local government may exempt a person from compliance with subclause (1)(b).

### 6.3 No refund of fees

A person will not be entitled to a refund of any fees paid for -

- (a) entry into or participation in any activity on or in any local government property;
  - (b) where a booking for the use of local government property is cancelled by the hirer;
- provided that in special circumstances the local government may authorise repayment of a part or all of the amount paid.

## PART 7 - JETTIES AND BRIDGES

### *Division 1 - Preliminary*

### 7.1 Interpretation

- (1) This Part only applies to bridges and jetties which are local government property.
- (2) In this Part -
  - jetty** means any jetty, pier, wharf or landing place which is local government property; and
  - bulk cargo** means bulk produce, such as grain, coal, oil or mineral ore, which is not packaged.

### *Division 2 – Consents and fees*

### 7.2 Application for consent and application fee

- (1) Where a person is required to obtain the consent of the local government under this Part, the person is to apply for that consent in the manner required by the local government.
- (2) The local government may require an application for consent made under subclause (1) to be accompanied by a fee.
- (3) If an application for consent is not made in the manner required by the local government or the fee which is to accompany that application is not paid, the local government may refuse to consider the application for consent.

- (4) The local government shall give its decision on an application for consent, in writing to the person who applied for that consent.
- (5) Where a fee is referred to in this Part, the fee must be imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.

*Division 3 – Prohibitions on use of jetty*

**7.3 When use of jetty is prohibited**

A person shall not land at, use or go on any part of a jetty which is

- (a) under construction or repair; or
- (b) closed,

unless that person has first obtained the consent of the local government.

*Division 4 – Mooring boats to jetties*

**7.4 Method of mooring boat**

A person in control of a boat shall not moor or make fast the boat to a jetty, or to any part of the jetty, except to such mooring piles, ring bolts or other fastenings as are provided.

*Division 5 – When boats may remain at jetty*

**7.5 When boat may remain moored**

A person in control of a boat shall not moor or make fast the boat to a jetty unless -

- (a) the boat is in distress and then only to effect the minimum repairs necessary to enable the boat to be moved elsewhere;
- (b) the embarking or disembarking of passengers is in progress, and then not for a consecutive period exceeding 2 hours without the prior consent of the local government;
- (c) the loading or discharging of cargo or other goods is in progress in accordance with Division 7; or
- (d) where the boat is used at that time for commercial purposes, the person has first paid the fee (if any) for such mooring or making fast to the local government.

**7.6 Authorised person may order removal of boat**

Notwithstanding anything to the contrary in this Part, a person in control of a boat moored or fastened to or alongside a jetty shall remove it immediately upon being directed to do so by an authorised person.

*Division 6 – Launching of boats*

**7.7 Restrictions on launching**

A person shall not launch a boat from or over any jetty (other than a boat ramp) unless she or he has first obtained the consent of the local government.

*Division 7 – Cargo or other goods*

**7.8 Loading and discharging**

A person in control of a boat shall not allow the boat to come alongside or be moored or made fast to a jetty for the purpose of loading or discharging cargo or other goods.

- (a) until the cargo or other goods are ready to be loaded or discharged; or
- (b) without the consent of the local government -
  - (i) between the hours of 6.00pm to 6.00am on the next day; or
  - (ii) for longer than 2 consecutive hours.

#### **7.9 Outgoing cargo not to be stored on jetty**

A person in control of cargo or other goods intended for loading on to a boat shall

- (a) not allow them to be stored or placed on a jetty unless and until the boat is moored or fastened to or alongside the jetty; and
- (b) load them on to the boat as soon as practicable after the boat is moored or fastened to or alongside the jetty.

#### **7.10 Removal of incoming cargo from jetty**

Any person unloading cargo or other goods from a boat on to a jetty shall remove them, or cause them to be removed from the jetty as soon as practicable, but not later than 6.00pm on the day on which they were placed there.

#### **7.11 Authorised person may direct removal**

An authorised person may direct a person who, in the opinion of the authorised person, is in charge of cargo or other goods which remain on a jetty contrary to any provision of this Part to remove them from the jetty.

#### **7.12 Handling of bulk cargo**

Except with the prior consent of the local government, a person shall not place or deposit bulk cargo from a vehicle, boat or container on to a jetty.

#### *Division 8 – Polluting surrounding area*

#### **7.13 Polluting surrounding area**

A person shall not tip or deposit anything on to a jetty so as to pollute the surrounding area.

#### *Division 9 – Fishing from jetties and bridges*

#### **7.14 Limitations on fishing**

A person shall not -

- (a) fish from a jetty or a bridge so as to obstruct or interfere with the free movement of a boat approaching or leaving the jetty or the bridge or so as to unreasonably interfere with the use of the jetty or the bridge by any other person; or
- (b) hang or spread a fishing net from, on or over any part of a jetty or a bridge.

### **PART 8 – OBJECTIONS AND APPEALS**

#### **8.1 Application of Division 1, Part 9 of the Act**

When the local government makes a decision as to whether it will -

- (a) grant a person a permit or consent under this local law; or

- (b) renew, vary, or cancel a permit or consent that a person has under this local law, the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations apply to that decision.

## **PART 9 - MISCELLANEOUS**

### **9.1 Authorised person to be obeyed**

A person on local government property shall obey any lawful direction of an authorised person and shall not in any way obstruct or hinder an authorised person in the execution of her or his duties.

### **9.2 Persons may be directed to leave local government property**

An authorised person may direct a person to leave local government property where she or he reasonably suspects that the person has contravened a provision of any written law.

### **9.3 Disposal of lost property**

An article left on any local government property, and not claimed within a period of 3 months, may be disposed of by the local government in any manner it thinks fit.

### **9.4 Liability for damage to local government property**

- (1) Where a person unlawfully damages local government property, the local government may by notice in writing to that person require that person within the time required in the notice to, at the option of the local government, pay the costs of   
  - (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
  - (b) replacing that property.
- (2) On a failure to comply with a notice issued under subclause (1), the local government may recover the costs referred to in the notice as a debt due to it.

### **9.5 Decency of dress**

Where an authorised person considers that the clothing of any person on local government property is not proper and adequate to secure decency, the authorised person may order that person to put on adequate clothing and that person is to comply with the order immediately.

## **PART 10 - ENFORCEMENT**

### **Division 1 – Notices given under this local law**

#### **10.1 Issue of a notice**

Where the local government requires works to be done to rectify a breach of any condition of permit, or to maintain public safety, the local government may give notice to the permit holder

- (a) advising details of the breach of the local law or works required; and
- (b) requiring the permit holder to remedy the breach or do the works required within the time specified by the notice.

### 10.2 Offence to fail to comply with notice

Whenever the local government gives a notice under this local law requiring a person to do anything, if a person fails to comply with the notice, that person commits an offence.

### 10.3 Local government may undertake requirements of notice

Where a person fails to comply with a notice referred to in clause 10.2, the local government may do the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in so doing.

#### *Division 2 – Offences and penalties*

##### Subdivision 1 - General

### 10.4 Offences and general penalty

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

#### Subdivision 2 – Infringement notices and modified penalties

### 10.5 Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.
- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that –
  - (a) commission of the prescribed offence is a relatively minor matter; and
  - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

### 10.6 Form of notices

- (1) For the purposes of this local law.
  - (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
  - (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
  - (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.
- (2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

*Division 3 – Evidence in legal proceedings*

**10.7 Evidence of a determination**

- (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in clause 2.5 or a certified copy of an extract from the register.
- (2) It is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.
- (3) Subclause (2) does not make valid a determination that has not been properly made.

**Schedule 1 – Prescribed Offences**

{clause 10.5}

Clause Item	Clause	Description	Modified Penalty (\$)
1	2.4	Failure to comply with determination	150
2	3.6	Failure to comply with conditions of permit	150
3	3.13(1)	Failure to obtain a permit	200
34	3.143(3)	Failure to obtain permit to camp outside a facility	150
45	3.154(1)	Failure to obtain permit for liquor	150
56	3.165	Failure of permit holder to comply with responsibilities	150
67	4.2(1)	Behaviour detrimental to property	200
78	4.3	Take, injure or kill fauna	35000
89	4.4	Remove or damage flora on local government property	35000
910	4.5	Under influence of liquor or prohibited drug	150
1014	4.10	Failure to comply with sign on local government property	150
1112	5.6	Failure to comply with sign or direction on beach	150
123	5.7	Unauthorised entry to fenced or closed local government property	150
134	5.8	Gender not specified using entry of toilet block or change room	15025
145	5.10	Failure to comply with direction of controller or notice on golf course	15025
156	6.2(1)	Unauthorised entry to function on local government property	15025
167	7.3	Unauthorised use of any part of jetty which is closed or under repair or construction	15025
178	7.4	Mooring of boats in unauthorised manner	15025
189	7.5	Unauthorised mooring of a boat to jetty	15025
1920	7.6	Failure to remove moored boat on direction of authorised person	15025
204	7.7	Launching of boat from jetty without consent	15025
212	7.8	Mooring when not ready to load or discharge cargo, at times not permitted or for longer than permitted	15025
223	7.9	Unlawful storing of goods on jetty	15025
234	7.10	Removing goods from jetty during other than permitted hours	15025
245	7.11	Failure to remove cargo on jetty on direction of authorised person	15025
256	7.12	Unauthorised deposit of bulk cargo on jetty	15025
267	7.13	Tip or deposit anything on to a jetty so as to pollute the surrounding area	150



278	7.14	Fishing from jetty or bridge so as to obstruct a boat or another person	15025
289	10.2	Failure to comply with notice	200

## Schedule 2 – Determinations

The following determinations have been made by the local government under clause 2.1.

### *Definitions*

1.1 In these determinations unless the context otherwise requires –

**local law** means the Local Government Property Local Law made by the local government.

### *Interpretation*

1.2 Unless the context otherwise requires, where a term is used but not defined in a determination and that term is defined in the local law then the term shall have the meaning given to it in the local law.

### *Application*

#### **1.3 Smoking**

A person must not smoke on premises owned by the local government or under the care, control and management of the local government or within 5m of any such premises.

#### **1.4 Taking or driving a vehicle**

A person shall not take or drive a vehicle on any reserve vested in the local government except upon an area specified by a sign erected on the local government property.

#### **1.5 Speed of vehicles**

A person shall not drive a vehicle on local government property at a speed exceeding 35 kilometres an hour except that –

- (a) on any land marked by a sign as a parking area, a person shall not drive a vehicle at a speed exceeding 8 kilometres an hour; and
- (b) on accessways within any reserve vested in council. A person shall not drive a vehicle at a speed exceeding 20 kilometres an hour.

#### **1.6 Taking or riding a bicycle, skateboard, rollerblades, sandboard or similar device**

A person shall not take or ride a bicycle, rollerblades, sandboard or similar device on any reserve, building or property vested in the local government except upon an area specified by a sign erected on the local government property.

#### 1.7 Taking or using a Boat

A person shall not take or use a boat or any particular class of boat on or in any reserve containing a water body owned or vested in the local government.

#### 1.8 Golf, archery, pistol shooting or rifle shooting and use of projectiles

A person shall not play at or practice golf on any local government property except where a permit specifies a particular local government property.

A person shall not aim, shoot or throw an arrow or similar projectile on any local government property except where a permit specifies a particular local government property.

A person shall not have in their possession any gun or rifle or means of discharging any projectile that may cause injury or damage to a person or property on any local government property except where a permit specifies a particular local government property.

#### 1.9 Ball Games

In this determination fauna and flora means the same as that in clause 4.3(2) of this local law.

A person shall not play or practice at any ball game which may cause detriment to the property or any fauna or flora on any reserve owned or vested in the local government.

A person shall not, on any reserve owned or vested in the local government, play or practice at any ball game which is expressly prohibited by a sign erected pursuant to this local law.

#### 1.10 Model Aircraft

- (1) A person shall not use, launch or fly model aircraft propelled by electrical, mechanical, hydraulic, combustion or pyrotechnic means on or from any local government property in such a manner as to endanger any person or property.
- (2) A person shall not use, launch or fly large model aircraft as defined by the Civil Aviation Safety Authority from any local government property.

#### 1.11 Bring, drive or ride an animal

A person shall not tether any animal to a tree, shrub, tree guard, wall or fence permit any animal to enter upon or into any local government property except where a permit or determination specifies a particular local government property.

This clause does not apply to assistance animals as defined in section 9(2) of the *Disability Discrimination Act 1992* (Commonwealth).

Dated:

.....  
[FILOMENA PIFFARETTI](#)

MAYOR

.....  
[JEREMY EDWARDS](#)

CHIEF EXECUTIVE OFFICER

**10.2 Corporate Services Directorate Reports****10.2.1 List of Payments for the Month of November 2024**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate Services
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil

This report will be provided under separate cover.

**10.2.2 Financial Report for the Period Ended 30 November 2024**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate Services
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil

This report will be provided under separate cover.

**10.2.3 Investment Report for the Period Ended 30 November 2024**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate Services
<b>Authority/Discretion:</b>	Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil

This report will be provided under separate cover.

**10.3 Infrastructure and Assets Directorate Reports****10.3.1 Proposal to Lease - 476 Guildford Road, Bayswater**

<b>Responsible Branch:</b>	Transport and Buildings
<b>Responsible Directorate:</b>	Infrastructure and Assets
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil
<b>Refer:</b>	Item 10.4.4: OCM 24.3.2020

This report will be provided under separate cover.

**10.3.2 Tender 4-2024 - Supply of Green Stock for Revegetation**

<b>Responsible Branch:</b>	Parks and Environment
<b>Responsible Directorate:</b>	Infrastructure and Assets
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. CONFIDENTIAL REDACTED - Stock list and Price [10.3.2.1 - 5 pages]

**Confidential Attachment(s) in accordance with Section 5.23(2) of the Local Government Act 1995 (WA):**

- (e) a matter that if disclosed, would reveal —
- (iii) information about the business, professional, commercial, or financial affairs of a person,

**SUMMARY**

For Council to award Tender 4-2024 Supply of Greenstock for Revegetation. The total value of the three-year tendered supply will exceed the Chief Executive Officer's delegated authority limit of \$250,000 and is therefore presented to Council.

**OFFICER'S RECOMMENDATION**

**That Council awards Tender No. 4-2024 for the Supply of Greenstock for Revegetation to Natural Area Holdings Pty Ltd, trading as Natural Area Consulting Management Services in accordance with their tender submission, for a three-year term commencing on 1 January 2025 and ending on 1 January 2028.**

**BACKGROUND**

The City of Bayswater has 43 sites (150 ha) classified as natural areas; these include areas of remnant vegetation, wetland, and foreshore. These sites are managed by the City's Parks and Environment Branch.

The City plants an average of 4,000 native trees and 40,000 plants in natural areas to restore and enhance biodiversity. This includes works associated with community planting events which the City holds in partnership with Environmental Community Groups, including Baigup Wetland Interest Group, Friends of Berringa Park Foreshore and Friends of Lightning Swamp Bushland. The City also procures greenstock to support revegetation works associated with grants from organisations such as the Department of Biodiversity Conservation and Attractions (DBCA), Perth Natural Resource Management (Perth NRM) and the Western Australian Local Government Association (WALGA). Greenstock for revegetation is typically ordered in September for the following winter planting season.

The City has previously undertaken procurement on a yearly basis; this has created some challenges associated with propagation, securing sufficient stock and species diversity. This is due to the list of stock required consisting of 120 species. The City therefore called for tenders for the supply of greenstock for a three-year term.

The tender was advertised on 19 October 2024 in The West Australian newspaper and closed on 4 November 2024.

Although four companies and one local government accessed the tender documents, only one company provided a submission.

## EXTERNAL CONSULTATION

No external consultation was undertaken as part of the tender assessment.

## OFFICER'S COMMENTS

A panel was assembled to assess the tender. The panel comprised of the following officers:

- Coordinator Natural Area Management
- Coordinator Parks Services
- Catchment Management Officer

The tender was evaluated in accordance with the following criteria having met the compliance requirements:

	Evaluation Criteria	Weighting
A	Demonstrated Experience	10%
B	Organisational Capability and Capacity	10%
C	Methodology	25%
D	Benefit to Local Economy	5%
E	Price	50%

	Applicant	A	B	C	D	E	Total %
1.	Natural Area Consulting Management Services	9	9	20	3.5	50	91.5

Although there was only one submission, it is still important to conduct a qualitative and quantitative assessment of the submission to ensure that the City is satisfied with the tender submission. Based on the assessment, the City believes that the tender submission meets the City's expectation regarding the qualitative criteria and the prices seem reasonable.

Further comments on the tender process are provided as follows.

Due to the list of stock required consisting of 120 species, the option was given for companies to outsource shortfall of stock from external suppliers to fulfill the order requirements. This would allow for a broader range of companies to provide a submission if they did not grow species or had inadequate stock numbers. No companies chose to exercise this option.

The possibility of the City sourcing from multiple suppliers was considered. Sourcing from multiple suppliers presents challenges in terms of securing stock, administration, quality control and propagation. The City's revegetation list is considered extensive. The restoration of natural areas requires a full suite of endemic species; many of these plants are difficult to propagate.

Accordingly, working with a specialty nursery is important to ensure that challenging species can be grown ahead of the delivery of stock. It is preferable to contract for a period of three years which will allow for a company to collect endemic seed and propagate the species required as supply is guaranteed for the life of the tender. This benefits the City's revegetation program by improving the biodiversity within an area and resulting in a higher survivability of plants. The chosen supplier currently has a licence to collect endemic seed; this is important to ensure species are adapted to local conditions and that the providence of genetic material is maintained.

## LEGISLATIVE COMPLIANCE

The tender process has met the requirements of s3.57 of the *Local Government Act 1995* and r.14 16 of the *Local Government (Functions and General) Regulations 1996*. The tenderer has



indicated that they do not have any conflicts of interest in the performance of the obligations under the contract. City officers involved in the assessment of the tender submissions and preparations of the associated report have indicated they do not have any conflicts of interest with any of the tenderers.

### RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health, and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	High
Service Delivery	Medium	Medium
Environment	Low	High
Governance and Compliance	Low	Low
Strategic Risk	SR03 - Council plans, decision making process and/or activities fail to invest in the management, protection, and improvement of its natural environment.	

### FINANCIAL IMPLICATIONS

Procurement of Greenstock is through the approved operational budget of the City's natural areas it is expected that this will amount to \$300,000 over three years.

Cost Centre-Project	Type	Project Type	Project Description	Current Budget \$
2600-(43 reserve cost codes)-6125-6000	Municipal	Operational	Purchase of greenstock	\$100,000 p.a.
			<b>Total 3 Years</b>	<b>\$300,000</b>

Additional expenditure occurs for tree and plant procurement when the City is awarded funding through grants. Below is funding awarded for the 25/26 planting season.

Reserve	Type	Project Type	Project Description	Current Funding \$
Bardon Park	Grant	Operational	Purchase of greenstock	\$16,000
Claughton Reserve	Grant	Operational	Purchase of greenstock	\$4,000
Eric Singleton Bird Sanctuary	Grant	Operational	Purchase of greenstock	\$30,000
Tranby Reserve	Grant	Operational	Purchase of greenstock	\$70,000
			<b>Total</b>	<b>\$120,000</b>

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Community  
Goal C1: Create safe and inviting places for people to come together.

Theme: Environment and Liveability  
Goal E2: Remain focused on greening the City's suburbs and streetscapes and increasing the tree canopy.

Goal E5: Protect and enhance the City's natural environment and biodiversity, and encourage the community to participate in its protection.

**CONCLUSION**

Revegetation of the City's natural areas is a keystone in the management and protection of the environment. It not only ensures the health of native flora and fauna but that of the community through engagement such as planting events with environmental community groups, local schools, and organisations. Therefore, to achieve best practices through the availability of high quality and diverse range of species, the award of Tender 4-2024 Supply of Greenstock for Revegetation, would facilitate this need.

**10.3.3 Tender 22 - 2024 Maylands Lakes Water Treatment Facility**

<b>Responsible Branch:</b>	Project Services
<b>Responsible Directorate:</b>	Infrastructure and Assets
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil

This report will be provided under separate cover.

## 10.4 Community Services Directorate Reports

### 10.4.1 Chung Wah Community Care Request for Fee Waiver

<b>Applicant/Proponent:</b>	Chung Wah Community Care (CWCC)
<b>Owner:</b>	N/A
<b>Responsible Branch:</b>	Community Development
<b>Responsible Directorate:</b>	Community
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Waivers- Concessions-and- Definitions-for- Fees-and- Charges- Policy [10.4.1.1 - 3 pages]

#### SUMMARY

This report outlines a fee waiver request from Chung Wah Community Care (CWCC) towards hall hire fees at the Morley Community Centre.

The request is for the purpose of delivering multicultural activities and programs for older adults as part of the CWCC Evergreen College Program.

The agreement is set for the period of 1 October 2024 to 30 June 2025, with the program activities beginning on Monday, 25 November 2024 for a three-week trial, after which the weekly program will commence in January 2025.

In considering this request, the City forfeits the potential room hire by other groups during the same period; however, it is recommended that Council consider accommodating this request as it falls within the usual operating hours of the City's Community Centre Program for Older Adults and will not significantly affect any current bookings.

This request also refers to the City's Waivers, Concession and Definitions for Fees and Charges Policy (ID4323507) in **Attachment 1**

#### OFFICER'S RECOMMENDATION

**That Council:**

1. Approves fee waiver of \$5,105.10 to Chung Wah Community Care to support the delivery of multicultural activities and programs for older adults at the Morley Community Centre.

#### BACKGROUND

Chung Wah Community Care operates as a not-for-profit organisation under the Chung Wah Association, providing aged care services to people aged 65 and over.

The City has entered into a service agreement with Chung Wah Community Care, for the use of the Morley Community Centre on Mondays from 11:30am to 4:00pm for the period of 1 October 2024 to 30 June 2025. The actual programmed activities begin on Monday, 25 November 2024 for a three-week trial, after which the weekly program will commence in January 2025.

The City has already signed the MoU but does not have the delegation to execute the MoU due to the fee waiver.

The hire agreement falls within the business-as-usual operating hours of the Morley Community Centre's Program for Older Adults.

The objective of this agreement is to meet the needs of culturally and linguistically diverse (CaLD) older adults within the City, promoting positive ageing, reducing social isolation, and fostering active participation in the community.

The program facilitated by CWCC will offer a range of activities and opportunities for social connection, along with information and educational sessions tailored to the interests and needs of older adults. Key topics will include:

- Dementia awareness
- Elder abuse prevention
- Aged care services
- Health, wellness, and nutrition

All activities will be delivered by CWCC's multilingual staff, who are equipped to serve a linguistically diverse demographic. Languages supported include nine Chinese dialects, Cambodian, Filipino, Indian, Indonesian, Japanese, Korean, Malay, Spanish, Thai, and Vietnamese.

In considering this request the City forfeits the potential room hire by other groups during the same period; however, it is recommended that Council accommodate this request as this use is in line with the Community Centres operational priorities to provide programs and activities for older adults and no significant impact on current bookings or users is anticipated.

This request also refers to the City's Waivers, Concession and Definitions for Fees and Charges Policy (ID4323507) in **Attachment 1**.

## EXTERNAL CONSULTATION

No consultation has yet occurred with the public or other agencies on this matter.

## OFFICER'S COMMENTS

CWCC has requested the Council consider the following waiver of fees and charges for hall hire at Morley Community Centre:

<b>Table 1: Fee Waiver Request: Bayswater Community Centre</b>				
<b>Hall Hire Category</b>	<b>Day</b>	<b>Time</b>	<b>Total hrs per day</b>	<b>Total fee per day (ex. GST)</b>
Full Facility at Community Rate of \$29.09p/h	Mondays, for the period 1 October 2024 – 30 June 2025	11:30am-4:00pm	4.5hrs	\$130.90
			<b>Total Fee</b>	<b>\$5,105.10</b>

This item relates to the City of Bayswater's Waivers, Concessions and Definitions for Fees and Charges Policy which seeks to waive fees or grant concessions to support not-for-profit community groups and schools fairly and equitably, see **Attachment 1**. The amount requested exceeds the policy which states for "up to 2 hours per month".

Whilst the request is inconsistent with the policy provisions it is considered to align with the City's Age Friendly Strategy and Cultural Plan and the outcomes, strategies, and actions as follows:

**Table 2: Age Friendly Strategy (2021-2025)**

Outcome Area	Goal	Action
Housing	Information about aged care support services and housing options is communicated, to support those who wish to age in place	3.4 Continue to partner with local agencies and Culturally and Linguistically Diverse (CaLD) groups to deliver regular My Aged Care information in the City's top three languages spoken within the City of Bayswater.
Social Participation	Opportunities for social participation are accessible, affordable and inviting	4.1 Continue to facilitate free and low-cost activities and events at the City's community centres and libraries that connect and engage older people.

**Table 3: Cultural Plan**

Outcome Area	Action
Advocacy and advisory	Actively encourage the provision of inclusive art and cultural activities by other organisations for people of all ages.
	Support a diverse range of arts and culture activities to build a stronger community and meet community needs.
Partner/collaborate	Continue to deliver cultural activities in partnership with others.
	Work with the Office of Multicultural Interests and local groups to build cultural awareness through performance, activities and events.
	Develop the capacity of local cultural groups and organisations through the provision of the City's Community Upskillers Program, grant funding and partnership opportunities.
Deliver	Optimise community use of buildings and facilities for the delivery of cultural activities and cultural services.
	Increase the City's awareness of changing resident needs, desires and interests.
	Continue to deliver activities and events that are valued by the community.
	Link cultural experiences with social opportunities.
	Make way for new cultural initiatives when old practices no longer serve the community.

Accordingly, it is the City's view that the request be supported to enable CWCC to provide programs and activities to CaLD older adults in the community.

## LEGISLATIVE COMPLIANCE

Waivers, Concessions and Definitions for Fees and Charges Policy (ID4323507).

## RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR01 - Inability to plan, provide and support socially connected, healthy and safe neighbourhoods.	

## FINANCIAL IMPLICATIONS

The in-kind support to provide venue use will not significantly affect any current bookings or users on Mondays. An estimated value of \$5,105.10 is sought to be waived.

As per the City's Waivers, Concession and Definitions for Fees and Charges Policy, the space is available and would not have a significant impact on financial income.

The following table details all other fee waivers within the Community Development service area for the 2024/25 financial year.

Organisation	Date	Fee waived	Location	Purpose	Delegation	Additional Information
Multi-Cultural Services WA (MCSWA)	5 July & 1 Nov 2024	\$997	Room Hire at Morley Sports and Recreation Centre	Multi-cultural Life Skills Program and Events for Aged care Clients	Endorsed at 26 March 2024 OCM Item 10.4.4	This was part of a fee waiver request for \$5,743.48. - for a series of events, the majority of which were scheduled to occur in May - June the previous financial year. Two events in the series occurred in July & November 24
Morbay Active Ageing Association Inc.	2024-25 financial year	\$ 6,624.00	Hall hire at Bayswater Community Centre	Saturday Bingo for Seniors	Endorsed at 30 April 2024 OCM Item 10.4.2	
Community Arts Network (CAN)	15 November 2024	\$1,641.64	Room hire at The RISE	Making Time Symposium event as part of Flourish Festival	Endorsed at 28 May 2024 OCM Item 10.4.2	
Western Australian	2024-25 financial	\$15,450	Facility hire fees	Rehearsal and storage	Endorsed at 23 July OCM	

Symphonic Wind Orchestra (WASWE)	year -			space	Item 10.4.4	
Australian Stolen Generations Aboriginal Corporation trading as Yokai Healing Our Spirit,	2024-25 financial year -	\$13,985	Facility hire fees at The RISE	Safe place for Aboriginal people from the Stolen Generations to gather and promote healing.	Endorsed at 24 September 2024 OCM Item 10.4.2	This fee waiver request was from a notice of motion
Mertome Aged Care and Retirement Village	July-December 24	\$300	-	Community Bus Hire	Manager Community Development delegation	This is a historical fee waiver arrangement.
Creative Connections	5-13 October 24	\$500	Room hire at the RISE	Artists with disabilities exhibition	Manager of Recreation Services delegation	
WA Roller Derby	16 November 24	\$500	Room hire at the Rise	Roller Derby as part of PRIDE	Manager Recreation Services delegation	

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Community

Goal C1: Create safe and inviting places for people to come together.

Goal C2: Celebrate multiculturalism, arts and culture by supporting local events and initiatives.

Goal C3: Maximise the use of the City's facilities and parks by all sections of the community.

Goal C4: Empower the community by helping them develop social connections.

Theme: Vibrancy

Goal V3: Activate the City's town and neighbourhood centres.

## CONCLUSION

In conclusion, the City recommends Council waive the fee towards hall hire at the Morley Community Centre.



# Waivers, Concessions and Definitions for Fees and Charges Policy



<b>Responsible Division</b>	Corporate and Strategy
<b>Responsible Business Unit</b>	Financial Services
<b>Responsible Officer</b>	Manager Financial Services
<b>Affected Business Units</b>	All business units
<b>ECM Document Set ID</b>	4323507

## Policy Statement

The City of Bayswater (the City) may waive fees or grant concessions to support not-for-profit community groups and schools and to promote the City in a fair and equitable manner.

## Definitions

For the purpose of this policy —

**"Not-for-profit community group"** means a non-commercial organisation, including a religious organisation or a sporting group, in which any profit made by the organisation goes back into the operation of that organisation and is not distributed to any of its members.

**"Fee"** means any fee or charge set out in the City of Bayswater Fees and Charges Schedule but does not include a bond.

**"Pass"** means an entry pass to any of the City's aquatic centres, golf courses, gyms or other recreational facilities.

## Policy Details

The waiving of a fee or granting of a concession must be undertaken in a consistent and transparent manner.

### The City may waive fees or grant concessions in the following circumstances:

- Appropriate room hire fees for non-revenue generating incorporated community groups for up to 2 hours per month provided room use does not interfere with pre-existing or large bookings. Bookings must be made one month or less in advance of the room hire date.
- For the use of the City's bus hire services the City may waive 100% of fees and charges for not-for-profit community groups and schools that have their primary base of operation located within the City. This waiver will only be available for groups using this service within the metropolitan area.
- Through the donation of passes, to not-for-profit community groups and schools that have their primary base of operation located within the City. Any donated pass must be for the purpose of a fundraising prize and may not be re-sold for cash. No more than 10 free entry passes should be

issued to any one group within each financial year. Any application for such a donation will be assessed on the merits of the group and the contribution it makes to the City of Bayswater community.

- Through the issue of free or discounted passes, as part of a membership drive to promote the City's recreational facilities.
- For a library fee for non-returned items when the member was not at fault, including when an item is lost due to the death of a member or the item is stolen. The City may require a police report number to waive a fee for a stolen item.
- For a permit fee for a stall holder or trader under the City's local law, who is a charitable organisation or a not-for-profit community group, the City may consider the merits of the group and the contribution it makes to the City of Bayswater community.

**In interpreting and applying the City's fees and charges schedule the following considerations apply:**

- In determining whether an organisation is eligible for a junior sporting club rate under the City's fees and charges schedule the City may require the organisation to demonstrate that any savings made are passed on to members through reduced registration fees.
- To be eligible for a student rate under the City's fees and charges schedule a person must be a full time student enrolled in a secondary school or tertiary institution and the City may require them to produce a current student card.
- To be eligible for a senior's rate under the City's fees and charges schedule the City may require a person to produce a WA Seniors Card or an Age Pension Concession Card.
- To be eligible for a concession rate the City may require a person to produce a Pension Concession Card.

**Related Legislation**

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

*Activities on Thoroughfares and Public Places and Trading Local Law 2020, clause 9.5*

**Related Documentation**

City of Bayswater Fees and Charges Schedule

**Document details**

Relevant delegations	FM-D05 Granting Concessions and Write-Offs
Risk evaluation	Moderate

<b>Strategic link</b>	Work together to deliver the best outcomes for the community by managing our resources in a financially responsible way		
<b>Council adoption</b>	22 May 2018	<b>Resolution</b>	13.5
<b>Reviewed/modified</b>	20 September 2022	<b>Resolution</b>	10.6.1.1
<b>Next review due</b>			

#### 10.4.2 Proposed Mixed Use Development (Extension of Time) - 43-53 Eighth Avenue, Maylands

<b>Applicant/Proponent:</b>	ADC Devco 8 Pty Ltd
<b>Owner:</b>	ADC Devco 8 Pty Ltd
<b>Responsible Branch:</b>	Statutory Planning and Compliance
<b>Responsible Directorate:</b>	Community
<b>Authority/Discretion:</b>	Quasi-Judicial
<b>Voting Requirement:</b>	<b>ABSOLUTE MAJORITY REQUIRED</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>Attachment 1 - DA20-0674.02 - Determination Plans [10.4.2.1 - 16 pages]</li> <li>Attachment 2 - DA20-0674.02 - JDAP Minutes [10.4.2.2 - 14 pages]</li> <li>Attachment 3 - DA20-0674.02 - Council Minutes [10.4.2.3 - 18 pages]</li> <li>Attachment 4 - DA20-0674.02 - Applicant's cover letter [10.4.2.4 - 1 page]</li> </ol>
<b>Refer:</b>	Item 10.4.3 OCM: 26.04.2022

*Bianca Sandri, Director Community Services declared an impartial interest in relation to this item as the applicant is a former client.*

#### SUMMARY

A development application has been received which is seeking to extend the substantial commencement period to undertake works, for a seven-storey mixed use development (known as Lyric on Eighth).

The original application was conditionally approved by the Metro Inner-North Joint Development Assessment Panel (DAP) on 9 February 2021, with a substantial commencement period of four years. The conditional approval letter was issued on 11 February 2021 and the substantial commencement period of four years is dated from the conditional approval letter, therefore requiring all works to commence on or before 11 February 2025.

An amended application was approved at the Ordinary Meeting of Council on 26 April 2022. The amendments to the plans included some changes to the development plans and revised conditions. The substantial commencement period was not changed as part of this determination. Accordingly, the conditional approval remains valid until 11 February 2025.

The proposed application does not include any amendments to the approved development plans and an extension of time to the substantial commencement timeframe for a further 24 months to 11 February 2027 is considered to be appropriate, as the development remains supportable against the current applicable planning framework.

It is recommended that the Council conditionally approve the application.

#### OFFICER'S RECOMMENDATION

**That Council grants development approval for the proposed Seven Storey Mixed Use Development (Extension of Time) at Lot 500, 43-53 Eighth Avenue, Maylands, in accordance with the development application dated 9 October 2024 and plans dated 24 March 2022, subject to the following conditions:**

- All conditions and advice notes of the development approval granted by the Metro Inner North Joint Development Assessment Panel on 11 February 2021 and the development approval granted by Council on 26 April 2022 shall remain applicable.**

2. This decision constitutes development approval only and is valid until 11 February 2027. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

**ABSOLUTE MAJORITY REQUIRED**

**PROPOSAL**

The application proposes to amend the previous development approval by extending the substantial commencement period a further 24 months to 11 February 2027.

The proposed development is for a seven storey mixed use development consisting of five commercial tenancies and 51 multiple dwellings. No modifications are proposed to the current approved plans.

A copy of the development plans is included in **Attachment 1**. A location plan is included in **Figure 1** below.



Figure 1 – Location Plan

**BACKGROUND**

<b>Application Number:</b>	DA20-0674.02
<b>Address:</b>	Lot 500, 43-53 Eighth Avenue, Maylands
<b>Town Planning Scheme Zoning:</b>	Maylands Activity Centre Zone (RAC0)/Special Control Area 1
<b>Use Class:</b>	Multiple Dwelling – 'P' (Permitted) Use Fast Food Outlet - 'P' (Permitted) Use Restaurant - 'P' (Permitted) Use Shop - 'P' (Permitted) Use Tavern – 'D' (Discretionary) Use



<b>Lot Area:</b>	1,705m <sup>2</sup>
<b>Existing Land Use:</b>	Liquor Store - Small, Restaurant, Small Bar and Office
<b>Surrounding Land Use:</b>	Commercial and Mixed Use
<b>Proposed Development:</b>	Seven Storey Mixed Use Development

### Site Context

The subject site is bound by Eighth Avenue to the north-east, existing commercial development to the north-west and Lyric Lane to the south-west and south-east.

The subject site and surrounding properties are zoned 'Maylands Activity Centre Zone (RAC0) under the City's Town Planning Scheme 24 (TPS24) and is located within Special Control Area 1.

The surrounding area consists mainly of commercial development which is characterised by traditional shop fronts along a 'main street' bookended by the Maylands Train Station and Guildford Road.

### Approval History

The approval history of the development is included below:

Date	Comment
9 February 2021	<p><u>Form 1 JDAP Approval</u></p> <p>On 9 February 2021, the JDAP approved a seven storey mixed use development at the subject site. The approved development comprised:</p> <ul style="list-style-type: none"> <li>• Five commercial tenancies and 52 multiple dwellings, including seven, one bedroom apartments, 41, two bedroom apartments and four, three bedroom apartments, within a seven storey building. The five commercial tenancies include a tavern, restaurant, fast food outlet (kiosk) and two shops on the ground floor fronting Eighth Avenue and Lyric Lane;</li> <li>• A total of 58 resident car parking bays and four commercial car parking bays in the basement and ground floor level. No residential visitor car parking bays were proposed;</li> <li>• 27 residents bicycle parking bays within the two car parking levels and seven bicycle parking bays are allocated for visitors on the ground floor;</li> <li>• Two communal open space areas including a private terrace area on the third floor for residents and the communal garden area on the ground floor adjacent to Lyric Lane which will be accessible by the public;</li> <li>• Partial demolition of the existing Lyric Theatre building including demolition of the roof, interior and the partial demolition of the theatre's external walls along the north-western elevation;</li> <li>• The existing two shops closest to Lyric Lane are to be demolished and reinterpreted;</li> <li>• Removal of one existing street verge tree on Eighth Avenue to facilitate vehicle access, and the planting of two new street verge trees; and</li> <li>• Removal of 17 car parking bays and the access easement between Eighth Avenue and Lyric Lane along the north-western side of the building.</li> </ul> <p>The conditional approval letter was issued on 11 February 2021. As such, the substantial commencement period of four years is dated from the</p>

Date	Comment
	<p>conditional approval letter.</p> <p>A copy of the JDAP meeting minutes, including conditions of approval is included in <b>Attachment 2</b>.</p> <p>A copy of the 2021 Responsible Authority Report is available <a href="#">here</a>.</p>
26 April 2022	<p><u>Amended Development Application</u></p> <p>On 26 April 2022 at the Ordinary Meeting, Council approved an application to amend aspects of the development. Key changes included:</p> <ul style="list-style-type: none"> <li>• Demolition of the southern wall of the former Lyric Theatre which forms part of the building's original heritage fabric;</li> <li>• Change in layout to the lower basement level stores, services and utilities.</li> <li>• Reduction in the number of multiple dwellings from 52 to 51;</li> <li>• Reconfiguration of the entry to the multiple dwellings and mail room;</li> <li>• Rationalisation of the façade, building services and structure including materiality changes to the façade and timber lattice feature;</li> <li>• Minor changes to some apartment layouts, store rooms and balconies;</li> <li>• Minor increase in plot ratio of apartments and commercial tenancies; and</li> <li>• Increase in overall landscaping provision (including deep soil area and planting on structure).</li> </ul> <p>The substantial commencement date was not changed as part of this approval.</p> <p>A copy of the OCM minutes, including conditions of approval is included in <b>Attachment 3</b>.</p>

This application is being referred to Council for determination as the cost of the proposed development is \$14.5 million, which exceeds the delegated authority limit of less than \$3 million. The building is also on the City's Heritage List and significant removal of heritage fabric is required to be referred to Council for determination. Notwithstanding, these matters have already been determined under the substantive approval.

### EXTERNAL CONSULTATION

The application determined by the JDAP in 2021 was advertised between 24 November 2020 and 9 December 2020 with a total of 67 submissions received comprising of 51 submissions in support and 16 submissions in objection.

The amended application determined by Council in 2022 was not advertised as the application did not propose additional departures to the planning framework compared to the previous application. The revised plans also reduced some of the previous departures and therefore did not warrant further consultation.

As this application does not propose any changes to the approved development, no further consultation has been undertaken.

### OFFICER'S COMMENTS

The *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) allow for an application to be made to extend the substantial commencement period of a development approval. The Regulations do not contain specific considerations to guide how this discretion

should be exercised. The State Administrative Tribunal (SAT) has made decisions that relate to development approval extensions which identifies relevant considerations that should be taken into account. These considerations are:

1. Whether the planning framework had changed substantially since the development approval was granted;
2. Whether development would likely receive approval now; and
3. Whether the proponent has actively and relatively conscientiously pursued the implementation of the development approval.

An assessment of the proposal against each of the above considerations is provided below.

1. Whether the planning framework had changed substantially since the development approval was granted

The planning framework applicable to the subject site has not substantially changed since the most recent approval was issued.

The substantive approval was assessed against the local planning framework that was in place at that time. This included TPS24, the Residential Design Codes Volume 2 – Apartments (R-Codes) and the City's Local Planning Policies which included the:

- Parking in the TPS24 Town Centre Policy;
- Percent for Public Art Policy; and
- Trees on Private Land and Street Verges Policy.

Since 2022, the density code and zoning of the subject site has not changed, remaining under Special Control Area 1 of the Maylands Activity Centre Zone (RAC0). Additionally, the R-Codes and the City's Public Art Policy have not been updated since the approval was issued.

The Trees on Private Land and Street Verges Policy and Parking in the TPS24 Town Centre Policy (now the Car Parking Dispensation Policy) were amended in 2022, after the amended substantive approval was issued. These updates did not result in fundamental changes to the policy standards that were assessed in the 2022 amended application.

Council at its Ordinary Meeting held on 22 October 2024 resolved to adopt the proposed amendments to the City's Trees on Private Land and Street Verges Policy for public advertising. The policy is currently being advertised for a period of 32 days from 7 November 2024 to 9 December 2024. The City's existing Trees on Private Land and Street Verges Policy outlines the requirements for providing, maintaining, protecting and removing trees on private land and within the street verge. Key modifications to the existing policy include:

- The introduction of a new term 'regulated tree' (trees 8 metres or higher and meet the specified criteria).
- New provisions that discourage the removal of trees that are considered a 'regulated tree'.
- Updates to the policy format and layout, and improved readability.

The City has undertaken a review of the existing development plans against the draft policy requirements and notes the development is consistent with the proposed policy changes.

In light of the above, the City considers the planning framework has not substantially changed since development approval was first granted in 2021.



2. Whether the development would likely receive approval now.

The proposal has been assessed against all relevant legislative requirements. This includes the provisions of TPS24, the R-Codes Volume 2, and the City's Planning Policies.

As this application does not seek to alter any part of the previously approved development and given there have been no fundamental changes to the applicable planning framework (as detailed above), the development would likely receive approval now and is supported.

3. Whether the holder of the development approval has actively and relatively conscientiously pursued the implementation of the development approval.

As set out in the applicant's supporting information contained in **Attachment 4**, the development approval has been actively pursued for the following reasons:

- Presales for the apartments have commenced, and remain active. This is evidenced by a website of the proposed development with enquiries for presales and updates on the progress of the development;
- The applicant has signed an agreement with a building contractor for the development's construction;
- The applicant has actively communicated with the City to undertake clearing of development approval conditions, with a building permit for forward works intended for submission in early 2025; and
- Construction works are intended to be undertaken in April 2025. A 24-month extension of time to 11 February 2027 will ensure the proponents continue actively pursuing the development approval, whilst also accounting for any potential delays.

Given the above, the applicant has sufficiently demonstrated that the development has been actively and conscientiously pursued.

In considering the three matters above, the City recommends supporting the request to extend the substantial commencement period of the development from 11 February 2025 to 11 February 2027.

#### LEGISLATIVE COMPLIANCE

- *City of Bayswater Town Planning Scheme No. 24.*
- *Planning and Development (Local Planning Schemes) Regulations 2015.*
- *State Planning Policy 5.4 – Road and Rail Noise;*
- *State Planning Policy 7.3 – Residential Design Codes – Volume 2 – Apartments.*
- *City of Bayswater local planning policies, including Trees on Private Land and Street Verges Policy, Percent for Public Art Policy, Payment in lieu of Parking and Car Parking Dispensation Policy*

#### RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low

Governance and Compliance	Low	Low
Strategic Risk	SR01 - Inability to plan, provide and support socially connected, healthy and safe neighbourhoods.	

**FINANCIAL IMPLICATIONS**

Not applicable.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Environment and Liveability

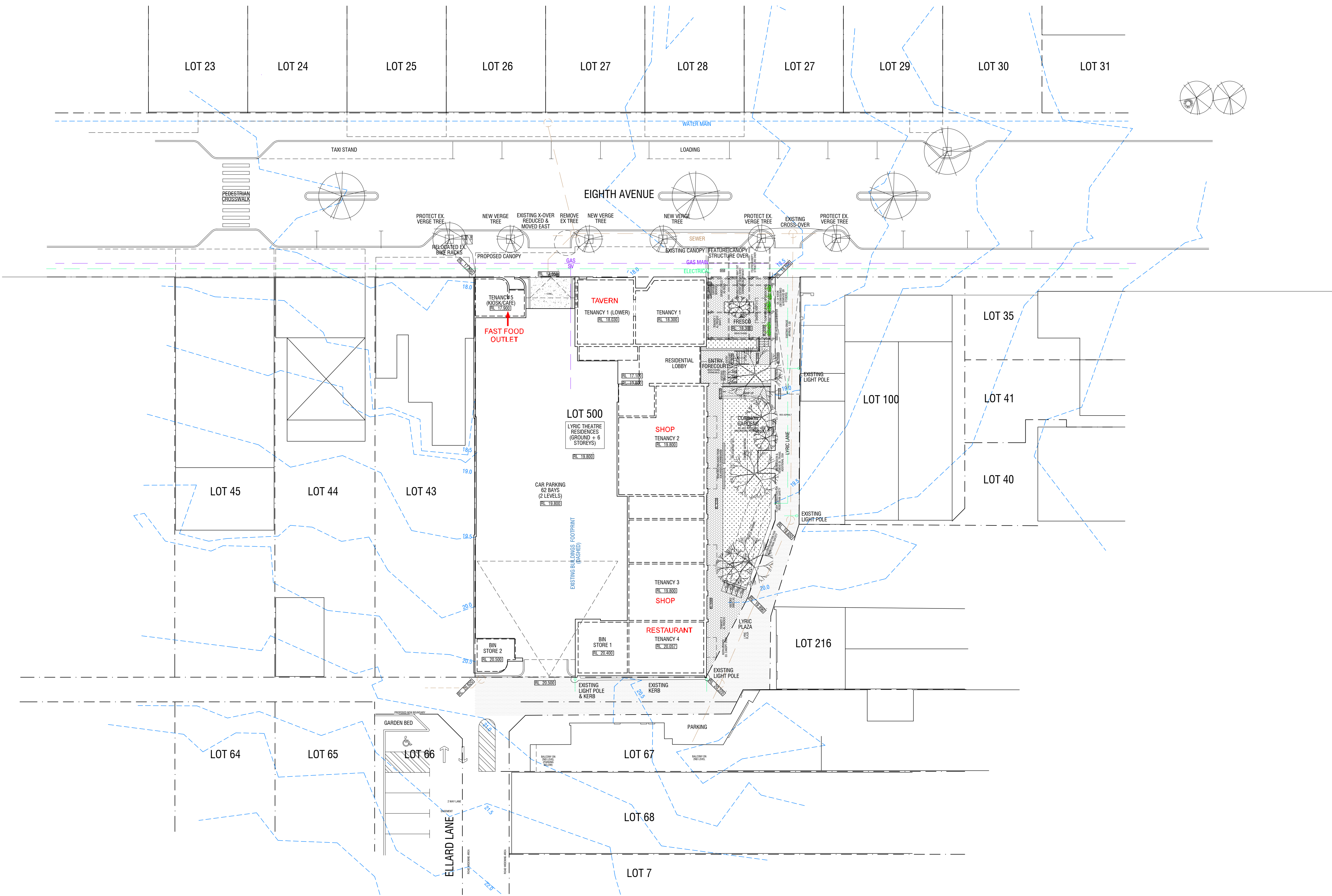
Goal E1: Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes.

Theme: Vibrancy

Goal V2: Encourage economic development across the City, and provide increased opportunities for people to live and work locally by facilitating new investment in the City.

**CONCLUSION**

The application does not propose any modifications to the previously approved plans and given there have been no substantial changes in the planning framework since the most recent approval was issued, the proposed extension of time to the substantial commencement period of two years is supported, subject to the conditions of the previous approvals being imposed.



NOTES:

1. APARTMENT NUMBERING, CARBAY, BIKE & STORE NUMBERING/ ALLOCATIONS HAVE BEEN PROVIDED FOR CLARITY ONLY AND MAY VARY.
2. THESE ARE CONCEPTUAL DRAWINGS THAT REQUIRE FURTHER DESIGN DEVELOPMENT & TECHNICAL CONSULTANT INPUT.

**KLOPPER & DAVIS ARCHITECTS**

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DATE	24-03-22	ISSUE TO CDR
DATE	23-03-22	ISSUE TO CDR
DATE	08-03-22	DISCUSSIONS WITH CDR

DWG: \_\_\_\_\_

STAGE: \_\_\_\_\_

SITE PLAN PROJECT: LYRIC THEATRE RESIDENCES

CLIENT: AUSTRALIAN DEVELOPMENT CAPITAL

ADDRESS: LOT 500 (43-53) EIGHTH AVENUE, MAYLANDS

DATE: JUNE 2020

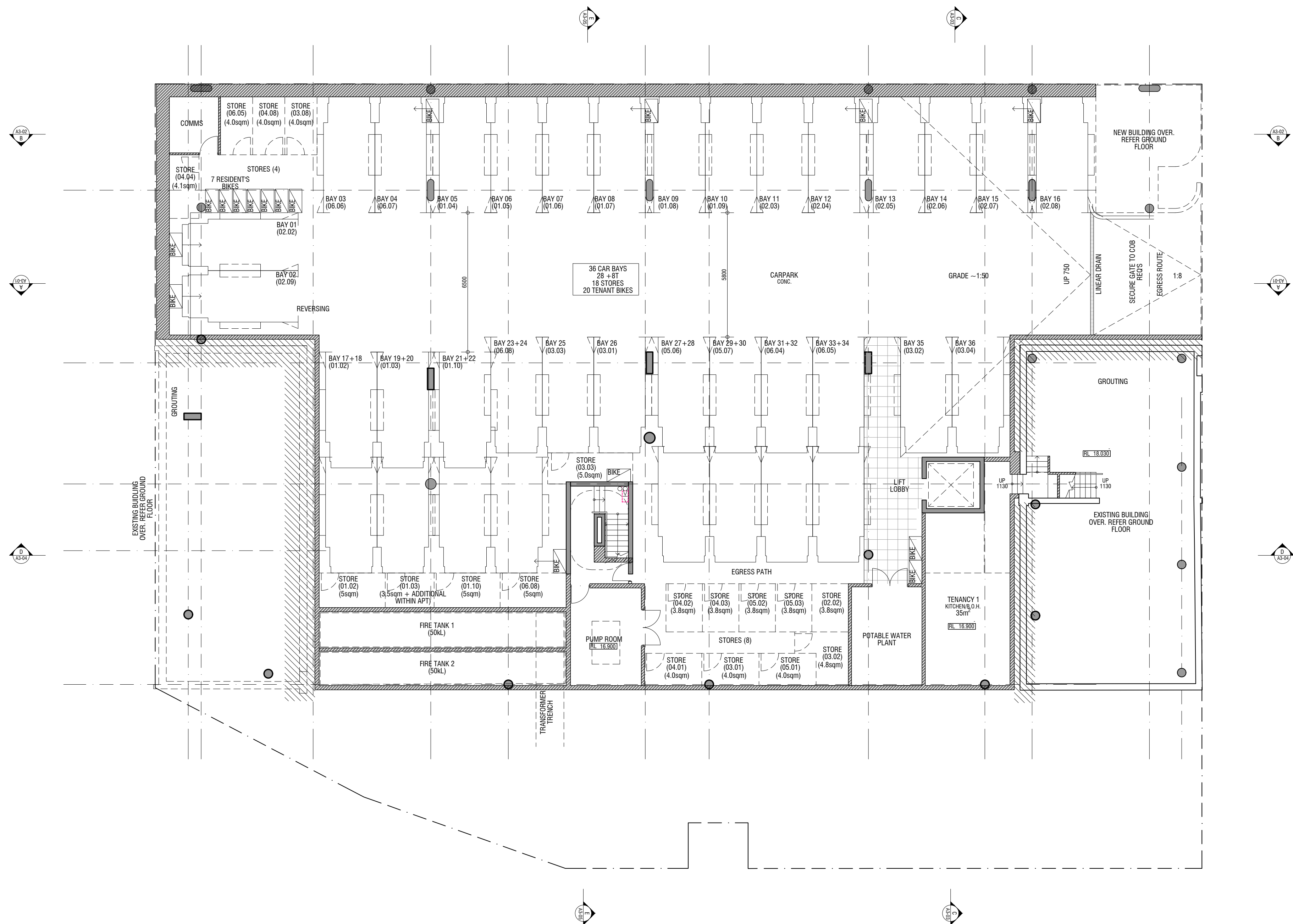
SCALE: 1:200

ISSUE: 1905

DWG: A102

CONTRACT DOCUMENTATION

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DATE	24-03-22	ISSUE TO CDR
DATE	23-03-22	ISSUE TO CDR
DATE	08-03-22	DISCUSSIONS WITH CDR

W	24-03-22	ISSUE TO CDR
V	23-03-22	ISSUE TO CDR
U	08-03-22	DISCUSSIONS WITH CDR

DWG:

STAGE:

LOWER GROUND FLOOR

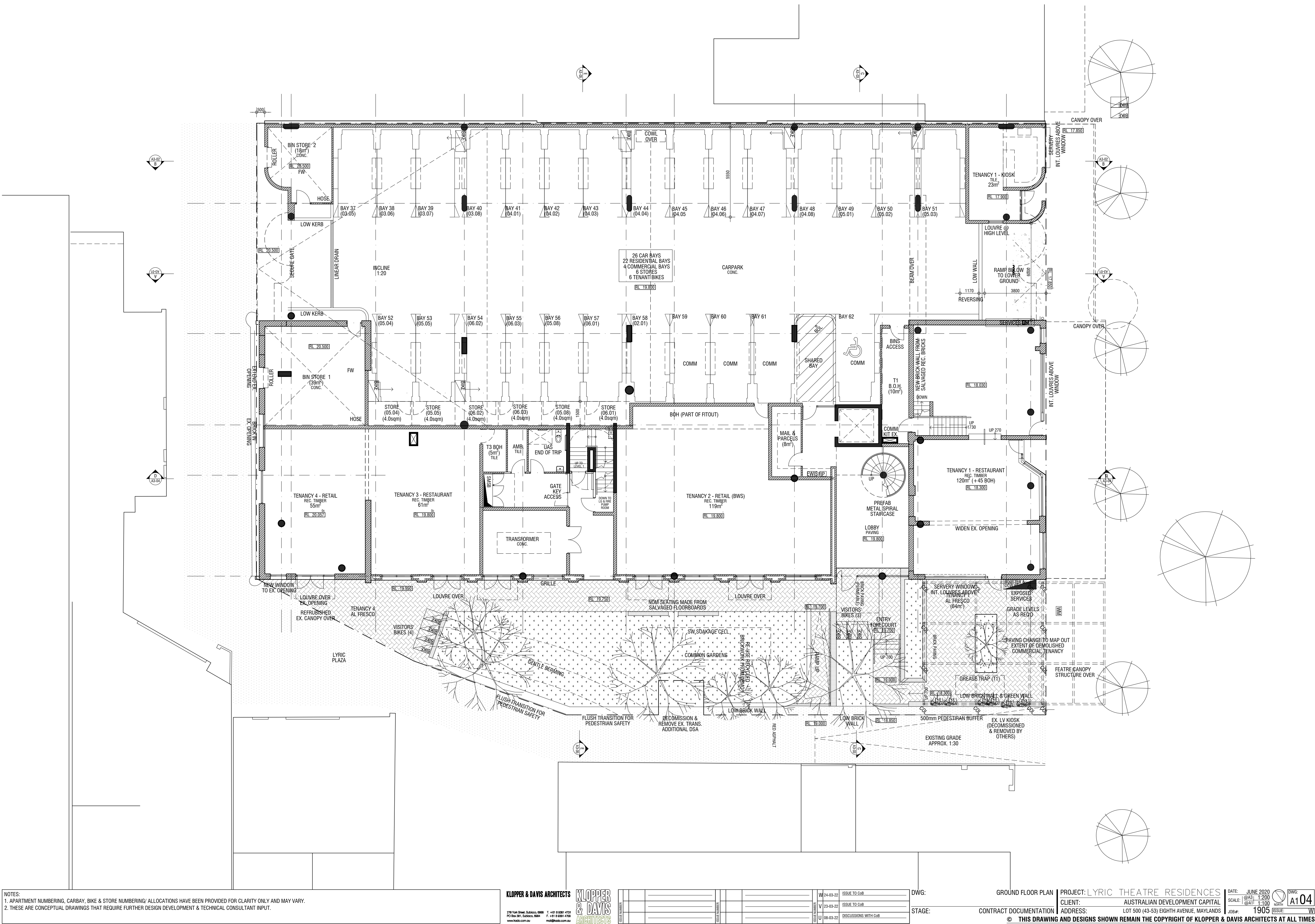
CONTRACT DOCUMENTATION

PROJECT: LYRIC THEATRE RESIDENCES  
CLIENT: AUSTRALIAN DEVELOPMENT CAPITAL  
ADDRESS: LOT 500 (43-53) EIGHTH AVENUE, MAYLANDS

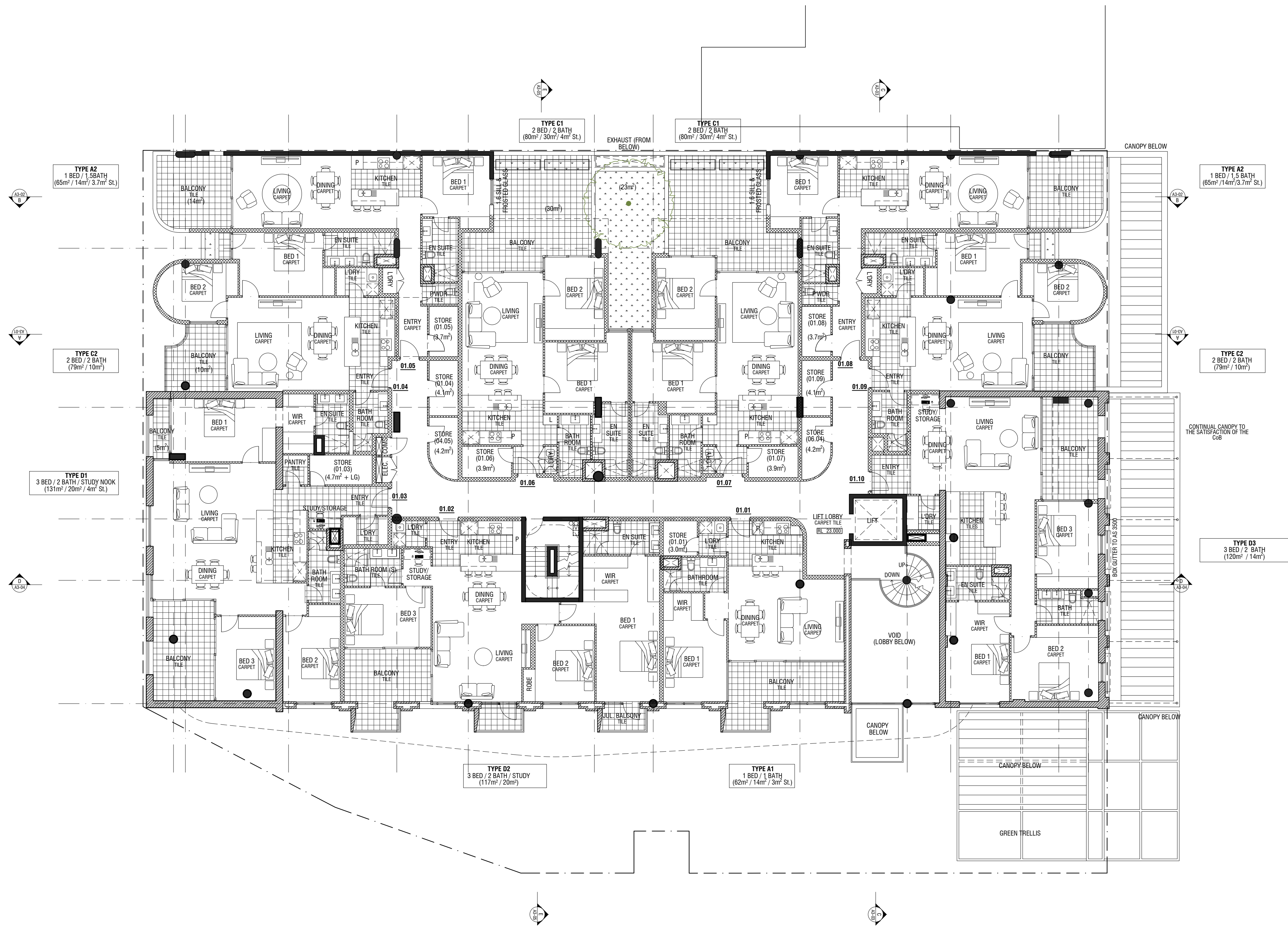
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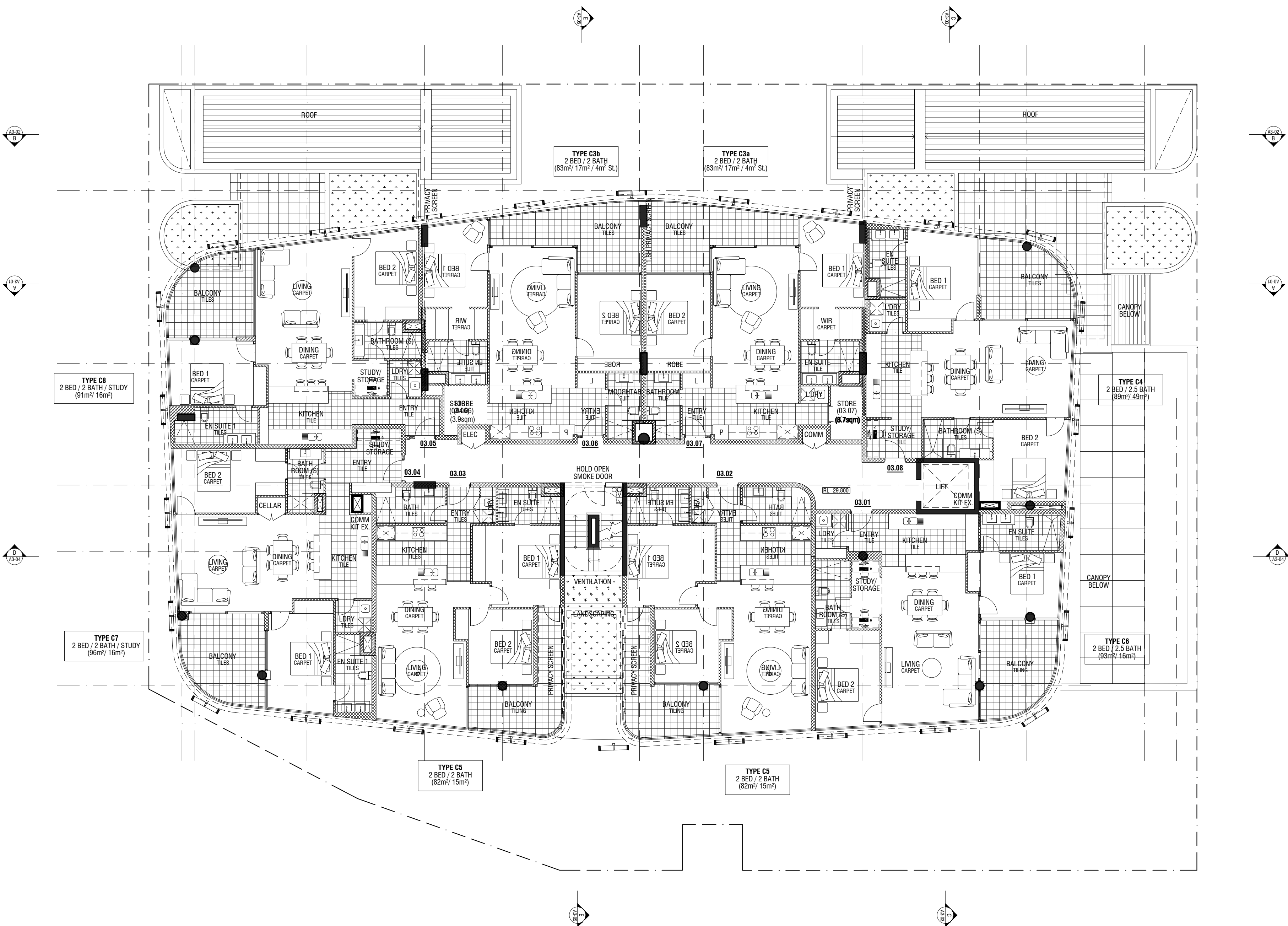












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W	24-03-22	ISSUE TO CDR
V	23-03-22	ISSUE TO CDR
U	08-03-22	DISCUSSIONS WITH CDR

DWG: \_\_\_\_\_

STAGE: \_\_\_\_\_

THIRD FLOOR PLAN

PROJECT: LYRIC THEATRE RESIDENCES

CLIENT: AUSTRALIAN DEVELOPMENT CAPITAL

ADDRESS: LOT 500 (43-53) EIGHTH AVENUE, MAYLANDS

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DATE: JUNE 2020

SCALE: 1:200

DATE: 11-03-2024

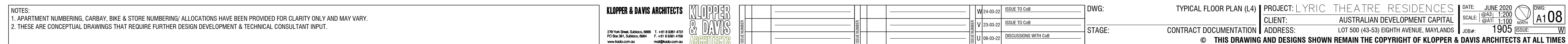
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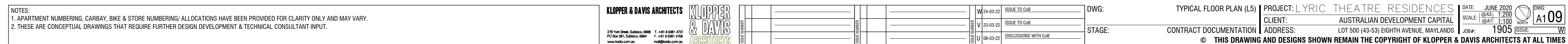
JOB#: 1905

ISSUE: \_\_\_\_\_

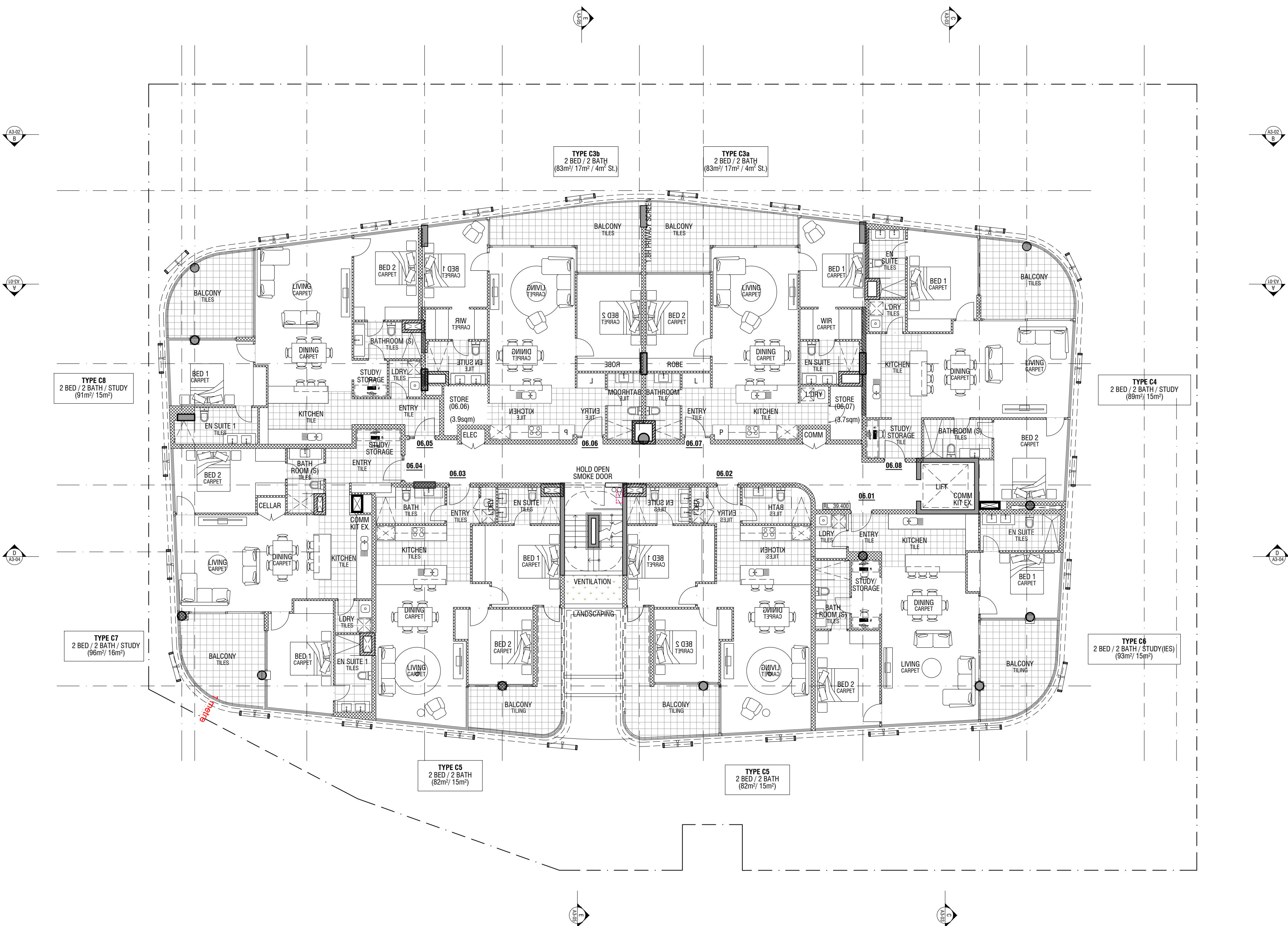
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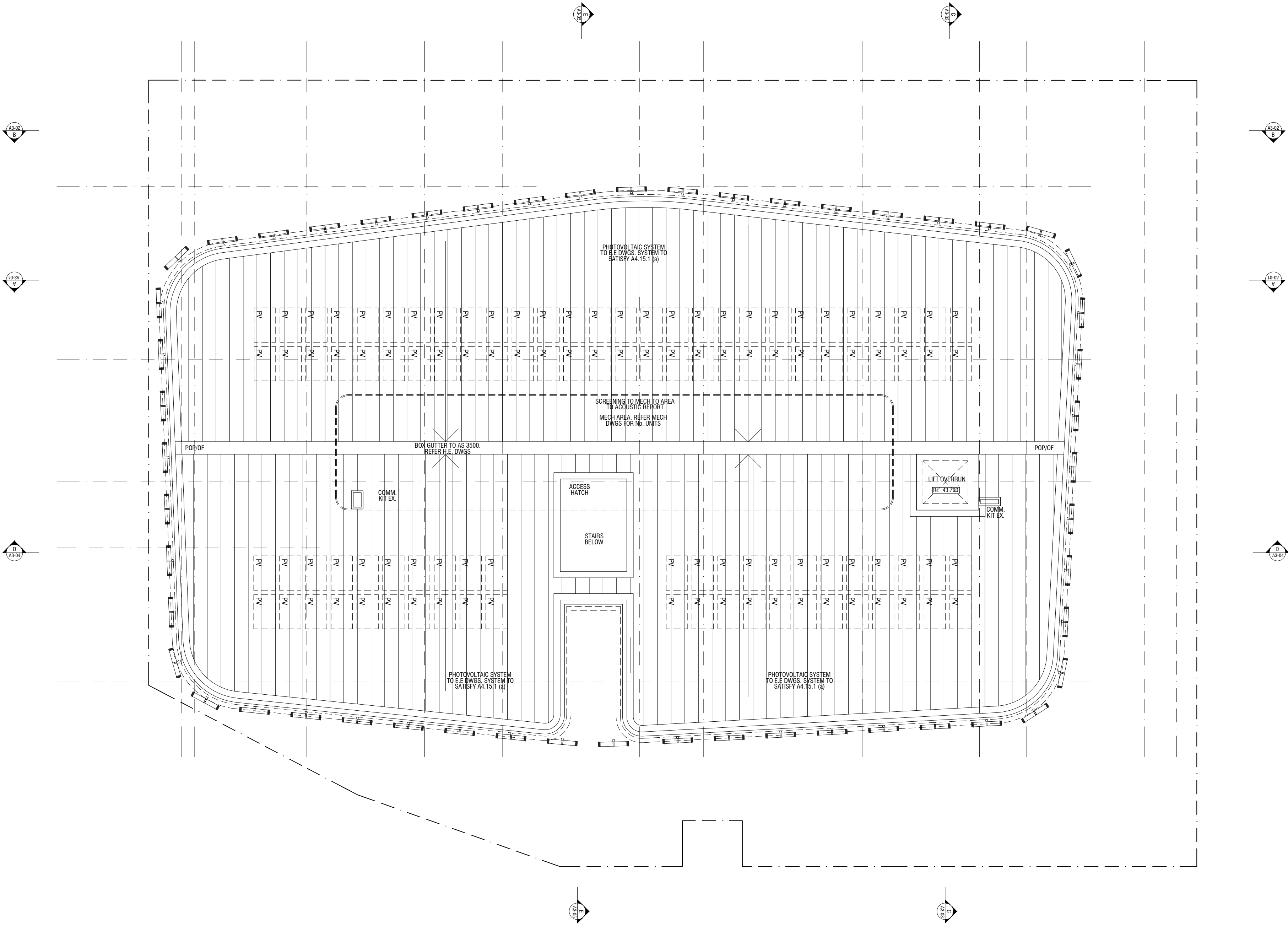












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DATE	DESCRIPTION	BY	CHECKED
24-03-22	ISSUE TO C&B	W	
23-03-22	ISSUE TO C&B	V	
08-03-22	DISCUSSIONS WITH C&B	U	

W	24-03-22	ISSUE TO C&B
V	23-03-22	ISSUE TO C&B
U	08-03-22	DISCUSSIONS WITH C&B

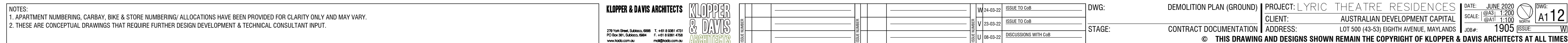
DWG:

STAGE:

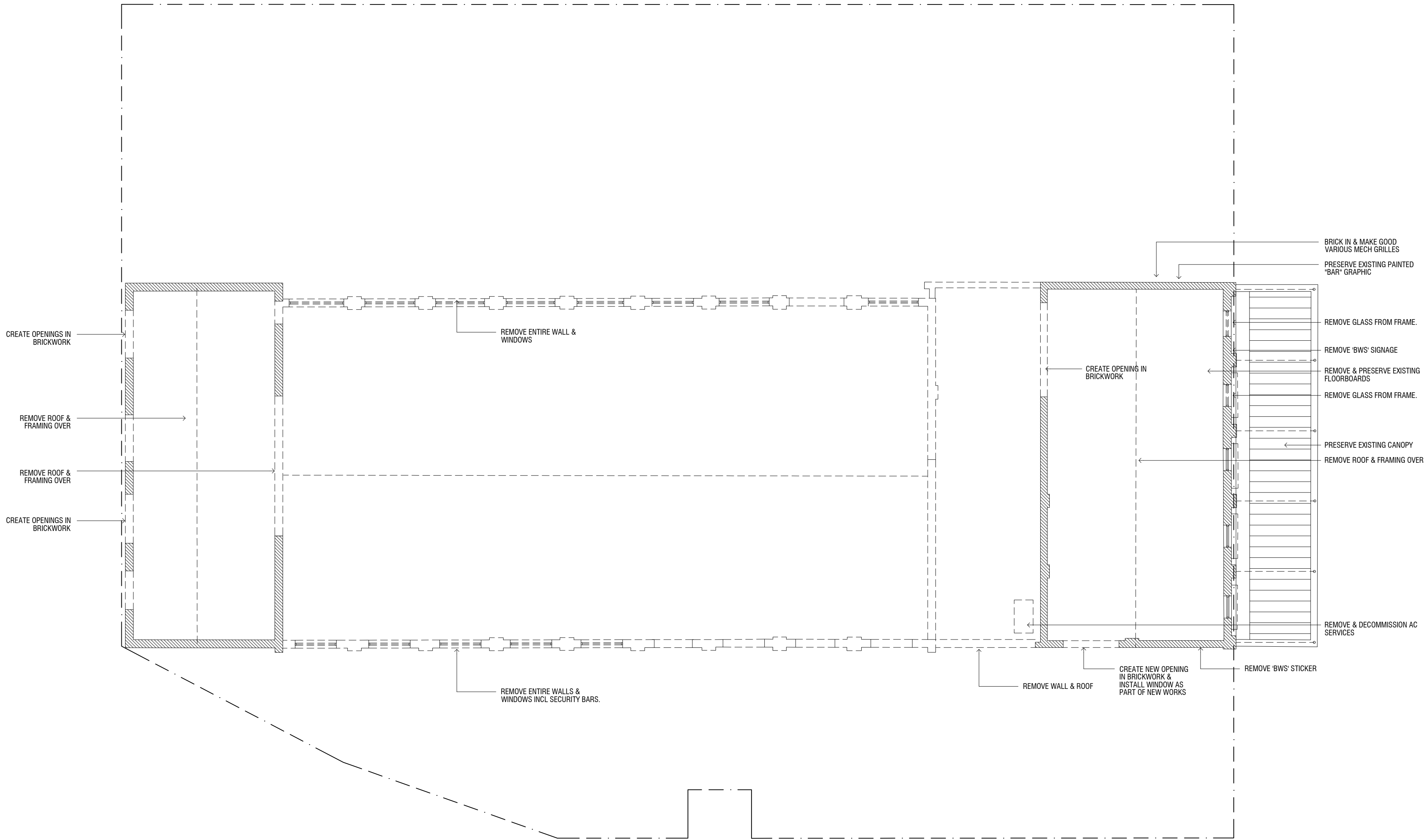
PROJECT: LYRIC THEATRE RESIDENCES  
CLIENT: AUSTRALIAN DEVELOPMENT CAPITAL  
ADDRESS: LOT 500 (43-53) EIGHTH AVENUE, MAYLANDS  
CONTRACT DOCUMENTATION

DATE: JUNE 2020  
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JOB#: 1905  
DWG: A1 11  
ISSUE: 11

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DATE	24-03-22	ISSUE TO C&B
DATE	23-03-22	ISSUE TO C&B
DATE	08-03-22	DISCUSSIONS WITH C&B

DWG: DEMOLITION PLAN (LEVEL 1)

STAGE: CONTRACT DOCUMENTATION

PROJECT: LYRIC THEATRE RESIDENCES

CLIENT: AUSTRALIAN DEVELOPMENT CAPITAL

ADDRESS: LOT 500 (43-53) EIGHTH AVENUE, MAYLANDS

JOB#: 1905

DATE: JUNE 2020

SCALE: 1:200

SCALE: 1:100

DWG: A113

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MATERIAL LEGEND:			
CN	CONCRETE	MB	METAL BALUSTRADE 'MONUMENT'
FB	RED FACEBRICK	MG	METAL GATE, FEATURE PATTERN
FC1	FIBRE CEMENT CLADDING, PAINT FINISH 1 'MONUMENT'	PB	PAINTED BRICK, 'GHOSTING'
FC2	FIBRE CEMENT CLADDING, PAINT FINISH 2 'LIGHT GREY'	PS	PAINTED STEEL, 'MONUMENT'
FC3	FIBRE CEMENT CLADDING, PAINT FINISH 3 'FEATURE BLUE'	RB	RECYCLED BRICK
FF	FEATURE FACADE LATTICE	RM1	RENDERED MASONRY, PAINT FINISH 'WHITE'
GB	GLASS BALUSTRADE	RM2	RENDERED MASONRY, PAINT FINISH 'GREY'

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DATE	DESCRIPTION
08-03-21	DISCUSSIONS WITH C&B
23-03-21	ISSUE TO C&B
24-03-21	ISSUE TO C&B

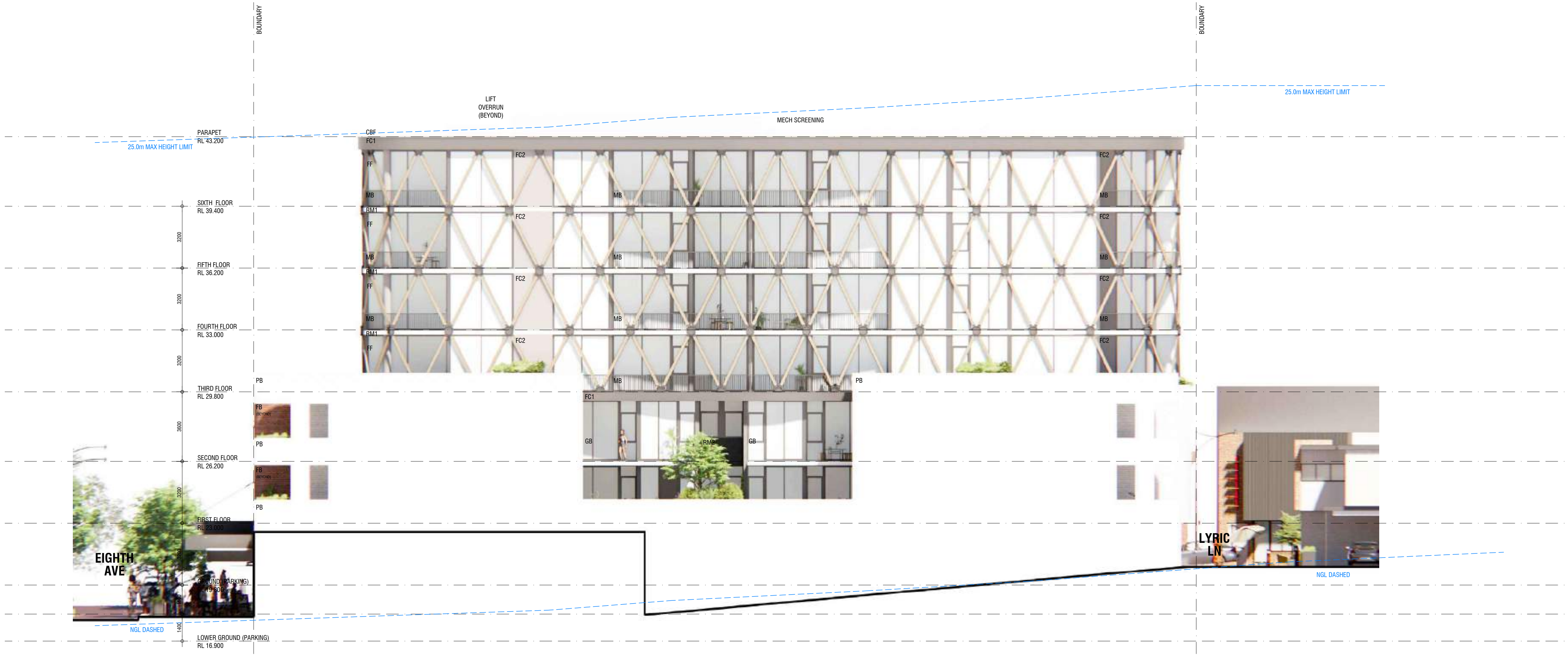
W	24-03-21	ISSUE TO C&B
V	23-03-21	ISSUE TO C&B
U	08-03-21	DISCUSSIONS WITH C&B

DWG:

STAGE:

PROJECT: LYRIC THEATRE RESIDENCES  
CLIENT: AUSTRALIAN DEVELOPMENT CAPITAL  
ADDRESS: LOT 500 (43-53) EIGHTH AVENUE, MAYLANDS  
DATE: JUNE 2020  
SCALE: 1:200  
JOB#: 1905  
DWG: A2 02  
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FB	RED FACEBRICK	MG	METAL GATE, FEATURE PATTERN
FC1	FIBRE CEMENT CLADDING, PAINT FINISH 1 'MONUMENT'	PB	PAINTED BRICK, 'GHOSTING'
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FF	FEATURE FACADE LATTICE	RM1	RENDERED MASONRY, PAINT FINISH 'WHITE'
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DATE	DESCRIPTION	BY	CHECKED
24-03-22	ISSUE TO C&B	W	
23-03-22	ISSUE TO C&B	V	
08-03-22	DISCUSSIONS WITH C&B	U	

W	24-03-22	ISSUE TO C&B
V	23-03-22	ISSUE TO C&B
U	08-03-22	DISCUSSIONS WITH C&B

DWG:

STAGE:

WEST ELEVATION	PROJECT: LYRIC THEATRE RESIDENCES	DATE: JUNE 2020	DWG: A2 03
	CLIENT: AUSTRALIAN DEVELOPMENT CAPITAL	SCALE: 1:200	
	ADDRESS: LOT 500 (43-53) EIGHTH AVENUE, MAYLANDS	JOB#: 1905	
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MATERIAL LEGEND:	
CN	CONCRETE
FB	RED FACEBRICK
FC1	FIBRE CEMENT CLADDING, PAINT FINISH 1 'MONUMENT'
FC2	FIBRE CEMENT CLADDING, PAINT FINISH 2 'LIGHT GREY'
FC3	FIBRE CEMENT CLADDING, PAINT FINISH 3 'FEATURE BLUE'
FF	FEATURE FACADE LATTICE
GB	GLASS BALUSTRADE
MB	METAL BALUSTRADE 'MONUMENT'
MG	METAL GATE, FEATURE PATTERN
PB	PAINTED BRICK, 'GHOSTING'
PS	PAINTED STEEL, 'MONUMENT'
RB	RECYCLED BRICK
RM1	RENDERED MASONRY, PAINT FINISH 'WHITE'
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DATE	24-03-22	ISSUE TO C&B
DATE	23-03-22	ISSUE TO C&B
DATE	08-03-22	DISCUSSIONS WITH C&B

W	24-03-22	ISSUE TO C&B
V	23-03-22	ISSUE TO C&B
U	08-03-22	DISCUSSIONS WITH C&B

DWG:

STAGE:

EAST ELEVATION  
(LYRIC LN COMMUNAL PLAZA)

CONTRACT DOCUMENTATION

PROJECT: LYRIC THEATRE RESIDENCES  
CLIENT: AUSTRALIAN DEVELOPMENT CAPITAL  
ADDRESS: LOT 500 (43-53) EIGHTH AVENUE, MAYLANDS

DATE: JUNE 2020  
SCALE: 1:200  
JOB#: 1905  
DWG: A2 04

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Government of Western Australia  
Development Assessment Panels

Meeting No. 63  
9 February 2021

## Metro Inner-North Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Tuesday, 9 February 2021; 9:30am  
**Meeting Number:** MINJDAP/63  
**Meeting Venue:** via electronic means

*This DAP meeting was conducted by electronic means open to the public rather than requiring attendance in person*

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Presiding Member, Metro Inner North JDAP

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Government of Western Australia  
Development Assessment Panels

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9 February 2021

### Attendance

Ms Francesca Lefante (Presiding Member)  
Ms Lee O'Donohue (Deputy Presiding Member)  
Mr John Syme (Third Specialist Member)  
Cr Filomena Piffaretti (Local Government Member, City of Bayswater)

### Officers in attendance

Ms Courtney Wynn (City of Bayswater)  
Ms Helen Smith (City of Bayswater)  
Mr Clement Dh'ng (City of Bayswater)  
Mr Bryce Coelho (City of Bayswater)  
Mr Mark Short (City of Bayswater)  
Mr Alix Bray (City of Bayswater)  
Mr Binh Luong (City of Bayswater)

### Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)  
Ms Zoe Hendry (DAP Secretariat)

### Applicants and Submitters

Mr Nick King (Australian Development Capital)  
Mr Rod Hamersley (Australian Development Capital)  
Mr Sam Klopper (Klopper & Davis)  
Mr Mitch Cook (Klopper & Davis)  
Mr Konrad de Ruyter (Provincien Pty Ltd)  
Mr Michiel de Ruyter (Mako Holdings Pty Ltd)

### Members of the Public / Media

There were 2 members of the public in attendance.

#### 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.33am on 9 February 2021 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

##### 1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 which states 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.', the meeting would not be recorded.

Ms Francesca Lefante   
Presiding Member, Metro Inner North JDAP

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Government of Western Australia  
Development Assessment Panels

Meeting No. 63  
9 February 2021

In response to the COVID-19 situation, this meeting was convened via electronic means. Members were reminded to announce their name and title prior to speaking.

**2. Apologises**

Cr Catherine Ehrhardt (Local Government Member, City of Bayswater)

**3. Members on Leave of Absence**

Nil

**4. Noting of Minutes**

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

**5. Declaration of Due Consideration**

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 8.1, received on 4 February 2021.

All members declared that they had duly considered the documents.

**6. Disclosure of Interests**

DAP Member, Cr Catherine Ehrhardt, declared an Impartiality Interest in item 8.1. Cr Ehrhardt met with two representatives from Australian Development Capital, at their request to review plans for an intended development on Eighth Avenue, Cr Ehrhardt sits on a not for profit body (Local Arts and Community Events Incorporated) with Mr Michiel de Ruyter who is doing a deputation on this item and her mother owns the property located directly across from the development.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the member listed above, who had disclosed an Impartiality Interest, was not permitted to participate in the discussion and voting on the items.

**7. Deputations and Presentations**

- 7.1 Mr Konrad de Ruyter (Provincien Pty Ltd) addressed the DAP against the recommendation for the application at Item 8.1.
- 7.2 Mr Michiel de Ruyter (Mako Holdings Pty Ltd) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 Mr Sam Klopper (Klopper & Davis Architects) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

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Presiding Member, Metro Inner North JDAP

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- 7.4 The City of Bayswater officers addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

#### PROCEDURAL MOTION

**Moved by:** Cr Filomena Piffaretti

**Seconded by:** Nil

That the consideration of DAP Application DAP/20/01892 be deferred until next available JDAP Meeting, in accordance with section 5.10.1a of the DAP Standing Orders 2017, for the following reasons:

- To allow for two City of Bayswater Council members to sit on the DAP panel.

**The Procedural Motion LAPSED for want of a seconder.**

#### 8. Form 1 – Responsible Authority Reports – DAP Applications

##### 8.1 Lot 500, 43-53 Eighth Avenue, Maylands

Development Description:	Seven Storey Mixed Use Development
Applicant:	Mr Nick King (Australian Development Capital)
Owner:	ADC Devco 8 Pty Ltd
Responsible Authority:	City of Bayswater
DAP File No:	DAP/20/01892

#### REPORT RECOMMENDATION

**Moved by:** Cr Filomena Piffaretti

**Seconded by:** Ms Lee O'Donohue

With the agreement of the mover and seconder the following amendments were made to the report recommendation:

- (i) That condition no. 3 be amended to read as follows:

*Prior to the ~~submission~~ occupation of a building permit, a car parking management plan shall be submitted to and approved by the City of Bayswater. The plan shall relate to the use of the seven surplus residential parking bays. The minimum car parking bay allocations shall be available at all times as follows:*

- 52 residential car parking bays (1 per dwelling) and;
- 1 ACROD bay.

*The plan may include shared, restricted or timed parking arrangements on site to allow these car parking bays on site to be for multiple uses, to be shared amongst the commercial tenancies, loading/unloading, residents, visitor parking and/or rideshare. The car parking management plan may be amended as necessary over the life of the development subject to the satisfaction of the City of Bayswater.*

**REASON:** to reflect the timeframes associated completing the process

Ms Francesca Lefante   
Presiding Member, Metro Inner North JDAP

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Government of Western Australia  
Development Assessment Panels

Meeting No. 63  
9 February 2021

- (ii) That condition no. 10(e) be amended to read as follows:

(e) ~~64~~ **55 Eighth Avenue, Maylands;**

**REASON:** to reflect correct address

- (iii) That condition no. 13 be amended to read as follows:

~~Any internal heritage fabric should be retained and/or salvaged and reused within the development wherever possible.~~ **A representative selection of internal heritage fabric should be retained and/or salvaged and reused within the development wherever reasonably and practically possible.** An archival record of those parts of the building to be demolished shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a demolition or building permit application. The archival record shall include:

- (a) A site plan at 1:200 scale, and floor plan(s) and all elevations of the building at 1:100 scale.
- (b) Digital photographs of the building (once vacated), including:
  - (i) general/overall photographs of the building to be demolished;
  - (ii) photographs of each of the elevations;
  - (iii) photographs of all of the internal rooms; and
  - (iv) photographs of any special architectural features.

*The photographs are to be saved in JPEG format and submitted to the City of Bayswater, with any alternative form of photographic record satisfaction of the City of Bayswater.*

**REASON:** to reflect that not all the internal heritage fabric is significant

- (iv) That condition no. 32 be amended to read as follows:

~~Walls, fences and other structures are to be truncated or reduced to no higher than 0.75m within 1.5m of where a Lyric Lane meets the Eighth Avenue road reserve.~~ **Aside from the canopy structure indicated on the development plans, walls, fences and other structures are to be truncated or reduced to no higher than 0.75m within 1.5m of where a Lyric Lane meets the Eighth Avenue road reserve.**

**REASON:** for clarity in relation to the canopy structures

That the Metro Inner-North JDAP resolves to:

1. **Approve** DAP Application reference DAP/20/01892 and accompanying revised plans (Attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Bayswater Town Planning Scheme No. 24, subject to the following conditions:

Ms Francesca Lefante   
Presiding Member, Metro Inner North JDAP

Page 5





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**Conditions**

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. Prior to the submission of a building permit, revised plans showing a 0.5m wide road pavement path along the south-eastern lot boundary abutting the full length of Lyric Lane (excluding the existing transformer) are to be submitted and approved by the City of Bayswater. The pavement is to be constructed prior to occupation of the development at the land owner/applicants cost to the specifications and satisfaction of the City of Bayswater and will form part of the future right of way widening.

The right-of-way is to be accurately illustrated and denoted on the future strata plan and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown at the time of subdivision.

3. Prior to the occupation of a building permit, a car parking management plan shall be submitted to and approved by the City of Bayswater. The plan shall relate to the use of the seven surplus residential parking bays. The minimum car parking bay allocations shall be available at all times as follows:

- 52 residential car parking bays (1 per dwelling) and;
- 1 ACROD bay.

The plan may include shared, restricted or timed parking arrangements on site to allow these car parking bays on site to be for multiple uses, to be shared amongst the commercial tenancies, loading/unloading, residents, visitor parking and/or rideshare. The car parking management plan may be amended as necessary over the life of the development subject to the satisfaction of the City of Bayswater.

4. All vehicle parking shall be line marked, with all bays signposted in accordance with the approved car parking management plans, to the satisfaction of the City of Bayswater.
5. The bicycle parking bays directly adjoining parking bays are to be allocated to the same unit on the strata plan for the development to the satisfaction of the City of Bayswater.
6. A final 'Schedule of Colours and Materials' shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a building permit application.
7. Lighting plans detailing how outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties shall be submitted to and approved to the satisfaction of the City of Bayswater, prior to the submission of a building permit application.

Ms Francesca Lefante   
Presiding Member, Metro Inner North JDAP

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Development Assessment Panels

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8. A revised landscaping plan shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a building permit application. For the purpose of this condition, the plan shall show the following:
  - (a) The size, number, location and species of all trees and plants to be planted;
  - (b) Those areas to be reticulated or irrigated;
  - (c) Details of the proposed vertical landscaping including maintenance arrangements.
  - (d) All planter boxes or planting on structure as denoted on the plans containing trees shall have a minimum soil depth of 1m.
  - (e) Details of all planter boxes and drainage;
  - (f) Details of any permeable paving; and
  - (g) All landscaped areas shall be separated from the Lyric Lane and pedestrian paths through the use of walls, kerbing, bollards or similar devices to enable the protection of the landscaping.

Landscaping and reticulation shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.

9. A construction management plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area including dust management, shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a building permit application.
10. The applicant is to offer independently prepared dilapidation surveys prior to commencement of works and a close out report at the completion of the proposed construction works to the following properties and road reserves in close proximity to the subject site:
  - (a) 41 Eighth Avenue, Maylands;
  - (b) 183 Guildford Road, Maylands;
  - (c) 181 Guildford Road, Maylands;
  - (d) 177 Guildford Road, Maylands;
  - (e) 55 Eighth Avenue, Maylands;
  - (f) Ellard Lane and Lyric Lane adjoining the subject site; and
  - (g) Eighth Avenue road reserve adjoining the subject site.

Documents certifying that this requirement is met, are to be submitted to the satisfaction of the City of Bayswater prior to submission of a building permit application.

11. Prior to the submission of a building permit, an acoustic report and noise management plan that addresses the following shall be submitted and approved by the City of Bayswater:
  - (a) Assessment of the worst case scenario noise impacts upon the development associated with the existing and proposed commercial land uses, including but not limited to conversational noise, people shouting, people talking loudly, amplified noise and music.
  - (b) Assessment of internal noise impacts associated with the development including but not limited to waste collection, vehicle entry points, the lift shaft and mechanical plant.

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- (c) Demonstrate that the development is to exceed the minimum requirements of the National Construction Code (NCC), such as a rating under the AAAC Guideline for Apartments and Townhouse Acoustic Rating (or equivalent).

Documents certifying that these requirements have been implemented, are to be submitted to the satisfaction of the City of Bayswater prior to submission of a building permit application.

12. The owner, or the applicant on behalf of the owner, shall comply with the City of Bayswater policy relating to Percent for Public Art, and provide public art with a minimum value of 1% (\$145,000) of the estimated total construction cost of the development (\$145,000). Details of the public art, including plans of the artwork, its cost and construction, and other matters relating to the artwork's on-going maintenance and acknowledgements in accordance with the City's Percent for Public Art Policy shall be submitted to, and to the satisfaction of the City prior to the lodgement of a building permit application.

Alternatively, the owner, or the applicant on behalf of the landowner, may opt to pay a cash-in-lieu contribution for the public art to the City of Bayswater in accordance with the provisions of the City's Percent for Public Art Policy, prior to the submission of a building permit application.

13. A representative selection of internal heritage fabric should be retained and/or salvaged and reused within the development wherever reasonably and practically possible. An archival record of those parts of the building to be demolished shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a demolition or building permit application. The archival record shall include:

- (a) A site plan at 1:200 scale, and floor plan(s) and all elevations of the building at 1:100 scale.
- (b) Digital photographs of the building (once vacated), including:
  - (i) general/overall photographs of the building to be demolished;
  - (ii) photographs of each of the elevations;
  - (iii) photographs of all of the internal rooms; and
  - (iv) photographs of any special architectural features.

The photographs are to be saved in JPEG format and submitted to the City of Bayswater, with any alternative form of photographic record satisfaction of the City of Bayswater.

14. A minimum of 20% of the dwellings shall be designed in accordance with the Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia). Documents certifying that this requirement is met, are to be submitted to the satisfaction of the City of Bayswater prior to submission of a building permit application.

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15. At least one significant energy efficiency initiative shall be incorporated within the development that exceeds minimum practice (refer State Planning Policy 7.3, DG4.15.1) or all dwellings are to exceed the minimum Nationwide House Energy Rating Scheme requirement for apartments by 0.5 star, to the satisfaction of the City of Bayswater. Documents certifying that this requirement is met, are to be submitted to the satisfaction of the City of Bayswater prior to submission of a building permit application.
16. Prior to the submission of a building permit application, details of privacy screening to units 1.01, 1.02, 1.08, 1.09, 1.10, 1.11, 2.01, 2.02, 2.05, 2.06, 2.07, 2.08, 2.09, 3.01, 3.03, 3.04, 3.06, 3.07, 3.08, 4.03, 4.04, 4.07, 4.08, 5.03, 5.04, 5.07, 5.08, 6.03, 6.04, 6.07 and 6.08 which have major openings directly overlooking other major openings within the development are to be submitted and approved by the City of Bayswater and maintained thereafter to the satisfaction of the City of Bayswater.
17. The air conditioning unit and mechanical plant on the roof shall be screened. Details of the screening are to be submitted to and approved by the City of Bayswater, prior to the submission of a building permit application.
18. Prior to commencement of works, bollards are to be installed in Lyric Lane adjacent to the existing street light pole at the rear of the subject site to protect it from vehicles to the satisfaction of the City of Bayswater. Detailed drawings and specifications are to be submitted to the City for approval prior to the submission of a building permit application.
19. The recommendations of the transport noise acoustic report prepared by Stantec Australia Pty Ltd dated 22 October 2020 are to be implemented subject to the following amendment:
  - a) The development is to include at least one outdoor living area accessible to all residents that complies with the SPP5.4 outdoor noise targets.
20. Prior to occupation of the development, certification from a qualified acoustic consultant being submitted, confirming that the recommendations of the acoustic report prepared by Stantec Australia Pty Ltd and the amendment have been implemented is to be provided to the satisfaction of the City of Bayswater.
21. Windows, doors and adjacent areas fronting Eighth Avenue and Lyric Lane shall maintain an active and interactive relationship with the street, to the satisfaction of the City of Bayswater.
22. The street tree proposed to be relocated from the Eighth Avenue road reserve as indicated on the approved plans is to be removed to the satisfaction of the City of Bayswater. The owner/applicant is responsible for engaging a qualified contractor, the cost of removing the tree and any claims that may arise from the removal of the tree.
23. Prior to the removal of the street verge tree indicated on the approved plans, the owner/applicant is to pay the City of Bayswater the amount of \$2,880 as determined by the Helliwell Assessment undertaken by the City to compensate for the loss of amenity value provided by the tree.

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24. All street trees except the tree indicated for relocation on the development plans within the verge adjoining the subject property are to be retained, and shall have measures consistent with AS 4970-2009 undertaken to ensure their protection during construction of the subject development to the satisfaction of the City of Bayswater, including but not limited to the following:
  - (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
  - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
  - (c) All activities related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.
  - (d) The tree(s) shall be provided with supplemental water during any construction period falling over summer, with a minimum of 150 litres being provided per week.
  - (e) Should any works be required to be undertaken within the TPZ, approval must be given by the City prior to entering this zone. You may be required to seek advice from an Arborist in regard to the type of works being undertaken, this information is to be assessed by the City as part of the approvals to enter.
  - (f) Any new crossover shall maintain a minimum clearance of 2.0m from the base of a street tree(s).
25. Prior to occupation, a total of one additional street tree is to be planted on the Eighth Avenue verge in front of the subject site, at the full cost of the applicant/owner and to the specifications and satisfaction of the City of Bayswater.
26. Prior to the submission of a building permit application, the owner/applicant is to pay the City a bond in the amount of \$500.00 which will cover the cost of a replacement tree in the event that the replacement tree does not survive. The bond will be refunded if the tree survives after 24 months.
27. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater.
28. With the exception of waste collection vehicles, loading and unloading is not permitted to occur in Lyric Lane or Ellard Lane at any time unless specifically approved by the City of Bayswater as part of a traffic management plan.
29. The approved amended waste management plan prepared by Talis dated January 2021 shall be implemented in its entirety to the satisfaction of the City of Bayswater.
30. Prior to occupation of the development, wash down facilities for the rubbish bins are to be provided within the bin stores and graded to a floor waste and discharged to the sewer to the satisfaction of the City of Bayswater.
31. The approved boundary walls and footings abutting the lot boundaries must be constructed wholly within the subject allotment. The external surface of the boundary walls shall be finished to a professional standard, to the satisfaction of the City of Bayswater.

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32. Aside from the canopy structure indicated on the development plans, walls, fences and other structures are to be truncated or reduced to no higher than 0.75m within 1.5m of where a Lyric Lane meets the Eighth Avenue road reserve.
33. The vehicle parking area shall be constructed in asphalt, concrete or brick paving, drained, kerbed and line-marked, together with suitable directional signs, and thereafter maintained to the satisfaction of the City of Bayswater.
34. The existing crossover on the Eighth Avenue road reserve is to be removed and the verge be reinstated to the satisfaction of the City of Bayswater.
35. The proposed crossovers and driveways being constructed with brick paving or concrete with grades in accordance with AS 2890.1 to the satisfaction of the City of Bayswater.
36. Details of the design and layout of the bicycle parking facilities shall be submitted to, and to the satisfaction of the City of Bayswater prior to the installation of such facility.
37. Any services and utilities including building services fixtures located within the communal area and/or pedestrian entry and/or private open space and/or roof are to be integrated into the design of the development and shall not detract from the amenity and visual appearance of the street frontage and/or the entry and/or private open space, to the satisfaction of the City of Bayswater.
38. The balconies are not to be used for the drying or airing of clothes and/or Manchester except where screened to the satisfaction of the City of Bayswater.
39. Laundries provided to each unit are to be mechanically ventilated to the satisfaction of the City of Bayswater.
40. Appropriate warning signals and/or signage are to be installed where the vehicle access way meets the Eighth Avenue verge to ensure pedestrians using the footpath are prioritised over vehicles accessing the site to the satisfaction of the City of Bayswater.
41. Architectural design elements, including clear, legible directional signage, being incorporated into the proposal to adequately highlight the internal entrances to the proposed units and improve legibility for residents and emergency services, to the satisfaction of the City of Bayswater.
42. A signage strategy for all external signage for the proposed development (including signs painted on a building) shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the erection of any signage.
43. The development is to be fibre-to-premises ready, including the provision for installation of fibre throughout the site and to every dwelling prior to occupation of the development. Documents certifying that this requirement is met, are to be submitted to the satisfaction of the City of Bayswater at the completion of works.
44. The owner is responsible for all costs of, and incidental to, the removal of the existing easement registered on the Certificate of Title of the subject lot relating to the existing external car parking bays and vehicle access way, prior to occupation of the development.

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45. The owner shall execute and provide to the City of Bayswater, a notification pursuant to section 70A of the *Transfer of Land Act* to be registered on the title of the multiple dwelling property as notification to proprietors and/or (prospective) purchasers of the property of the following:

- (a) The lots are situated in the vicinity of a transport noise corridor and are currently affected, or may in the future be affected by transport noise;
- (b) The use or enjoyment of the property may be affected by noise, traffic, car parking and other impact associated with nearby non-residential activities; and
- (c) The City of Bayswater will not issue a residential or visitor car parking permit to any owner or occupier of the residential units or commercial tenancies.

The Section 70A Notification shall be prepared by the City's solicitors to the satisfaction of the City of Bayswater. All costs of, and incidental to, the preparation of and registration of the Section 70A Notification, including the City's solicitor's costs, shall be met by the applicant/owner of the land. This notification shall be lodged and registered in accordance with the *Transfer of Land Act* prior to the first occupation of the development.

46. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

#### Advice Notes

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of four years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
2. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.
4. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should the applicant/landowner wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, the applicant/landowner must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.
5. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.

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6. This approval does not include any of the proposed modifications to Eighth Avenue including alterations to on street parking bays or the expanded parklet as depicted on the development plans.
7. The development shall comply with the *Environmental Protection Act 1986*, the *Health (Miscellaneous Provisions) Act 1911* and any relevant environmental protection or health regulations including but not limited to the following:
  - *Environmental Protection (Liquid Waste) Regulation 1996*;
  - *Health Act 2016*;
  - *Health (Air handling and Water Systems) Regulations 1994*;
  - *Food Act 2008 and Australian Food Code*;
  - *Environmental Protection (Noise) Regulations 1997* and;
  - *Treatment of Sewerage and Disposal of Effluent and Liquid Waste Amendment Regulations (No. 2) 1997*.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

**REASON:** The design it is consider high quality and consistent with the town centre location. The retention of the heritage building, opening of the ground floor, provision of residents' communal amenities overlooking the road, and design of the Civic plaza are considered to contribute positively to the town centre activation, connectivity and amenity and visibility. The limitations on the site and laneway widening as a result of the retention of the Heritage building are acknowledged, however the it is considered appropriate that the provision of lane widening where possible to facilitate traffic and pedestrian access.

**9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval**

Nil

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**10. State Administrative Tribunal Applications and Supreme Court Appeals**

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01600 DR161/2019	Town of Claremont	Lots 18 (164) and 19 (162) Alfred Road, Swanbourne	Proposed Childcare Centre	07/10/2019
DAP/20/01770 DR161/2020	City of Nedlands	Lot 100 (97) and Lot 500 (105) Stirling Highway, Nedlands	Mixed Use Development	21/07/2020
DAP/19/01651 DR160/2020	City of Nedlands	Lot 1 (80) Stirling Highway, Lots 21-23 (2, 4 & 6) Florence Road and Lots 33 & 33 (9&7) Stanley Street, Nedlands	Shopping Centre	21/07/2020
DAP/19/01722 DR155/2020	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	4 Storey Mixed Use Development	16/07/2020

**11. General Business**

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

**12. Meeting Closure**

There being no further business, the Presiding Member declared the meeting closed at 10.50am.

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#### 10.4.3 Proposed Seven Storey Mixed-Use Development - Amendments to Approval - Lot 500, 43-53 Eighth Avenue, Maylands

<b>Applicant/Proponent:</b>	Australian Development Capital Pty Ltd (Directors: Roderick Hamersley and Adam Zorzi)
<b>Owner:</b>	ADC Devco 8 Pty Ltd (Directors: Roderick Hamersley and Adam Zorzi)
<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Quasi-Judicial
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>Attachment 1 - Amended Development Plans [10.4.3.1 - 17 pages]</li> <li>Attachment 2 - JDAP Approval and Approved Plans [10.4.3.2 - 37 pages]</li> <li>Attachment 3 - Applicant's Structural Engineer Report [10.4.3.3 - 23 pages]</li> <li>Attachment 4 - Applicant's Heritage Statement [10.4.3.4 - 2 pages]</li> <li>Attachment 5 - DRP Report [10.4.3.5 - 7 pages]</li> </ol>
<b>Refer:</b>	N/A

#### **CR DAN BULL DECLARED A FINANCIAL INTEREST**

*In accordance with section 5.60A of the Local Government Act 1995, Cr Dan Bull declared a financial interest in this item as the applicant is a former client of his. At 8:19pm, Cr Bull withdrew from the meeting.*

#### **CR CATHERINE EHRHARDT, DEPUTY MAYOR DECLARED AN IMPARTIAL INTEREST**

*In accordance with clause 22 of the Local Government (Model Code of Conduct) Regulations 2021, Cr Catherine Ehrhardt, Deputy Mayor declared an impartial interest in this item as her mother owns property across the road from the development and she is a member of the Joint Development Assessment Panel (JDAP). Cr Ehrhardt, Deputy Mayor remained in the room during voting on this item.*

#### **SUMMARY**

A Joint Development Assessment Panel Form 2 planning application for an amendment of a Development Assessment Panel determination has been submitted for the seven-storey mixed use development (known as the Lyric Theatre redevelopment) at Lot 500, 43-53 Eighth Avenue, Maylands. The application was conditionally approved by the Metro Inner-North Joint Development Assessment Panel (JDAP) on 9 February 2021. The applicant has since been working through the detailed design phase of the development and has identified a number of construction issues which they are proposing to resolve by modifying some of the design aspects. The most notable modification is the proposed demolition of the southern wall of the former Lyric Theatre building which is a Category 2 heritage place on the City's Local Heritage Survey. The application is recommended for approval subject to appropriate conditions.

#### **COUNCIL RESOLUTION**

##### **(OFFICER'S RECOMMENDATION)**

**That Council grants planning approval for proposed seven storey mixed-use development (amendments to approval) at Lot 500, 43-53 Eighth Avenue, Maylands, in accordance with the amended planning application dated 17 March 2022 and plans dated 24 March 2022, subject to the following conditions:**

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1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The applicant is to take moulds of the plaster features on the interior side of the south-eastern wall of the theatre prior to a demolition permit being issued. Detailed documentation including photographs of the plaster features and moulds taken are to be submitted to the satisfaction of the City of Bayswater.
3. A heritage interpretation plan detailing how cultural heritage values of the place, including re-use of original bricks and plaster moulds will be interpreted and incorporated into the new development, shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a demolition permit application.
4. Revised plan(s) addressing the following matters shall be submitted to, and to the satisfaction of the City of Bayswater prior to the lodgement of a building permit application, and not result in any greater variation to the requirements of the Residential Design Codes and the City's Town Planning Scheme 24:
  - (a) The appearance of the façade shall generally be in accordance with the approved plans granted by the JDAP on 9 February 2021.
  - (b) The material for the external lattice framework cladding on floors three to six shall be timber in accordance with the JDAP approved plans dated 9 February 2021.
  - (c) The colour for the external portions of the upper floor slabs shall be black in accordance with the JDAP approved plans dated 9 February 2021.
5. All other conditions and advice notes of the planning approval granted by the Metro Inner-North Joint Development Assessment Panel on 9 February 2021 shall remain applicable.

**Advice Notes:**

1. The City may seek further advice from the City's Design Review Panel in respect to Condition 4.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Michelle Sutherland Seconded

CARRIED: 6/3

**For:** Cr Filomena Piffaretti, Mayor, Cr Assunta Meleca, Cr Josh Eveson, Cr Michelle Sutherland, Cr Catherine Ehrhardt, Deputy Mayor and Cr Lorna Clarke.

**Against:** Cr Sally Palmer, Cr Elli Petersen-Pik and Cr Giorgia Johnson.

At 8:35pm, Cr Dan Bull returned to the meeting.

**BACKGROUND**

<b>Application Number:</b>	DA20-0674.01
<b>Address:</b>	Lot 500, 43-53 Eighth Avenue, Maylands
<b>Town Planning Scheme Zoning:</b>	Maylands Activity Centre Zone (RAC0)/Special Control Area 1
<b>Use Class:</b>	Multiple Dwelling – 'P' (Permitted) Use Restaurant - 'P' (Permitted) Use Shop - 'P' (Permitted) Use Tavern – 'D' (Discretionary) Use
<b>Lot Area:</b>	1,705m <sup>2</sup>
<b>Existing Land Use:</b>	Shops, Restaurant, Small Bar and Office
<b>Surrounding Land Use:</b>	Commercial and mixed use.
<b>Proposed Development:</b>	Seven Storey Mixed-Use Development.

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On 11 February 2011, the JDAP approved a seven storey mixed use development at Lot 500, 43-53 Eighth Avenue, Maylands. The approved development comprised:

- Five commercial tenancies and 52 multiple dwellings, including seven, one bedroom apartments, 41, two bedroom apartments and four, three bedroom apartments, within a seven storey building. The five commercial tenancies include a tavern, restaurant, fast food outlet (kiosk) and two shops on the ground floor fronting Eighth Avenue and Lyric Lane.
- A total of 58 resident car parking bays in the basement and ground floor level. There is no visitor or customer parking on site.
- 27 residents bicycle parking bays within the two car parking levels and seven bicycle parking bays are allocated for visitors on the ground floor.
- Two communal open space areas including a private terrace area on the third floor for residents and the communal garden area on the ground floor adjacent to Lyric Lane which will be accessible by the public.
- Partial demolition of the existing Lyric Theatre building including demolition of the roof, interior and the partial demolition of the theatre's external walls along the north-western elevation.
- The existing two shops closest to Lyric Lane are to be demolished and reinterpreted.
- Removal of an existing street verge tree on Eighth Avenue to facilitate vehicle access.
- Removal of 17 car parking bays and the access easement between Eighth Avenue and Lyric Lane along the north-western side of the building.

A JDAP Form 2 planning application dated 17 March 2022 and amended plans dated 24 March 2022 have been received proposing modifications to the existing JDAP approval. The applicant has advised that they have been progressing the plans to the building permit stage and a number of construction and design issues have been identified which they are seeking approval for. A summary of the proposed modifications is as follows:

- Removal of the existing Western Power transformer from Lyric Lane and relocation to inside the ground floor of the development.
- Demolition of the southern wall of the former Lyric Theatre which forms part of the building's original heritage fabric.
- Change in layout to the lower basement level stores, services and utilities.
- Reduction in the number of multiple dwellings from 52 to 51.
- Reconfiguration of the entry to the multiple dwellings and mail room.
- Rationalisation of the façade, building services and structure including materiality changes to the façade and timber lattice feature.
- Minor changes to some apartment layouts, store rooms and balconies.
- Minor increase in plot ratio of apartments and commercial tenancies.
- Increase in overall landscaping provision (including deep soil area and planting on structure).

The applicant has elected for the local government to determine the JDAP Form 2 application instead of the JDAP. The application is being referred to Council for determination as the cost of the proposed development is \$14.5 million, which is beyond the delegated authority limit of less than \$2 million and the building is on the City's Heritage List and (partial) demolition of buildings on the Heritage List is required to be referred to Council for determination.



## EXTERNAL CONSULTATION

The original development application was advertised between 24 November and 9 December 2020 with a total of 67 submissions received comprising of 51 submissions in support and 16 submissions in objection. It is considered that the application does not propose additional variations compared to the previous application and that the revised plans have also reduced some of the previous variations, therefore no further consultation has been undertaken.

**OFFICER'S COMMENTS**

The proposed modifications are discussed in the schedule of modifications table below.

Proposed Modification	Applicant's Justification	Officer's Comment
Existing transformer and LV kiosk decommissioned and removed. New transformer relocated internally on site.	<ul style="list-style-type: none"> <li>Significant improvement to laneway and proposed park, including improved visual amenity, improved views to existing businesses (i.e.</li> </ul>	Supported. This amendment will result in increased landscaping and resultant amenity to Lyric Lane and the ground floor communal open space.

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	<p>Rossonero Pizza and Lyric Lane Bar) and the proposed tenancies, and increase in deep soil area on grade.</p> <ul style="list-style-type: none"> <li>• Western Power infrastructure was earmarked for replacement.</li> <li>• Western Power (and the Electrical Engineer) confirmed the replacement transformer in the laneway would need to be significantly larger than that existing (4.2m x 5.2m vs nom 2m x 2m existing)</li> <li>• Western Power also confirmed, that if it remained in the laneway, we'd need to commission the new transformer next to the existing, significantly compromising the POS.</li> <li>• Significant improvements in safety (particularly to neighbouring Church whose boundary wall did not meet the required FRL). The alternative solution would have been to create a tall, fire-rated bounding wall around the transformer.</li> <li>• Moving internally is at significant cost to the developer.</li> </ul>	
Increased extent of demolition (most notably southern laneway elevation).	<ul style="list-style-type: none"> <li>• Front commercial and rear theatre elements preserved (which HIS determined were of some value).</li> <li>• Existing Southern wall to Lyric Lane elevation not considered to have Heritage Significance.</li> <li>• Proposed increase extent of demolition supported by Heritage Architect (as confirmed in letter 03/22).</li> <li>• Existing wall in poor condition and thoroughly degraded with various services (including downpipes, AC units, various electrical conduits, signage, non-original paint, graffiti, security bars, bird control spikes etc.)</li> <li>• Grouting, temporary propping, repairing, and</li> </ul>	Refer to officer's comments below.



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	<p>cleaning of this elevation was deemed difficult and unlikely to succeed by Quoin (Heritage Structural Report dated 05/21).</p> <ul style="list-style-type: none"> <li>Rebuilding wall in a similar fashion was recommended by Quoin and provides superior Architectural outcomes (with regards to waterproofing, acoustics and thermal properties).</li> <li>KADA to work closely with Heritage Architect to cleverly reinterpret the rebuild including use of recycled brickwork as part of 'Interpretation Plan'.</li> </ul>	
Extent of basement retaining/grouting simplified.	<ul style="list-style-type: none"> <li>Structural engineering and construction efficiencies introduced as part of Design Development.</li> <li>As proposing to demolish the portion of the south elevation (see item 2), we are able to extend the basement which is consistent with Quoin's Heritage Structural Report dated 05/21.</li> <li>No impact on streetscape.</li> </ul>	Supported. The changes in the basement are considered minor and result in increased storage space.
Number of apartments reduced from 52 to 51. (Stores adjusted accordingly).	<ul style="list-style-type: none"> <li>Amalgamated Type A3 (1x1) &amp; Type C2 (2x2) on L1 to create larger Type D1 (3x2).</li> <li>Improved heritage outcome and unique product offer.</li> <li>Reduces number of apartments above the commercial tenancy and below the L2 communal amenities. (See item 11 below outline various improvements to amenity and acoustics).</li> <li>Provides more flexibility in parking arrangements.</li> <li>No impact on streetscape.</li> </ul>	Supported. The proposed reduction of one apartment does not impact the appearance of the building and will improve the diversity of housing choice and internal amenity of the apartments.
Reconfigured entry lobby mail room and stair.	<ul style="list-style-type: none"> <li>Improves adjacent tenancy 2 size in-line with prospective tenant feedback.</li> <li>Worth noting, the client is trying to retain existing Mayland's tenants such as Henry on 8th and BWS</li> </ul>	Supported. The reconfigured lobby entry does not impact the external appearance of the building.

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	<p>which is a good outcome for the local community.</p> <ul style="list-style-type: none"> <li>• Provision of 'smart' lockers in-line with real estate agent advice.</li> <li>• Provision of bespoke spiral staircase to respond to the craftsmanship and decorative detail of inter-war architecture.</li> <li>• No impact to streetscape.</li> </ul>	
General rationalisation of façade, building services and structure.	<ul style="list-style-type: none"> <li>• Engineering and construction efficiencies introduced as part of the Design Development stage.</li> <li>• Input from structural engineer, heritage specialist and builder to inform buildability and high-quality outcomes.</li> <li>• Size of modular element reduced to increase repetition, improve modulisatation and reduce maintenance.</li> <li>• Feature lattice material to satisfy various statutory requirements (i.e. non-combustibility). Note lattice requires further design development.</li> <li>• 'Double parapet' roof detail simplified.</li> <li>• Rooftop building services centrally located so installation is not visible.</li> </ul>	Refer to officer's comments below.
Various improvements to apartment layouts and reduction of Juliette balconies.	<ul style="list-style-type: none"> <li>• Engineering and construction efficiencies introduced as part of the design development stage.</li> <li>• Design improvements (i.e. larger bedrooms, and apartments generally), borne out of early buyer interest and real-estate advice.</li> <li>• Simplification of waterproofing detail.</li> <li>• Updated renders confirm no significant impact to building's aesthetic.</li> </ul>	Supported. The improvements to the apartment layouts have improve the functionality and amenity of the apartments and the size of the balconies are mostly compliant.
Plot Ratio (combined) from 2.75 to 2.96.	<ul style="list-style-type: none"> <li>• 0.08 is from nett commercial increase. Most of which is relocating Tenancy 1 back of house to the lower-ground</li> </ul>	Supported. There is no minimum or maximum plot ratio requirements under the

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<p>Plot Ratio (residential) from 2.58 to 2.72.</p> <p>Plot Ratio (commercial) from 0.17 to 0.24.</p> <p>Decrease in GFA (-25sqm). ~0.28%</p> <p>Decrease in balcony (-34sqm).</p> <p>Increase in floorplate efficiency.</p>	<p>level to maximise activation of Tenancy 1 on Eighth Ave.</p> <ul style="list-style-type: none"> <li>Most of the residential increase has come from deleting various juliette balconies (see below), shortening corridors typically (to improve fire egress safety), and generally refining the apartment plans.</li> <li>The original approval was marginally above the 'prescribed' plot ratio, and the various design justifications still stand.</li> <li>No impact to streetscape.</li> </ul>	<p>Maylands Activity Centre – Special Control Area 1 zone.</p> <p>Refer to officers' comments below in relation to changes to balconies.</p>
<p>Net increase in deep soil area (+3.4sqm)</p>	<ul style="list-style-type: none"> <li>Note 200sqm Deep Soil Area (DSA) provided (which is over Design WA min 170.5sqm).</li> <li>Ground; increased DSA as relocated existing transformer;</li> <li>Level 1 and 2, reinstated small planters to Apartment Type C2 (north and south elevations) as per DRP feedback;</li> <li>Level 1, reinstated small planter boxes to north-western terraces as per DRP feedback;</li> <li>Level 2, reconfigured DSA and planting on structure to resident's common amenities in response to changes to apartment layout below (see item 4) and changes to Amenities planning generally which provides greater acoustic separation to apartment below and creates a larger 'upper' level which provides greater flexibility. (Note no impact to streetscape/façade).</li> <li>Level 2; Clarified canopy and greenery over amenities still there as per DRP feedback;</li> <li>Level 2; Reduced the extent of planters to the laneway elevation, (to be adjacent balconies over), to ensure maintenance practical.</li> <li>Typical Levels; no change.</li> </ul>	<p>Supported. An improvement to deep soil areas is a positive contribution to the development.</p> <p>The applicant is encouraged to increase the size of planter boxes where possible to ensure that they are of an adequate size to accommodate plant and tree species. It is noted that this is required to be addressed prior to the submission of a building permit application as noted in Condition 8 of the JDAP approval.</p>

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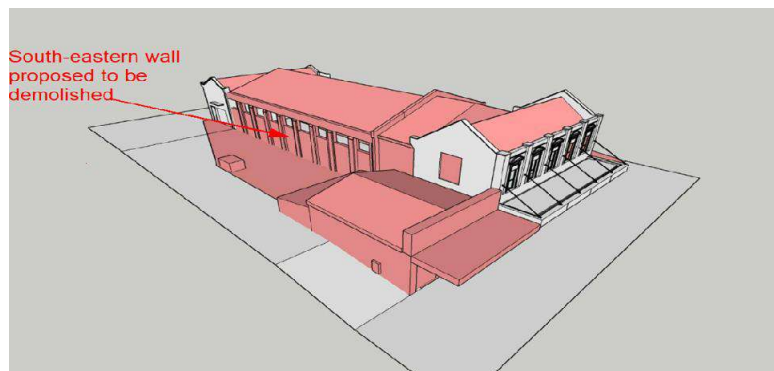
Refined design to better manage overlooking and Privacy to north-western terrace (Level 1 and 2)	<ul style="list-style-type: none"> <li>Level 1 terrace extent increased for Apts 01.06 and 01.07 as per DRP feedback;</li> <li>Reinstated planter boxes to soften perimeter as per DRP feedback (see item 11).</li> <li>Clarified bedrooms windows to Type A2 bedrooms to have 1.6H sills and frosted glass to maintain privacy whilst still providing access to natural light.</li> </ul>	Supported. Improvements to visual privacy between apartments was noted in Condition 16 of the JDAP approval.
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Proposed Demolition

The planning approval granted by the JDAP included the demolition of the roof, interior and the partial demolition of the theatre's external walls along the north-western elevation as well as the existing shop adjoining the south-eastern side of the theatre. The applicant is now seeking approval to demolish the bulk of the south-eastern theatre wall, excluding the stage area towards the rear of the building which will be retained. The wall is proposed to be re-built like for like.

It is believed that the section of wall proposed to be demolished dates from 1923. The interior section of wall contains plaster mouldings of pillars which were part of the theatre's interior design features.

The extent of demolition is shown in red on the applicant demolition diagrams below.





The applicant has submitted a report by Quoin Consulting Pty Ltd who are qualified structural engineers specialising in heritage structures (refer to **Attachment 3**). The report suggests that the south-eastern theatre wall is suffering from damp damage and is in poor condition and that extensive propping and underpinning would be required during the construction of the development above and below the wall. The report identified that there was a likelihood that the wall could collapse during construction and that the retention of the wall will make the buildability of redevelopment of the site very difficult. The report recommended demolition and reconstruction of the wall.

The applicant also engaged Griffith Architects, a qualified heritage consultant to assess the heritage values of the theatre wall refer to (**Attachment 4**). The consultant has advised that there is not a lot of original fabric left in the south-eastern wall as it has been significantly altered from its original state. The report concluded that although it is regrettable to lose heritage fabric, the reconstruction of the wall is supported subject to mouldings being taken from the interior of the wall.

The City referred the application to the City's Design Review Panel (DRP) to review the proposed amendments (refer to **Attachment 5**). One of the design review panel members who reviewed this application is a qualified heritage architect. With respect to the proposed demolition, the DRP noted that although the wall is not in original condition, it still contributes to the social and cultural heritage values of the Lyric Theatre. It was noted that historic and social values can be incorporated as part of the development through a variety of interpretive measures if permitted to be demolished. The DRP made the following recommendations:

- The panel supports most other proposed modifications and amendments in principle as per the applicant's report but urges the applicant to carefully consider the methodology of replacing the section of wall proposed to be demolished, a like-for-like approach and re-use of original bricks is strongly recommended. The implementation of an interpretation plan would assist in this regard.
- Moulds of the plaster features inside the building are to be taken prior to demolition. This process is to be fully documented (including photographs) with the details to be provided to

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the City. It is recommended that these features are carefully removed and set aside for replication and reinterpretation in the development.

- An archival record of the south-eastern wall, inclusive of the plaster moulds to be submitted to the City prior to demolition.
- An Interpretation Plan that focuses on the identified cultural heritage values of the place and how those will be interpreted and incorporated into the development should be undertaken by the applicant noting the high level of significance of the place.

Given the south-eastern wall has been significantly altered and is in poor condition, the proposed demolition of the wall is supported subject to an additional condition being imposed that incorporates the DRP's advice to require mouldings be taken of the interior plaster features and reuse of the original bricks along with a heritage interpretation plan. It is noted that an additional condition requiring an archival record is not required as this has already been imposed by the JDAP as per Condition 13 of the current planning approval.

Rationalisation of Façade

The applicant has submitted amended architectural plans that include modifications to the façade, namely the shape of the upper floors of the building, removal of some Juliette balconies, change in colour of the upper floor slab from black to white and a change in material to the feature lattice frame that wraps the upper floors of the building from wood to aluminium. The shape of the building has been modified slightly due to construction requirements and efficiencies. The only areas where the building footprint has changed is at the four corners of the tower element where open balconies are located. The applicant has submitted a plan highlighting the removal of the Juliette balconies in red and the previous outline of the building footprint is shown in green on the diagram below.



The City's DRP has reviewed the proposed changes and has expressed some concern that the rationalisation changes to the external plan form of redoing the radii of corner elements and reducing the expressive applied facade sections of the tower element have created a distinct change to the visual quality of the development. The panel is not supportive of this change and suggests that the more openly rounded corners should be reinstated at the very least on the Eighth Avenue elevation and slab edges returned to black.

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The potential swapping out of the external timber cross bracing for aluminium is not supported by the panel. The use of timber cross bracing has been central to the conceptual development which has been presented previously. This included incorporation of a strong connection to the local heritage of the area and was central to receiving the panel's support. The colour, texture and richness of timber was a critical factor in achieving the Panel's support. Both of these elements are very important given it is the redevelopment of an important heritage place and will be a prominent landmark development within the Maylands Activity Centre. The DRP did not have any concerns to the change in the parapet roof design.

In response the applicant has submitted updated 3D renders which demonstrate that the proposed changes are not highly visible and are relatively minor. The applicant has also advised that the proposed change results in the following:

- *“Increased the extent of glazing to the perimeter, permitting greater views and reducing the visual bulk and scale of the development.*
- *Increased glazing increases the distinction between the heritage lower levels and the contemporary tower, as encouraged by the DRP.*
- *Increased glazing and simplifying balcony edge/soffit colours & detailing helps distinguish & celebrate the external lattice as a design feature, as well as providing more robust waterproofing.*
- *Larger, more useable balcony spaces which increases resident's amenity.”*

The two renders below show the difference between the approved elevation and the amended elevation.

Approved Elevation



Modified Elevation



The JDAP previously approved setback variations to Lyric Lane and the proposed modifications are consistent with the approved setbacks. The setback to the northern boundary is compliant. It is considered that the change in the shape of the building is minor as it affects the corners of the



building only which are comprised of unenclosed balconies. The appearance of the building maintains the architectural shape that was part of the original proposal. The change in the radii shape of the building has also improved the size and functionality of balconies which will improve the amenity for future residents. If the other architectural features including the wooden lattice framework and black colour scheme which are discussed in detail below, are maintained it is considered that the minor change in the radii shape of the building will not detrimentally affect the overall architectural outcome of the building given the building still maintains the approved radii shape just with a more gentle curve on the corners of the building.

In regard to the change in colours and materials, the applicant originally chose wood as the material for the feature lattice framework in reference to the former Seventh Avenue bridge which was constructed in timber. However, during the detailed design phase they have identified technical issues associated with achieving the required fire safety requirements of the building as timber is a combustible material unless it is treated. The current escalation in construction costs has also influenced the decision to change the material to aluminium. The applicant has advised that their intent is to deliver a high quality outcome and they noted the DRP's preference for wood but notes that the cross-bracing aesthetic of the 'Seventh Ave Bridge' design reference has been retained. It is considered that the wooden lattice framework is a significant design element of the building and that replacing it with aluminium would diminish the overall quality of the building and detrimentally affect the streetscape context of the building which will be highly visible landmark within the Maylands town centre.

In relation to the change in colour scheme for the slab of the upper floor tower elements from black to white, the applicant has advised they have changed the colour to white to continue the white painted ceilings internally, making the rooms feel bigger and more airy and that it provides an overall 'brightening' of the upper volume, reduces its visual bulk and scale and helps it float over the darker and more textural elements below. It is also noted that a lighter slab better accentuates the dark feature connections between the lattice forms. However, it is considered that the black slab on the original plans makes an important contribution as it provides a distinct contrast between the heritage and new components of the building. It is considered that the change in colour from black to white will result in a loss of the building's architectural uniqueness and is not supported in line with the advice from the DRP. It is recommended that a condition be imposed to require revised plans to address this design matter be submitted, and this will be in addition to the final schedule of colours and materials prior to the submission of a building permit required in accordance with Condition 6 of the planning approval granted by JDAP.

The proposed modifications result in additional variations to the City's Town Planning Scheme 24 – Maylands Activity Centre zone and State Planning Policy 7.3 - Residential Design Codes Volume 2 Apartments requirements as outlined in the table below. Aspects of non-compliance and where discretion is sought are discussed in detail below.

Key Scheme Provisions	Required	Previously Approved	Proposed Amendment	Assessment
Laneway Setbacks	A minimum 1 metre setback is required to a laneway to a maximum of 2 storeys. A reduced setback may be permitted where the laneway width is a minimum of	0.3m setback to Lyric Lane (at rear).  Lyric Lane not 6m wide.  High quality communal area provided to SE side of development to	0.3m setback to Lyric Lane (at rear).  Lyric Lane not 6m wide.  High quality communal area provided to SE side of development to Lyric Lane and	Compliant with previous approval.

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	6 metres. Street and/or laneway setbacks may be varied if high quality public spaces are provided between the street and building façade on the subject site.	Lyric Lane and alfresco dining to Eighth Ave.	alfresco dining to Eighth Ave.	
Housing Diversity	Minimum 20% of the development to be single bedroom dwellings	7 X one bedroom dwellings (13.46%) 41 X 2 bedroom dwellings (78.8%) 4 X 3 bedroom dwellings (7.6%)	6 X one bedroom dwellings (11.76%) 40 X 2 bedroom dwellings (78.4%) 5 X 3 bedroom dwellings (9.8%)	Variation – Refer to officer's comments below.
Plot Ratio	No requirement – site coverage controlled through setback and height requirements.	N/A	N/A	N/A – included for clarification purposes only.
Deep Soil Area	10% of the lot to be Deep soil area and provided conducive to tree growth and suitable for communal open space.  Where deep soil nor provided, planting on structure 2 X the DSA shortfall.	7.1% of the lot to be DSA and incorporated into communal space.  39m <sup>2</sup> shortfall X 2 = 78m <sup>2</sup> on structure req. 81.7m <sup>2</sup> proposed.	7.9% of the lot to be DSA and incorporated into communal space.  34.4m <sup>2</sup> shortfall X 2 = 68.8m <sup>2</sup> on structure req. 114.9m <sup>2</sup> proposed.	Compliant

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Balconies	<p>A terrace, balcony or courtyard is to be provided at a minimum of 12m<sup>2</sup> for each residential dwelling and be connected to an internal living space.</p> <p>The minimum dimension (width and length) for a terrace, balcony or courtyard is 2.5 metres.</p>	<p>17 non-compliant units (32.6%):</p> <ul style="list-style-type: none"> <li>Level 1 – Units 2 – 5 and 8</li> <li>Level 2 – Units 2, 3 and 6</li> <li>Level 3 – Unit 4</li> <li>Levels 4 – 6 – Units 3 and 4</li> </ul> <p>40 non-compliant units (76.9%)</p> <ul style="list-style-type: none"> <li>Level 1 – U2 - 8</li> <li>Level 2 – U2 – 6</li> <li>Level 3 – U2 -5</li> <li>Level 4 -6 – All</li> </ul> <p>Variation is due to circular shape of building.</p>	<p>4 non-compliant units (7.84%)</p> <ul style="list-style-type: none"> <li>Level 1 - U5 and U9</li> <li>Level 2 – U4 and U9</li> </ul> <p>18 non-compliant units (35.2%)</p> <ul style="list-style-type: none"> <li>Level 1 U1, U4, U9</li> <li>Level 2 – U1, U5, U9</li> <li>Level 3 - 6 – U3 and U4, U7 and U8</li> <li>Variation is due to circular shape of building.</li> </ul>	<p>Variation – Refer to officer's comments below.</p>
Stores	<p>An enclosed, lockable storage area accessible from outside the dwelling shall be provided for each residential dwelling with a minimum dimension of 1.5 metres and an internal area of at least 4m<sup>2</sup>.</p>	<p>12 non-compliant stores (23%) in terms of area and/or width.</p> <ul style="list-style-type: none"> <li>Level 1 – U1, U4 and U9.</li> <li>Level 2 – U1, U2 and U9</li> <li>Level 5 – U2, U4 – U6</li> <li>Level 6 – U5</li> </ul> <p>Some stores are not accessible from</p>	<p>23 non-compliant stores (45%) in terms of area and/or width.</p> <ul style="list-style-type: none"> <li>Level 1- U1, U5, U6, U7, U8</li> <li>Level 2 – U1, U2, U5, U6, U7, U8</li> <li>Level 3 – U3, U6</li> <li>Level 4– U2, U3, U6, U7</li> </ul>	<p>Variation – Refer to officer's comments below.</p>

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		outside of the dwelling.	<ul style="list-style-type: none"> <li>• Level 5 - U2, U3, U6, U7</li> <li>• Level 6 – U6 and U7</li> </ul>	
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Housing Diversity

The development proposes a reduction in one, one bedroom apartment and an additional three bedroom apartment in response to market research undertaken by the applicant that indicates two and three bedroom apartments are more desirable to prospective buyers. A range of different sized dwellings have been included in the proposal including one, two and three bedroom dwellings and all of the dwellings have been designed for universal access. Therefore, it is considered that the reduction of one of the one bedroom apartment and addition of a three bedroom apartment will not result in a loss of housing diversity given a range of apartment sizes are provided within the development. It is considered that the one and three bedroom apartments will appeal to both single person and family households and that the proposal is consistent with the relevant objective of the Maylands Activity Centre which is to promote an appropriate mix of housing choices.

Balconies

A number of the proposed dwellings have been provided with a balcony or terrace which is less than 12m<sup>2</sup> and/or with a minimum dimension that is less than the 2.5m required under SCA1. As a result of the rationalisation of the façade and reconfiguration of some apartment floor plans, there has been a significant reduction in the number of non-compliant balconies proposed within the development. The minimum dimensions result from the curved built form of the tower element and the integration of dwellings within the existing walls of the heritage building and facade.

It is noted that SCA1 pre-dates the current version of SPP7.3 which changed the requirements for the size of outdoor living areas based on the size of the dwelling. The size of the balconies are compliant with SPP7.3 and the balconies which are less than 12m<sup>2</sup> are for the smaller one bedroom apartments and the balconies which have a minimum dimension of less than 2.5m have balconies that exceed the minimum size to compensate for the odd shapes. In addition, there are two areas of communal open space within the development and nearby public open space and public recreational facilities are located within 160m of the site.

Stores

The development is proposing a number of store rooms which are less than 4m<sup>2</sup> and/or with a minimum dimension that is less than 1.5m as required by SCA1. The applicant has advised that they have designed the store rooms in accordance with SPP7.3 rather than SCA1. As outlined, above, it is noted that SCA1 pre-dates SPP7.3. Based on the proposed store rooms provided it is

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considered that the smaller store rooms are 3m<sup>2</sup> have been allocated to the one bedroom apartments whilst the larger 3.9m<sup>2</sup>-4m<sup>2</sup> and 5m store rooms have been allocated to the two and three bedroom apartments. Given this it is considered that the store rooms are of an appropriate size in relation to the dwellings they are allocated to and are securely located for residents to utilise.

**LEGISLATIVE COMPLIANCE**

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *Planning and Development (Development Assessment Panels) Regulations 2011;*
- State Planning Policy 5.4 – Road and Rail Noise;
- State Planning Policy 7.3 – Residential Design Codes – Volume 2 – Apartments.
- City of Bayswater Town Planning Scheme No. 24;
- City of Bayswater local planning policies, including Trees on Private Land and Street Verges Policy, Percent for Public Art Policy, and

Parking in the TPS24 Town Centre Policy.

**OPTIONS**

The following options are available to Council:

1. Council approves the development application in accordance with the Officer's Recommendation. The risks associated with this option is considered to be reduced due to the reasons given for the Officer's Recommendation.
2. Council approves the development application subject to deleted or alternate condition(s). The risks associated with this option is considered dependent on the reasons given for the deleted/alternate condition(s) and the nature of the deleted/alternate condition(s).
3. Council refuses the development application. The risks associated with this option is considered dependent on the reasons given for the application to be refused.

**FINANCIAL IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

- |          |   |
|----------|---|
| Theme:   | Environment and Liveability   |
| Goal E1: | Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes.                               |
| Theme:   | Vibrancy  |
| Goal V2: | Encourage economic development across the City, and provide increased opportunities for people to live and work locally by facilitating new investment in the City. |
| Goal V3: | Activate the City's town and neighbourhood centres.   |

The proposed seven storey mixed use development is a significant development within the Maylands Town Centre given its prominent location and will make a positive contribution to the Eighth Avenue and Lyric Lane streetscapes. The development will contribute to the activation of Maylands and significantly improve the amenity of the town centre.

**CONCLUSION**

In light of the above assessment, the application is recommended for approval subject to the proposed conditions.

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AFSL 360011

13 November 2024

Adrian Di Nella  
City of Bayswater  
61 Broun Avenue  
Morley, WA 6062

### Request for Extension of Time for Development Approval

Dear Adrian,

Thank you for your time on the 7<sup>th</sup> of November 2024 to discuss the outstanding items for our proposed development, Lyric on Eighth located at 43-53 Eighth Avenue, Maylands.

ADC is formally requesting a 12-month extension of time for our active development approval that is set to expire in February 2025. Since receiving approval, we have actively pursued all necessary steps to ensure the project's successful implementation. We are pleased to update you on the significant progress we have made, as outlined below:

- **Presales** for the apartments have commenced, and remains active.
- An **Early Contractor Involvement (ECI)** agreement has been signed with our preferred contractor, facilitating enhanced project coordination.
- **Forward and Main Works Documentation with the appointed ECI builder** is underway, with **IFC drawings** currently in preparation.
- ADC along with our consultant team is progressing towards submitting a **building permit application** for forward works and main works in Q1 2025.
- The **forward works condition clearance** process has begun with the City of Bayswater.
- Anticipated **commencement of construction** is expected early in Q2 2025.

ADC is committed to delivering an exemplar apartment precinct within the existing community at Lyric Lane and Eighth Avenue. We are continuing to finalise all elements of the development conditions to enable Council clearance in the new year. Acknowledging our involvement in providing more housing options within the City of Bayswater.

Kind regards,  
Emmerson Dodds



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**10.5 Sub Committee Reports****10.5.1 Audit and Risk Management Committee - 11 November 2024****10.5.1.1 Internal Audit - Verge Bonds**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. CONFIDENTIAL - City of Bayswater Verge Bonds Review Draft Internal Audit Report [8.1.1 - 37 pages]
<b>Refer:</b>	

***Confidential Attachment(s) in accordance with Section 5.23(2) of the Local Government Act 1995 (WA):***

(e) *a matter that if disclosed, would reveal —*

*where the trade secret or information is held by, or is about, a person other than the local government;*

**SUMMARY**

As part of the 2024-25 Audit Program, the Verge Bonds internal audit was completed.

In a report prepared by the City's internal auditors, four (4) audit observations, three (3) improvement opportunities and eight (8) recommendations are made.

Management responses and anticipated timeframes for corrective action against the findings, considering the recommendations have been provided and are presented to Council for consideration and approval.

**COMMITTEE RECOMMENDATION TO COUNCIL  
(OFFICER'S RECOMMENDATION)**

**That Council:**

- 1. Endorses the Verge Bonds Internal Audit report, including management agreed actions as contained in the Confidential Attachment 1 to this Report;**
- 2. Notes that agreed actions are entered into the City's Audit Log Register for progress reporting.**

**BACKGROUND**

As part of the 2024-25 Internal Audit Program, endorsed by the Council, the City's internal auditors, William Buck were engaged to perform the Verge Bonds internal audit.

The verge bond process is managed by the Transport and Buildings team within the Infrastructure and Assets directorate.

**EXTERNAL CONSULTATION**

The internal audit was performed in consultation with the City's outsourced internal auditors William Buck.

## OFFICER'S COMMENTS

The verge bond process is managed within the Transport and Buildings branch, during the period of review (Jul 2023 – Jun 2024) the City received 372 verge bond applications, and a total of 491 verge bond refund requests were processed.

Verge bond deposits are required for every construction, demolition, or any other works that will affect the verge or crossover assets owned by the City. The objective of the deposit is to act a damage insurance if the property is not brought back to the original state after the construction has been completed.

This mechanism serves as both a compliance tool and a deterrent control to prevent damages to verges or crossovers, which may have financial implications for the City.

The objective of this engagement was to assess the effectiveness of the City's local law, policies, processes and controls relating to the verge bond process. The audit period under review was 1 July 2023 to 30 June 2024.

In their report 'Verge Bonds Review Internal Audit Report' (**Confidential Attachment 1**) four audit findings, three improvement opportunities and eight recommendations were presented. An overview of the findings and the risk rating of each finding is as follows:

No	Finding	Rating
1	Inconsistencies in the verge bond application process	Medium
2	No ageing of verge bond outstanding amount	Medium
3	Improvements required to verge bonds reconciliation	Medium
4	Lack of KPIs for verge bond processing timeliness	Medium

Management considered the auditor's report and documented the agreed actions intended to address the audit findings. Improvement opportunities are considered and monitored through the risk management process.

## LEGISLATIVE COMPLIANCE

Not applicable.

## RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

## FINANCIAL IMPLICATIONS

The cost of the internal audit was \$11,200.00

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L2: Plan and deliver projects and services in a sustainable way.

Work together to deliver the best outcomes for the community by managing our resources in a financially sustainable way.

**CONCLUSION**

The findings and recommendations identified by the auditors considers only the controls reviewed through the internal audit process, further consideration and analysis of the end-to-end process as well as improvements to the operating environment should be considered more broadly to improve the service overall.

**10.5.1.2 Quarter 1 - Quarterly Performance Report - Audit**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Dashboard Audit Qtr. 1 [8.2.1 - 2 pages] 2. CONFIDENTIAL REDACTED - ARMC - Audit Actions - Q 1 F Y 24-25 [8.2.2 - 2 pages]

***Confidential Attachment(s) in accordance with Section 5.23(2) of the Local Government Act 1995 (WA):***

- (f) a matter that if disclosed, could be reasonably expected to —
- (ii) endanger the security of the local government's property;

**SUMMARY**

This report provides an update on the City's Audit Function for Quarter 1 (July – October) 2024-25.

**Key Points**

- The quarter opened with 19 actions and closed with 17.
- Two (2) actions were added
- Four (4) actions were closed this quarter.
- 11 actions are overdue.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)****That Council:**

1. **Notes the Quarterly Performance Report – Audit;**
2. **Notes the status of the Implementation of Audit Actions (Audit Register) as presented in the Confidential Attachment 2 to this Report.**

**BACKGROUND**

This report provides an update on the 2024-25 Audit Plan and Audit Function – Implementation of Recommendations for Quarter 1 (Q1) (July - October) 2024-25 **Confidential Attachment 2**. Supporting this report is the Audit Function Dashboard (**Attachment 1**).

**EXTERNAL CONSULTATION**

Not applicable.

**OFFICER'S COMMENTS**

Council endorsed the Internal Audit (IA) Program for 2024-25 at the June 2024 OCM meeting. The IA Plan identifies four projects for this financial year. The Projects include:

- Community Grants/Community Capital Grants/Sponsorship Management
- Verge Bonds
- Regulation 5 Financial Controls
- Project Eden

The Verge Bonds review is complete and attached as a separate report. Scoping for the Project Eden review is complete, fieldwork will commence in November.

**Audit Function – Implementation of Recommendations (Audit Register – Attachment 2)**

The implementation of recommendations from internal and external reports continues to be monitored by the ELT prior to reporting to the ARMC. The ELT report includes all actions and ARMC includes actions by exception (overdue and complete) only.

Q1 reporting period opened with 19 actions and closed with 17 actions.

STATUS	NO.
Period Open	19
Actions Added	2
Actions Superseded	0
Actions Complete	-4
<b>PERIOD CLOSE</b>	<b>17</b>

The below table depicts the status of actions by audit:

Audit Name	Original Actions	Previously Closed	Closed this Period	Open	Overdue	Not Yet Due
<b>2021/22 Audit Reporting</b>						
Tender Evaluation & Procurement	-	6	1	1	1	-
<b>2022/23 Audit Reporting</b>						
Financial Sustainability 2022	12	13	1	-	-	-
OAG Financial 2022	6	4	-	2	1	1
<b>2023/24 Audit Reporting</b>						
Compliance and Enforcement	2	-	1	1	1	-
OAG IS 2023	17	11	-	6	6	-
Parks and Gardens	7	1	1	5	2	3
Golf Course Arrangements	2	-	-	2	-	2
<b>Total</b>	<b>-</b>	<b>-</b>	<b>4</b>	<b>17</b>	<b>11</b>	<b>6</b>

**New Actions**

This quarter two (2) actions have been added to the Audit Register from previously completed audits, pertaining to the Golf Course Arrangements audit.

**Overdue Actions**

This quarter the number of overdue actions increased.

	Qtr. 4	Qtr. 1	Qtr. 2	Qtr. 3	Qtr. 4
<b>Number of overdue actions</b>	11	11			

**Complete Actions**

Three actions were completed by management this quarter. As part of the annual Audit Log process, evidence of the completed action will be reviewed by the auditors.

	Qtr. 4	Qtr. 1	Qtr. 2	Qtr. 3	Qtr. 4
<b>Number of complete actions</b>	9	4			

**Amended Due Date**

Three due date amendments are requested this quarter. Please see Audit Register, dates in red, for further information relating to action management has taken to date.

**LEGISLATIVE COMPLIANCE**

Not applicable.

**RISK MANAGEMENT CONSIDERATION**

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR08 - Business model fails to support an integrated and responsive delivery of services, facilities and infrastructure (Including leadership, structure and processes).	

**FINANCIAL IMPLICATIONS**

Not applicable.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

**CONCLUSION**

Actions arising from the City's internal and external audits are recorded and monitored within the City's Implementation Recommendation Audit Register. Progress on the implementation of actions is reported on a quarterly basis to the ARMC.

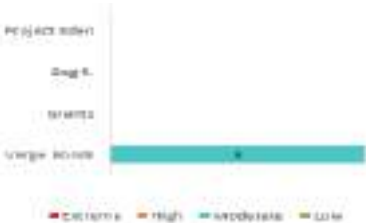
Audit Plan Status

1	8
Audits Complete	Total Audit Findings

Overall Control Effectiveness

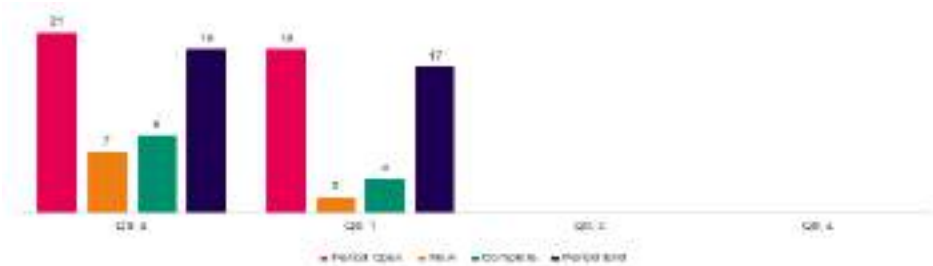


Audit Findings by Risk Rating



Quarterly Overview

19	2	4	17
Period Open	Actions Added	Actions Complete	Period Close



Status of all Actions (21)  
*All actions*



Open Actions (17)  
*Number, by type*



Actions not Yet Due (6)  
*Number, by risk rating*



Actions Overdue (11)  
*Number, by risk rating*



Actions Complete (4)  
*Number, by risk rating*



Not Yet Due Overdue Complete

Not Rated Extreme High Moderate Low



Open Actions (18)

Open Actions by status



Number by risk rating and status

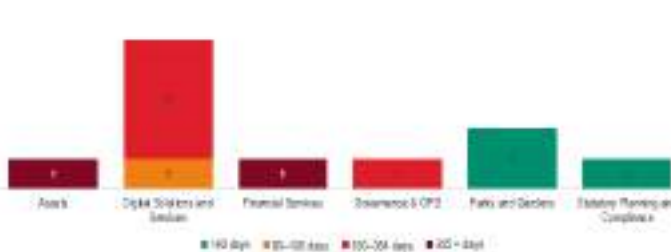


Actions Overdue (12)

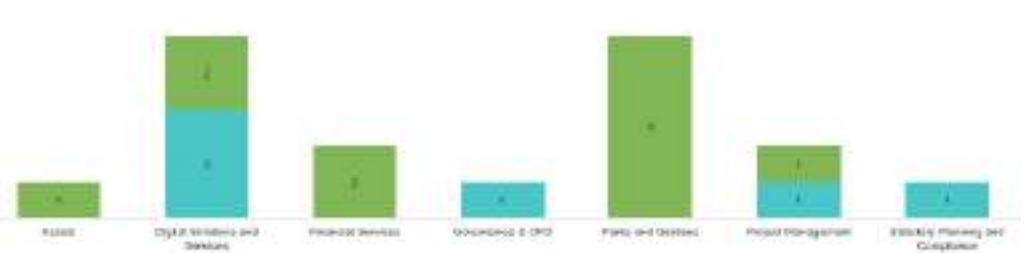
Actions Overdue by risk rating



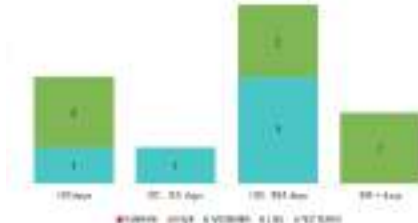
Number by branch and days overdue



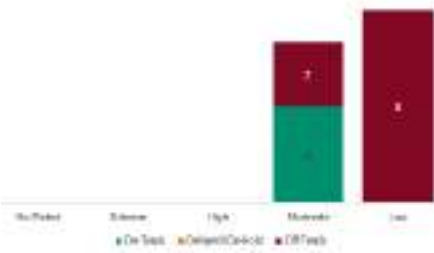
Open Actions by branch and risk rating



Number by days overdue and risk rating



Number by risk rating and status



Actions Complete (3)

Actions Complete by risk rating



Number by risk rating and branch

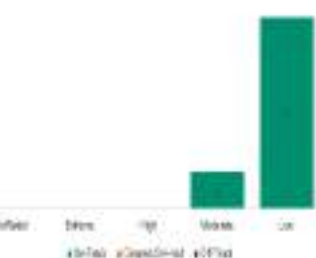


Actions Not Yet Due (6)

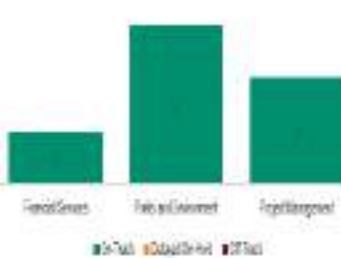
Actions not yet Due by risk rating



Number by risk rating and status



Number by branch and status



**10.5.1.3 Quarter 1 - Quarterly Performance Report - Corporate**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Information Purposes
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. ARMC - Service Reporting - Q 1 F Y 24-25 [8.3.1 - 6 pages]</li> <li>2. ARMC - CBP Operating Projects - Q 1 F Y 24-25 [8.3.2 - 6 pages]</li> <li>3. ARMC - Capital Programs - Q 1 F Y 24-25 [8.3.3 - 4 pages]</li> <li>4. ARMC - CEO KPI - Q 1 F Y 24-25 [8.3.4 - 2 pages]</li> <li>5. ARMC - Strategy and Plan - Q 1 F Y 24-25 [8.3.5 - 13 pages]</li> <li>6. ARMC - CBP KPI - Q 1 F Y 24-25 [8.3.6 - 5 pages]</li> </ol>

**SUMMARY**

This report provides an update on the implementation of the Corporate Business Plan for 2024-25 and includes reports on City Services, Operating Projects, Capital Programs, CEO Key Performance Indicators (KPIs), Council approved Strategy and Plan Actions and Corporate Business KPIs for quarter 1 (Q1) (July – September) 2024-25.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)**

**That Council notes the Quarterly Performance Review – Corporate Quarter 1 (July – September) 2024-25.**

**BACKGROUND**

Section 5.56 of the *Local Government Act 1995* requires all local governments to effectively plan for the future. Regulations, Standards and Guidelines further explain this requirement and set out the framework for local government Integrated Planning and Reporting (IPR) comprising a 10-year Strategic Community Plan (SCP), a four-year Corporate Business Plan (CBP), supporting resource plans and regular reporting. The intent of the framework is to ensure the priorities and services provided by the City are aligned with community vision, needs and aspirations.

Under the Integrated Planning and Reporting Framework (IPRF), it is required that local governments report on their performance to their community. The measurement and reporting process not only demonstrates local government accountability to their community, but also provides an opportunity to assess in-year implementation, so supporting achievement and continuous improvement.

This report supports the annual reporting process and continuous improvement. Quarterly reports are provided for the following, with the new addition of Corporate Business Plan KPI's:

- City Services.
- Operating Projects.
- Capital Programs/Projects.
- CEO KPIs.
- Council Adopted Strategy and Plan Actions.
- Corporate Business Plan KPIs.

## EXTERNAL CONSULTATION

No external consultation was undertaken to prepare this report.

## OFFICER'S COMMENTS

The *Strategic Community Plan 2021- 2031* (SCP) outlines the Council and community vision and goals for the City of Bayswater. The Corporate Business Plan (CBP) operationalises these goals and sets out the four-year delivery program of services and projects.





Monitoring and reporting against the CBP across 2024-25 is undertaken through quarterly reporting to assess progress, support implementation and continuous improvement.

For this reporting period, the City has refined the quarterly status options to enhance accuracy and clarity in reporting. The updated status selections now include clearly defined criteria for each option, ensuring a more accurate reflection of the current state of services, projects, actions, or KPIs.

The table below outlines each status option along with a summary of the corresponding criteria.

Status Option	Criteria
<b>Complete</b>	The service/project/action has been fully completed, with all objectives, deliverables, and milestones achieved. There are no pending tasks or activities left to be addressed.
<b>On-Track</b>	The service/project/action is progressing according to the planned timeline and scope. All tasks and activities are being completed as scheduled, and there are no significant issues or delays affecting progress.
<b>On-Hold</b>	The service/project/action has been temporarily delayed/paused due to external or internal factors, such as resource constraints, pending decisions, grant funding receipt or unforeseen issues. It is expected to resume once the issues are resolved.
<b>Off-Track</b>	The service/project/action is behind schedule or deviating from the planned scope, and there are significant risks, issues, or delays that need to be addressed. It may require reassessment or evaluation to determine the next steps or necessary changes due to changing priorities, unexpected challenges, or new information.
<b>Discontinue</b>	Service/project/action ceased due to strategic shifts, lack of resources, or because it has been implemented as business as usual.

The reports reflect achievements and progress as of the end of September 2024, marking the close of Q1. Services, Projects, Actions, and KPIs are color-coded based on the Key Result Area to which they are aligned.

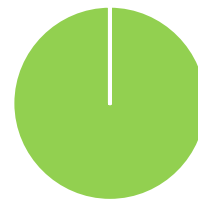
Key Result Area Colour Reference			
Community	Environment & Liveability	Vibrancy	Leadership and Governance
			

### City Services:

There are 31 services in the CBP. The service report (**Attachment 1**) provides a broad overview of service progress with all services identified as on-track.

## Service Status Distribution

Implementation Status	Distribution
ON-TRACK	31
ON-HOLD	0
OFF-TRACK	0
TOTAL	31



31  
100%

■ On-Track

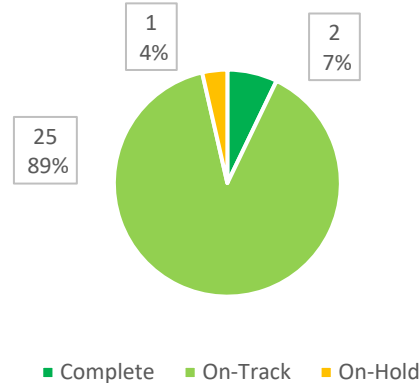
No.	Service	Status
1	Community Development	On-Track
2	Community Care and Aged Services	On-Track
3	Community and Events	On-Track
4	Library Services	On-Track
5	Recreation Services	On-Track
6	Golf Courses	On-Track
7	Ranger Services	On-Track
8	Security Services	On-Track
9	Emergency Management	On-Track
10	Environmental Health	On-Track
11	Asset Management and Mapping	On-Track
12	Building Maintenance	On-Track
13	Building Approvals	On-Track
14	Planning Approvals	On-Track
15	Planning and Building Compliance	On-Track
16	Transport Infrastructure and Operations	On-Track
17	Property (Community)	On-Track
18	Strategic Land-Use Planning	On-Track
19	Environmental Sustainability	On-Track
20	Waste Management	On-Track
21	Parks and Gardens	On-Track
22	Economic Development	On-Track
23	Infrastructure Planning	On-Track
24	Communication, Engagement and Customer Relations	On-Track
25	Financial Services	On-Track
26	Digital Solutions and Services	On-Track
27	People, Culture, Safety	On-Track
28	Governance and Executive Services	On-Track
29	Planning, Performance and Risk	On-Track
30	Project Management	On-Track
31	Plant, Fleet and Equipment	On-Track

### Corporate Business Plan (CBP) Operating Projects:

There are 28 CBP operating projects in 2024-25. Operating project plans were prepared as part of the Council-led business planning and budget process. Management has assessed progress against these projects for Q1. Progress is summarised below:

Implementation Status	Distribution
COMPLETE	2
ON-TRACK	25
ON-HOLD	1
OFF-TRACK	0
DISCONTINUE	0
TOTAL	28

Operating Project Status Distribution



Proj No.	CBP Operating Project	Status
1	Unearthing the Truth - Dual Naming	On-Track
28	Homelessness Consortium	On-Track
2	Event Grants / Sponsorships	On-Track
3	Local Events	On-Track
4	Signature Arts and Events	On-Track
5	Library Programs - Children, Youth and Adult	On-Track
6	Pilot External Lighting Audit	On-Track
7	CCTV System Projects	On-Track
8	Commercial Mosquito Control	On-Track
9	Midge Control	On-Track
10	Duress Systems	On-Track
11	Morley Streetscape	Complete
12	Morley Station Precinct Structure Plan	On-Track
13	Biodiversity Management	On-Track
14	Maylands Lakes Environment Restoration	On-Track
15	Plants to Residents	On-Track
16	Implementation of Economic Development Activities	On-Track
17	New Economic Development Strategy	On-Track
18	Profile ID Subscription	Complete
19	Banner Maintenance	On-Track
20	City-Led Activation	On-Track
21	Digitising Archives	On-Track
22	Information Security Action Plan – Cyber Security	On-Track
23	Eden Project	On-Track
24	Baynet Intranet Renewal	On-Track
25	Strategic Community Plan Major Review	On-Track
26	Project Management Framework Review	On-Hold
27	Targeted Underground Power Program (TUPP)	On-Track

A full report on the 28 CBP projects is provided in **Attachment 2**. As of Q1 all CBP Operating Projects are either On-Track or Complete except for Operating Project 26 – Project Management Framework Review which is currently on-hold.

The table below lists the operating projects that are On-Hold, with officer comments alongside.

Operating Project Description	Status	Comment
<b>Operating Project: 26 Project Management Framework Review</b>		
<i>Review and update, as required, the City's project management framework templates to align with current process and delivery methods.</i>	<b>On-Hold</b>	The Project Services team is preparing to develop the Project Management Framework. This project will be delivered in partnership with the Planning, Performance and Risk team.

### Corporate Business Plan (CBP), Carry Forward and New Initiatives Capital Programs:

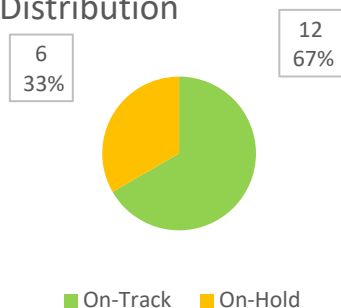
There are 18 capital programs identified in the CBP 2024-25 to 2027-28. Any carry forward projects from 2023-24 will be identified as part of the City's capital project review process expected to be completed in Quarter 2. Once identified, they will be included and reported on accordingly in Quarter 2.

Please note that a program may consist of one or multiple projects. Of the 18 capital programs they are comprised of 129 projects. The report provides the total capital budget and includes expenditure to the end of Q1 (30 September 2024) including public work overheads.

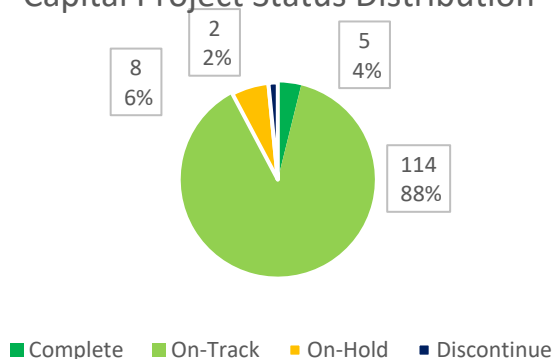
The status of the capital programs and projects are detailed below. Please note that while individual projects within a program may be completed, the program as a whole, is only marked as 'complete' when all projects within it are completed. Similarly, for clarity in reporting, even if several projects within a program are 'on-track,' the program will be labelled as 'on-hold,' 'off-track,' if any of its projects are classified in those categories.

Implementation Status	Program Level	Project Level
<b>COMPLETE</b>	0	5
<b>ON-TRACK</b>	12	114
<b>ON-HOLD</b>	6	8
<b>OFF-TRACK</b>	0	0
<b>DISCONTINUE</b>	0	2
<b>TOTAL</b>	18	129

Capital Program Status Distribution



Capital Project Status Distribution



Prog No.	Capital Program	Program Status	No. of Projects	% of Projects On-Track or Complete
1	Recreation Centres Upgrade and Renewal	On-Track	8	100%
2	Building Program	On-Track	37	100%
11	Parks and Playground Renewal and Upgrade	On-Track	7	100%
15	Sports Park Infrastructure	On-Hold	4	75%
3	Drainage Renewal and Upgrade	On-Track	1	100%
4	Pathways Extension and Upgrade	On-Hold	10	80%
5	Other Transport Renewal and Upgrade	On-Hold	3	67%
6	Street Lighting Renewal and Upgrade	On-Track	1	100%
7	Car Park Renewal and Upgrade	On-Hold	6	83%
8	Road Renewal and Upgrade	On-Track	26	100%
9	Natural Reserves Renewal and Upgrade	On-Track	4	50%
10	Waste Transfer Station Renewal	On-Hold	1	0%
12	Irrigation Renewal and Upgrade	On-Track	4	100%
13	Streetscapes and Tree Planting	On-Track	2	100%
16	Riverside Gardens Urban Forest	On-Track	1	100%
17	Low-Cost Urban Road Safety (LCURS)	On-Track	1	100%
14	Technology and Equipment Renewal and Upgrade	On-Hold	12	83%
18	Plant, Fleet and Equipment Renewal and Upgrade	On-Track	1	100%

Reports on Capital expenditure was drawn as of 1<sup>st</sup> October 2024, the first day after the end of Q1, which reflects expenditure including public works overheads (**Attachment 3**). The attachment details all projects followed by a summary entry for the Program.

The specific projects that are identified as 'on-hold', 'off-track' and 'discontinued' are listed below with supporting commentary.

Prog No.	Program Name	Project Budget No.	Project Short Description	Current Quarter Status	Current Quarter Comment
4	Pathways Extension and Upgrade	81287	New pathway (local Access) - Illingbridge Street from Spruce Road to Bagden Place	On-Hold	Community consultation raised significant objections. Two multi-signatory letters were submitted, one in support and one opposed. The matter will be presented to Council at the October OCM.
4	Pathways Extension and Upgrade	81289	New pathway (local Access) -Mahogany Road from Hakea Court to Banksia Road	On-Hold	Some objections were raised during consultation. These are under evaluation.



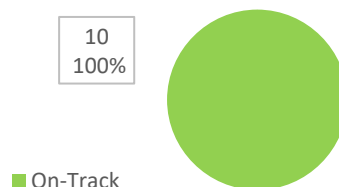
Prog No.	Program Name	Project Budget No.	Project Short Description	Current Quarter Status	Current Quarter Comment
5	Other Transport Renewal and Upgrade	81122	1) Bus Shelter no 28828 upgrade, Garratt Road  2) Bus Shelter no 11589 upgrade, Morley Drive	On-Hold	Multi-level project, 1 sub-project being discontinued and 1 sub-project currently on-hold.  1) Bus Shelter no 28828 upgrade, Garratt Road – Public Transport Authority advised that the bus stop is discontinued and no longer operational. The project will be discontinued.  2) Bus Shelter no 11589 upgrade, Morley Drive - Affected by the Morley/Bath upgrade, with the bus stop scheduled for relocation.
7	Car Park Renewal and Upgrade	81322	Waterland Carpark Expansion	On-Hold	Project held up until completion of Traffic survey. This is scheduled to take place between Dec 2024 and Jan 2025.
9	Natural Reserves Renewal and Upgrade	81270	New Lightning Park Limestone Path stage 2 (Fire management)	Discontinue	DFES funding unavailable due to changes in funding criteria, excluding limestone pathways and firebreaks. The project will not proceed this financial term.
9	Natural Reserves Renewal and Upgrade	81272	Rudloc Reserve Transformation Stage 2a	Discontinue	DBCA withdrew its \$500,000 funding. The item will be considered through the mid-year budget review process.
10	Waste Transfer Station Renewal	81268	Waste Transfer Station - minimal refurbishment and structural repairs	On-Hold	The strategic long-term plan for the site is yet to be determined and therefore the money has not been allocated to specific items yet. However, Council have been made aware of the structural issues at the site and the extent of the repairs conducted by the City will be dependent on the outcome of the pending EOI (Released October). The project will remain on-hold until the next steps have been determined and the budget can be allocated accordingly.
14	Technology and Equipment Renewal and Upgrade	81274	Duress Devices expansion to Civic front counter	On-Hold	Front counter staff reported that a risk assessment found no further work needed. The project may be discontinued.
14	Technology and Equipment Renewal and Upgrade	81275	Replace Network Infrastructure - Civic Centre - UP2 - Server Room - GIS-UPS.bayswater.wa.gov.au	On-Hold	Awaiting information from DSS on the current UPS status and specifications due to change of circumstance since project identification that may require rescoping of this project.
15	Sports Park Infrastructure	81345	Grand Promenade court refurbishment - old courts	On-Hold	Pending outcome of other investigations (OCM 27 Aug 2024, item 14.1.2).

### CEO's Key Performance Indicators (KPIs):

CEO KPIs were set by Council at its meeting held on 24 September 2024. There are six KPIs with 10 deliverables for the 2024-25 year. All the CEO's KPIs are on-track.

Implementation Status	Distribution
COMPLETE	0
ON-TRACK	10
ON-HOLD	0
OFF-TRACK	0
DISCONTINUE	0
TOTAL	10

CEO KPI Status Distribution



CEO KPI No.	CEO KPI	Deliverable / Outcome	Current Quarter Status
1	Lead improved organisational change	<ul style="list-style-type: none"> <li>Continue to improve Asset Management Plans to support the FCWP</li> </ul>	On-Track
1	Lead improved organisational change	<ul style="list-style-type: none"> <li>Overarching Strategy and Plan Approach</li> </ul>	On-Track
1	Lead improved organisational change	<ul style="list-style-type: none"> <li>Review and develop Strategic Community Plan</li> </ul>	On-Track
2	Lead property and economic development	<ul style="list-style-type: none"> <li>New Economic Development Strategy</li> <li>Ensure the ongoing implementation of the Land Acquisition and Disposal Strategy</li> </ul>	On-Track
3	Prioritise and support the achievement of increasing the City's tree canopy targets	<ul style="list-style-type: none"> <li>Provide Council with reports and recommendations, as required, to work towards meeting the City's tree canopy targets</li> <li>Consider new and review existing practices in meeting tree canopy targets.</li> </ul>	On-Track
3	Prioritise and support the achievement of increasing the City's tree canopy targets	<ul style="list-style-type: none"> <li>Encourage the community and promote the benefits of how the community can help to increase the tree canopy within the City of Bayswater.</li> </ul>	On-Track
4	Project EDEN	<ul style="list-style-type: none"> <li>Continue to deliver Project EDEN.</li> </ul>	On-Track
5	Waste Business Model	<ul style="list-style-type: none"> <li>Conduct a Feasibility Study on the City's Waste Business Model.</li> </ul>	On-Track
6	Advocacy and the development of partnerships	<ul style="list-style-type: none"> <li>Advocacy Plan.</li> </ul>	On-Track
6	Advocacy and the development of partnerships	<ul style="list-style-type: none"> <li>Seek Federal and State election commitments on endorsed advocacy projects.</li> </ul>	On-Track

The report on the CEO KPIs is provided in **Attachment 4**.

### Council Adopted Strategies and Plans

Council adopted strategies and plans form part of the integrated planning system, and support the SCP and CBP, by providing another level of more detailed strategy, setting out Council priorities and actions for specified areas.

The table below lists all the active Council adopted strategies and plans, identifies the total number of actions that are resourced for implementation in 2024-25 and provides a summary of progress for actions, for each strategy or plan at the end of Q1.

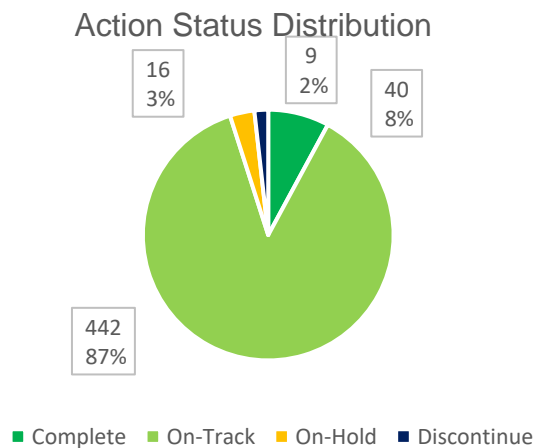
The majority of actions being delivered in 2024-25 have been identified as embedded through business as usual (BAU) delivery of service. It is important to note while actions embedded through service delivery are considered on-track/complete, the actions are reviewed annually as part of the planning process to determine what will be delivered in the coming year. This ongoing review process continues until the plan or strategy is reviewed and updated.

The remaining actions for 2024-25, which are delivered outside of BAU, are monitored and reported against quarterly. A status update and supporting commentary provide insight into their current implementation progress.

There are 22 active Council adopted strategies and plans, progress is reported as follows:

Strategy & Plans	Total No. of Actions in 24-25	% Embedded Through BAU	No. Actions Delivered Outside BAU	Of Those Actions Delivered Outside of BAU		
				% Complete or On-Track	% On-Hold or Off-Track	% Discontinued
ACCESS AND INCLUSION PLAN 2020 - 2024	54	94%	3	100%	0%	0%
RECONCILIATION ACTION PLAN 2021 - 2023	62	79%	13	92%	8%	0%
YOUTH PLATFORM ACTION PLAN 2019 - 2023	14	100%	0	0%	0%	0%
LOCAL HOMELESSNESS STRATEGY 2021-2025	28	71%	8	100%	0%	0%
CULTURAL PLAN 2019 - 2024	26	88%	3	100%	0%	0%
AGE FRIENDLY STRATEGY 2021-2025	38	100%	0	0%	0%	0%
PLAY SPACE STRATEGY 2019-2029	11	0%	11	82%	0%	18%
COMMUNITY RECREATION PLAN	20	55%	9	66%	0%	33%
CCTV STRATEGY 2018-2028	5	0%	5	100%	0%	0%
PUBLIC HEALTH AND WELLBEING PLAN 2021 - 2025	68	97%	2	100%	0%	0%
MORLEY ACTIVITY CENTRE PLAN 2018	12	75%	3	100%	0%	0%

Strategy & Plans	Total No. of Actions in 24-25	% Embedded Through BAU	No. Actions Delivered Outside BAU	Of Those Actions Delivered Outside of BAU		
				% Complete or On-Track	% On-Hold or Off-Track	% Discontinued
WATERWISE BAYSWATER STRATEGY 2020 - 2030	37	78%	8	87%	0%	13%
LOCAL BIODIVERSITY STRATEGY (2008)	29	79%	6	100%	0%	0%
ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	38	74%	10	90%	10%	0%
URBAN FOREST STRATEGY 2017	24	67%	8	100%	0%	0%
EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	35	66%	12	100%	0%	0%
FORESHORE AREA 10 YEAR PRIORITY PLAN 2019	7	0%	7	100%	0%	0%
INTERIM ECONOMIC DEVELOPMENT STRATEGY 2022	32	53%	15	80%	7%	13%
TOWN CENTRES DESTINATION MARKETING STRATEGY 2021 to 2025	29	76%	7	14%	86%	0%
TOWN CENTRE PLACE ACTIVATION PLANS	15	53%	7	100%	0%	0%
CAR PARKING MANAGEMENT PLAN FOR MORLEY ACTIVITY CENTRE 2017	19	95%	1	100%	0%	0%
MAYLANDS TOWN CENTRE CAR PARKING STRATEGY 2018	16	88%	2	100%	0%	0%



**Attachment 5** provides an overview of the Council adopted strategies and plans with actions being delivered above business as usual.

### Corporate Business Plan KPIs

The City has developed 37 Council-adopted Key Performance Indicators (KPIs) to provide a comprehensive overview of key activities, outputs, and impacts across the City. These KPIs cover a broad range of areas, including the usage of City facilities, community engagement through grants and events, environmental initiatives such as tree planting and carbon footprint monitoring, financial sustainability, and employee performance. They serve to measure how well the City is delivering services and achieving its strategic objectives.

As we continue developing a database of Key Performance Indicators, we will be able to use informative visualisations to highlight trends and changes more effectively. These visualisations will be introduced starting in Quarter 2.

The table below provides an overview of these KPIs, along with their respective performance for the first quarter of 2024-25. It is important to note that some measures are only reported annually, with updates provided in Quarter 4.

KPI No.	Key Performance Indicator	Q1 Result
1	Percentage Usage of City's Facilities - Meeting Room	25%
2	Percentage Usage of City's Facilities - Sports Courts	50%
3	Percentage Usage of City's Facilities - Venues	35%
4	Percentage of Bayswater Residents registered as library members	19%
5	Percentage of Bayswater Residents registered as Recreation Centre Members	6%
6	Resolved Graffiti Incidents	1,330
7	Total Number of Better Bayswater Grants Awarded	Not Open during this period
8	Total Dollar Value of Better Bayswater Grants Awarded	Not Open during this period
9	Total Number of Community Service Partnership Agreements	21
10	Total Number of Community Event and City Support Grants Awarded	10
11	Total Dollar Value of Community Event and City Support Grants Awarded	\$ 38,122.83
12	Total Number of City-led Community Events	1
13	Total Number of customer requests relating to Rangers or Security matters	2,124
14	Number of Building Application Received	276
15	Building Approval Compliance Rate within Statutory Approval Timelines	100%
16	Number of Planning Application Received	151
17	Planning Approval Compliance Rate within Statutory Approval Timelines	94%
18	City's Annual Carbon Footprint	Annual Measure
19	Total Number of Native Plants Installed	6325
20	Total Number of Trees Installed	2550
21	Percentage of Groundwater Allocation Used	3.56%

KPI No.	Key Performance Indicator	Q1 Result
22	Tree Canopy Coverage percentage	14%
23	Waste Recovery Rate	Annual Measure
24	Annual Capital Budget Utilisation	Annual Measure
25	Financial Sustainability: Current Ratio	Annual Measure
26	Financial Sustainability: Operating Surplus Ratio	Annual Measure
27	Financial Sustainability: Own-Revenue Ratio	Annual Measure
28	Financial Sustainability: Debt-Service Ratio	Annual Measure
29	Employee Turnover Rate	14.57%
30	Lost Time Injury Frequency Rate (LTIFR)	24.12
31	Number of Visitors to the City of Bayswater website	93,446
32	Number of Visitors to the Engage Bayswater portal	19622
33	Social Media Follower Growth	1.41%
34	Engagement Rate of Social Media Content	9.15%
35	Job-to-Worker Ratio	0.59
36	Per Capita Gross Regional Product of City of Bayswater	\$ 47,925.00
37	Total number of active trading businesses in City of Bayswater	7,586

**Attachment 6** provides an overview of the Corporate Business Plan KPIs.

## LEGISLATIVE COMPLIANCE

*Local Government Act 1995.*

## RISK MANAGEMENT CONSIDERATION

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR08 - Business model fails to support an integrated and responsive delivery of services, facilities and infrastructure (Including leadership, structure and processes).	

## FINANCIAL IMPLICATIONS

Not applicable.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L2: Plan and deliver projects and services in a sustainable way. Work together to deliver the best outcomes for the community by managing our resource in a financially sustainable way.

## CONCLUSION

The report provides an update on the implementation of the City's Integrated Planning Framework and provides reports on progress at the end of quarter one for the City's services, programs, projects, CEO and CBP KPIs and strategies and plans.

2024/25 SERVICE PLAN: QUARTERLY REPORTING					Reporting For: Qtr 1 - FY24/25
Service No.	Service	Service Description	Sub-Service	Current Quarter Status	Current Quarter Comment
1	Community Development	Facilitate, educate, and enable community capacity building and services to communities, and vulnerable and marginalised community members. Connect and support our local communities through advocacy and engagement.	1.1 - Access and Inclusion 1.2 - Youth Services 1.3 - Community Grants 1.4 - Reconciliation 1.5 - Homelessness 1.6 - Community Bus	On-Track	<p>The engagement plan to develop the next Access and Inclusion Plan has been approved, and the project is now underway. This plan aims to enhance accessibility and ensure inclusive services across the City.</p> <p>The draft Youth Action Plan has been approved and is ready to be incorporated into the broader social strategy. This plan focuses on improving opportunities, engagement, and support for young people within the community.</p> <p>The City has initiated an internal grants audit to assess how grants are being managed, ensuring compliance, transparency, and alignment with the City's objectives.</p> <p>The Place Names project has progressed to the stage of cultural mapping, which involves engaging with community members and stakeholders to capture the historical and cultural significance of local place names.</p> <p>The EOI process for Outreach Services has been completed. As a result, the City will collaborate with service providers on a 12-month trial, providing essential outreach services to support vulnerable populations in the City.</p>
2	Community Care and Aged Services	Support aged and vulnerable adults by providing programs and connections at the Morley and Bayswater Community Centres and through collaborative partnerships working closely with volunteers and ambassadors.	2.1 - Community Centre Coordination 2.2 - Active Ageing Programs 2.3 - Age Friendly Ambassador Program 2.4 - Volunteers	On-Track	<p>Community Centres delivered 35 activities for older adults as part of their weekly activity schedule, offering diverse programs aimed at promoting social engagement, physical activity, and mental well-being.</p> <p>Nine Age-Friendly Ambassadors were recruited and have successfully attended induction training, equipping them with the knowledge and skills to advocate for and support age-friendly initiatives within the community.</p> <p>A total of 89 volunteers are currently registered across 10 volunteer programs, actively contributing their time and skills to support community services and programs.</p>
3	Community and Events	Manage City led community events; support the planning and delivery of community led events within the City; build capacity and relationships to expand community led events and cultural arts.	3.1 - City-Led Events 3.2 - Community-Led Events 3.3 - Grant Management	On-Track	<p>The City's Community and Events program is on track, having successfully supported a range of community-led initiatives and external events during this period.</p> <p>The City approved two major external events:</p> <ul style="list-style-type: none"><li>• Bayswater Twilight Markets</li><li>• Balcatta Interschool Carnival</li></ul> <p>Additionally, 10 community event grants were approved, supporting a diverse range of events and activities, including:</p> <ul style="list-style-type: none"><li>• CAN WA - Making Time</li><li>• Chinese Dance - Cultural Connections</li><li>• Creative Connections - Exhibition</li><li>• Laneway Artspace - Antarctica Polar Opposites</li><li>• Rag Pop-Up - Baysie Pop</li><li>• Rainbow Families - WA Pride Picnic</li><li>• Steam Haus - Easels and Equality</li><li>• Conan Fitness - Maylands Wellness Weekend</li><li>• Neighbourhood Watch - Community Harmony and Neighbourhood Watch Weekend</li><li>• Sarah Weston - Aboriginal Art Workshops</li></ul>
4	Library Services	Provide vibrant, inclusive libraries that support community harmony, lifelong learning and creativity. Provide City access and customer service in local areas.	4.1 - Branch Libraries 4.2 - Customer Experience	On-Track	<p>Library Services are on track with strong performance and continued engagement across the City's three branch libraries this quarter.</p> <p>Key Deliverables:</p> <ul style="list-style-type: none"><li>• Physical Items Loaned: 104,134 (an increase of 13.5% from the same quarter in 2023)</li><li>• Physical Items: 80,195</li><li>• Digital Items: 23,939</li><li>• Patron Visits: 56,175</li><li>• New Library Memberships Processed: 1,021</li></ul> <p>Customer Experience - Home Delivery and Outreach Services:</p> <ul style="list-style-type: none"><li>• Items Borrowed: 2,405</li><li>• Deliveries Made: 23</li><li>• New Home Delivery Registrations: 5</li></ul> <p>Customer Experience - Digital and Technology Services:</p> <ul style="list-style-type: none"><li>• Library App Downloads: 242</li><li>• Library App Sessions: 4,545</li><li>• Public PC Sessions: 5,487</li><li>• WIFI Sessions: 3,201</li></ul> <p>Corporate Customer Service:</p> <ul style="list-style-type: none"><li>• 2,481 transactions processed (including rates payments, animal registrations/renewals, waste services, etc.)</li><li>• Library eNewsletter: Distributed to 5,530 subscribers</li><li>• Quarterly Program of Activities: Distributed to the community</li></ul>
5	Recreation Services	Provide sustainable, and safe recreation facilities, activities and services that are accessible to the community, supporting healthy, socially connected outcomes. Maximise participate in stakeholders' programs, engage, and build partnerships to build active, healthy clubs. Provide diverse and accessible bookable facilities for the community.	5.1 - Recreation Facilities 5.2 - Leisure Planning 5.3 - Club Liaison and Development 5.4 - Booking Facilities Halls & Reserves	On-Track	<p>Recreation Services are operating as expected, with strong participation across major programs and facilities.</p> <p>Key Outcome of the Quarter- Wildcats vs NBL1 Game:</p> <ul style="list-style-type: none"><li>• Successfully hosted at the Morley Sport and Recreation Centre, drawing strong community engagement and boosting facility visibility.</li></ul> <p>Program and Facility Highlights:</p> <ul style="list-style-type: none"><li>• Ongoing recreational programs and activities maintained strong participation levels across various facilities.</li><li>• Facility usage remained consistent, ensuring community access to sports, fitness, and recreational resources.</li><li>• Collaboration with local sports clubs and community groups continued to promote active living and engagement.</li></ul>
6	Golf Courses	Provide sustainable and accessible golf courses, balancing commercial operations with subsidised services, to maximise community health, social outcomes, and City financial outcomes.	6.1 - Contractor Management 6.2 - Golf Course Grounds / Facilities	On-Track	<p>All activities are tracking well towards the KPI targets. The golf course audit has been completed, and the outcomes are currently under review. Planning for audit action implementation is underway, with the goal to have all recommendations actioned by the end of the financial year.</p>



2024/25 SERVICE PLAN: QUARTERLY REPORTING					
Reporting For: Qtr 1 - FY24/25					
Service No.	Service	Service Description	Sub-Service	Current Quarter Status	Current Quarter Comment
7	Ranger Services	Provide responsible, visible community safety and ranger services including engagement, education and legislative compliance activities to build a strong sense of community safety, making the City of Bayswater a safe and welcoming place.	7.1 - Community Rangers 7.2 - Animal Management 7.3 - Call Centre/Administration 7.4 - Parking Enforcement	On-Track	<p>During the reporting period, the Ranger Services team effectively managed a wide range of community concerns, including:</p> <p>Dog-related incidents:</p> <ul style="list-style-type: none"><li>• 30 dog attack reports actioned</li><li>• 28 dog barking complaints received</li><li>• 135 dog wandering or found reports, resulting in 36 dogs impounded</li></ul> <p>Cat-related services:</p> <ul style="list-style-type: none"><li>• 35 cat trap/impound requests handled</li></ul> <p>Community reports:</p> <ul style="list-style-type: none"><li>• 202 litter reports addressed</li><li>• 58 abandoned vehicle requests processed</li><li>• 724 parking-related reports responded to</li></ul> <p>Additionally, the Call Centre/Admin service managed 8,166 calls during this period, providing prompt support and assistance to the community.</p>
8	Security Services	Provide a visible and proactive community patrol service to support a safe and welcoming community.	8.1 - Crime Prevention 8.2 - Community Security Patrol	On-Track	<p>In the last quarter, the Security team made significant contributions to the City's public safety goals by:</p> <ul style="list-style-type: none"><li>• Conducting 771 holiday patrols</li><li>• Performing 801 security patrols</li><li>• Responding to 579 customer requests</li></ul> <p>Portable CCTV cameras have been strategically deployed at Lightning Park, Noranda, and the BMX Pump track, deterring offenders and contributing to safer public spaces. These proactive efforts have enhanced community safety, deterred crime, and built trust with residents, aligning with the City's commitment to public safety and crime prevention.</p>
9	Emergency Management	Provide support for emergency management activities within the city including education, planning, preparation and recovery activities.	9.1 - Emergency Management	On-Track	<p>The City is in discussions with Bayswater SES regarding the annual Local Government Grant Scheme, which is funded by DFES but administered by the City. We are currently assessing whether it is more advantageous for the SES unit to continue operating under an ex-GST arrangement or to align with the City's preference for a GST-inclusive system.</p> <p>Planning is underway for the City's annual Emergency Management exercise, which is a legislative requirement, and will be conducted in partnership with the Town of Bassendean.</p> <p>Councillor Sally Palmer has rejoined the Local Emergency Management Committee, filling both Councillor positions on the committee.</p> <p>The City's Community Development Branch and the Department of Communities, with oversight from the City's Emergency Management Officer, are organizing an Evacuation Training Centre activity to be run in October 2024.</p>
10	Environmental Health	Maintain high public health standards through the administration of state and local legislation and codes of practice. Monitor and manage public health to ensure prescribed legislative requirements are being met.	10.1 - Environmental Health	On-Track	<p>The Environmental Health officers continue to carry out their scheduled statutory inspections and follow up on compliance matters to maintain public safety and regulatory standards.</p> <ul style="list-style-type: none"><li>• 107 food business inspected</li><li>• 101 customers requested actioned, mainly in the area of food, noise pest control and pollution issues.</li></ul> <p>The mosquito control team has been proactive in the surveillance of wetland areas, ensuring mosquito and midge breeding is kept to a minimum, supporting community well-being and reducing pest issues.</p> <p>Additionally, the health promotion team is actively delivering health and well-being activities, such as the Parents and bubs program, Parents Connect initiatives; Yoga program for new mums, 2 Wellness programs and Community Pickle Ball at the Rise with feedback from participants being very positive.</p>
11	Asset Management and Mapping	Provide and maintain asset management and spatial information services to support organisational decision-making. Administers the land and property data as well as the Digital Mobile Radios and GPS enabled duress system software and equipment.	11.1 - Infrastructure Asset Management 11.2 - Spatial Information Management (GIS) 11.3 - Land and Property Data Management 11.4 - Digital Mobile Radio and GPS Enabled Duress Systems	On-Track	<p>11.1 - Infrastructure Asset Management: Asset Management (AM) Plans are currently under review for endorsement by the ELT in October 2024. The FCWP review is progressing through AMWG meetings, while asset accounting and information improvements are also underway. These efforts align with the goal of ensuring sustainable management of the City's assets. The team is contributing to a discussion paper to develop a road map addressing the aging GIS and asset management systems, ensuring that all regulatory compliance deadlines are met for upcoming asset revaluations.</p> <p>11.2 - Spatial Information Management (GIS): The GIS team has worked closely with Landgate to ensure compliance with data licensing agreements. Ongoing health checks, security updates, and process improvements are part of managing the City's aging GIS infrastructure. The LiDAR data project is being finalised in partnership with CaptureWA (Landgate) to improve spatial data accuracy. However, aging systems pose a business continuity risk that could affect the organisation. Mitigation efforts are actively underway to address these risks.</p> <p>11.3 - Land and Property Data Management: Prior to EDEN Lift and Shift and to align with WA best practice, data structure and process changes had to be implemented. The team is currently working with stakeholders to identify process improvements to improve data integrity. This is a very complex process and requires specialised skills and experience to manage this data. Effort is made to ensure knowledge is retained to continue this service sustainably.</p> <p>11.4 - Digital Mobile Radio and GPS-Enabled Duress Systems: Both the software and hardware components of the Digital Mobile Radio and GPS-enabled duress systems are undergoing significant maintenance this year. Efforts are being made to enhance cybersecurity and improve system management. A comprehensive review will be conducted to assess whether the system meets the City's standards for reliable security operations.</p>
12	Building Maintenance	Manage and maintain buildings and associated infrastructure to ensure assets are fit for purpose in line with the City's Asset Management Plan.	12.1 - Building Services and Maintenance	On-Track	<p>The team continues to efficiently address day-to-day maintenance and repair requests while staying within budget. For the first quarter, approximately 421 Customer Requests (CRMs) for building maintenance and repairs were received by the Building Operations team. Of these, 394 CRMs have been successfully completed by in-house trades and relevant service contract providers.</p> <p>In addition to reactive maintenance, the first quarter's scheduled preventive maintenance was completed on key systems, including air conditioning units, lifts, automatic doors, and fire services, by the respective service providers as per their contractual obligations.</p> <p>To date, 10 out of 40 Capital Projects delivered by Building Maintenance have been completed. The remaining projects are in the tendering process and will be programmed in alignment with current usage by lessees and user groups to minimise disruptions to services and operations.</p>

2024/25 SERVICE PLAN: QUARTERLY REPORTING					Reporting For: Qtr 1 - FY24/25
Service No.	Service	Service Description	Sub-Service	Current Quarter Status	Current Quarter Comment
13	Building Approvals	Maintain high building standards through the administration of state and local legislation and codes of practice. Provide assessment and processing of building permits, within prescribed timeframes, to ensure that buildings are constructed or demolished to required standards.	13.1 - Statutory Building 13.2 - Swimming Pool Inspections	On-Track	During the reporting period, 276 building permit applications were received. Statutory Building officers have ensured that all permits were processed within the required statutory timeframes.
14	Planning Approvals	Assess and process planning applications in terms of legislated standards and within regulated time-frames, providing recommendations and approvals.	14.1 - Development Applications 14.2 - Subdivision Referrals 14.3 - Development WA (DevWA) Referrals 14.4 - Development Review Panel (DRP) Assessment	On-Track	The City is processing applications within the dedicated statutory timeframes (60 days – 14.1 Development Applications and 42 days – 14.2 Subdivision Referrals). Other processes, including 14.3 DevWA Referrals and 14.4 DRP assessments, have seen limited activity throughout 2024-25; however, these processes have remained on track.
15	Planning and Building Compliance	Ensure statutory compliance through the provision of integrated compliance services to facilitate healthy and safe communities.	15.1 - Compliance	On-Track	Development Compliance ensures safe communities by ensuring Management Practices are adhered to and maintaining communication with complainants and property owners. Officers prioritise medium and high-risk cases, with regular meetings with management to discuss cases and improve processes.  During this quarter, 103 matters were raised, compared to 149 matters in the previous quarter. Additionally, 59 matters were closed this quarter, compared to 80 closures in the previous quarter.  The ongoing management of Tree Protection Zones (TPZs) continues to be successful. Inspections are carried out at the start of developments to ensure TPZs are properly installed, avoiding the need for residents to lodge complaints. Proactive efforts have significantly reduced concerns about missing TPZs and materials stored on verges.
16	Transport Infrastructure and Operations	Provide and maintain safe and sustainable transport infrastructure in accordance with relevant industry standards.	16.1 - Roads 16.2 - Carparks 16.3 - Drainage 16.4 - Footpaths and Cycleways 16.5 - Surveying System Management 16.6 - Streetlighting 16.7 - Other Transport Infrastructure	On-Track	The Transport Infrastructure and Operation Service delivery is on-track. Key activities completed during quarter 1 include: • Of the 10 footpath projects planned for delivery this fiscal year, 2 are nearing completion. • Consultation was conducted for all pathways scheduled within the current financial year. • Designs for the current capital program are being finalised. • The team has completed several lighting assessments to improve pathway safety. • Pathway repairs and maintenance have been carried out for various asset types.
17	Property (Community)	Responsible management of land and property in ownership or in the control of the City.	17.1 - Property (Community)	On-Track	The City is on track with the responsible management of all City-owned or vested community buildings. The annual lease audit is currently underway to assess and monitor all lessees against policy KPIs, ensuring that all buildings are fully utilised by the community. All lease renewals reflect continued tenancy by the original lessee, demonstrating active engagement from community groups within the City of Bayswater. This positive engagement supports ongoing service delivery and aligns with City policies.
18	Strategic Land-Use Planning	Develop and review the local planning framework (scheme, policies, strategy, precinct plans) in accordance with State and Local requirements, providing parameters to Development Approvals and provide planning advice to community.	18.1 - Local Planning Strategy / Town Planning Scheme	On-Track	Council endorsed the draft Local Planning Strategy at the Ordinary Council Meeting held on 26 March 2024. The draft has been submitted to the Western Australian Planning Commission (WAPC) for final approval.  At the Ordinary Council Meeting held on 24 September 2024, Council reviewed and endorsed the findings of the Town Planning Scheme No. 24 review report. The City is now required to submit the report to the WAPC for approval to initiate work on a new scheme. The report will be forwarded to the WAPC once the minutes from the OCM are released. The WAPC will have three months to provide the City with a formal response.
19	Environmental Sustainability	Lead and manage the City's strategic, capital and operational programmes to protect, build resilience and improve the City's natural environment, liveability, urban form and sustainability for current and future residents of the City of Bayswater.	19.1 - Catchment Management 19.2 - Natural Area Management 19.3 - Sustainability 19.4 - Protecting Biodiversity	On-Track	Catchment Management • Completion of the annual Bayswater Brook Catchment Monitoring Program in conjunction with the Department of Biodiversity, Conservation & Attractions, the Town of Bassendean and the City of Swan • Onboarding of a Catchment management Officer part funded by the Department of Biodiversity, Conservation and Attractions. • Continued regular operational and maintenance support to ensure good functioning of the Eric Singleton Bird Sanctuary Constructed Wetland • Ongoing development of the City's rollout of water sensitive urban design projects  Natural Area Management • Urban bushlands can be impacted from historic land uses, weeds, climate change and introduced plant diseases. The Environment Team worked with the community to restore and enhance natural areas by planting endemic tube stock to ensure vital ecological functions are retained. • The team installed endemic plants that are now providing homes for our unique and important wildlife.  Sustainability • The City onboarded a Sustainability Officer • The Bedord Bowls Club was transferred to green power, with the remainder of sites to be transferred by the end of Q2. • Continued participation in the contract with the WA Local Government Association and Synergy to supply the City with renewable energy for contestable sites.  Protecting Biodiversity • The City's community led environmental groups and the wider community are key stakeholders in protecting and enhancing the City's natural environment and biodiversity. • The City encouraged participation in protecting biodiversity by facilitating community planting days carried out in Q1. Over the winter planting season the City facilitating 13 community planting days. Community members installed over 30,000 plants and had the opportunity to connect with the natural environment.

2024/25 SERVICE PLAN: QUARTERLY REPORTING					Reporting For: Qtr 1 - FY24/25
Service No.	Service	Service Description	Sub-Service	Current Quarter Status	Current Quarter Comment
20	Waste Management	Provide a quality waste collection and management service to residents and the community. Maximise recovery of waste to minimise landfill costs, emissions and environmental impact.	20.1 - Residential waste collection 20.2 - Commercial waste collection 20.3 - Bulk waste 20.4 - Street and Park bin collections and infrastructure 20.5 - Bayswater Transfer Station 20.6 - Waste Education	On-Track	Waste Management continued to deliver waste collection and management services to the community.  Key highlights of Q1 include: <ul style="list-style-type: none"><li>• Residential, commercial, and bulk waste services were delivered in accordance with service plans. FOGO services reached 30,931 households across the City.</li><li>• Public waste infrastructure was maintained, with scheduled collections completed.</li><li>• The City produced an EOI for the use of the Baywaste Transfer Station.</li><li>• Efforts to reduce single-use plastic continued through the distribution of branded merchandise at City events.</li><li>• The City promoted the Containers for Change scheme at various events, including the Avon Descent Finish Line Festival.</li><li>• Continued collaboration with Good Sammy ensured bins were provided, collected, and processed, with 20% of proceeds supporting the organisation's operations.</li><li>• The Avon Descent Finish Line Festival marked the fourth City-run event featuring FOGO bins, monitored by waste staff, with Go2Cup assisting in waste reduction, reuse promotion, and correct waste sorting.</li><li>• The City ran its Plastic Free July campaign, hosting four events in collaboration with Enviro House that engaged both children and adults, drawing positive responses and strong attendance.</li><li>• FOGO rollout in schools progressed under the WasteSorted Waste Reduction in Schools Trial, in partnership with EMRC and the Town of Bassendean. As of August 2024, Morley Senior High School implemented FOGO bins in their canteen to reduce food waste.</li><li>• Signage for multi-unit dwellings (MUDs) aligned with WasteSorted messaging was distributed. The City's database of multi-unit dwellings is continually updated to ensure accurate records.</li><li>• Upgrades to public bin infrastructure commenced in major reserves starting in July.</li><li>• The May-July Waste Survey collected 651 responses, with overwhelming positive feedback on the 3-bin FOGO system and waste services. This feedback will inform future education campaigns and social media initiatives.</li></ul>
21	Parks and Gardens	Support our community by providing quality green spaces, protecting and enhancing the urban forest and considering the natural environment.	21.1 - Parks Infrastructure 21.2 - Parks Projects 21.3 - Landscape Design 21.4 - Tree Care 21.5 - Streetscape Maintenance 21.6 - Sportsground Maintenance 21.7 - Parks Maintenance 21.8 - Civic Garden Maintenance 21.9 - Spraying 21.10 - Irrigation	On-Track	The City is currently developing a range of internal operations plans to provide guidance and information on the management of all areas across parks and gardens. Key documents currently in progress include: <ul style="list-style-type: none"><li>• Parks Services/Operations Plan</li><li>• Depot Services/Operations Plan</li><li>• Turf Services/Operations Plan</li><li>• Tree Services/Operations Plan</li><li>• Urban Forest Implementation Plan</li><li>• Parks Irrigation and Renewal Operations Plan</li></ul> These plans will be assessed in detail to ensure the services we provide offer high-quality green spaces, protect and enhance the Urban Forest, and account for the natural environment.  In addition, a Service Review has commenced, including a survey sent to other local governments to gather data on the services they provide. This data will support benchmarking the City of Bayswater's service levels against other similar local governments.
22	Economic Development	Improve the amenity, function, safety, economic effectiveness and visitation of public spaces and town centres in collaboration with community groups and businesses. Develop commercially focussed opportunities to provide sustainable and accessible community activities and facilities and that balance financial and social capital outcomes. Provide oversight of the management agreements for the City's aged care sites.	22.1 - Economic Development 22.2 - Commercial Activities (Property, Land Acquisition and Disposal, Aged Care Management) 22.3 - Place Management and Town Centre Activation	On-Track	<b>Economic Development</b> The City is currently working on the Economic Development Strategy, with business engagement on the strategy commencing in October. The City has been progressing its advocacy priorities through: <ul style="list-style-type: none"><li>• Meetings with Water Corp on the BIA sewer</li><li>• Development of Advocacy Papers for key priority projects</li><li>• Working with Council to identify lower priorities</li><li>• At the Ordinary Council Meeting held on 24 September 2024, Council requested the development of an Investor Guide for the Morley Activity Centre, which the City is currently scoping.</li><li>• Additionally, the City partnered with Curtin University to support two local businesses through the Curtin Ignition program. This intensive one-week program provides early-stage founders with essential tools and industry connections. Held from 1 to 6 September, both businesses successfully completed the course.</li></ul> <b>Commercial Activities</b> <ul style="list-style-type: none"><li>• At the Ordinary Council Meeting held on 27 August 2024, Council supported engaging a consultant to develop a concept plan for the Les Hansman Community Centre. The City has sought quotes from companies to undertake the work and is finalising the procurement process.</li><li>• At the Ordinary Council Meeting held on 24 September 2024, Council approved an EOI process to determine if there is a market for after-school care services at Gibbney Reserve to support the Maylands Peninsula Pre-Primary. The City is now developing the EOI.</li></ul> <b>Place Management</b> <ul style="list-style-type: none"><li>• Based on community feedback from Maylands, the City has applied for a grant from the Criminal Justice Department to run an education course aimed at reducing graffiti in the town centre. Feedback on the grant application is expected in early 2025.</li><li>• The City has received funding from the Streets Alive grant program to install street furniture in the northern end of the town centre on Beechboro Road. In partnership with 3.8 Baysie, additional street furniture will be installed, including tables and seating to support alfresco dining and other seating needs for local businesses.</li><li>• The City has also partnered with the Bayswater Traders Association to provide funding for their town centre branding study. Additionally collaboration with the Galleria Shopping Centre, the City will install a NAIDOC mural on an external wall, with the project commencing in October.</li><li>• The City is preparing for the 'Feed Me Morley' town centre marketing campaign, building on its success from the previous year. This year's campaign will focus on promoting local food businesses, with partnerships involving a food tours company to showcase local venues. The campaign is scheduled for early 2025.</li><li>• The City is also working with businesses on Walter Road West in Bedford to trial planter boxes in the area. As part of the trial, existing planter boxes will be repurposed, ensuring their placement does not disrupt parking or business access.</li><li>• The City is developing a marketing campaign with Hawaiian Shopping Centre, focusing on promoting the concentration of health and wellbeing businesses in the area.</li><li>• The City's Place Making grant applications closed on 4 September, with 21 applications received. All applications have been assessed, and successful applicants have been notified. The City will now collaborate with these applicants to deliver their projects.</li></ul>
23	Infrastructure Planning	Ensure that State or other major infrastructure investment in the City of Bayswater achieves the best outcomes for our community, satisfactorily interfaces with the City's infrastructure and assets gifted to the City meet the City's expectation. Represent the City's interests in major developments undertaken by others within the City of Bayswater Lead the preparations of infrastructure studies, analysis and planning for the ongoing development and transformation of the City's infrastructure portfolio.	23.1 - Major infrastructure project assessment and compliance (State and other developments) 23.2 - Infrastructure studies, analysis and planning	On-Track	The Metronet Station projects are progressing on track and being delivered in accordance with the State Government's project delivery timeline. All aspects of the projects remain on schedule, with no significant delays or issues reported.

2024/25 SERVICE PLAN: QUARTERLY REPORTING					Reporting For: Qtr 1 - FY24/25
Service No.	Service	Service Description	Sub-Service	Current Quarter Status	Current Quarter Comment
24	Communication, Engagement and Customer Relations	The Communications, Engagement and Customer Relations Service positively influences the City's reputation and brand through high quality communications and marketing, meaningful community engagement and a commitment to excellence in customer service.	24.1 - Communications and Marketing 24.2 - Community Engagement 24.3 - Customer Relations	On-Track	<p>Customer Relations</p> <ul style="list-style-type: none"><li>• Registered meeting visitors: 575, Walk-ins at Civic Centre: 6,728</li><li>• Payments processed: 2,504 (including 1,435 rates payments, 162 animal registrations)</li><li>• Plan search requests: 128, Orders and requisitions: 448</li><li>• Calls handled: 16,437, with a 28% first call resolution and 1.36% abandoned call rate</li><li>• Tip passes issued: 1,572, Waste requests (e.g., FOGO, bin repairs): 2,317</li><li>• Snap Send Solve requests: 472</li></ul> <p>Community Engagement</p> <p>This quarter, the team focused on engagement planning with several project teams to support major initiatives. Key projects include:</p> <ul style="list-style-type: none"><li>• Needs assessments for both Frank Drago and Hillcrest.</li><li>• Foreshore restoration projects at Bardon Park, Riverside Garden, and Tranby Bath Reserves.</li><li>• Engagement planning for the Maylands Lakes Master Plan.</li><li>• Support in developing the engagement plan and survey to inform the Economic Development Strategy.</li></ul> <p>High-risk projects for this quarter included the Blackboy Way Road dedication and Drake Street Bike Path construction engagement. The team also partnered with the Recreation team to conduct a member survey, which received feedback from nearly 500 members through an effective promotion plan. Additionally, the team supported community engagement efforts with residents in the Maylands Lakes area, coordinating the second Community Forum.</p> <p>Communications and Marketing</p> <p>Progress was made on goals outlined in the Strategic Communications Plan 2024/25, tracked through individual project and event communications, a monthly digital report, and a weekly media round-up. Key activities this quarter include:</p> <ul style="list-style-type: none"><li>• Developed and implemented promotional plans for the second Flourish Community Arts Festival.</li><li>• Promoted key initiatives such as the City's first catio rebate, Placemaking Grants program, winter tree planting results, foreshore restoration opportunities, and advocacy priorities.</li><li>• Supported events, including the Avon Descent and the Perth Wildcats' pre-season game against NBL1 West Select at the Morley Sport and Recreation Centre.</li><li>• Managed reputational risk around the Maylands Lakes project, supporting communications for the second Community Forum.</li><li>• Produced a video featuring the CEO to promote new dashboards that provide residents with information on water quality and midge management at Maylands Lakes.</li><li>• Published the Bayswater Brief magazine and edited the draft Annual Report 2023-24.</li></ul>
25	Financial Services	Provide overall strategic and operational responsibility and advice for the City's financial processes and planning, including statutory reporting, budgets, rates, investments and procurement.	25.1 - Rating Services 25.2 - Procurement 25.3 - Cash Management 25.4 - Accounting Services	On-Track	<p>The annual budget and business planning process is underway, with the carried-forward review now completed and pending management review.</p> <p>Procurement has experienced significant staff changes, with handover and training being the main focus to ensure continuity and meet the City's procurement needs effectively.</p> <p>The Annual Financial Report has been drafted, receiving management sign-off ahead of being submitted to the Office of the Auditor General (OAG) before the statutory deadline. The OAG commenced their audit on 14th October and will conduct their review in the office.</p> <p>Other accounting services, such as cash management, investments, and rating services, are operating as usual, with no significant issues or developments to report.</p>
26	Digital Solutions and Services	Enables and supports the City's digital services platforms, Infrastructure and Information Services to ensure the City of Bayswater's business operation and services to its community are contemporary, efficient and effective.	26.1 - Information Management (IM) 26.2 - Information and Communications Technology (ICT) 26.3 - Digital Solutions Architecture (DSA) 26.4 - Business Systems	On-Track	<p>Digital Solutions continues to deliver key initiatives and projects, key highlights of this quarter include:</p> <ul style="list-style-type: none"><li>• e-Services Phase 2 is progressing, providing enhanced digital services for residents and staff.</li><li>• The TechnologyOne upgrade to 2024A has been completed to maintain system support, compliance, and security patches.</li><li>• Planning and delivery for the 2024B project environment and work package pre-planning are underway. This will support the City's Core Enterprise Suite upgrade from Ci to CiAnywhere, scheduled for May/June 2025.</li><li>• Business Systems continues to engage stakeholders, focusing on delivering service improvements for the effective use of the T1 ERP system.</li><li>• IT Services maintains service desk operations and is initiating major capital project procurements to build new foundational infrastructure capabilities.</li><li>• DSS completed a comprehensive CCTV audit, which has been handed over to Ranger Services for operational use. Additionally, procurement planning is underway for a Managed Service solution to enhance CCTV infrastructure and support.</li></ul>
27	People, Culture, Safety	Provide support and solutions to ensure the City has adequate people capacity and capability to deliver quality services to the Community.	27.1 - Human Resources 27.2 - Payroll 27.3 - Organisational Development 27.4 - Work Health and Safety	On-Track	<p>The People, Culture &amp; Safety team continues to provide a business partnering approach to support stakeholders across key areas, including recruitment, employee relations, change management, and hazard reporting with corrective actions.</p> <ul style="list-style-type: none"><li>• Workplace Health and Safety is preparing to launch a new case management tool, Donesafe, designed to improve accessibility and streamline incident, hazard, and corrective action reporting. The platform will offer real-time dashboard reporting for managers, ensuring better visibility and tracking of safety metrics.</li><li>• A functional review of the area has been completed, resulting in streamlined reporting lines, agile working arrangements, and process improvements to enhance efficiency.</li><li>• The team continues to support the Project Eden initiative, focusing on testing and upgrades, with involvement from the Project Board to ensure alignment and delivery.</li></ul>
28	Governance and Executive Services	Provides support and guidance to the Executive, Council and City officers to support good governance and decision-making and legislative compliance	28.1 - Governance 28.2 - Directorate Administration 28.3 - Policy and Development 28.4 - Executive and Council Support 28.5 - Advocacy and stakeholder management	On-Track	<p>During this quarter, Governance and Executive Services facilitated key outcomes across Council operations and compliance:</p> <ul style="list-style-type: none"><li>• CEO Performance Review: At the 24 September 2024 meeting, Council completed the 2023/24 CEO Performance Review Process and set the CEO's KPIs for 2024/25.</li><li>• Meeting Support: Governance supported three Council meetings, seven committee meetings, and two advisory group meetings during the quarter.</li><li>• Policy Review: Council, through the Policy Review and Development Committee, reviewed 14 policies of the City.</li><li>• Annual Return Process: The City successfully completed the Annual Return process by 31 August 2024.</li><li>• Public Interest Disclosure Guidelines: Revised Public Interest Disclosure Guidelines were published on the City's website.</li><li>• Statutory Review of Local Laws:<ul style="list-style-type: none"><li>- At the 24 September 2024 meeting, Council concluded the eight-year statutory review of the City's Dogs Local Law, Local Government Property Local Law, and Parking and Parking Facilities Local Law. Amendments to these laws will progress throughout the financial year.</li><li>- The Cat Amendment Local Law 2024 was advertised for public consultation, and the outcome will be presented to Council for consideration in Quarter 2.</li></ul></li><li>• WALGA AGM: Council appointed the City's delegates for the 2024 WALGA Annual General Meeting and reviewed the proposed WALGA AGM Motions to ensure appropriate representation.</li></ul>

2024/25 SERVICE PLAN: QUARTERLY REPORTING					Reporting For: Qtr 1 - FY24/25
Service No.	Service	Service Description	Sub-Service	Current Quarter Status	Current Quarter Comment
29	Planning, Performance and Risk	Facilitates integrated strategic and operational business planning, risk management, reporting and improvement initiatives within the organisation that are effective and fit-for-purpose	29.1 - Risk Management 29.2 - Organisational Improvement Projects 29.3 - Insurance 29.4 - Integrated Planning and Reporting 29.5 - Internal Audit	On-Track	<b>Risk Management</b> <ul style="list-style-type: none"><li>The team was invited to present to the LGIS Risk Management Group on the topic of the 'Relationship between Risk and Executive.'</li><li>Strategic Risk Review and Operational Risk Review conducted for Recreation Services, Rangers, and Security.</li><li>Internal Audit Action: Process map updates completed for Statutory Planning and Compliance Complaints.</li><li>LGIS Self-Assessments carried out for Footpaths and Trees.</li><li>LGIS Audit Actions: Completed for Maylands Lakes and Bayswater BMX. Outstanding actions include WA Ballet Centre, Bayswater Waves, Bayswater Skate Park, and Exercise Equipment. High-priority items have been previously addressed. Moderate-priority actions will be managed with branch managers in Q3.</li></ul> <b>Organisational Improvement</b> <ul style="list-style-type: none"><li>Process reviews have commenced across several areas, including: AP Process, Names and Addresses Register, Swimming Pool Inspections, ELT Process.</li><li>Developing an approach to Process Improvement.</li><li>Corporate Document Management Framework under review, with updates to incorporate the Strategy and Plan Approach.</li></ul> <b>Insurance</b> <ul style="list-style-type: none"><li>Ongoing management of insurance claims. In partnership with LGIS, the team conducted a Public Liability Information Session with front-line staff in attendance.</li><li>Process mapping and work instructions development has commenced.</li></ul> <b>Integrated Planning and Reporting (IPR)</b> <ul style="list-style-type: none"><li>The SCP major review is progressing, and engagement findings were presented to Council.</li><li>Business Planning for 2025/26 is ongoing, with draft inputs and updated templates for services and projects under development.</li><li>Following a Council briefing, the Strategy and Plan approach is currently being developed.</li><li>The Annual Report 2023/24 draft was presented to ELT for review.</li><li>A new quarterly reporting process has been implemented, with two Lunch and Learn sessions held to support the process.</li><li>The Maylands Lakes Dashboard was developed and presented to the community.</li></ul> <b>Internal Audit</b> <ul style="list-style-type: none"><li>The Verge Bonds Audit is now complete.</li><li>Scoping for Project Eden has also been completed.</li></ul>
30	Project Management	Plan, deliver and manage significant infrastructure and asset projects (including recreation developments) within the City, in line with the City's Forward Capital Works Program and Budget.	30.1 - Project Management 30.2 - Recreation Development (Capital Works)	On-Track	The Project Services team carrying out the delivery of various projects across the City. The delivery of capital projects is progressing well, with 13 out of 15 projects on track and moving forward without any issues. Additionally, the Targeted Underground Power Program (TUPP) operating project is making good progress, with scoping and preliminary costing currently underway. However, the Project Management Framework review is currently on hold due to resource limitations, which has delayed its commencement.
31	Plant, Fleet and Equipment	Manage the City's fleet assets in accordance with, asset management priorities and relevant industry standards. Ensure effective, efficient, fit for purpose fleet, plant and equipment provided in accordance with, asset management priorities and relevant industry standards.	31.1 - Plant, Fleet and Equipment 31.2 - Depot operations	On-Track	Assets under the City's management are maintained in line with industry standards as part of service delivery.  During the first quarter, of the 35 planned fleet renewal and maintenance projects, 9 were completed within planned budget and timing.

2024/25 CBP OPERATING PROJECTS: QUARTERLY REPORTING				Reporting For: Qtr 1 - FY24/25
Project No.	Project Name	Project Description	Current Quarter Status	Current Quarter Comment
1	Unearthing the Truth - Dual Naming	Working collaboratively with Noongar peoples in the City of Bayswater to build trust, quality engagement and relationships. Informal yarning sessions to hear and understand the voices of Local Whadjuk Noongar people which will lead to cultural guiding materials and identify potential places and spaces for Dual Naming in the second year of the project.	On-Track	<p>Stage 2 of the project has evolved, with CAN expanding the scope of the place names initiative to incorporate cultural mapping and storytelling.</p> <p>Three storytelling sessions have been held to capture local stories and knowledge from local Elders and Traditional Owners, focusing on five significant sites.</p> <p>From September to December, a series of 12 cultural mapping workshops will take place to create artwork and develop content for a large-scale community event scheduled for March.</p>
28	Homelessness Consortium	In alignment with All Paths Lead to a Home: WA's 10-Year Strategy on Homelessness 2020–2030, the City will work in partnership sharing resources and integrate outreach services to provide tangible services to people experiencing homelessness in the City and provide strategic advocacy to support the end of homelessness	On-Track	<p>The City recently sought expressions of interest from specialist services to provide trial integrated outreach services within the City of Bayswater.</p> <p>The City is now finalising details to procure outreach services from service providers. These services will work collaboratively in an integrated model designed to deliver effective support throughout the 12-month trial period.</p>
2	Event Grants / Sponsorships	Encourage and support vibrant local community events that innovatively celebrate music, art, cultural diversity and our multicultural community. Promote and empower the community to take a lead role in projects that enhance and support local areas.	On-Track	<p>A total of 10 Community Event Grants were awarded in the first quarter of 2024, with a combined funding allocation of \$38,772.83.</p> <p>The funded events represent a diverse range of activities, including:</p> <ul style="list-style-type: none"> <li>• Multicultural celebrations</li> <li>• Women in STEM workshops and exhibitions</li> <li>• Exhibitions featuring artists living with disabilities</li> <li>• Community markets</li> <li>• Pride events</li> <li>• Wellness events</li> <li>• Indigenous art workshops to be included in the Flourish programming</li> </ul>
3	Local Events	The 2024/25 Community Activities Calendar aims to celebrate and integrate multiculturalism, arts and culture into City activities; maximise use of reserves; encourage social connections; and prevent social isolation through delivering events for and with community.	On-Track	<p>The scheduled events and agreements for the first quarter were successfully delivered including:</p> <ul style="list-style-type: none"> <li>• Citizenship ceremonies</li> <li>• North of Perth Music Festival</li> <li>• Funding for the WA Symphonic Wind Ensemble</li> </ul> <p>The City has modified its agreement with the WA Symphonic Wind Ensemble, shifting from direct funding to a fee waiver for venue hire. This change streamlines the process, providing more efficient support to the organisation.</p>



2024/25 CBP OPERATING PROJECTS: QUARTERLY REPORTING			Reporting For: Qtr 1 - FY24/25	
Project No.	Project Name	Project Description	Current Quarter Status	Current Quarter Comment
4	Signature Arts and Events	The 2024/25 Community Events Calendar aims to celebrate and integrate multiculturalism, arts and culture into City signature events; maximise use of reserve; encourage social connections; and prevent social isolation through delivering events for and with community. The calendar includes five City-led events, as well as the City of Bayswater Flourish Community Arts Festival, incorporating the Community Art Awards and Exhibition.	On-Track	The Avon Descent Finish Line Festival was successfully delivered on 11 August 2024, attracting approximately 4,000 attendees.  The event received overwhelmingly positive feedback from the community, with 99% of respondents rating the event as "Good or Excellent" in post-event surveys.
5	Library Programs - Children, Youth and Adult	Delivery of a suite of programs that support children, youth and adults through free recurring weekly and annual programs, fostering literacy development, promoting books, cultural awareness and engagement in an inclusive and accessible manner.	On-Track	The Library programs are on track and progressing according to expectations.  Children and Youth Programs: <ul style="list-style-type: none"><li>• Number of children and youth programs - 13</li><li>• Program attendance - 5,488</li><li>• Book Week attendance - 862</li><li>• Better Beginnings Bags distributed 419 (Yellow, orange &amp; Green)</li><li>• Outreach visits - 225 (people)</li></ul> Notable achievements and success stories: <ul style="list-style-type: none"><li>• Collaboration with the environment team to deliver special events such as Bobtail Storytime, Mini Beasts and Dangerous and Deadly Reptiles</li><li>• Special Saturday Storytimes: Dads and Doughnuts and Rainbow Storytime</li><li>• Fully booked Book Week program involving 5 local schools</li></ul> Adult Programs <ul style="list-style-type: none"><li>• Sessions held: 178 across 14 programs</li><li>• Program attendance: 1,399</li></ul> Key Highlights: <ul style="list-style-type: none"><li>• Increased tech help through weekly Digital Mentor sessions.</li><li>• Smart Home digital skills presentation had 23 attendees.</li><li>• Book launch of The King of San Francisco by local authors drew 48 attendees.</li><li>• Talitha Huston shared photography tips from her book Birds of the Perth Hills.</li><li>• Declutter Your House and Mind presentation offered practical tips at Morley Library.</li></ul>
6	Pilot External Lighting Audit	Conduct lighting audits across selected City reserves to analyse existing lighting conditions and infrastructure and determine potential improvements.	On-Track	Quatations have been sought to conduct a lighting audit. These quotes are currently under review for consideration, with the necessary funding approved within the budget.



2024/25 CBP OPERATING PROJECTS: QUARTERLY REPORTING				Reporting For: Qtr 1 - FY24/25
Project No.	Project Name	Project Description	Current Quarter Status	Current Quarter Comment
7	CCTV System Projects	Move the City's CCTV systems and infrastructure to a managed service provider. Implement a number of CCTV initiatives.	On-Track	Auditors have completed the audit and cloud network design for a managed CCTV system, presenting the findings to key internal stakeholders on 12 September 2024. The design was discussed on 26 September 2024, where it was requested to prioritise locations and cameras in case a staged approach becomes necessary.  The prioritisation process has commenced, and an implementation plan is expected to be presented to the ELT for consideration. Once the plan is approved, the tender process will begin.
8	Commercial Mosquito Control	Delivery of a commercial mosquito control service for other local governments treating wetland areas to assist in the reduction and management of mosquito populations.	On-Track	The City has entered into a new Service Level Agreement with the Town of Bassendean and is currently progressing a new agreement with the City of Perth for mosquito control services. City officers have obtained Remote Pilot Licences, enabling the commercial operation of drones to enhance mosquito control efforts.  Additionally, the City has been liaising with other local governments and the WA Department of Health to explore opportunities for taking on further mosquito control work.
9	Midge Control	Undertake midge trapping, monitoring, treatments and other controls around Maylands Lakes to help reduce the midge numbers.	On-Track	Treatments, raking and reporting have been undertaken as scheduled and information has been loaded on to Engage Bayswater under the Maylands Lakes tab each week . There is now a total of 16 midge traps around the Maylands Lakes.
10	Duress Systems	Work with service provider to ensure duress system infrastructure and software remains operational for the City, scheduled maintenance and calibration is implemented and a prioritised response to resolving issues is provided	On-Track	Hardware servicing and calibrations have commenced, and a report on the outcome is pending. A formal agreement is now in place. However, the process for notifying service areas about onsite maintenance activities needs improvement. Regular testing will be closely monitored to determine whether proactive maintenance efforts have enhanced system reliability.
11	Morley Streetscape	Finalisation of the Morley Activity Centre Streetscape Plan detailed design document – Russell Street – Typical Cross section.	Complete	The consultants provided the final documents and costings for the Morley Streetscape project in August 2024.  The Morley Streetscape plan created 'shovel ready' detailed designs and costings for upgrades to Russell Street between Broun Avenue and Rudloc Road. The City will seek external funding for implementation of the designs.
12	Morley Station Precinct Structure Plan	Build on the strategic vision of the Concept Master Plan and progress the key strategies. Prepare a Precinct Structure Plan and supporting technical studies.	On-Track	In September, the City received a draft version of the structure plan. It is currently under review by internal stakeholders from both the City and the Department of Planning. The plan is anticipated to be presented to Council for consideration in early 2025.
13	Biodiversity Management	Ongoing proactive management and trapping of vertebrate pests, including rabbits and foxes, to preserve biodiversity and reduce the risk of the extinction of quenda and other fauna assets. In order to increase awareness within the community relating to the protection of biodiversity, the City will promote responsible cat ownership through education, awareness and initiatives.	On-Track	The program is on-track with current vertebrate pest control measures in place, these are conducted by the City's contractor to manage the trapping of foxes and cats.

2024/25 CBP OPERATING PROJECTS: QUARTERLY REPORTING			Reporting For: Qtr 1 - FY24/25	
Project No.	Project Name	Project Description	Current Quarter Status	Current Quarter Comment
14	Maylands Lakes Environment Restoration	Support the ongoing running of the Scientific Advisory Panel. The objective of the panel is to provide advice on the management of the lakes' health and develop the Maylands Lakes Masterplan. Support the ongoing interim water quality monitoring and trial water treatments to ensure cyanobacteria levels are managed, and watering does not impact on the public or workers.	On-Track	The City has achieved the following this quarter: <ul style="list-style-type: none"> <li>Continued the ongoing water quality monitoring program.</li> <li>Held the second community forum.</li> <li>Appointed two new members to the Scientific Advisory Panel.</li> <li>Managed midge populations through larvicide application and raking.</li> <li>Maintained the water mixers and ultrasonic units.</li> <li>Undertook revegetation efforts and installed sedge plants.</li> <li>Carried out general environmental maintenance.</li> </ul>
15	Plants to Residents	Delivery of the Plants to Residents program. Residents are encouraged to enhance the City's biodiversity and tree canopy by purchasing waterwise native shrubs, groundcovers and trees at a reduced rate.	On-Track	A wide range of native plants and trees are made available for purchase at a subsidised price for City residents to help reduce their water use, enhance biodiversity and increase tree canopy in the City by adding these species to their gardens. This program is delivered in Q4
16	Implementation of Economic Development Activities	Implementation of activities identified in the Interim Economic Development Strategy, including business support activities and the promotion of economic development opportunities within the City. From 2025/26, activities will be guided by the new Economic Development Strategy (to be delivered 2024/25).	On-Track	The City has developed advocacy documents for the five key priority projects and is currently working on a combined booklet to consolidate these efforts.  Additionally, the City supported two applicants through the Curtin Ignition program, helping them enhance and grow their businesses.
17	New Economic Development Strategy	Develop the Economic Development Strategy, shaping the direction of economic development for the next five years. The new Economic Development Strategy will be developed in consultation with local businesses.	On-Track	The City has engaged a consultant to develop the Economic Development Strategy. Business engagement for the strategy is scheduled to begin on 7 October 2024 and conclude on 11 November 2024.
18	Profile ID Subscription	Subscription to external demographics resources and forecasting service to enable accurate and consistent use of demographic statistical analysis across the organisation. The subscription will provide community profile and economic profile data presented via a public webpage maintained by Profile ID which can be accessed by City officers and community members.	Complete	The project has now been completed, with the webpage created and publicly available.

2024/25 CBP OPERATING PROJECTS: QUARTERLY REPORTING			Reporting For: Qtr 1 - FY24/25	
Project No.	Project Name	Project Description	Current Quarter Status	Current Quarter Comment
19	Banner Maintenance	Maintenance of the town centre banners in Morley, Maylands and Bayswater.	On-Track	The City's banners are continued to be maintained as required.  The City is currently seeking quotes to remove damaged banners on Guildford Road, Maylands.
20	City-Led Activation	City-led place activations in the town centres and Bedford shopping precincts. Projects to be determined in consultation and partnership with local businesses and community	On-Track	<p>Graffiti Education Course: Based on community feedback, the City has applied for a grant from the Criminal Justice Department to run an education course aimed at reducing graffiti in the town centre. Feedback on the grant application is expected in early 2025.</p> <p>Street Furniture Installation: The City secured funding from the Streets Alive grant program to install street furniture along Beechboro Road in the northern section of the town centre. In partnership with 3.8 Baysie, additional street furniture will be placed, including tables and seating, to enhance alfresco dining opportunities for local businesses.</p> <p>Branding Study Partnership: The City is collaborating with the Bayswater Traders Association to provide funding for a town centre branding study.</p> <p>NAIDOC Mural Project: A partnership with the Galleria shopping centre will see a NAIDOC mural installed on an external wall, with the project scheduled to commence in early October.</p> <p>Feed Me Morley Campaign: Building on last year's success, the City is preparing the 'Feed Me Morley' town centre marketing campaign for early 2025. This year's campaign will focus on promoting local food businesses and includes a partnership with a food tours company to visit participating venues.</p> <p>Planter Box Trial in Bedford: The City is working with businesses along Walter Road West to trial the use of planter boxes. Existing planter boxes are being repurposed to ensure placement does not obstruct parking or business access.</p> <p>Health and Wellbeing Campaign: The City is partnering with Hawaiian Shopping Centre to develop a marketing campaign focused on promoting the town centre's health and wellbeing businesses.</p>
21	Digitising Archives	Digitisation of 85,000 hard copy plans in line with State Records Act 2000 and PRIS legislation	On-Track	The digitisation of hardcopy plans is progressing. EOI issued and two submissions received and being evaluated. Only signifacnt issue is costs submitted far exceed Budget allocation. Memo going to ELT seeking additional funding to progress the program.
22	Information Security Action Plan – Cyber Security	Enhancement of the City's cyber security position	On-Track	<p>The City has successfully implemented Microsoft Data Loss Prevention (DLP) across its operations to safeguard sensitive information and ensure compliance. This initiative covers key cloud service repositories, including Microsoft 365, SharePoint Online, OneDrive for Business, and Microsoft Teams.</p> <p>Next steps include:</p> <ul style="list-style-type: none"> <li>• Initiating sample reporting to ELT.</li> <li>• Collaborating with the PRIS implementation team and following recommendations from the OAG.</li> <li>• Working closely with PRIS champions and the information management coordinator to enhance DLP capabilities and align with ongoing compliance efforts.</li> </ul>

2024/25 CBP OPERATING PROJECTS: QUARTERLY REPORTING			Reporting For: Qtr 1 - FY24/25	
Project No.	Project Name	Project Description	Current Quarter Status	Current Quarter Comment
23	Eden Project	Undertake Phase 2 (Migrate to CIA) with further detailed planning to migrate the Core Suite modules from the CI to the modern CIA versions on a like-for-like basis.	On-Track	<p>In the last quarter, the team focused on implementing eServices Drop 1, which introduced Rates Smoothing to alleviate pressure on the finance team. This feature allows ratepayers to set up their own direct debits online, streamlining the payment process.</p> <p>Work is now underway on eServices Drop 2, which aims to enable online building application submissions and payments, including secure payments via phone through NAB's securePAY network.</p> <p>To align with the City's strategic goal of S10, 'Annual Upgrades to Latest Release,' the team prioritised uplifting testing collateral to facilitate the upgrade from 2023b to 2024a, ensuring the City remains on a fully supported software platform.</p> <p>Currently, efforts are focused on enhancing the Core TechOne product by migrating to CiAnywhere to leverage future improvements. As part of the due diligence process, the team is engaging with other councils that have successfully implemented CiAnywhere to gather insights and lessons learned, which will guide the City of Bayswater in its own transition to the enhanced Core platform.</p>
24	Baynet Intranet Renewal	Establish an improved City Intranet (Baynet) that is a secure, user-friendly, accurate and reliable source of organisational information with improved internal communications functionality and use.	On-Track	<ul style="list-style-type: none"> <li>• A contract has been established with the contractor, and project meetings are now underway.</li> <li>• Information Architecture and Visual Design Workshops have been successfully conducted.</li> <li>• A memo was sent to ELT and Managers requesting the nomination of a Baynet Branch Advocate to serve as a liaison with the PP&amp;R team.</li> <li>• The Baynet Refresh Survey, aimed at gathering staff feedback to inform the project, has been completed.</li> <li>• The PP&amp;R team is working closely in consultation with DSS to align project objectives.</li> <li>• An Intranet Governance Plan is currently in development.</li> </ul>
25	Strategic Community Plan Major Review	The development of the City's Strategic Community Plan 2025 – 2035, the top-tier strategic document that articulates the City's vision, values, aspirations, and priorities aligned to a sustainable, deliverable long-term strategy, to guide all subsequent City planning and decision making.	On-Track	<ul style="list-style-type: none"> <li>• SCP "ShapeBaysie" Community Consultation project findings report completed and presented to ELT and Council.</li> <li>• A Manager SCP Survey was conducted along with operating context research. Findings combined into an Operating Context Scan report to inform Council and ELT review of the SCP.</li> <li>• ELT direction received to amend Project Plan and Timeline.</li> <li>• Workshops for ELT and Council have been rescheduled for late October, November, December and February.</li> </ul>
26	Project Management Framework Review	Review and update, as required, the City's project management framework templates to align with current process and delivery methods.	On-Hold	The Project Services team is preparing to develop the Project Management Framework. This project will be delivered in partnership with the Planning, Performance and Risk team.
27	Targeted Underground Power Program (TUPP)	Partnering with Western Power and residents in the suburb of Bayswater to deliver safer electricity, improved reliability, reduced maintenance costs and enhanced streetscapes and visual amenity.	On-Track	The project is progressing with scoping and preliminary cost estimates around Morley and Bedford project areas underway.

2024/25 CAPITAL PROGRAMS: QUARTERLY REPORTING					EXPENDITURE (\$ INCL. PWOHs)			REVENUE ALLOCATIONS (\$)	Reporting For: Qtr 1 - FY24/25	
Capital Program No.	Program Name	Project or Program	Sub-Program	Project Short Description	Total Budget Allocation (including PWOHs)	Budget Year to Date	Actual Year to Date	Contributions / Grants	Current Quarter Status	Current Quarter Comment
1	Recreation Centres Upgrade and Renewal	Program	Sub-Program: • Bayswater Waves Renew and Upgrade Program (No. Projects: 5) • Morley Sport and Rec Renew and Upgrade Program (No. Projects: 2) • The RISE Renew and Upgrade Program (No. Projects: 1)	Total No. of Projects within Program: 8	\$ 1,211,250.00	\$ 10,563.00	\$ 130.00	Nil	On-Track	<b>Recreation Centres Upgrade and Renewal – Program Summary</b>  Project Count: 8 projects  Status Breakdown: • Complete: 1 projects • On-Track: 7 projects  Key Observations: • Planning Stage Projects: Several Bayswater Waves projects (e.g., 25m Pool Valves renewal, Spa Pipework redesign) are progressing through initial planning and scoping. • Procurement Processes Ongoing: Roofing renewal projects and external wall sheeting for Bayswater Waves are awaiting tender outcomes. Weather conditions and delivery timelines are noted as potential risks. • Progress in Procurement: Morley Sport and Rec – Wellington Room Air Ducts: Programming of works to begin in November. • Re-roof Stage 4 & 5 – Stage 1: Procurement and tender processes are underway.
2	Building Program	Program	Sub-Program: • Aged Persons Homes (No. Projects: 2) • Community Building Renew and Upgrade Program (No. Projects: 27) • Civic Centre Renew and Upgrade Program (No. Projects: 2) • Library Renewal and Upgrade Program (No. Projects: 2) • Paddy Walker Works Depot Renew and Upgrade Program (No. Projects: 3) • SES Headquarters Renewal and Upgrade Program (No. Projects: 1)	Total No. of Projects within Program: 37	\$ 2,316,386.00	\$ 62,000.00	\$ 109,991.85	Contributions / Grants: • TBC - SES? (% Grant Funded: 100%) • Ellis House Art Centre - contribution (% Grant Funded: 25%) • WA Youth Jazz Orchestra (WAYJO) - contribution (% Grant Funded: 30.63%) • West Coast Model RC - contribution (% Grant Funded: 45.46%) • Bedford Morley Men's Softball Club - contribution (% Grant Funded: 41.66%)	On-Track	<b>Building Program – Summary</b>  Total Projects: 37  Status Breakdown: • Complete: 4 • On-Track: 33  Key Observations: • Procurement and Planning: Many projects are still in early design or procurement stages, with expected completion in mid-2025. These include air conditioning, flooring replacements, and security upgrades. • Dependency on External Factors: Some projects, such as Olive Tree House upgrades, are waiting for external plans to finalise before proceeding. • Funding and Approvals: The SES Headquarters floor covering replacement is awaiting DEFES funding, and the Noranda Soccer Changeroom upgrade is pending development approval.
3	Drainage Renewal and Upgrade	Program	Sub-Program: • Drainage Upgrade and Renewal Program (No. Projects: 1)	Total No. of Projects within Program: 1	\$ 66,125.00	\$ 6,612.00	\$ -	Nil	On-Track	<b>Drainage Renewal and Upgrade Program – Summary</b>  Total Projects: 1  Status Breakdown: • On-Track: 1  Key Observations: • No issues have been reported at this stage. The program is proceeding smoothly, with no delays anticipated. • Designs are being actively worked on, and all project components are on-track to meet their completion deadlines by June 30, 2025. • Next steps include progressing to construction phases upon design completion.
4	Pathways Extension and Upgrade	Project	Pathway Expansion Program	New pathway (local Access) - Illingbridge Street from Spruce Road to Bagden Place	\$ 45,000.00	\$ 22,500.00	\$ -		On-Hold	Community consultation raised significant objections. Two multi-signatory letters were submitted, one in support and one opposed. The matter will be presented to Council at the October OCM.
4	Pathways Extension and Upgrade	Project	Pathway Expansion Program	New pathway (local Access) - Mahogany Road from Hakea Court to Banksia Road	\$ 17,000.00	\$ 8,500.00	\$ -		On-Hold	Some objections were raised during consultation. These are under evaluation.
4	Pathways Extension and Upgrade	Program	Sub-Program: • Pathway Expansion Program (No. Projects: 10)	Total No. of Projects within Program: 10	\$ 948,213.00	\$ 347,300.00	\$ 10,849.04	Contributions / Grants: • Department of Transport (% Grant Funded: 50%)	On-Hold	<b>Pathways Extension and Upgrade Program – Summary</b>  Total Projects: 10  Status Breakdown: • On-Track: 8 • On-Hold: 2  Key Observations: • Ongoing objections have put two projects on hold, with Council involvement required to move forward. • Many projects are either in construction or have completed consultation, with some expected to finish ahead of schedule (e.g., Beechboro Road North).
5	Other Transport Renewal and Upgrade	Project	Bus Shelter Renewal, Upgrade and New Program	1) Bus Shelter no 28828 upgrade, Garratt Road 2) Bus Shelter no 11589 upgrade, Morley Drive	\$ 32,256.00	\$ 3,225.00	\$ -		On-Hold	Multi-level project, 1 sub-project being discontinued and 1 sub-project currently on-hold.  1) Bus Shelter no 28828 upgrade, Garratt Road – Public Transport Authority advised that the bus stop is discontinued and no longer operational. The project will be discontinued. 2) Bus Shelter no 11589 upgrade, Morley Drive - Affected by the Morley/Bath upgrade, with the bus stop scheduled for relocation.
5	Other Transport Renewal and Upgrade	Program	Sub-Program: • Bus Shelter Renewal, Upgrade and New Program (No. Projects: 2) • Traffic Management Devices (No. Projects: 1)	Total No. of Projects within Program: 3	\$ 124,040.00	\$ 12,404.00	\$ 3,538.98	Contributions / Grants: • PTA's Bus Shelter Subsidy Program (BSSP) (% Grant Funded: 44.64%)	On-Hold	<b>Other Transport Renewal and Upgrade Program – Summary</b>  Total Projects: 3  Status Breakdown: • On-Track: 2 • On-Hold: 1  Key Observations: • Some shelters are facing land space constraints (e.g., Beaufort Street and Russell Street shelters), which may affect design outcomes. • External dependencies are influencing progress, such as the Morley/Bath intersection upgrade impacting the Morley Drive shelter. • Despite the challenges, traffic management improvements and the Doyle Street pathway are advancing well. • Coordination with PTA and other external parties is crucial to progress, especially for shelters affected by land constraints and road upgrades.
6	Street Lighting Renewal and Upgrade	Program	Sub-Program: • Street Lighting Renewal, Upgrade and New Program (No. Projects: 1)	Total No. of Projects within Program: 1	\$ 303,481.00	\$ 30,348.00	\$ 1,149.59	Nil	On-Track	<b>Street Lighting Renewal and Upgrade Program – Summary</b>  Total Projects: 1  Status Breakdown: • On-Track: 1  Key Observations: • The project is awaiting design inputs from Western Power (WP) to proceed. • Quoting process has been reinitiated through WP to support the next phases, including construction and handover.

2024/25 CAPITAL PROGRAMS: QUARTERLY REPORTING					EXPENDITURE (\$ INCL. PWOHs)			REVENUE ALLOCATIONS (\$)	Reporting For: Qtr 1 - FY24/25	
Capital Program No.	Program Name	Project or Program	Sub-Program	Project Short Description	Total Budget Allocation (including PWOHs)	Budget Year to Date	Actual Year to Date	Contributions / Grants	Current Quarter Status	Current Quarter Comment
7	Car Park Renewal and Upgrade	Project	Carpark Renew, Upgrade and New Program	Waterland Carpark Expansion	\$ 150,000.00	\$ 19,500.00	\$ -		On-Hold	Project held up until completion of Traffic survey. This is scheduled to take place between Dec 2024 and Jan 2025.
7	Car Park Renewal and Upgrade	Program	Sub-Program: • Carpark Renew, Upgrade and New Program (No. Projects: 6)	Total No. of Projects within Program: 6	\$ 737,960.00	\$ 19,500.00	\$ -	Nil	On-Hold	<b>Car Park Renewal and Upgrade Program – Summary</b>  Total Projects: 6  Status Breakdown: • On-Track: 5 • On-Hold: 1  Key Observations: • The program is primarily in the design phase, with many projects progressing toward completion within the targeted timeline of June 2025. • The Waterland Carpark Expansion has had its progress delayed until the traffic survey is completed, scheduled for December 2024 to January 2025. • Compliance and redesign challenges experienced by the Upper Hillcrest Reserve carpark, which may need a redesign due to disability access issues.
8	Road Renewal and Upgrade	Program	Sub-Program: • Intersection Rehabilitation and Upgrade Program (No. Projects: 2) • Road Rehabilitation Program MRRG (No. Projects: 3) • Road Resurfacing Program (No. Projects: 17) • Road Resurfacing Program R2R (No. Projects: 4)	Total No. of Projects within Program: 26	\$ 1,569,458.00	\$ 100,595.00	\$ 23,799.46	Contributions / Grants: • Blackspot (% Grant Funded: 67%) • Direct Grant \$250k pa (% Grant Funded: 100%) • MRRG 2/3 funding excl Overheads (% Grant Funded: 60%) • Base Grant (% Grant Funded: 100%) • R2R (% Grant Funded: 100%)	On-Track	<b>Road Renewal and Upgrade Program – Summary</b>  Total Projects: 26  Status Breakdown: • On-Track: 26  Key Observations: • Many resurfacing projects are scheduled to commence between late 2024 and early 2025, such as: • Some resurfacing projects (e.g., Camboon Road, Crimea Street) are awaiting MRRG funding variations based on contractor quotes. • Projects such as Noranda Avenue, Paine Road, and Farmfield Way have drainage work underway, supporting timely completion.
9	Natural Reserves Renewal and Upgrade	Project	Natural Reserves Renew, Upgrade and New Program	New Lightning Park Limestone Path stage 2 (Fire management)	\$ -	\$ -	\$ -	DFES	Discontinue	DFES funding unavailable due to changes in funding criteria, excluding limestone pathways and firebreaks. The project will not proceed this financial term.
9	Natural Reserves Renewal and Upgrade	Project	Natural Reserves Renew, Upgrade and New Program	Rudloc Reserve Transformation Stage 2a	\$ -	\$ -	\$ -	Water Corporation Drainage for Liveability Program and DBCA's Iconic Program	Discontinue	DBCA withdrew its \$500,000 funding. The item will be considered through the mid-year budget review process.
9	Natural Reserves Renewal and Upgrade	Program	Sub-Program: • Natural Reserves Renew, Upgrade and New Program (No. Projects: 4)	Total No. of Projects within Program: 4	\$ 125,000.00	\$ -	\$ -	Contributions / Grants: • DFES (% Grant Funded: 100%) • Water Corporation Drainage for Liveability Program and DBCA's Iconic Program (% Grant Funded: 100%) • Commonwealth Urban Rivers Funding (% Grant Funded: 100%)	On-Track	<b>Natural Reserves Renewal and Upgrade Program – Summary</b>  Total Projects: 4  Status Breakdown: • On-Track: 2 • Discontinued: 2  Key Observations: • The Rudloc Reserve project is experiencing delays, requiring the City and Water Corporation to explore other funding options as the DBCA withdrew its proposed \$500,000 funding. Report to be submitted to ELT to secure approval and direction. • Lightning Park Limestone Path project will not proceed this financial term due to external funding limitations as the DFES funding criteria changed, which excluded pathways and firebreaks from eligible criteria. • Despite funding challenges, community engagement and planning are active for both the Maylands Lakes and Tranby Riverbank projects.
10	Waste Transfer Station Renewal	Project	Waste Transfer Station Renewal and Upgrade Program	Waste Transfer Station – minimal refurbishment and structural repairs	\$ 1,000,000.00	\$ -	\$ -		On-Hold	The strategic long-term plan for the site is yet to be determined and therefore the money has not been allocated to specific items yet. However, Council have been made aware of the structural issues at the site and the extent of the repairs conducted by the City will be dependent on the outcome of the pending EOI (released October). The project will remain on-hold until the next steps have been determined and the budget can be allocated accordingly.
10	Waste Transfer Station Renewal	Program	Sub-Program: • Waste Transfer Station Renewal and Upgrade Program (No. Projects: 1)	Total No. of Projects within Program: 1	\$ 1,000,000.00	\$ -	\$ -	Nil	On-Hold	<b>Waste Transfer Station Renewal Program – Summary</b>  Total Projects: 1  Status Breakdown: • On-Hold: 1  Key Observations: • The outcome of an EOI process (released in October) will determine the next steps for repairs and budget allocation. • Council has been informed of the structural issues, and the repairs will proceed once the EOI results are received and the long-term plan is finalised. • The project will remain on hold until further decisions are made following consultation and the EOI outcome.
11	Parks and Playground Renewal and Upgrade	Program	Sub-Program: • Public Bin Renew and Upgrade Program (No. Projects: 1) • Playground Renew, Upgrade and New Program (No. Projects: 2) • Park Renew, Upgrade and New Program (No. Projects: 4)	Total No. of Projects within Program: 7	\$ -	\$ -	\$ -	Contributions / Grants: • Metronet (% Grant Funded: 100%)	On-Track	<b>Parks and Playground Renewal and Upgrade Program – Summary</b>  Total Projects: 7  Status Breakdown: • On-Track: 7  Key Observations: • Metronet Partnership: The Mills Avenue Pocket Park project is progressing efficiently, with most work handled by Metronet. • Infrastructure Audits: The Public Bin Renewal Program relies on audits and engagement with contractors to finalise the infrastructure renewal plan. • Contractor Availability and Budget Constraints: Projects like the Public Bin Renewal may encounter challenges related to weather, budget, and stakeholder engagement.



2024/25 CAPITAL PROGRAMS: QUARTERLY REPORTING					EXPENDITURE (\$ INCL. PWOHS)			REVENUE ALLOCATIONS (\$)	Reporting For: Qtr 1 - FY24/25	
Capital Program No.	Program Name	Project or Program	Sub-Program	Project Short Description	Total Budget Allocation (including PWOHS)	Budget Year to Date	Actual Year to Date	Contributions / Grants	Current Quarter Status	Current Quarter Comment
12	Irrigation Renewal and Upgrade	Program	Sub-Program: • Irrigation and Bore Pump Renewal Program (No. Projects: 4)	Total No. of Projects within Program: 4	\$ 532,077.00	\$ 50,551.00	\$ 29,114.52	Nil	On-Track	<b>Irrigation Renewal and Upgrade Program – Summary</b>  Total Projects: 4  Status Breakdown: • On-Track: 4  Key Observations: • All projects are in the initial planning and ordering phase with 5% progress. • All projects marked as on track for target completion date of 01/06/2025.
13	Streetscapes and Tree Planting	Program	Sub-Program: • Streetscape and Tree Planting Program (No. Projects: 2)	Total No. of Projects within Program: 2	\$ 300,000.00	\$ 50,000.00	\$ -	Nil	On-Track	<b>Streetscapes and Tree Planting Program – Summary</b>  Total Projects: 2  Status Breakdown: • On-Track: 2  Key Observations: • Both projects are in early preparation stages, with planting activities planned to align with seasonal conditions for optimal outcomes. • Project initiation is tied to the completion of the current planting season, with no further risks reported at this stage.
14	Technology and Equipment Renewal and Upgrade	Project	Asset and Mapping Device and Network Infrastructure (ICT) Replacement Program	Duress Devices expansion to Civic front counter	\$ 5,000.00	\$ -	\$ -		On-Hold	Front counter staff reported that a risk assessment found no further work needed. The project may be discontinued.
14	Technology and Equipment Renewal and Upgrade	Project	Asset and Mapping Device and Network Infrastructure (ICT) Replacement Program	Replace Network Infrastructure - Civic Centre - UP2 - Server Room - GIS-UPS.bayswater.wa.gov.au	\$ 22,000.00	\$ 22,000.00	\$ -		On-Hold	Awaiting information from DSS on the current UPS status and specifications due to change of circumstance since project identification that may require rescoping of this project.
14	Technology and Equipment Renewal and Upgrade	Program	Sub-Program: • Sport and Recreation ICT and Equipment Renew, Upgrade and New Program (No. Projects: 3) • Library Services - ICT Equipment Replacement Program (No. Projects: 1) • Environmental Health Equipment Renew, Upgrade and New Program (No. Projects: 1) • Rangers and Security Equipment Renewal Program (No. Projects: 1) • Asset and Mapping Device and Network Infrastructure (ICT) Replacement Program (No. Projects: 2) • Information Services Device and Network Infrastructure (ICT) Replacement Program (No. Projects: 3) • ICT Renew and Upgrade Program (No. Projects: 1)	Total No. of Projects within Program: 12	\$ 1,357,753.00	\$ 384,741.00	\$ -	Nil	On-Hold	<b>Technology and Equipment Renewal and Upgrade Program – Summary</b>  Total Projects: 12  Status Breakdown: • On-Track: 10 • On-Hold: 2  Key Observations: • Several projects, including the Council Chambers upgrade, are in active procurement stages, ensuring system upgrades are aligned with future needs. • Multiple network upgrades and device replacements are underway to improve infrastructure reliability. • Installation of visitation monitors is deferred until after the busy summer period. • The duress device expansion to the Civic Front Counter is under review following a risk assessment, which indicated no further work is required. • The UPS replacement at the Civic Centre is pending specification confirmation from DSS, with potential rescoping needed due to changed circumstances.
15	Sports Park Infrastructure	Project	Sport Park Infrastructure Renew, Upgrade and New Program	Grand Promenade court refurbishment - old courts	\$ 100,000.00	\$ -	\$ -		On-Hold	Pending outcome of other investigations (OCM 27 Aug 2024, item 14.1.2).
15	Sports Park Infrastructure	Program	Sub-Program: • Sport Park Infrastructure Renew, Upgrade and New Program (No. Projects: 4)	Total No. of Projects within Program: 4	\$ 434,000.00	\$ -	\$ -	Nil	On-Hold	<b>Sports Park Infrastructure Program – Summary</b>  Total Projects: 4  Status Breakdown: • On-Track: 3 • On-Hold: 1  Key Observations: • Multiple projects are at 20% completion and are actively seeking quotations to proceed. • The Joan Rycroft Goals renewal is under provision review to ensure the project meets current and future needs. • Investigations are required to confirm the next steps before refurbishment can proceed for Grand Promenade Courts following outcome of OCM meeting on 27 August 2024.
16	Riverside Gardens Urban Forest	Program	Sub-Program: • Parks and Reserve Redevelopment Program (No. Projects: 1)	Total No. of Projects within Program: 1	\$ -	\$ -	\$ -	Contributions / Grants: • Grant funding (% Grant Funded: 100%)	On-Track	<b>Riverside Gardens Urban Forest – Summary</b>  Total Projects: 1  Status Breakdown: • On-Track: 1  Key Observations: • The project is advancing according to plan, with the tender process underway to secure contractors for the next phase • Progress is dependent on receiving and evaluating tenders promptly to avoid delays in progress.
17	Low-Cost Urban Road Safety (LCURS)	Program	Sub-Program: • LCURS - Road Safety Treatments (No. Projects: 1)	Total No. of Projects within Program: 1	\$ -	\$ -	\$ -	Contributions / Grants: • LCURS (% Grant Funded: 100%)	On-Track	<b>LCURS - Road Safety Treatments Program - Summary</b>  Total Projects: 1  Status Breakdown: • On-Track: 1  Key Observations: • The project is making good progress, with half of the planned work completed so far. • Contractor appointment is the next critical step to proceed with construction in the Shearn Park area.



2024/25 CAPITAL PROGRAMS: QUARTERLY REPORTING					EXPENDITURE (\$ INCL. PWOHs)			REVENUE ALLOCATIONS (\$)	Reporting For: Qtr 1 - FY24/25	
Capital Program No.	Program Name	Project or Program	Sub-Program	Project Short Description	Total Budget Allocation (including PWOHs)	Budget Year to Date	Actual Year to Date	Contributions / Grants	Current Quarter Status	Current Quarter Comment
18	Plant, Fleet and Equipment Renewal and Upgrade	Program	Sub-Program: • Plant and Fleet Renewal Program (No. Projects: 1)	Total No. of Projects within Program: 1	\$ 1,729,476.00	\$ 121,063.00	\$ 300,483.59	Nil	On-Track	Plant, Fleet, and Equipment Renewal and Upgrade Program - Summary  Total Projects: 1  Status Breakdown: • On-Track: 1  Key Observations: • Several equipment replacements have been completed, including multiple sedans, wagons, trailers, and Utes. • Some equipment is still under evaluation, awaiting stakeholder input to finalise replacement options. • A few key items, such as spray rigs and trucks, are in progress with suppliers, awaiting delivery. • Proactive follow-up with suppliers will ensure timely delivery and prevent operational delays.

2024/25 CEO KPI: QUARTERLY REPORTING						Reporting For: Qtr 1 - FY24/25	
CEO KPI No.	CEO KPI / Goal	Deliverable No.	Deliverable / Outcome	Measurement of Success	Responsible Service Area	Current Quarter Status	Current Quarter Comment
1	Lead improved organisational change	1	<ul style="list-style-type: none"><li>Continue to improve Asset Management Plans to support the FCWP</li></ul>	<ul style="list-style-type: none"><li>Asset Conditions Survey to continue to inform Asset Management Planning and FCWP.</li><li>Implement a process that integrates project requests for new capital items into the FCWP and LTFP, as part of the annual business planning and budgeting process. R6</li></ul>	Asset Management and Mapping	On-Track	<p>A condition data improvement plan will be developed to establish timelines and actions for enhancing condition data and its application within the FCWP. The aim is to implement most of the improvements in alignment with the infrastructure revaluation, which mandates that all infrastructure assets undergo condition surveys by 30 June 2027. Currently, there are limited documented guidelines, processes, or tools to effectively conduct condition surveys. The Asset team will prioritise the development of the improvement plan and systematically implement the necessary actions.</p> <p>The process for submitting new requests to the FCWP is currently underway, with a deadline of 1 November 2024 for managers to submit their requests. At present, 238 new or modified requests have been received, with a total value of \$15.5 million. Solution investigations are underway to determine how these requests are evaluated and integrated within the existing program.</p>
1	Lead improved organisational change	2	<ul style="list-style-type: none"><li>Overarching Strategy and Plan Approach</li></ul>	<ul style="list-style-type: none"><li>Review and implement a revised overarching approach to managing the Council's Informing Strategies and Plans.</li></ul>	Planning, Performance and Risk	On-Track	<p>The Corporate Document Management Framework has been updated to reflect the ELT's approval of the Strategy and Plan approach. This update will be communicated to managers and staff during quarter 2.</p> <p>Meetings have been held with managers currently preparing or reviewing strategies and plans to inform them of the new approach.</p> <p>The status of current strategies and plans is being analysed, and a proposed timeline for their review will be presented to the ELT during quarter 2. Additionally, Strategy and Plan templates will be developed during quarter 2.</p>
1	Lead improved organisational change		<ul style="list-style-type: none"><li>Review and develop Strategic Community Plan</li></ul>	<ul style="list-style-type: none"><li>Major Review of the Strategic Community Plan completed and presented to Council by 30 June 2025.</li></ul>	Planning, Performance and Risk	On-Track	<p>The SCP "ShapeBaysie" Community Consultation project findings report has been completed and presented to the ELT and Council.</p> <p>A Manager SCP Survey and Operating Context research were conducted, with the findings combined into an Operating Context Scan report to support Council and ELT review of the SCP.</p> <p>The ELT provided direction to amend the Project Plan and Timeline.</p> <p>Workshops for the ELT and Council have been rescheduled for late October, November, December, and February.</p>
2	Lead property and economic development	1	<ul style="list-style-type: none"><li>New Economic Development Strategy</li><li>Ensure the ongoing implementation of the Land Acquisition and Disposal Strategy</li></ul>	<ul style="list-style-type: none"><li>Provide Council with a draft Economic Development Strategy for consideration.</li><li>Quarterly updates against the delivery of the strategy.</li></ul>	Economic Development	On-Track	<p>The City is currently working on the Economic Development Strategy, with business engagement set to commence in October.</p> <p>At the Ordinary Council Meeting held on 27 August 2024, the Council supported engaging a consultant to develop a concept plan for the Les Hansman Community Centre. The City has sought quotes from companies to undertake the work and is finalising the procurement process.</p> <p>At the Ordinary Council Meeting held on 24 September 2024, the Council supported initiating an Expression of Interest (EOI) process to assess the market for an after-school care service at Gibbney Reserve. The service will involve the design, construction, and operation of facilities to support the Maylands Peninsula Pre-Primary. The City is now developing the EOI.</p>
3	Prioritise and support the achievement of increasing the City's tree canopy targets	1	<ul style="list-style-type: none"><li>Provide Council with reports and recommendations, as required, to work towards meeting the City's tree canopy targets</li><li>Consider new and review existing practices in meeting tree canopy targets.</li></ul>	<ul style="list-style-type: none"><li>Initiatives to increase tree canopy are considered as part of the integrated business planning and budgeting process.</li><li>The City will seek to develop collaborative partnerships with State Government to include new tree planting in major city redevelopment projects.</li><li>Reviewed practices around (or about) tree canopy.</li></ul>	Parks and Gardens	On-Track	<p>The City is currently working on the Urban Forest Implementation Plan, which will be presented to a Council briefing in December for information. This plan will outline how the City aims to deliver the project over a 10-year period using data extracted from LiDAR and thermal imagery.</p> <p>The latest LIDAR results indicate that the City's overall canopy cover is currently 14.48%, with a target of 20% by 2030. Over the next month, further analysis and detailed planning will focus on how the City can achieve this target.</p>
3	Prioritise and support the achievement of increasing the City's tree canopy targets	2	<ul style="list-style-type: none"><li>Encourage the community and promote the benefits of how the community can help to increase the tree canopy within the City of Bayswater.</li></ul>	<ul style="list-style-type: none"><li>Encourage the community through communication and marketing on how they participate in increasing the City's urban tree canopy.</li><li>Promote participation in environmental programs and information workshops such as the 'Plants to Residents' initiative.</li><li>Provide quarterly progress updates on initiatives and projects the City is delivering to support increasing the tree canopy.</li></ul>	Parks and Gardens	On-Track	<p>Parks and Environment are forming a working group with Environment House and the Bayswater Tree Canopy Advocates with the intent to run several events throughout the year promoting the benefits of street trees.</p> <p>The City is also in the early stages of planning a workshop with a guest celebrity gardener to assist in the promotion of the event.</p>
4	Project EDEN	1	<ul style="list-style-type: none"><li>Continue to deliver Project EDEN.</li></ul>	<ul style="list-style-type: none"><li>Upgrade of CES to enable future enhancements (Ci to CiA) (Finance / Supply Chain Management / HRPAY).</li><li>Property and Rating - Phase 1 - Implement Customer Request Management system.</li></ul>	Digital Solutions and Services	On-Track	<p>The team is enhancing the testing collateral by developing Test Scenarios and repeatable testing processes to evaluate 1,190 test scenarios across 53 testers. This collateral supports the implementation of the 2024a version of TechOne software to ensure that the City of Bayswater remains on a supported software release, receiving bug fixes, security updates, and finance compliance packs.</p> <p>The next phase will focus on receiving the Project Environment from TechOne, which is being upgraded from Ci to CiAnywhere components. Once the environment is delivered, the project team will proceed to System Integration Testing (SIT), requiring an understanding of transaction processing in the new browser-based CiAnywhere, replacing the previous desktop version, Ci.</p> <p>Four Subject Matter Experts (SMEs) will undergo online eLearning to upskill themselves on handling purchasing transactions, payroll, and other financial functions within the Core suite. Over the next five months, the team will conduct extensive testing and develop onboarding training for the wider City staff who rely on the Core TechOne software, including Payroll, Finance, Human Resources, and Purchasing.</p>

2024/25 CEO KPI: QUARTERLY REPORTING						Reporting For: Qtr 1 - FY24/25	
CEO KPI No.	CEO KPI / Goal	Deliverable No.	Deliverable / Outcome	Measurement of Success	Responsible Service Area	Current Quarter Status	Current Quarter Comment
5	Waste Business Model	1	• Conduct a Feasibility Study on the City's Waste Business Model.	• Develop a Business Plan for a Feasibility Study on the City's Waste Business Model.  • Present to Council a report on feasibility options for consideration.	Waste Management	On-Track	The waste business plan will detail the City's business activities and strategies for achieving its waste goals. Developing the plan will be a priority action for the environmental leadership team, including the Environment Manager and Director of Assets and Infrastructure. The Plan will be developed from Q2 and presented to Council in the 2025 Financial Year.
6	Advocacy and the development of partnerships	1	• Advocacy Plan.	• Provide Council with an Advocacy Plan for consideration.	Economic Development	On-Track	At the Ordinary Council Meeting held 23 July 2024, Council endorsed the following projects as advocacy priorities for the City:  • Frank Drago Redevelopment; • Les Hansman Redevelopment; • Bayswater Industrial Area Sewer; • Maylands Lakes Restoration; and • Maylands Brickworks Stabilisation  In light of the adoption of the advocacy projects, and the timing of the upcoming State and Federal elections, priority has been placed on seeking funding for the above projects in lieu of progressing the development of the Advocacy Plan.
6	Advocacy and the development of partnerships	2	• Seek Federal and State election commitments on endorsed advocacy projects.	• Develop a rolling Advocacy Strategy and Plan for the development of "shovel ready" medium- and long-term priority projects identified by Council as part of its forward business planning and long-term financial planning processes.	Economic Development	On-Track	For quarter 1, we continued seeking Federal and State election commitments on endorsed advocacy projects. This has been supported through the following actions:  •Meetings with Water Corp on the BIA sewer •Development of Advocacy Papers for key priority projects •Meetings with local Members of Parliament, candidates for local seats, and relevant Ministers.

2024/25 STRATEGY AND PLANS: QUARTERLY REPORTING										Reporting For: Qtr 1 - FY24/25
Strategy and Plan No.	Strategy and Plan	Outcome No.	Outcome	Strategy No.	Strategy	Action No.	Implementation Action	Planned Delivery	Current Quarter Status	Current Quarter Comment
1	ACCESS AND INCLUSION PLAN 2020 - 2024	1	People with disability have the same opportunities as other people to access the services of, and any event organised by, the City of Bayswater.	2	Build partnerships to support people with disability to participate in their community	2	Investigate hosting Easy English sessions for people with low literacy.	Delivered Outside of BAU	On-Track	The English Conversation Groups, facilitated by volunteers at Maylands and Morley Libraries, offered individuals whose first language is not English a valuable opportunity to practice and enhanced their conversation skills. Throughout this reporting period, a total of 24 sessions were conducted, engaging 286 participants. These groups served as a platform for individuals to refine their conversational abilities, contributing to the cultivation of an inclusive environment.
1	ACCESS AND INCLUSION PLAN 2020 - 2024	2	People with disability have the same opportunities as other people to access buildings and other facilities of the City of Bayswater	3	Improve and promote accessible parking infrastructure.	2	Prioritise a capital works program to upgrade City owned and managed designated accessible parking bays to Australian Standards.	Delivered Through Capital Project	On-Track	a.During this reporting period, the City has worked on progressively auditing the existing accessible parking infrastructure in City owned and managed carparks, including on-street parking bays, to identify the existing condition of the asset and areas for improvement. b.This project is ongoing, however once complete, the City will prioritise a capital works program to upgrade the City owned and managed designated accessible parking bays to Australian standards.
1	ACCESS AND INCLUSION PLAN 2020 - 2024	2	People with disability have the same opportunities as other people to access buildings and other facilities of the City of Bayswater	4	Improve the pedestrian network accessibility within town centres.	2	Implement a priority capital works program to improve the pedestrian network within the defined town centre precincts of Morley, Maylands and Noranda (Bayswater pending).	Delivered Through Capital Project	On-Track	The City has submitted a request for \$50,000 to undertake an accessibility audit of the Maylands town centre in the 2023/24 financial year , however this was not approved. The City continues to deliver improvements to the pedestrian network through the Pathways Extension and Upgrade Capital Program.
2	RECONCILIATION ACTION PLAN 2021 - 2023	1	Relationships	1	Establish and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.	1	Develop and communicate an Aboriginal and Torres Strait Islander engagement plan in consultation with local Elders to support a clear approach for engaging Aboriginal and Torres Strait Islander stakeholders.	Delivered Outside of BAU	On-Track	The City of Bayswater sought Expressions of Interest from Aboriginal artists with a connection to Noongar Whadjuk Country to create an artwork that visually represents the City of Bayswater's Aboriginal Engagement Framework.  Whadjuk/ Ballardong artist Sarah Weston was successfully appointed and will deliver the completed artwork to the City of Bayswater by 1 November 2024.
2	RECONCILIATION ACTION PLAN 2021 - 2023	1	Relationships	1	Establish and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.	2	Meet with local Aboriginal and Torres Strait Islander stakeholders to develop guiding principles for future engagement.	Delivered Outside of BAU	On-Track	The artwork being developed by Sarah Weston to represent the City's Aboriginal Engagement framework has been discussed at RAC meetings, and once complete will be a starting point for further discussions with elders.
2	RECONCILIATION ACTION PLAN 2021 - 2023	1	Relationships	4	Promote positive race relations through antidiscrimination strategies.	2	Develop, implement and communicate a City of Bayswater Policy for Reconciliation	Delivered Outside of BAU	On-Track	The establishment of a new Reconciliation Advisory Committee is planned for 2024/25, who would be advancing the development of a Reconciliation Policy.
2	RECONCILIATION ACTION PLAN 2021 - 2023	1	Relationships	4	Promote positive race relations through antidiscrimination strategies.	3	Engage with Aboriginal and Torres Strait Islander staff and the Reconciliation Advisory Committee to consult on the City of Bayswater Policy for Reconciliation	Delivered Outside of BAU	On-Track	The establishment of a new Reconciliation Advisory Committee is planned for 2024/25.
2	RECONCILIATION ACTION PLAN 2021 - 2023	2	Respect	1	Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning	2	Consult local Traditional Owners and/or Aboriginal and Torres Strait Islander advisors and the City's Reconciliation Advisory Committee on the development and implementation of a cultural learning strategy for Elected Members and staff	Delivered Outside of BAU	On-Track	The establishment of a new Reconciliation Advisory Committee is planned for 2024/25.
2	RECONCILIATION ACTION PLAN 2021 - 2023	2	Respect	1	Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning	3	Develop, implement and communicate a cultural learning strategy for Elected Members and staff. Add the City's Reconciliation Action Plan to the new employee information pack and investigate options of inclusion in new employee inductions.	Delivered Outside of BAU	On-Track	This will be further explored following the establishment of the new Reconciliation Advisory Committee, planned for 2024/25.
2	RECONCILIATION ACTION PLAN 2021 - 2023	2	Respect	1	Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning	4	Provide opportunities for Reconciliation Advisory Committee members, Elected Members, Youth Advisory Committee members and all City staff to participate in formal and structured cultural learning.	Delivered Outside of BAU	On-Track	This will be further explored following the establishment of the new Reconciliation Advisory Committee, planned for 2024/25.
2	RECONCILIATION ACTION PLAN 2021 - 2023	2	Respect	4	Promote connection to the City's natural and built environment and focus on importance of native fauna	3	Identify and apply for funding to formally record Aboriginal sacred sites and sites of significance in the City of Bayswater	Delivered Outside of BAU	On-Track	This will be further explored following the establishment of the new Reconciliation Advisory Committee, planned for 2024/25.

2024/25 STRATEGY AND PLANS: QUARTERLY REPORTING										
Reporting For: Qtr 1 - FY24/25										
Strategy and Plan No.	Strategy and Plan	Outcome No.	Outcome	Strategy No.	Strategy	Action No.	Implementation Action	Planned Delivery	Current Quarter Status	Current Quarter Comment
2	RECONCILIATION ACTION PLAN 2021 - 2023	2	Respect	4	Promote connection to the City's natural and built environment and focus on importance of native fauna	4	Consult local Elders and Aboriginal families and respective Aboriginal organisations to identify community need and prioritisation for the first naming and co-naming of City buildings, places and spaces, in alignment with Landgate's Aboriginal Dual Naming Guidelines, and planned City projects and upgrades	Delivered Outside of BAU	On-Track	CANWA has expanded the Place Names project to include three storytelling sessions and 12 cultural mapping/art production workshops. This will culminate in a large-scale community event in March 2025.  The City may then be ready to consult with local Elders, Landgate, and relevant Aboriginal community organisations to identify community needs and prioritise the naming and co-naming of City buildings, places, and spaces.
2	RECONCILIATION ACTION PLAN 2021 - 2023	2	Respect	4	Promote connection to the City's natural and built environment and focus on importance of native fauna	5	Review the City's Naming Policy to include dual and renaming to Aboriginal names	Delivered Outside of BAU	On-Track	This deliverable will move forward once other initiatives, such as the Aboriginal Engagement Framework and the Place Names project, are completed.
2	RECONCILIATION ACTION PLAN 2021 - 2023	2	Respect	5	Promote healing at local sites of significance to promote reconciliation	1	Collaborate with Traditional Custodians and share stories that will contribute to intergenerational healing	Delivered Outside of BAU	On-Track	At its Ordinary Meeting on 25 June 2024, Council approved a facility fee waiver of up to \$13,985 for the 2024/25 financial year, allowing Yokai Healing Our Spirit to use the Community Hall at The RISE as a healing centre on Thursdays from 12:00 pm to 4:00 pm.
2	RECONCILIATION ACTION PLAN 2021 - 2023	2	Respect	5	Promote healing at local sites of significance to promote reconciliation	2	Promote storytelling of sites of significance in the City of Bayswater in culturally acceptable ways, in consultation with Traditional Custodians.	Delivered Outside of BAU	On-Track	This deliverable is being advanced through the Place Names project.
2	RECONCILIATION ACTION PLAN 2021 - 2023	2	Respect	5	Promote healing at local sites of significance to promote reconciliation	3	Explore and seek funding to establish and facilitate local gatherings to support truth telling conversations at sites of significance	Delivered Outside of BAU	On-Hold	The City did not apply for a Connecting to Country Grant in October 2024, as it currently lacks the capacity for additional projects until 2025. Staff plan to apply for the grant in the next funding round, with the date to be confirmed in 2025.
4	LOCAL HOMELESSNESS STRATEGY 2021-2025	1	Preventing Homelessness	4	Contribute to reintegrating people with lived experience of homelessness with the broader community	3	Investigate funding opportunities in collaboration with local crisis accommodation providers to co-design a physical health and wellbeing program utilising City recreational facilities to benefit people living in crisis accommodation.	Delivered Outside of BAU	On-Track	The City has recently appointed a Community Development Officer – Homelessness on a 0.4 FTE basis.
4	LOCAL HOMELESSNESS STRATEGY 2021-2025	1	Preventing Homelessness	4	Contribute to reintegrating people with lived experience of homelessness with the broader community	4	Investigate the establishment of a Moorditj Yarning Friendship Group for women in the City of Bayswater.	Delivered Outside of BAU	On-Track	The City continues to host monthly Moorditch Wirin Circle sessions at the Bayswater Community Centre.
4	LOCAL HOMELESSNESS STRATEGY 2021-2025	3	Exiting Homelessness	1	Encourage affordable and diverse housing through local controls, such as rates and planning	2	Investigate potential social/affordable housing options when considering future use of sites identified in the Land Acquisition and Disposal Strategy.	Delivered Outside of BAU	On-Track	Continued as part of strategic planning.
4	LOCAL HOMELESSNESS STRATEGY 2021-2025	3	Exiting Homelessness	1	Encourage affordable and diverse housing through local controls, such as rates and planning	5	Advocate to all tiers of government for increased affordable and social housing in the City of Bayswater.	Delivered Outside of BAU	On-Track	The City has joined the Midland Alliance to End Homelessness and the WA Alliance to End Homelessness to advocate for increased affordable and social housing within the City of Bayswater.
4	LOCAL HOMELESSNESS STRATEGY 2021-2025	3	Exiting Homelessness	2	Monitor and respond to homelessness within the City of Bayswater	1	Advocate and work with local homelessness service providers to support funding applications that aim to improve service delivery in the City of Bayswater.	Delivered Outside of BAU	On-Track	The City is liaising with a service provider to provide outreach services in the City of Bayswater. This agreement will build capacity and support the City in using a centralised information system to enhance statistical reporting on people experiencing homelessness.
4	LOCAL HOMELESSNESS STRATEGY 2021-2025	3	Exiting Homelessness	2	Monitor and respond to homelessness within the City of Bayswater	2	Contribute to WALGA discussion papers and relevant submissions to inform State Government decision maker.	Delivered Outside of BAU	On-Track	The City contributes through the annual survey participation via Shelter WA.
4	LOCAL HOMELESSNESS STRATEGY 2021-2025	3	Exiting Homelessness	2	Monitor and respond to homelessness within the City of Bayswater	3	Partner with local service providers and other local government authorities in delivering Connections Week initiatives to gather information and add to the By-Name List with an aim to assist relevant agencies to provide housing and other supports to people experiencing homelessness.	Delivered Outside of BAU	On-Track	The City is liaising with a service provider to provide outreach services in the City of Bayswater. This agreement will build capacity and support the City in using a centralised information system to enhance statistical reporting on people experiencing homelessness.

2024/25 STRATEGY AND PLANS: QUARTERLY REPORTING										Reporting For: Qtr 1 - FY24/25
Strategy and Plan No.	Strategy and Plan	Outcome No.	Outcome	Strategy No.	Strategy	Action No.	Implementation Action	Planned Delivery	Current Quarter Status	Current Quarter Comment
4	LOCAL HOMELESSNESS STRATEGY 2021-2025	3	Exiting Homelessness	2	Monitor and respond to homelessness within the City of Bayswater	5	Improve statistical reporting of people experiencing homelessness within the City of Bayswater using a centralised information system.	Delivered Outside of BAU	On-Track	The City is liaising with a service provider to provide outreach services in the City of Bayswater. This agreement will build capacity and support the City in using a centralised information system to enhance statistical reporting on people experiencing homelessness.
5	CULTURAL PLAN 2019 - 2024	2	Partner / Collaborate	1	Commitments	3	Work with the Office of Multicultural Interests and local groups to build cultural awareness through performance, activities and events.	Delivered Outside of BAU	On-Track	The City has not engaged the Office of Multicultural Interests during Q1 but will continue to consider their involvement in future activities and events.
5	CULTURAL PLAN 2019 - 2024	3	Deliver	1	Commitments	6	Utilise open spaces, parks and the riverfront	Delivered Outside of BAU	On-Track	Event organisers are encouraged to use the City's open spaces, parks and river front as part of event and program delivery.
5	CULTURAL PLAN 2019 - 2024	3	Deliver	2	Opportunities	1	Explore new cultural experiences to appeal to a wide range of audiences	Delivered Outside of BAU	On-Track	Ongoing as part of event and program delivery.
7	PLAY SPACE STRATEGY 2019-2029	1	Enhance	4	Battersea Reserve	1	Battersea Reserve	Delivered Outside of BAU	On-Track	New play equipment installations commenced in September 2024 and are progressing.
7	PLAY SPACE STRATEGY 2019-2029	1	Enhance	13	Ivory Park	1	Ivory Park	Delivered Through Capital Project	On-Track	New play equipment installed September 2024
7	PLAY SPACE STRATEGY 2019-2029	1	Enhance	27	Riverside Gardens	1	Incorporate into broader site concept plan	Delivered Through Capital Project	On-Track	Project scoping
7	PLAY SPACE STRATEGY 2019-2029	2	Maintain	3	Flora Reserve	1	Flora Reserve	Delivered Through Capital Project	On-Track	Planned for the installation of new play equipment scheduled for October.
7	PLAY SPACE STRATEGY 2019-2029	2	Maintain	4	Gobba Lake Park	1	Gobba Lake Park	Delivered Through Capital Project	On-Track	Planned for the installation of new play equipment scheduled for October.
7	PLAY SPACE STRATEGY 2019-2029	2	Maintain	9	Joan Rycroft Reserve	1	Joan Rycroft Reserve	Delivered Through Capital Project	Discontinue	The action was not included in the 24/25 FCWP, as such it will not be delivered during the 24/25 financial year and is therefore discontinued for reporting purposes. However, it will be reevaluated during the 25/26 planning process.
7	PLAY SPACE STRATEGY 2019-2029	2	Maintain	13	Swan Lake Reserve	1	Swan Lake Reserve	Delivered Through Capital Project	Discontinue	The action was not included in the 24/25 FCWP, as such it will not be delivered during the 24/25 financial year and is therefore discontinued for reporting purposes. However, it will be reevaluated during the 25/26 planning process.
7	PLAY SPACE STRATEGY 2019-2029	2	Maintain	14	Toowong Reserve	1	Toowong Reserve	Delivered Through Capital Project	On-Track	Play equipment installed August 2024

2024/25 STRATEGY AND PLANS: QUARTERLY REPORTING										Reporting For: Qtr 1 - FY24/25
Strategy and Plan No.	Strategy and Plan	Outcome No.	Outcome	Strategy No.	Strategy	Action No.	Implementation Action	Planned Delivery	Current Quarter Status	Current Quarter Comment
7	PLAY SPACE STRATEGY 2019-2029	2	Maintain	20	RA Cook Reserve	1	RA Cook Reserve	Delivered Outside of BAU	On-Track	Planned for the installation of new play equipment scheduled for October.
7	PLAY SPACE STRATEGY 2019-2029	2	Maintain	45	Kennedy Reserve	1	Kennedy Reserve	Delivered Through Capital Project	On-Track	New Play equipment installed August 2024
7	PLAY SPACE STRATEGY 2019-2029	2	Maintain	47	Rhodes Reserve	1	Rhodes Reserve	Delivered Outside of BAU	On-Track	Planned for the installation of new play equipment scheduled for October.
8	COMMUNITY RECREATION PLAN	1	Change room upgrades / redevelopments	1	Upgrade Upper Hillcrest Reserve change rooms	1	Additional transportable female friendly changerooms to be installed on site at Upper Hillcrest Reserve to support current sporting activities - Football and Cricket. Community Sport and Recreation Facility Funding approved through the Department of Local Government Sport and Culture to compliment grant funding received from the WA Football Commission and funding approved by the City	Delivered Through Capital Project	On-Track	Installation commenced August 2024 due for completion November 2024
8	COMMUNITY RECREATION PLAN	1	Change room upgrades / redevelopments	2	Upgrade Noranda soccer change rooms at Noranda sporting complex	1	Provide additional accessible and inclusive change rooms for sporting clubs based on standards for Category 1 District Sporting Reserve.	Delivered Through Capital Project	On-Track	Architect design completed. Pending Development Application and Building Approvals prior to tendering for construction in early 2025.
8	COMMUNITY RECREATION PLAN	1	Change room upgrades / redevelopments	4	Upgrade Frank Drago Reserve change rooms	1	Retrofit existing to provide accessible and inclusive change rooms for sporting clubs based on standards for Category 1 District Sporting Reserve (and determined by FIFA requirements for Women's World Cup). Plan for future additional improvements including grandstand, clubroom, field works and public toilets, pending resource availability	Delivered Through Capital Project	Complete	Completed in 23/24. Currently progressing Frank Drago Soccer Precinct Master Planning
8	COMMUNITY RECREATION PLAN	3	Facility / infrastructure planning	4	Complete a Facility Development Plan for Upper and Lower Hillcrest Reserves	1	Consider potential for co-location, additional parking, and additional sporting uses. Considering the critical needs of clubs in effectively delivering their services to the community. Will consider potential for co-location, additional infrastructure and sporting mix of the reserve.	Delivered Outside of BAU	On-Track	Consultant appointed and finalising Needs Assessment
8	COMMUNITY RECREATION PLAN	3	Facility / infrastructure planning	5	Develop Skate and BMX Plan	1	Develop / support a plan to guide locations of Neighbourhood level skate and bike nodes across the City, in conjunction with City's Skate and Bike Development Advisory Committee. The Strategy will identify the demand for skate, scooter and BMX infrastructure in the City, and guide planning for the future.	Delivered Outside of BAU	On-Track	Completed pending approval
8	COMMUNITY RECREATION PLAN	3	Facility / infrastructure planning	6	Develop bike facilities plan	1	Guide development of bike facilities including trails and pump tracks in appropriate locations, based on community input. Consider supporting infrastructure, pathways, access, parking and other active play elements.	Delivered Outside of BAU	On-Track	The plan is currently in a draft state and is under review. Implementation will be considered once the plan has been finalised.
8	COMMUNITY RECREATION PLAN	3	Facility / infrastructure planning	9	Complete a Business case for Stage 2 Maylands Waterland works	1	Required to advocate for additional funds to develop remaining areas.	Delivered Outside of BAU	Discontinue	The action was not included in the 24/25 FCWP, as such it will not be delivered during the 24/25 financial year and is therefore discontinued for reporting purposes. However, it will be reevaluated during the 25/26 planning process.
8	COMMUNITY RECREATION PLAN	3	Facility / infrastructure planning	12	Develop an exercise equipment plan	1	Guide locations for outdoor exercise equipment to be installed across the City, considering shade, access and other park infrastructure	Delivered Outside of BAU	On-Track	Undertaking a review of current facilities
8	COMMUNITY RECREATION PLAN	3	Facility / infrastructure planning	17	Complete a Facility Development Plan for Joan Rycroft Reserve	1	Potential to develop reserve and add change rooms if required in future for organised sporting use.	Delivered Outside of BAU	Discontinue	The action was not included in the 24/25 FCWP, as such it will not be delivered during the 24/25 financial year and is therefore discontinued for reporting purposes. However, it will be reevaluated during the 25/26 planning process.



2024/25 STRATEGY AND PLANS: QUARTERLY REPORTING										Reporting For: Qtr 1 - FY24/25
Strategy and Plan No.	Strategy and Plan	Outcome No.	Outcome	Strategy No.	Strategy	Action No.	Implementation Action	Planned Delivery	Current Quarter Status	Current Quarter Comment
9	CCTV STRATEGY 2018-2028	1	Deliver a safe Service Which Builds a Strong Sense of Community Safety	1	Establish Foundations and Use Contemporary Digital CCTV Technology	3	Develop minimum technical specifications for the technical standards in line with relevant industry standards. Technical specifications document includes a reasonable life expectancy for various elements of the CCTV system and suggest a plan for future upgrades based on industry standards and changing technology	Delivered Outside of BAU	On-Track	The City's CCTV infrastructure meets industry standards, with upgrades managed through the Asset Management FCWP and budget process. A recent audit recommends adopting a Cloud CCTV Strategy to unify all locations under a single cloud-managed network. This strategy will cover services, maintenance, and cameras for a monthly fee and provides recommendations for replacing end-of-life cameras.
9	CCTV STRATEGY 2018-2028	1	Deliver a safe Service Which Builds a Strong Sense of Community Safety	2	Ensure Sustainability of Current and Future CCTV	1	Integrate CCTV based solutions with ICT systems and business processes where relevant and applicable.	Delivered Outside of BAU	On-Track	A CCTV audit was completed, including cost estimates for external management. A business case was submitted seeking funding and approval to implement a Cloud CCTV Strategy. This strategy will unify all locations under a cloud-managed network that includes services and maintenance for a monthly fee.
9	CCTV STRATEGY 2018-2028	1	Deliver a safe Service Which Builds a Strong Sense of Community Safety	3	Ensure Appropriate Placement of CCTV Cameras	2	Explore opportunities for temporary camera locations and consider the use of portable CCTV (e.g. Support the installation of portable CCTV	Delivered Outside of BAU	On-Track	The use of temporary cameras was explored and they were deployed at two locations: the BMX pump track at Cloughton Reserve, which successfully deterred antisocial behaviour and vandalism, and Lightning Park, a hotspot for electrical cable theft. Since the deployment of portable CCTV at Lightning Park, there have been no further incidents of cable theft.
9	CCTV STRATEGY 2018-2028	1	Deliver a safe Service Which Builds a Strong Sense of Community Safety	3	Ensure Appropriate Placement of CCTV Cameras	3	Consider use of cameras for emergency management real time situational awareness.	Delivered Outside of BAU	On-Track	The City has the ability to move portable CCTV cameras for live monitoring of emergency situations if necessary. However, there have been no incidents within the reporting period.
9	CCTV STRATEGY 2018-2028	1	Deliver a safe Service Which Builds a Strong Sense of Community Safety	4	Ensure Adherence to Relevant Legislations, Standards and Guidelines Covering CCTV	1	Develop effective procedures for the operation and maintenance of infrastructure.	Delivered Outside of BAU	On-Track	The City has an ongoing CCTV strategy in place, with no changes reported this quarter.
10	PUBLIC HEALTH AND WELLBEING PLAN 2021 - 2025	3	Promoting Health and Wellbeing	8	Encourage the community to live healthier lifestyles.	1	Deliver programs that promote healthy eating habits and exercise.	Delivered Outside of BAU	On-Track	Three physical activity programs were delivered from July to September. These included a Parents and Bubs 6-week yoga program, a 5-week Pickleball introductory program, and a 4-week Active Living program for new mums returning to exercise after giving birth. All three programs were fully booked, with around 80 community members participating across the programs.  Three sessions were also delivered focusing on healthy eating. In August, a nutrition seminar was offered as part of the Parent Connect Series, where a paediatric dietitian delivered a session titled How to Feed Your Family without the Overwhelm. The session was well attended, with over 40 participants, and the feedback was positive. In the same month, a cooking demonstration was provided for residents at Carramar Retirement Village, with approximately 20 older adults attending. Additionally, as part of the term-based Parents and Bubs Program, the Cancer Council WA delivered a Healthy Lunchbox session.
10	PUBLIC HEALTH AND WELLBEING PLAN 2021 - 2025	3	Promoting Health and Wellbeing	9	Support programs aimed at improving mental health.	1	Partner with specialist organisations to deliver programs aimed at mental health.	Delivered Outside of BAU	On-Track	As part of the Parent Connect Series, the City also offered three sessions focusing on mental health. These included: Change in the Teenage Years, Empowering Families to Navigate ADHD, A Digital Wellbeing Session. In August, a Sleep and Meditation Workshop was also held for residents at Carramar Retirement Village.  While these programs—focusing on physical activity and nutrition—are not specifically labelled as mental health programs, they play a significant role in promoting positive mental well-being. Their emphasis on fostering social interaction has been shown to enhance emotional well-being and reduce feelings of isolation. By bringing participants together in a supportive, community-based environment, these programs contribute to both physical and mental health outcomes.
11	MORLEY ACTIVITY CENTRE PLAN 2018	1	Short Term Actions (0-5 Years)	1	Not Specified	15	Investigate options for the redevelopment of the Les Hansman Community Centre and adjoining road reserve (car park)	Delivered Outside of BAU	On-Track	At the Ordinary Council Meeting held on 27 August 2024, Council agreed to allocate \$150,000 for a concept design and feasibility study for the Les Hansman redevelopment. The City is currently assessing quotes to appoint a consultant to undertake the work.
11	MORLEY ACTIVITY CENTRE PLAN 2018	1	Short Term Actions (0-5 Years)	1	Not Specified	25	Advocate for the upgrading of local feeder bus services	Delivered Through Operating Project	On-Track	In September, the City received a draft version of the Morley Station Precinct structure plan. It is currently under review by internal stakeholders from the City and the Department of Planning. The review includes commentary on a feeder bus route and is anticipated to be presented to Council for consideration in early 2025.

2024/25 STRATEGY AND PLANS: QUARTERLY REPORTING										Reporting For: Qtr 1 - FY24/25
Strategy and Plan No.	Strategy and Plan	Outcome No.	Outcome	Strategy No.	Strategy	Action No.	Implementation Action	Planned Delivery	Current Quarter Status	Current Quarter Comment
11	MORLEY ACTIVITY CENTRE PLAN 2018	2	Medium Term Actions (5-10 Years)	1	Not Specified	4	Advocate for the provision of bus priority intersections: a. Russell Street and Broun Avenue b. Russell Street and Walter Road c. Collier Road and Broun Avenue	Delivered Through Operating Project	Complete	The City received the final Morley Streetscape design, which includes a bus priority intersection at Broun Avenue and Russell Street.
12	WATERWISE BAYSWATER STRATEGY 2020 - 2030	1	The Natural Environment	2	Expand monitoring to include groundwater health and develop a program of drainage retrofits, coordinated with asset renewal projects, that increase groundwater recharge and deliver biodiversity and cooling benefits (use vegetation)	2	Develop a prioritised list of sites where drainage retrofits could improve ecological function, amenity and water quality, whilst maintaining or improving flood protection of infrastructure. This includes conversions to living streams, basin revegetation, roadside rain gardens, and car park retrofits	Delivered Outside of BAU	On-Track	Currently working on the Water Sensitive Urban Design (WSUD) manual, which will include pricing structures and a detailed plan for implementing all waterwise plans and programs in alignment with the City of Bayswater's waterwise strategy.
12	WATERWISE BAYSWATER STRATEGY 2020 - 2030	1	The Natural Environment	2	Expand monitoring to include groundwater health and develop a program of drainage retrofits, coordinated with asset renewal projects, that increase groundwater recharge and deliver biodiversity and cooling benefits (use vegetation)	3	Develop a methodology for identifying WSUD options that must be applied when undertaking road and car park asset upgrades.	Delivered Outside of BAU	On-Track	Collaborating with engineering and recently joined the Water Sensitive Transition Network (WSTN). This network will help guide future projects in the City. All new projects incorporate WSUD practices in their design and implementation.
12	WATERWISE BAYSWATER STRATEGY 2020 - 2030	1	The Natural Environment	3	Continue to improve raingarden and living stream designs, incorporating the achievement of multiple outcomes (including tree canopy) and actively share outcomes with broader networks	2	Develop a practice note for (i) tree pits and raingardens and (ii) living streams that documents the design and construction process and key "success factors".	Delivered Outside of BAU	On-Track	This is an ongoing implementation by the City, where all projects apply the WSUD method. A new WSUD manual will be generated in the next reporting period.
12	WATERWISE BAYSWATER STRATEGY 2020 - 2030	2	The Environment We Create	2	Build capacity of planning, design, development and water professionals to create pathways for scoping and implementing solutions that improve urban and built form outcome	1	Prepare simple diagrams that depict WSUD solutions appropriate to low, medium and high density residential and commercial/industrial built forms.	Delivered Outside of BAU	On-Track	This will be addressed by joining the WSUD and staying updated with the latest water-sensitive design innovations.
12	WATERWISE BAYSWATER STRATEGY 2020 - 2030	2	The Environment We Create	4	Consolidate and align policy and regulatory tools to strengthen the role of water in delivering quality urban and built form	1	Prepare a local planning policy for new development that describes outcomes and requirements for WSUD solutions appropriate to difference scales and site context	Delivered Outside of BAU	Discontinue	Given the current housing crisis, it is not considered appropriate to impose additional requirements on developments. Instead of a formal policy, the City has developed Sustainability Guidelines, which include WSUD recommendations that developers can voluntarily incorporate into their projects.
12	WATERWISE BAYSWATER STRATEGY 2020 - 2030	2	The Environment We Create	4	Consolidate and align policy and regulatory tools to strengthen the role of water in delivering quality urban and built form	2	Prepare a procedure for City capital works (roads, buildings, parks) that integrates the consideration of water with other objectives.	Delivered Outside of BAU	On-Track	This is an ongoing implantation by the city, all city works apply the WSUD method to works proposed in the city. There is a new WSUD manual being generated in the next reporting period.
12	WATERWISE BAYSWATER STRATEGY 2020 - 2030	3	Living in the Environment	2	Enhance existing platforms for connecting to enable the sharing of ideas about localised solutions and the role of the community	1	Use the City's website to report on targets for City water use – community, City parks and City buildings.	Delivered Outside of BAU	On-Track	This will be addressed through joining the WSUD, and keeping up to date with the latest water sensitive designs.
12	WATERWISE BAYSWATER STRATEGY 2020 - 2030	3	Living in the Environment	2	Enhance existing platforms for connecting to enable the sharing of ideas about localised solutions and the role of the community	2	Engage with the community regarding use and function of the foreshore through preparation of a Foreshore Management Plan for the length of the Swan River foreshore.	Delivered Outside of BAU	On-Track	Interactions have taken place with stakeholders, including Friends of groups, to discuss future works along the foreshore.
13	LOCAL BIODIVERSITY STRATEGY (2008)	1	Not Specified	2	Improved Reserve Management	3	Conduct periodic reassessments of reserves to monitor their condition	Delivered Outside of BAU	On-Track	The reserves are regularly assessed by the enviornment team and contractors. Friends groups actively monitor the reserves through regular meetings. Vegetation condition reports are also conducted to assist with the development of new management plans.
13	LOCAL BIODIVERSITY STRATEGY (2008)	1	Not Specified	5	Policy Development	2	Develop a Native Vegetation in Reserves Policy.	Delivered Outside of BAU	On-Track	Liaised with city officers to discuss the needs and possible requirements needed to compose a policy

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13	LOCAL BIODIVERSITY STRATEGY (2008)	1	Not Specified	8	Private Land Conservation	1	Introduce a 'Plants to Residents' program providing locally endemic species to residents at a subsidised cost	Delivered Through Operating Project	On-Track	This initiative is carried out in partnership with Enviro House to distribute plants to residents through the Plants to Residents operating project which will be delivered in Q4.
13	LOCAL BIODIVERSITY STRATEGY (2008)	1	Not Specified	11	Actions to Reduce Threats to Biodiversity	3	Develop a Weed Control Strategy.	Delivered Outside of BAU	On-Track	An ongoing weed control program is in place through a primary environmental contractor who conducts activities across major reserves. Separate contractors are engaged for smaller reserves. The environment team also undertakes hand weeding, herbicide application, and brush cutting within natural areas.
13	LOCAL BIODIVERSITY STRATEGY (2008)	1	Not Specified	11	Actions to Reduce Threats to Biodiversity	6	Introduction of GIS software as a management tool including regular updates of the layers in use.	Delivered Outside of BAU	On-Track	The City's software is used to manage and update locations within natural areas. A software and hardware upgrade is underway to enable more accurate mapping of sites.
13	LOCAL BIODIVERSITY STRATEGY (2008)	1	Not Specified	11	Actions to Reduce Threats to Biodiversity	8	Introduction of GPS/PDA systems allowing for immediate download of field data into GIS	Delivered Outside of BAU	On-Track	The process to procure hardware for real-time data capture is underway.
14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	1	The Natural Environment	1	Biodiversity	6	Increase biodiversity and connectivity of natural areas by creating Nature Links through the City of Bayswater, by increasing native biodiversity in residential gardens and verges, parks and public spaces, median strips, cycle ways and drains.	Delivered Outside of BAU	On-Track	Potential sites across the City have been reviewed to identify the most suitable locations for corridor development.
14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	1	The Natural Environment	1	Biodiversity	7	Embrace nature as an integral part of the City of Bayswater's quality lifestyle through a 'Nature's Garden City' program, showing how it can improve health and wellbeing.	Delivered Outside of BAU	On-Track	This aligns with the City's living stream improvements and corridor development efforts.
14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	1	The Natural Environment	1	Biodiversity	8	Advocate the State Government to install underground power in all locations within the City to improve the liveability of the area.	Delivered Through Operating Project	On-Track	Ongoing discussions with Western Power continue regarding the Bedford and Morley site areas.
14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	1	The Natural Environment	2	Natural Areas, Bushlands and Wetlands	5	Provide every household with access to a natural area that contains native species and ecological communities in a relatively natural state within a 10 minute walk (800 metres) of their home.	Delivered Outside of BAU	On-Track	Natural reserves have expanded, and efforts to increase vegetation coverage are ongoing.
14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	2	The Environment We Create	1	Parks and Green Spaces	4	Advocate that the State Government review their policy provisions relating to trees and landscaping on private land to increase their provision as part of new developments.	Delivered Outside of BAU	Complete	The State Government recently released updated Residential Design Codes with new requirements for landscaping and tree provision.
14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	2	The Environment We Create	1	Parks and Green Spaces	8	Plant one million trees in the City between now and 2050	Delivered Outside of BAU	On-Track	The Urban Forest target for this year was met, with 2,550 potted trees planted across the City. Future plans include increasing the number of potted trees. Tube stock tree planting is also carried out in target locations to support this goal.
14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	2	The Environment We Create	2	Sustainable Building Design	2	Subject to further investigation, this could include development bonuses such as increased building height or plot ratio	Delivered Outside of BAU	On-Hold	Investigation of developer incentives is on hold due to other priorities. Anecdotal feedback suggests such incentives do not encourage development, so this action is not a priority at present.
14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	3	Living in the Environment	2	Sustainable Living	1	Sustainability Strategy A strategy to set targets, support the formal and informal partnerships with our community, and develop the mechanisms and pathways required to meet these targets	Delivered Outside of BAU	On-Track	A review of the City's strategies and plans is progressing.

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14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	3	Living in the Environment	2	Sustainable Living	3	Create a demonstration project for a high-tech, circular food growing and water re-use project, as well as inclusion of a Whadjuk Noongar education space.	Delivered Outside of BAU	On-Track	The City is working with Enviro House to deliver food-growing programs and explore opportunities for Whadjuk Noongar education.
14	ENVIRONMENTAL LIVEABILITY FRAMEWORK 2021-2045	3	Living in the Environment	2	Sustainable Living	4	Roll out of an app based technology that enables residents to monitor and reduce their carbon footprint in real time.	Delivered Outside of BAU	On-Track	The City is investigating app-based technology options for future implementation.
15	URBAN FOREST STRATEGY 2017	1	Not Specified	1	Protection and retention of existing trees	7	Review and consider potential policies and incentives available to encourage private landowners and developers to retain established trees and plant new trees.	Delivered Through Operating Project	On-Track	The plants-to-residents program helps landowners increase native vegetation and expand the tree canopy on their properties.
15	URBAN FOREST STRATEGY 2017	1	Not Specified	2	Increasing tree canopy cover	1	Undertake spatial analysis to identify areas containing low canopy cover to direct future plantings	Delivered Outside of BAU	On-Track	LiDAR imagery has been captured, and the data is being finalised for loading into the City's spatial systems.
15	URBAN FOREST STRATEGY 2017	1	Not Specified	2	Increasing tree canopy cover	5	Develop, fund and implement an aspirational tree planting program to increase the canopy coverage from 13.2% to 20% over an eight year period. This plan will include: a. parks and streetscape plans; b. the development of town centre plans that include tree installation, specifying locations & species selection; c. the incorporation of the biodiversity corridors; and d. natural area & green space restoration plans	Delivered Outside of BAU	On-Track	The Urban Forest Implementation Plan is nearing completion and will be presented to a Council Briefing in December 2024 for information.
15	URBAN FOREST STRATEGY 2017	1	Not Specified	2	Increasing tree canopy cover	7	Promote the benefits of and encourage increases in canopy coverage on private land e.g. the 'Plants to Residents' program	Delivered Through Operating Project	On-Track	This is a key KPI for the CEO. (CEO KPI 3.2) Parks and Environment are forming a working group with Enviro House and Bayswater Tree Canopy Advocates with the intent to run several events during the year to promote the benefits of street trees. The City are also in early stages of planning a workshop with a guest celebrity gardener to assist in the promotion of the event.
15	URBAN FOREST STRATEGY 2017	1	Not Specified	3	Increasing tree species diversity	3	Conduct a tree audit of all public trees including species, age and health	Delivered Outside of BAU	On-Track	The City purchased tree plotter software to facilitate tree asset management. It will become operational next quarter.
15	URBAN FOREST STRATEGY 2017	1	Not Specified	4	Achieving age diversity of tress	3	Develop a community program assisting residents to plan for the succession of established trees on private property	Delivered Through Operating Project	On-Track	The City provides trees to residents through the plants-to-residents program to promote age diversity in vegetation.
15	URBAN FOREST STRATEGY 2017	1	Not Specified	5	Inform and consult with the community	6	Promote the health, economic and environmental benefits of trees and encourage increases in canopy coverage on private land	Delivered Outside of BAU	On-Track	The plants-to-residents program, along with community planting days, raises awareness about the benefits of vegetation and canopy cover.
15	URBAN FOREST STRATEGY 2017	1	Not Specified	5	Inform and consult with the community	7	Develop a community tree care program for urban streets	Delivered Outside of BAU	On-Track	Increased participation in Friends groups and involvement from schools helps care for urban reserves and tree locations.
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	1	Short Term (next 1-2 years from 2021)	1	Management of the City's ERRE Plan	1	Work with Azility and retailers as required to incorporate all of the City's energy-using sites into their platform, so that accurate and timely reports of the City's energy use, cost and greenhouse gas emissions can be readily produced	Delivered Outside of BAU	Complete	Utility invoice approvals are now processed through Azility, incorporating all energy-using sites into the system.
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	1	Short Term (next 1-2 years from 2021)	2	Financing / funding of the Plan	7	Continue to collaborate with WALGA and other local councils to develop the case for a renewable energy power purchase agreement that can meet part or all of the City's electricity demand. Subject to the outcome of this process participate in any subsequent market approach to determine if a PPA can be achieved at a price co	Delivered Outside of BAU	Complete	The City entered into a contract with Synergy to transition the electricity supply for the City's infrastructure to renewable sources, as per sector wide terms negotiated for the WALGA Sustainable Energy Project. The contract runs April 2022-April 2025.

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16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	1	Short Term (next 1-2 years from 2021)	3	Sequestration	2	Work with Western Power and other stakeholders to progress City of Bayswater's case for lights in Bayswater to be upgraded to LED (nondecorative, smart control-enabled to be decided)	Delivered Outside of BAU	On-Track	Being undertaken as part of maintenance works when reporting faults to Western Power
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	1	Short Term (next 1-2 years from 2021)	4	Energy efficiency	3	Ensure best practice energy efficiency (and renewable energy generation or design provision) is incorporated into all capital works projects (for example Morley Sport and Recreation Centre and Maylands Waterland). Develop a design guide or standard for future projects	Delivered Outside of BAU	On-Track	The Sustainability team is liaising with the Project Services team as they develop the draft Project Management Framework to incorporate best practice energy efficiency guidelines
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	1	Short Term (next 1-2 years from 2021)	5	Electric vehicles and plant	1	Progress with the City's current approach that will achieve ~90% hybrid passenger vehicles, a small number of EVs and an optimised passenger / utility fleet size	Delivered Through Capital Project	On-Track	Of the City's 35 passenger vehicles, 29 are hybrid, plug-in hybrid, or electric. The City continues to monitor the market for low-emission utility vehicles.
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	1	Short Term (next 1-2 years from 2021)	6	Behavioural change	1	Conduct research to identify the key areas, emissions sources, behaviours that will be most effective at reducing emissions sustainably	Delivered Outside of BAU	On-Track	Planned for delivery later this year following additional staff training and development of the City's emissions inventory.
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	1	Short Term (next 1-2 years from 2021)	6	Behavioural change	2	Identify and plan the implementation of high priority systemic and behavioural changes that will yield the greatest benefit in emissions savings and staff engagement	Delivered Outside of BAU	On-Track	Planned for delivery later this year following additional staff training and development of the City's emissions inventory.
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	1	Short Term (next 1-2 years from 2021)	7	Sustainable procurement	1	Review the City's procurement policy to align with best practice in sustainable procurement, and to specifically include the City's renewable energy and emissions reduction targets in evaluation criteria for supplier offers	Delivered Outside of BAU	On-Track	The Procurement Policy is due to be reviewed in January 2025.
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	1	Short Term (next 1-2 years from 2021)	7	Sustainable procurement	2	Review the City's current range of specifications used to procure services and equipment across operational and capital expenditure, and current awareness of and use of sustainability provisions of existing procurement. Progressively update specifications to align with best practice in sustainable procurement and the City's targets, and provide education / training to City staff	Delivered Outside of BAU	On-Track	This action is tied to the review the City's procurement policy action and therefore subject to the review of the Procurement Policy.
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	2	Medium Term (to the end of CBP cycle)	8	Energy efficiency	1	Continue to work with Western Power and other stakeholders to progress the City's case for lights in Bayswater to be upgraded to LED (non-decorative, smart control-enabled to be decided), with a goal for implementation in the next Business plan cycle	Delivered Through Capital Project	On-Track	Awaiting designs from Western Power.
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	2	Medium Term (to the end of CBP cycle)	9	Electric vehicles and plant	1	Develop or update plans for the City's fleet fuel transition to hybrid and electric vehicles across all vehicle categories	Delivered Outside of BAU	On-Track	Electric Vehicle Transition Plan is currently under development.
16	EMISSION REDUCTION AND RENEWABLE ENERGY PLAN 2021 - 2040	2	Medium Term (to the end of CBP cycle)	9	Electric vehicles and plant	2	Develop a plan for EV charging infrastructure for the City's EVs as well as at community facilities (including potential increase in energy demand)	Delivered Outside of BAU	On-Track	The City's Fleet Services team is currently working on a fleet transition plan which will include provisions for charging infrastructure. The Environment team is also investigating options to increase EV charging infrastructure for the Bayswater community.
17	FORESHORE AREA 10 YEAR PRIORITY PLAN 2019	1	Not Specified	1	Strategy Group One	1	Tranby House Reserve Timber Walling	Delivered Through Capital Project	On-Track	Concept designs are being developed
17	FORESHORE AREA 10 YEAR PRIORITY PLAN 2019	1	Not Specified	2	Strategy Group Two	3	Tranby House Reserve North of Peninsular Farm-RETREAT (Relocate Footpath)	Delivered Through Capital Project	On-Track	Concept designs are being developed

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17	FORESHORE AREA 10 YEAR PRIORITY PLAN 2019	1	Not Specified	3	Strategy Group Three	1	Hinds Park Block Wall	Delivered Outside of BAU	On-Track	Concept designs are being developed
17	FORESHORE AREA 10 YEAR PRIORITY PLAN 2019	1	Not Specified	3	Strategy Group Three	2	Hinds Park Natural Shoreline	Delivered Outside of BAU	On-Track	Concept designs are being developed
17	FORESHORE AREA 10 YEAR PRIORITY PLAN 2019	1	Not Specified	4	Strategy Group Four	2	Riverside Gardens Beach	Delivered Outside of BAU	On-Track	Currently in early stages of planning and conceptual development
17	FORESHORE AREA 10 YEAR PRIORITY PLAN 2019	1	Not Specified	7	Strategy Group Seven	1	Berringa Park River wall and Spillway	Delivered Outside of BAU	On-Track	Currently in early stages of planning and conceptual development
17	FORESHORE AREA 10 YEAR PRIORITY PLAN 2019	1	Not Specified	7	Strategy Group Seven	2	Bardon and Berringa Park- RETREAT (relocate Yacht Club Tower)	Delivered Outside of BAU	On-Track	Concept designs are being developed
18	INTERIM ECONOMIC DEVELOPEMT STRATEGY 2022	1	Stimulate Development and Attract Investment	1	Investor and Developer Attraction Program 2022	1	Awareness and Invitation Prospectus	Delivered Through Operating Project	On-Track	The City has developed advocacy documents for five key priority projects and is currently developing a combined booklet. At the Ordinary Council Meeting on 24 September, Council requested the development of an Investor Guide for the Morley Activity Centre, which the City is currently scoping.
18	INTERIM ECONOMIC DEVELOPEMT STRATEGY 2022	1	Stimulate Development and Attract Investment	1	Investor and Developer Attraction Program 2022	2	UVP Co-design Program	Delivered Through Operating Project	Discontinue	This action related to a co-design process for the redevelopment of the Les Hansman Community Centre. As Council approved \$150,000 for a concept design and feasibility study, a co-design process is no longer required.
18	INTERIM ECONOMIC DEVELOPEMT STRATEGY 2022	1	Stimulate Development and Attract Investment	1	Investor and Developer Attraction Program 2022	3	UVP Prospectus	Delivered Through Operating Project	On-Track	At the Ordinary Council Meeting on 24 September, Council requested the development of an Investor Guide for the Morley Activity Centre, which the City is currently scoping.
18	INTERIM ECONOMIC DEVELOPEMT STRATEGY 2022	1	Stimulate Development and Attract Investment	1	Investor and Developer Attraction Program 2022	4	Open for Business Promotional Program	Delivered Through Operating Project	On-Track	At the Ordinary Council Meeting on 24 September, Council requested the development of an Investor Guide for the Morley Activity Centre, which the City is currently scoping.
18	INTERIM ECONOMIC DEVELOPEMT STRATEGY 2022	1	Stimulate Development and Attract Investment	2	Complementary City improvements	1	Morley Streetscape Design	Delivered Through Operating Project	Complete	The consultants provided the final documents and costings in August 2024.  The Morley Streetscape plan created 'shovel ready' detailed designs and costings for upgrades to Russell Street between Broun Avenue and Rudloc Road. The City will seek external funding for implementation of the designs.
18	INTERIM ECONOMIC DEVELOPEMT STRATEGY 2022	1	Stimulate Development and Attract Investment	2	Complementary City improvements	3	BIA Streetscape upgrades	Delivered Through Operating Project	On-Hold	No funding has been allocated to this project, and it is not currently a priority.
18	INTERIM ECONOMIC DEVELOPEMT STRATEGY 2022	2	Encourage Local Landowners to Develop or Divest	1	Improve land values through infrastructure upgrades	2	BIA infill sewer project business case	Delivered Outside of BAU	Complete	The City developed a business case for the BIA in June 2023, which is now being used as part of the advocacy program.



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18	INTERIM ECONOMIC DEVELOPEMNT STRATEGY 2022	2	Encourage Local Landowners to Develop or Divest	1	Improve land values through infrastructure upgrades	3	BIA infill sewer project funding bid	Delivered Outside of BAU	On-Track	At the Ordinary Council Meeting on 23 July 2024, Council endorsed the BIA sewer project as an advocacy project. The City has sent letters to relevant State Ministers to seek funding and arranged quarterly meetings with Water Corp to progress the project.
18	INTERIM ECONOMIC DEVELOPEMNT STRATEGY 2022	2	Encourage Local Landowners to Develop or Divest	1	Improve land values through infrastructure upgrades	7	Lobby the WA Government re public transport links between train stations and Morley Activity Centre	Delivered Through Operating Project	On-Track	In September, the City received a draft version of the Morley Station Precinct structure plan. It is under review by stakeholders from the City and the Department of Planning, with commentary on access to the Morley Activity Centre. The plan is expected to be presented to Council in early 2025.
18	INTERIM ECONOMIC DEVELOPEMNT STRATEGY 2022	2	Encourage Local Landowners to Develop or Divest	3	Incentivise target development models through planning incentives	1	Investigate flexible planning quotas for parking, landscaping and other ancillary cost items	Delivered Outside of BAU	Discontinue	These development requirements are currently being reviewed by the State Government, and it is unnecessary to duplicate this work.
18	INTERIM ECONOMIC DEVELOPEMNT STRATEGY 2022	5	Activate major strategic plans in partnership with key stakeholders	1	Implement an Investor and Developer Attraction Program	1	Implement an Investor and Developer Attraction Program	Delivered Through Operating Project	On-Track	The City has been progressing advocacy priorities through meetings with Water Corp, development of advocacy papers, and identifying lower-priority projects. On 24 September, Council requested the City develop an Investor Guide for the Morley Activity Centre, which the City is scoping.
18	INTERIM ECONOMIC DEVELOPEMNT STRATEGY 2022	5	Activate major strategic plans in partnership with key stakeholders	1	Implement an Investor and Developer Attraction Program	2	Develop and distribute Promotional Prospectus	Delivered Through Operating Project	Complete	The City developed a prospectus in May 2024, which has been used at business events and developer meetings.
18	INTERIM ECONOMIC DEVELOPEMNT STRATEGY 2022	5	Activate major strategic plans in partnership with key stakeholders	1	Implement an Investor and Developer Attraction Program	3	Invite industry to participate in a Co-design process to establish a UVP for the Morley Activity Centre	Delivered Through Operating Project	On-Track	The City is engaging with businesses and industry as part of the Economic Development Strategy engagement process.
18	INTERIM ECONOMIC DEVELOPEMNT STRATEGY 2022	5	Activate major strategic plans in partnership with key stakeholders	1	Implement an Investor and Developer Attraction Program	4	Identify specific development models to attract the target market population – live local and work local	Delivered Through Operating Project	On-Track	This will be considered as part of the Economic Development Strategy currently in development.
18	INTERIM ECONOMIC DEVELOPEMNT STRATEGY 2022	5	Activate major strategic plans in partnership with key stakeholders	4	METRONET Morley Station Concept Plan Activation	2	Revise planning controls to restrict further general industry development and encourage a shift to mixed commercial and higher density residential in the northern section of the BIA.	Delivered Through Operating Project	On-Track	In September, the City received a draft version of the Morley Station Precinct structure plan, which is under review. Modifications to general industry zoning are being considered.
19	TOWN CENTRES DESTINATION MARKETING STRATEGY 2021 to 2025	1	Maylands	2	VFR, Arts and culture lovers, history buffs	4	Tactical campaigns produced focussing on specific market segments notably hospitality and retail	Delivered Through Operating Project	On-Hold	The City is working on the Feed Me Morley marketing campaign to be run in March 2025. The campaign will promote food businesses in Morley
19	TOWN CENTRES DESTINATION MARKETING STRATEGY 2021 to 2025	1	Maylands	3	Families	1	Tactical campaigns tied to specific times of the years, including school holidays (e.g. an Easter campaign, an Easter egg hunt through Maylands' laneways)	Delivered Through Operating Project	On-Hold	The City is prioritising the business marketing campaigns at this time.
19	TOWN CENTRES DESTINATION MARKETING STRATEGY 2021 to 2025	1	Maylands	4	Young professionals, retirees, families	1	Create a marketing campaign promoting the health and well-being cluster of services	Delivered Through Operating Project	On-Hold	The City is investigating a health and wellness business marketing campaign for Noranda, scheduled for mid-2025.



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19	TOWN CENTRES DESTINATION MARKETING STRATEGY 2021 to 2025	2	Bayswater	2	Arts and culture lovers, history buffs	4	Tactical campaigns produced focusing on specific market segments notably hospitality and retail	Delivered Through Operating Project	On-Hold	The City is working on the Feed Me Morley marketing campaign to be run in March 2025. The campaign will promote food businesses in Morley
19	TOWN CENTRES DESTINATION MARKETING STRATEGY 2021 to 2025	2	Bayswater	2	Arts and culture lovers, history buffs	5	Tactical campaigns tied to specific times of the year (e.g. school holiday promotions)	Delivered Through Operating Project	On-Hold	The City is prioritising the business marketing campaigns at this time.
19	TOWN CENTRES DESTINATION MARKETING STRATEGY 2021 to 2025	3	Morley	2	VRF	4	Tactical and co-operative campaigns produced focussing on specific market segments notably hospitality and retail.	Delivered Through Operating Project	On-Track	The City is working on the Feed Me Morley marketing campaign to be run in March 2025. The campaign will promote food businesses in Morley
19	TOWN CENTRES DESTINATION MARKETING STRATEGY 2021 to 2025	3	Morley	3	Families	1	Tactical campaigns tied to specific times of the years, including school holidays	Delivered Through Operating Project	On-Hold	The City is prioritising the business marketing campaigns at this time.
20	TOWN CENTRE PLACE ACTIVATION PLANS	1	Noranda	1	Not Specified	6	Organisation of night time activities.	Delivered Through Operating Project	On-Track	The City is currently investigating a health and wellness business marking campaign for Noranda to be run in mid 2025.
20	TOWN CENTRE PLACE ACTIVATION PLANS	2	Maylands	1	Not Specified	2	Improved Eighth Avenue	Delivered Through Operating Project	On-Track	Based on feedback of priorities for the Maylands community, the City has applied for a grant from the Criminal Justice Department to run an education course to reduce graffiti in the town centre. Feedback is not expected until early 2025.
20	TOWN CENTRE PLACE ACTIVATION PLANS	2	Maylands	1	Not Specified	3	Public spaces around Eighth Avenue	Delivered Through Operating Project	On-Track	Based on feedback of priorities for the Maylands community, the City has applied for a grant from the Criminal Justice Department to run an education course to reduce graffiti in the town centre. Feedback is not expected until early 2025.
20	TOWN CENTRE PLACE ACTIVATION PLANS	3	Morley	1	Not Specified	1	Streetscape enhancement	Delivered Through Operating Project	Complete	The consultants provided the final documents and costings in August 2024 completing the Morley Streetscape Operating Project.  The Morley Streetscape plan created 'shovel ready' detailed designs and costings for upgrades to Russell Street between Broun Avenue and Rudloc Road. The City will seek external funding for implementation of the designs.
20	TOWN CENTRE PLACE ACTIVATION PLANS	3	Morley	1	Not Specified	2	Improve walkability around the town centre	Delivered Through Operating Project	Complete	The consultants provided the final documents and costings in August 2024 completing the Morley Streetscape Operating Project.  The Morley Streetscape plan created 'shovel ready' detailed designs and costings for upgrades to Russell Street between Broun Avenue and Rudloc Road. The City will seek external funding for implementation of the designs.
20	TOWN CENTRE PLACE ACTIVATION PLANS	3	Morley	1	Not Specified	3	Engaging street life bursting with activities	Delivered Through Operating Project	On-Track	The City has partnered with Galleria Shopping Centre to install a NAIDOC mural, scheduled for October. Plans for the 2025 Feed Me Morley campaign are also underway, focusing on promoting local food businesses.
20	TOWN CENTRE PLACE ACTIVATION PLANS	4	Bayswater	1	Not Specified	2	An entertaining and engaging town centre	Delivered Through Operating Project	On-Track	The City has received funding from Streets Alive grant program to install street furniture in the northern end of the town centre on Beechboro Road. The City has also partnered with 3.8 Baysie to install street furniture in this area. The furniture will include tables and seating for the businesses in the area to use for alfresco dining and other seating. The City has partnered with the Bayswater Traders Association to provide funding for their town centre branding study.

2024/25 STRATEGY AND PLANS: QUARTERLY REPORTING										
Reporting For: Qtr 1 - FY24/25										
Strategy and Plan No.	Strategy and Plan	Outcome No.	Outcome	Strategy No.	Strategy	Action No.	Implementation Action	Planned Delivery	Current Quarter Status	Current Quarter Comment
21	CAR PARKING MANAGEMENT PLAN FOR MORLEY ACTIVITY CENTRE 2017	1	Not Specified	1	Not Specified	11	The City needs to prioritise access for pedestrians, cyclists, public transport users and people with disabilities, and make the most of public transport infrastructure, balanced with the needs of the MAC road network, including the need to minimise congestion.	Delivered Through Operating Project	Complete	The consultants provided the final documents and costings in August 2024 completing the Morley Streetscape Operating Project.  The Morley Streetscape plan created 'shovel ready' detailed designs and costings for upgrades to Russell Street between Broun Avenue and Rudloc Road. The City will seek external funding for implementation of the designs.
22	MAYLANDS TOWN CENTRE CAR PARKING STRATEGY 2018	2	Zone 1 Recommendations	1	Not Specified	4	Upgrade signage along Ninth Avenue to indicate that on street parking is permitted.	Delivered Outside of BAU	On-Track	The City has identified parking restrictions in the area along Ninth Avenue, Warne Street and George Street as a focus this year. We are currently reviewing the area and potential impacts on residential properties in the area. Our intent is to engage with impacted land owners in the coming months once the review has been finalised.
22	MAYLANDS TOWN CENTRE CAR PARKING STRATEGY 2018	2	Zone 1 Recommendations	1	Not Specified	5	Line mark bays along The RISE side of Ninth Avenue.	Delivered Outside of BAU	On-Track	The City has developed plans for increased parking along Ninth Avenue

2024/25 CBP KPI: QUARTERLY REPORTING						Reporting For: Qtr 1 - FY24/25			
KPI No.	KPI	Category	KPI Description	Period Start (Inclusive)	Period End (Inclusive)	Parameters	Calculation Method	Current Quarter Value	Current Quarter Comment (Optional - highlights or issues)
1	Percentage Usage of City's Facilities - Meeting Room	Facility Utilisation	Assesses the efficiency of meeting room usage by calculating the percentage of hours that meeting rooms are booked out of the total hours they are available for use.	01/07/2024	30/09/2024		(Total Hours Booked) / (Total Hours Available) x 100	25%	Based on availability between 8.00am and 10.00pm. In line with budgeted expectations.
2	Percentage Usage of City's Facilities - Sports Courts	Facility Utilisation	Assesses the efficiency of sports court usage by calculating the percentage of hours that courts are booked out of the total hours they are available for use.	01/07/2024	30/09/2024		(Total Hours Booked) / (Total Hours Available) x 100	50%	Booked hours for sports courts at the RISE and the Morley Sport and Recreation Centre based on available hours of 8.00am to 10.00pm 7 days a week. This does not include casual use. Results are in line with budgeted expectations.
3	Percentage Usage of City's Facilities - Venues	Facility Utilisation	Assesses the efficiency of venue usage by calculating the percentage of hours that venues are booked out of the total hours they are available for use.	01/07/2024	30/09/2024		(Total Hours Booked) / (Total Hours Available) x 100	35%	Based on an availability between 7.30am and 9.00pm 7 days a week. Reflects the finishing of the Winter season, moving into the summer season with ground preparation closures.
4	Percentage of Bayswater Residents registered as library members	Community Engagement & Services	Measures the proportion of the City of Bayswater's population (Estimated Resident Population) that holds memberships at City of Bayswater libraries	01/07/2024	30/09/2024	<ul style="list-style-type: none"><li>• Morley Library</li><li>• Bayswater Library</li><li>• Maylands Library</li><li>• Population (Profile.ID) = 74,283</li></ul>	(Number of Library Members) / (Estimated Resident Population of Bayswater Residents) x 100	18.70%	Library Services total membership at the end of the quarter is 19,784 of which 13,881 live in the City of Bayswater.
5	Percentage of Bayswater Residents registered as Recreation Centre Members	Community Engagement & Services	Measures the proportion of the City of Bayswater's population (Estimated Resident Population) that holds memberships at its recreation centres, including those enrolled in swim school	01/07/2024	30/09/2024	<ul style="list-style-type: none"><li>• Bayswater Waves</li><li>• Morley Sport and Recreation</li><li>• The RISE</li><li>• Population (Profile.ID) = 74,283</li></ul>	(Number of Recreation Centre Members) / (Estimated Resident Population of the City of Bayswater) x 100	6%	Based on the total population and a membership base of 4200 across all facilities which is in line with expectations.
6	Resolved Graffiti Incidents	Community Engagement & Services	Tracks the number of graffiti vandalism incidents successfully resolved	01/07/2024	30/09/2024		Total Number of Graffiti Vandalism Incidents Resolved during the period.	1330	Tech One CRM for the first Quarter was 107 completed request for Graffiti From public and internal customers Graffiti Crew (cleaned as he sees it) 1183 events cleaned diarised CHD Approx 40 Emails
7	Total Number of Better Bayswater Grants Awarded	Community Engagement & Services	Measures the total number of Better Bayswater grants awarded by the City to community groups for organizing events and initiatives	01/07/2024	30/09/2024		Total Number of Better Bayswater Grants awarded during the period	N/A	not open during this period
8	Total Dollar Value of Better Bayswater Grants Awarded	Community Engagement & Services	Measures the total dollar value of Better Bayswater grants awarded by the City to community groups for organizing events and initiatives	01/07/2024	30/09/2024		Total Dollar Value of Better Bayswater Grants awarded during the period	N/A	not open during this period
9	Total Number of Community Service Partnership Agreements	Community Engagement & Services	Measures the total number of formal partnerships that the local government has with external organizations (nonprofits, businesses, other government agencies) to provide community services.	01/07/2024	30/09/2024		Total Number of Community Service Partnership Agreements held during the period	21	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.
10	Total Number of Community Event and City Support Grants Awarded	Community Engagement & Services	Measures the total number of community and cultural events that receive any form of support from the city over a specified period. Support can include financial assistance, provision of public spaces, logistical help, or promotional activities.	01/07/2024	30/09/2024	<ul style="list-style-type: none"><li>• Excluding Better Bayswater Grants</li></ul>	Total Number of Community and Cultural events that have received any form of support from the City during the period	10	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.

2024/25 CBP KPI: QUARTERLY REPORTING									
Reporting For: Qtr 1 - FY24/25									
KPI No.	KPI	Category	KPI Description	Period Start (Inclusive)	Period End (Inclusive)	Parameters	Calculation Method	Current Quarter Value	Current Quarter Comment (Optional - highlights or issues)
11	Total Dollar Value of Community Event and City Support Grants Awarded	Community Engagement & Services	Measures the total dollar value awarded to community and cultural events that receive any form of support from the city over a specified period. Support can include financial assistance, provision of public spaces, logistical help, or promotional activities.	01/07/2024	30/09/2024	• Excluding Better Bayswater Grants	Total Dollar Value awarded to support Community and Cultural events that have received any form of support from the City during the period	\$ 38,772.83	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.
12	Total Number of City-led Community Events	Community Engagement & Services	Measures the total number of community and cultural events that the city itself organizes and hosts within a specified period. This includes events where the city is the primary organizer or a major partner.	01/07/2024	30/09/2024		Total number of events hosted by the city in the period	1	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.
13	Total Number of customer requests relating to Rangers or Security matters	Community Engagement & Services	Measures the number of customer requests created in relation to community safety within a specific period.	01/07/2024	30/09/2024		Total Number of CRMs created that relate to community safety in the period.	2124	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.
14	Number of Building Application Received	Planning & Building	Measures the total number of building applications received over a specific period.	01/07/2024	30/09/2024		Total number of building applications received	276	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.
15	Building Approval Compliance Rate within Statutory Approval Timelines	Planning & Building	Measures the proportion of building approvals processed within the legally mandated time frames for the period. If an application is submitted late in the quarter and its deadline falls in the next quarter, track it but exclude it from the current quarter's compliance rate. Only count applications with both submission and decision dates within the same quarter. Carry over any pending applications to the next quarter and include them in that quarter's compliance rate based on whether they met their statutory timeframes.	01/07/2024	30/09/2024		(Building Approvals Processed Within Statutory Time Frames / Total Building Approvals Received) x 100%	100%	Statutory Building staff have processed all permits within the statutory timeframes.
16	Number of Planning Application Received	Planning & Building	Measures the total number of planning applications received over a specific period.	01/07/2024	30/09/2024		Total number of planning applications received	151	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.
17	Planning Approval Compliance Rate within Statutory Approval Timelines	Planning & Building	Measures the proportion of planning approvals processed within the legally mandated time frames for the period. If an application is submitted late in the quarter and its deadline falls in the next quarter, track it but exclude it from the current quarter's compliance rate. Only count applications with both submission and decision dates within the same quarter. Carry over any pending applications to the next quarter and include them in that quarter's compliance rate based on whether they met their statutory timeframes.	01/07/2024	30/09/2024		(Planning Approvals Processed Within Statutory Time Frames / Total Planning Approvals Received) x 100%	94%	60 day applications - 92%/ 90 day applications - 96%
18	City's Annual Carbon Footprint	Environmental Sustainability	Calculates the total greenhouse gas emissions produced by the city over the period, measured in tonnes of carbon dioxide equivalent (CO <sub>2</sub> )	01/07/2024	30/09/2024		Total Emission from: Emissions from Transportation + Emissions from Residential + Emissions from Commercial + Emissions from Industrial + Emissions from Waste + Indirect Emissions	N/A	Annual measure

2024/25 CBP KPI: QUARTERLY REPORTING						Reporting For: Qtr 1 - FY24/25			
KPI No.	KPI	Category	KPI Description	Period Start (Inclusive)	Period End (Inclusive)	Parameters	Calculation Method	Current Quarter Value	Current Quarter Comment (Optional - highlights or issues)
19	Total Number of Native Plants Installed	Environmental Sustainability	Measures the total number of native plants that are planted within the period	01/07/2024	30/09/2024		Total number of native plants planted	6325	As part of Parks Winter 2024 Garden Bed planting the City planted 6,325 140ml potted plants, we are now commencing planning for Winter 2025. Natural Areas also planted many native tube stock
20	Total Number of Trees Installed	Environmental Sustainability	Measures the total number of trees planted within the period	01/07/2024	30/09/2024		Total number of tress planted	2550	As part of Urban Forest Winter 2024 planting the City planted 2,550 potted trees, we are now commencing planning for Winter 2025 planting and may plant some within this FY which will be recorded here
21	Percentage of Groundwater Allocation Used	Environmental Sustainability	Measures the volume of groundwater used as a percentage of the total volume allocated for use within the period	01/07/2024	30/09/2024		(Total Volume of Groundwater Used) / (Total Volume Groundwater Allocation) x 100	3.56%	• Licence GWL 161084 (1) 2024 / 2025 - Usage: 38573.9   Allocation: 1323630   Percentage: 2.91% • Licence GWL 202969(1) Usage 2024 / 2025 - Usage: 3542.42   Allocation: 100400   Percentage: 3.53% • Licence GWL 158634 (4) 2024 / 2025 - Usage: 14155   Allocation: 411200   Percentage: 3.44% • Licence GWL 153151 (2) 2024 / 2025 - Usage: 27863   Allocation: 531370   Percentage: 5.24%
22	Tree Canopy Coverage percentage	Environmental Sustainability	Measures the percentage tree canopy coverage of the City. Conducted every 3 years via LIDAR flyover.	01/07/2024	30/09/2024		Repeat current value until new data received	14.48%	14.48% Canopy Coverage next Lidar Scan due in 2027
23	Waste Recovery Rate	Environmental Sustainability	Measures the percentage of waste that is successfully diverted from landfill through recycling and FOGO processes	01/07/2024	30/09/2024		(Total weight of materials recovered through recycling and FOGO) / (Total weight of all waste collected) x 100	N/A	Annual measure
24	Annual Capital Budget Utilisation	Financial Performance	Compares the actual expenditures, including commitments on capital projects over a given period to the budgeted expenditures	01/07/2024	30/09/2024		((Actual Spend + Commitments - Budgeted Spend) / Budgeted Spend ) x 100	N/A	Annual measure
25	Financial Sustainability: Current Ratio	Financial Performance	A measure of a local governments liquidity and its ability to meet its short term financial obligations from unrestricted current assets  A ratio above 1 indicates that the local government has more current assets than current liabilities, which is generally a positive indicator of financial health.	01/07/2024	30/09/2024		Current Liabilities / Current Assets	N/A	Annual measure
26	Financial Sustainability: Operating Surplus Ratio	Financial Performance	An indicator of the extent to which revenue raised not only covers operational expenses, but also provides for capital funding  A positive ratio suggests that the government is generating enough revenue to cover its operational expenses and contribute to capital funding, while a negative ratio indicates a deficit.	01/07/2024	30/09/2024		(Operating Revenue - Operating Expenses) / Operating Revenue	N/A	Annual measure

2024/25 CBP KPI: QUARTERLY REPORTING						Reporting For: Qtr 1 - FY24/25			
KPI No.	KPI	Category	KPI Description	Period Start (Inclusive)	Period End (Inclusive)	Parameters	Calculation Method	Current Quarter Value	Current Quarter Comment (Optional - highlights or issues)
27	Financial Sustainability: Own-Revenue Ratio	Financial Performance	To measure the City's ability to cover its costs through its own revenue efforts  A higher ratio indicates a stronger ability to cover costs through revenue generated internally (e.g., rates, fees) without relying on external funding sources.	01/07/2024	30/09/2024		Own-Source Revenue / Total Operating Expenses	N/A	Annual measure
28	Financial Sustainability: Debt-Service Ratio	Financial Performance	An indicator of the extent to which assets managed by a local government are being renewed or replaced as they reach the end of their useful lives  A lower ratio is preferable, indicating that a smaller portion of the revenue is required to service debt, leaving more funds available for other purposes	01/07/2024	30/09/2024		Annual Debt Service / Operating Revenue	N/A	Annual measure
29	Employee Turnover Rate	Human Resources	A rolling measure of the percentage of employees who leave an organization over a specific period, regardless of the reason (voluntary or involuntary departures)	01/07/2024	30/09/2024		(Total Number of Employees Leaving in the Last 12 Months) / (Average Number of Employees Over the Last 12 Months) x 100	14.57%	This rate is consistent with the previous quarter
30	Lost Time Injury Frequency Rate (LTIFR)	Human Resources	LTI is a work-related injury resulting in the inability of the injured employee to perform regular work duties on any day after the injury occurred, regardless of whether it was a scheduled workday.	01/07/2024	30/09/2024		( Number of LTI's ) / ( Total Hours Worked ) x 1,000,000	24	This is a decrease of 19.68% from the previous quarter.
31	Number of Visitors to the City of Bayswater website	Digital & Online Engagement	Measures the total number of visitors to the City of Bayswater's official website over a specific period.	01/07/2024	30/09/2024		Number of visitors recorded during the period	93446	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.
32	Number of Visitors to the Engage Bayswater portal	Digital & Online Engagement	Measures the total number of visitors to the Engage Bayswater portal over a specific period.	01/07/2024	30/09/2024		Number of visitors recorded during the period	19622	Unique visitors. Contributions from 13% = 1,541 contributors.
33	Social Media Follower Growth	Digital & Online Engagement	Measures the percentage change in number of followers of the City of Bayswater's social media accounts over a specific period.	01/07/2024	30/09/2024		((Number of Followers at the end of the period - Number of Followers at the start of the period) / number of followers at the start of the period ) x 100	1%	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.
34	Engagement Rate of Social Media Content	Digital & Online Engagement	Measures the engagement (likes, comments, shares, etc.) post's receive relative to the total number of followers or reach	01/07/2024	30/09/2024		( Total Interactions on Post's / Total Number of Followers or Reach ) x 100	9%	Continued to be monitored and reported to ensure ongoing performance evaluation and improvement.
35	Job-to-Worker Ratio	Economic Development	Measures the number of jobs available within the City of Bayswater compared to the number of workers residing in the city. A ratio greater than one indicates more jobs than resident workers	01/07/2024	30/09/2024	• Use Economy.ID	Total Number of Jobs within the City / Total Number of Resident Workforce	0.59	The jobs to residents ratio for the City of Bayswater in 2022/23 was 0.59, meaning that there were less jobs than resident workers. Other Services had the highest ratio (1.12), while the lowest ratio was found in Mining (0.13).

2024/25 CBP KPI: QUARTERLY REPORTING								Reporting For: Qtr 1 - FY24/25	
KPI No.	KPI	Category	KPI Description	Period Start (Inclusive)	Period End (Inclusive)	Parameters	Calculation Method	Current Quarter Value	Current Quarter Comment (Optional - highlights or issues)
36	Per Capita Gross Regional Product of City of Bayswater	Economic Development	Measures the total economic output (Gross Regional Product) of the City of Bayswater divided by its population (Estimated Resident Population), providing an average economic productivity figure per resident	01/07/2024	30/09/2024	• Use Economy.ID	Total GRP / Estimated Resident Population of the City of Bayswater	\$ 47,925.00	City of Bayswater's Gross Regional Product was \$3.56 billion in the year ending June 2023, growing 2.5% since the previous year. Total Population - 74,283
37	Total number of active trading businesses in City of Bayswater	Economic Development	Measures the total number of businesses that are currently registered and actively trading within the City of Bayswater.	01/07/2024	30/09/2024	• Use Economy.ID	Number of GST registered businesses that are active and trading as per Economy.ID	7586.00	There were an estimated 7,586 total GST registered businesses in the City of Bayswater in the Mar-24 quarter. There were 233 new businesses and 120 business GST cancellations in the same quarter.



**10.5.1.4 Quarter 1 - Quarterly Performance Report - Risk**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. 2024 JLT Risk Report [8.4.1 - 112 pages]</li> <li>2. Strategic Risk Register 2024 25 Q1 Reporting ARMC [8.4.2 - 1 page]</li> <li>3. CONFIDENTIAL - Operational Risk Register Q1 Reporting [8.4.3 - 4 pages]</li> </ol>

***Confidential Attachment(s) in accordance with Section 5.23(2) of the Local Government Act 1995 (WA):***

- (f) *a matter that if disclosed, could be reasonably expected to —*
- (ii) *endanger the security of the local government's property;*

**SUMMARY**

This report provides an update on Corporate Risk Management activities during Quarter 1 (Q1) 2024-25.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)**

**That Council:**

1. **Notes the Quarterly Performance Review – Risk Management Q1 2024-25 report, risk outside of tolerance, new risks and closed/inactive risks as contained in Attachment 3 to this Report;**
2. **Endorses the Strategic Risk Register as detailed in Attachment 2 to this Report.**

**BACKGROUND**

This report provides an update on Corporate Risk for Q1 (1 July – 15 October) 2024-25.

**EXTERNAL CONSULTATION**

Nil.

**OFFICER'S COMMENTS****Strategic Risk**

During quarter 1, the Strategic Risk review process was conducted with Executive Leadership Team (ELT), this process considered the 2024 JLT Public Sector Risk Report (**Attachment 1**).

Risk descriptions have been revised slightly to provide a clearer explanation of our Strategic Risks aligning to our Strategic Community Plan (SCP) Key Result Areas.

One (1) new strategic risk "Inability to effectively manage the city's waste" has been identified within Environment and Liveability relating to our long-term plans for waste management.

Strategic risks will be reported to Audit and Risk Management Committee on an annual basis and controls will continue to be reviewed and monitored through the quarterly reporting process by ELT. The Strategic Risk Register is provided as **Attachment 2**.

**Operational Risk**

Reviews were conducted on two (2) branch operational risk registers by the Branch Manager and their service managers/coordinators. The key focus of the reviews was on the risk control environment and the definition of risk controls.

The operational risk register summary dashboard and information relating to new risks and risks outside of tolerance has been provided in **Attachment 3**.

**Operational Risk Profile (as of 15 October 2024)**

Risk Rating	Qtr. 4	Qtr. 1
Extreme	0	0
High	1	4
Medium	86	91
Low	32	38
Not Rated	52	44
<b>Total</b>	<b>171</b>	<b>177</b>

Risk by Tolerance	Qtr. 4	Qtr. 1
Not Rated	52	44
Risks > Appetite	6	12
Risks within Appetite	113	121
<b>Total</b>	<b>171</b>	<b>177</b>

**Recreation Services**

Eight (8) risks were reviewed as part of the risk review process. Two (2) new risks were identified, one (1) risk was closed, and one (1) risk was transferred to another branch. Two (2) fraud and corruption risks were not rated and will be assessed as part of International Anti-Corruption Day activities in December.

**Rangers and Security**

Eighteen (18) risks were reviewed as part of the risk review process. Six (6) new risks were identified, and four (4) risks were closed.

**Assets**

One (1) risk was identified and reviewed.

**New Risks**

Three (3) risks relate to an increase in Anti-Social Behaviour impacting on patron and employee safety, and one (1) risk relates to a decline in satisfaction in community satisfaction in recreation facilities three (3) risks relate to decline in the ability of rangers and security to deliver core services. One (1) risk relates to the ability to respond to a duress call and one (1) risk relate to the ESRI GIS system.

**Closed/Inactive**

One (1) risk was closed this quarter relating to the use of recreation facilities as Emergency Evacuation Centres. This is outside the City's control and has low reputational risk.

One risk relating to leased facilities not being maintained or managed in line with the agreed service agreement was transferred to the appropriate branch. Two (2) risks were closed as they are managed by state government departments and one (1) risk was removed due to duplication. One (1) risk was removed as a 72-hour disruption would not cause a business continuity risk.

**Re-Rated Risks**

As part of the branch review there was a fluctuation in the risk ratings across the board. This is due to the review and update of the risks previously rated as 'not rated'.

***Risks outside of Appetite***

Twelve (12) risks are outside of appetite. Eight (8) of the risks out of appetite are rated medium. As per the risk management framework, after the first initial reporting, risks outside of appetite with a medium rating are reported to ELT on an annual basis, management continue to manage the risks and monitor the control environment. Considering this, detailed reporting on the five (5) risks previously reported to ELT is not provided.

Detailed information on the three (3) new risks outside of appetite is provided in **Attachment 3**.

Risks outside of appetite with a high risk rating are reported to the ARMC. There are four (4) risks with a high risk rating outside of appetite. Information relating to these risks is provided in the confidential **Attachment 3**.

**LGIS Audit Recommendations**

As part of our insurance service, LGIS undertakes regular liability and property audits providing the City of Bayswater with a report detailing liability and risk reduction recommendations. The risk team works with management to review the reports and develop treatments to address the LGIS audit findings. These risk treatments are monitored through the quarterly reporting process.

Two (2) LGIS liability reduction audit reports were received for Maylands Lakes and Bayswater BMX and Mountain Bike Facility. A summary of the risk reduction recommendations and progress on actions to address the recommendations is summarised in the table below.

***LGIS Liability Risk Recommendations***

Implementation Priority	Recommendations	Action Complete	Action on Track
High (0-90 day action)	3	2	1
Moderate (0-12 mths action)	15	2	13
Advisory (recommendation)	3	3	3

No property risk audits were conducted in Q1, however, risk treatment progress continued from previous audits.

**International Anti-Corruption Day**

December 9 is International Anti-Corruption Day marking the anniversary of the adoption of the United Nations Convention against Corruption (UNCAC) in 2003.

To support this global initiative, during quarters 2 and 3 risk reviews will be focused on evaluating fraud and integrity risks across the organisation. Branch managers (and their nominated team members) will be invited to participate in workshops specific to fraud and integrity risks within their areas.

**LEGISLATIVE COMPLIANCE**

Not applicable.

**RISK MANAGEMENT CONSIDERATION**

The table below shows the level of risk for each impact category if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low

Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR09 - Inability to develop and maintain a competent, capable and culturally aligned workforce.	

**FINANCIAL IMPLICATIONS**

Not applicable.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L2: Plan and deliver projects and services in a sustainable way.  
Work together to deliver the best outcomes for the community by managing our resources in a financially sustainable way.

**CONCLUSION**

This report provides a quarterly update on the appropriateness and effectiveness of the City's systems and procedures in relation to risk management, internal controls and legislative compliance through management and monitoring of risk.

The background of the entire page is a photograph of a tall, metal windmill standing in a field. The sun is low on the horizon, creating a warm, orange and yellow glow across the sky and landscape. The windmill is silhouetted against the bright sky. The foreground shows some dark, silhouetted vegetation.

# JLT Public Sector Risk Report

JLT Public Sector is your trusted expert in the design and delivery of risk solutions for governments and their communities.

Our solutions are built on knowledge and expertise across advice, protection, claims, risk and insurance service areas and our clients are our number one priority.

Our experience in the sector and in product innovation create risk solutions for stronger local, state and federal governments and more resilient communities for the future.

### Acknowledgement of Country

In the spirit of reconciliation, JLT Public Sector acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.



“

**The events of the past four years are still front of mind as councils continue to rebuild their communities.**

**GARY OKELY**

Head of Public Sector



## NOTE FROM GARY OKELY

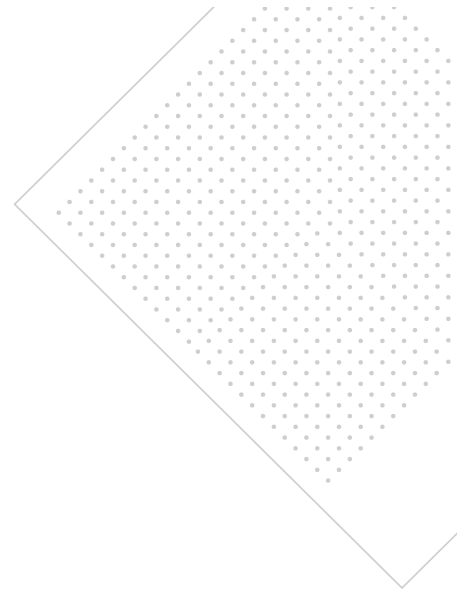


**GARY OKELY**

Head of JLT Public Sector, Pacific

The JLT Public Sector Risk Report highlights that the experiences of the past four years are still at the forefront of CEOs' and GMs' minds. Many councils are still in the process of recovering and rebuilding their communities.

# WELCOME



The 2023 JLT Public Sector Risk Survey results place a lens on the accumulative effect of key risks that local government encounters, such as assets and infrastructure, climate adaptation, cybersecurity, and human resources. Among these, financial sustainability ranks as the most critical concern.

The responses from councils demonstrate their advanced understanding of risks and the underlying factors associated with them.

There is growing recognition of the elevated importance of cyber risk within local government. As reliance on information technology, sophisticated communication platforms and compliance increases, local government face greater challenges in delivering essential services to the community through virtual platforms and/or advanced technology.

In 2023, communities faced financial challenges as high interest rates and inflationary pressures contributed to the increase in the cost of living. At the same time, councils experienced cost pressures due to ongoing disaster recovery efforts and the need to build “resilience.”

The rapidly maturing risk profile of local government has led to a shift in understanding. Instead of addressing individual risks in isolation, councils are adopting a more comprehensive approach. This involves considering systemic risk, risk profiles and the interconnected nature of risks. Additionally, councils are managing the combined attributes of risks, including exposure, vulnerability and impact.

The survey findings indicate that the emergence of People & Culture is a broader “community” risk. This recognition underscores the importance of fostering a local workforce that can actively contribute to community enrichment, prosperity and overall well-being. These factors collectively shape a council’s reputation and culture.

The 2023 survey results reinforce the importance of local government building collaborative partnerships with stakeholders, engaging in public/private arrangements, and fostering strong relationships between all levels of government.

Financial sustainability remains the key risk that defines the risk profile of local government. The report offers crucial data and information that can add to conversations within the sector regarding the challenges and opportunities for increased investment in local government sustainability. This information is an essential piece for supporting resilient communities, a healthy economy and workforce, and effectively managing infrastructure and natural environments.

We extend our gratitude to all the CEOs and General Managers who participated in the JLT Public Sector Risk Survey. Your valuable contributions are essential to the creation of the JLT Public Sector Risk Report.

It is with great pleasure that I present to you the JLT Public Sector Risk Report.

# AUSTRALIAN LOCAL GOVERNMENT RISK RANKINGS FROM THE 2023 JLT RISK SURVEY



## FINANCIAL SUSTAINABILITY



The significant impact of past events, as well as the interconnectedness of risks, collectively contribute to financial pressure for councils. This, in turn, affects their bottom line and financial sustainability, ultimately impacting their ability to effectively serve their communities.

1



## CLIMATE CHANGE



4

Climate change is increasingly causing physical and transitional risks to councils. These risks result in significant impacts on business and function, and the insufficient disaster recovery costs undermine the ability for Councils and their communities to recover quickly. This in turn leads to councils being unable to satisfy the needs of the community and meet their expectations.



## DISASTER & CATASTROPHE

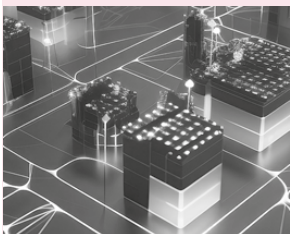


5

The increase and continual impact of disasters such as floods, bushfires and cyclones significantly impact councils. This is being compounded by the effects of climate change. With limited funds provided to Local Government to mitigate the effects of events on their assets & infrastructure, councils remain wary.



## CYBER SECURITY



2

The risk of a cyber incident is pervasive across all sectors, including local government. Recognising the potential impact an ICT outage, cyber-attack or ransomware can have on a council and its constituents showcases a growing emphasis on enhancing the protection of systems and data.



## PEOPLE & CULTURE



Councils continue to struggle with attracting and maintaining professional staff. This is made more challenging as they compete with market costs that their funding from the State and Federal Governments and rates do not provide for. Unsafe workplaces from bullying and harassment from frustrated community members is a rising concern.

6



## ASSETS & INFRASTRUCTURE



3

The breadth, diversity and scale of the Assets & Infrastructure portfolios managed by local government is immense and varied. The capacity to finance building or maintaining Assets & Infrastructure is a significant issue for councils, along with the cost of upgrading or repairing. Over the past two years, inflation has been a considerable impact to maintain or upgrade/replace assets.



## BUSINESS CONTINUITY



Local governments have been significantly affected by business interruptions caused by a range of events, including the many and too-frequent natural disasters of unprecedented severity, the increasing incidents or threats of Cyber-attacks and the continued ripples of the COVID-19 pandemic. These disruptions have had a significant impact on the operations and finances of local government.

7



## WASTE MANAGEMENT

Increased expectations to reimagine the waste management process creating better practices and sustainability pose substantial challenges for the public sector, encompassing issues of financial capacity, environmental sustainability, resource allocation and public health as well as high-risk activity with challenges around all aspects of risk, from liability, property, workers and environment.

10



## REPUTATION RISKS

Being in touch with community needs and understanding the most effective way to meet these, councils have the challenge of managing community expectations when it comes to the provision of essential services. Further, reputation is closely linked to other key risks which drive community expectations.

11



## INEFFECTIVE GOVERNANCE

Operating in an environment of increasing change, councils are being affected by new vulnerabilities and risks. Supply chain issues, inflationary pressures, election cycles, and workforce challenges have placed significant pressure on local governments' workplace culture, internal control environment, and capacity, which if not held together by a strong governance framework, potentially lead to performance and accountability issues.

8



## STATUTORY/ REGULATION

Councils face the challenge of managing the multitude of statutory and regulatory requirements placed upon them by State and Federal legislation. They are also a regulator in their own right via local laws, as well as any State and Territory legislative powers that have been delegated to them.

9



## LIABILITY CLAIMS



Understanding councils' risk profile and applying the risk management policy and processes underpin the management of liability claims.

12

# TOP **FIVE** RISKS BY STATE

## NORTHERN TERRITORY

- 1 FINANCIAL SUSTAINABILITY
- 2 BUSINESS CONTINUITY
- 3 INEFFECTIVE GOVERNANCE
- 4 ASSET & INFRASTRUCTURE
- 5 PEOPLE & CULTURE

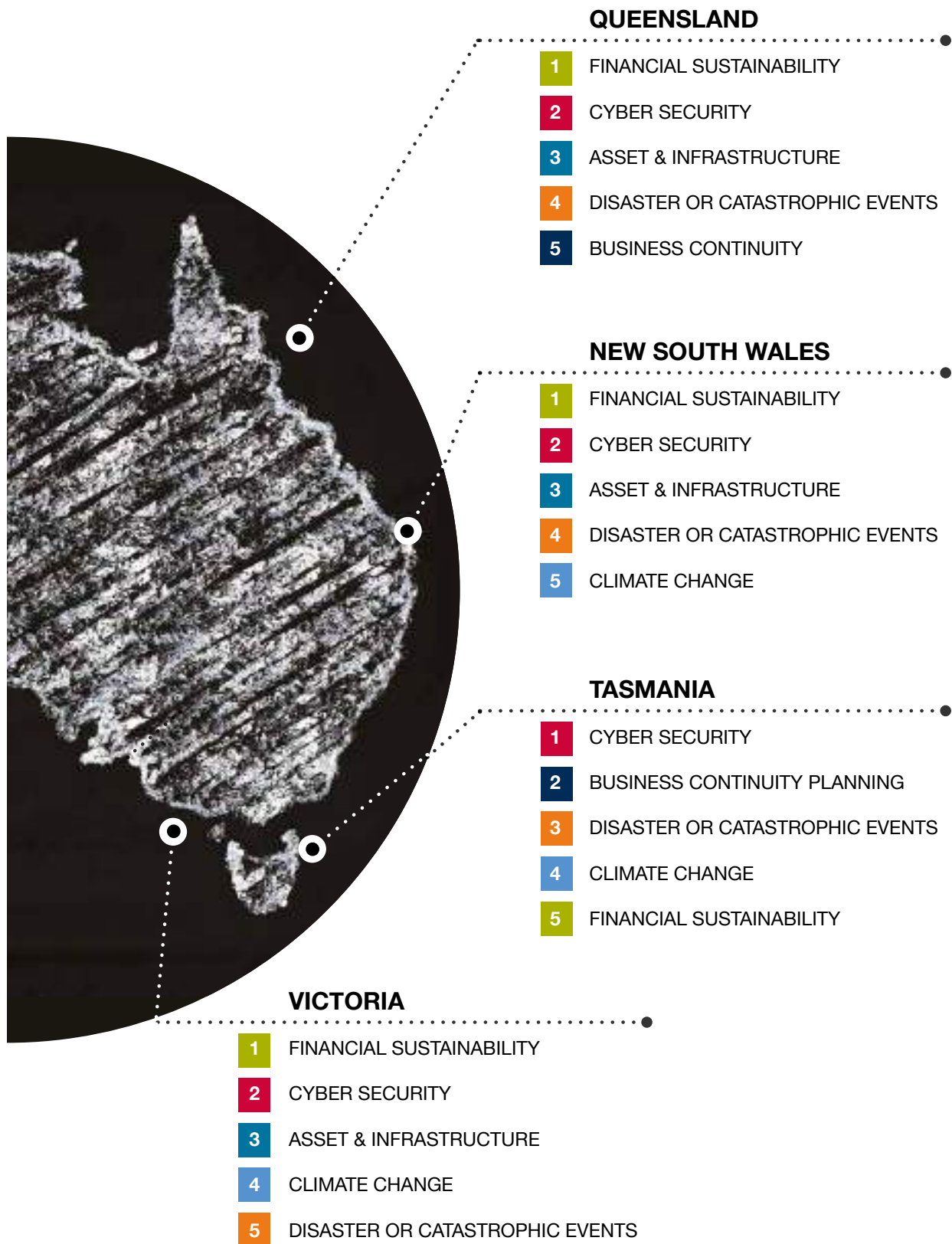
## WESTERN AUSTRALIA

- 1 ASSET & INFRASTRUCTURE
- 2 CYBER SECURITY
- 3 FINANCIAL SUSTAINABILITY
- 4 CLIMATE CHANGE
- 5 DISASTER OR CATASTROPHIC EVENTS

## SOUTH AUSTRALIA

- 1 FINANCIAL SUSTAINABILITY
- 2 CYBER SECURITY
- 3 ASSET & INFRASTRUCTURE
- 4 PEOPLE & CULTURE
- 5 INEFFECTIVE GOVERNANCE





# RISKS BY **REGION**

## CAPITAL CITY



1. Financial Sustainability
2. Cyber Security
3. Climate Change
4. Reputation
5. Ineffective Governance
6. People & Culture
7. Business Continuity Planning
8. Disaster & Catastrophic Events
9. Civil Liability Claims
10. Assets & Infrastructure
11. Statutory & Regulatory Requirements
12. Waste Management

## METROPOLITAN



1. Cyber Security
2. Financial Sustainability
3. Assets & Infrastructure
4. Climate Change
5. Ineffective Governance
6. People & Culture
7. Disaster & Catastrophic Events
8. Business Continuity Planning
9. Waste Management
10. Reputation
11. Statutory & Regulatory Requirements
12. Civil Liability Claims

## REGIONAL CITY



1. Financial Sustainability
2. Climate Change
3. Assets & Infrastructure
4. Cyber Security
5. Business Continuity Planning
6. People & Culture
7. Disaster & Catastrophic Events
8. Statutory & Regulatory Requirements
9. Ineffective Governance
10. Waste Management
11. Civil Liability Claims
12. Reputation



REGIONAL	RURAL/REMOTE
	
<ol style="list-style-type: none"> <li>1. Financial Sustainability</li> <li>2. Cyber Security</li> <li>3. Assets &amp; Infrastructure</li> <li>4. Disaster &amp; Catastrophic Events</li> <li>5. People &amp; Culture</li> <li>6. Business Continuity Planning</li> <li>7. Climate Change</li> <li>8. Ineffective Governance</li> <li>9. Statutory &amp; Regulatory Requirements</li> <li>10. Waste Management</li> <li>11. Reputation</li> <li>12. Civil Liability Claims</li> </ol>	<ol style="list-style-type: none"> <li>1. Financial Sustainability</li> <li>2. Cyber Security</li> <li>3. Assets &amp; Infrastructure</li> <li>4. Disaster &amp; Catastrophic Events</li> <li>5. People &amp; Culture</li> <li>6. Business Continuity Planning</li> <li>7. Climate Change</li> <li>8. Statutory &amp; Regulatory Requirements</li> <li>9. Ineffective Governance</li> <li>10. Waste Management</li> <li>11. Civil Liability Claims</li> <li>12. Reputation</li> </ol>

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# EXECUTIVE SUMMARY

Insights from the 2023 JLT Public Sector Risk Survey shed light on the risks that local government face. The survey examined twelve key risks such as Financial Sustainability, the Management of Damaged and Aging Assets and Infrastructure, Climate Change/Adaptation, Cybersecurity and People & Culture. According to the survey results, councils have become increasingly conscious of the collective impact of these risks and the implications for their communities. As a result, Financial Sustainability retains its position as the top-ranked risk, reflecting the heightened awareness of its potential consequences on other risks.

Local governments increasingly rely on information technology and advanced communication platforms to deliver essential services to the community. Due to this, the escalating threat of virtual and social media-related risk remains a significant concern. Recognising the importance of protecting sensitive data and mitigating potential cyber threats reflects the evolving landscape of technology and the need for robust security measures in local government.

The lasting effects of disaster risks and the complicated pathway to recovery continue to shape the risk profile of local government. The domino effect of climate-related risk introduces social/community issues relevant to well-being, health services, chain of supply, cost of living, housing shortage, and financial impost on consumers. These factors collectively influence the financial sustainability of councils, highlighting the complex pathway to recovery and the need for comprehensive risk management strategies.

The growing impact of different risk factors has not only deepened the sector's comprehension of risk but has also prompted a shift in how risk is perceived. Unlike previous years, where the Risk Report primarily focussed on identifying specific risks, this year's results have demonstrated a notable shift towards adopting a more holistic approach to assessing the risk profile. The findings of the survey indicate.

- **Risk versus Impact:** There is an increased focus on managing the combined attributes and domino effect of risk, taking into account exposure, vulnerability and impact, rather than identifying and considering each risk in isolation.
- **Systemic Effects:** there is increased recognition of the impacts of cascading, compounding and concurrent influences or events that create risk. This includes the consequences for funding, resourcing, coordinating and managing these effects.

In order to align with this evolving perspective, the existing strategic, budgetary and operational frameworks used to profile, plan for and manage risks will be adapted. These adjustments are necessary to effectively reflect the evolving risk profile of local government and to foster community trust and resilience.

To better capture the comprehensive nature of this risk, the definition of Human Resources was adjusted to People & Culture. The survey results from 2023 highlight the recognition that People & Culture is an emerging "community" risk emphasising the importance of supporting a local workforce that not only enriches the community but also shapes the culture of the council.

A significant observation regarding this risk is that all states continue to face significant challenges in attracting and retaining skilled staff, a major challenge. With low unemployment rates, the competition with the private sector for key personnel is particularly intense, which is further exacerbated in regional areas. Additionally, as an employer, fostering a strong culture and resilient workforce is essential for a council's operational efficiency and innovation. This approach ensures delivery of functions and services as per regulatory and statutory requirements.

The survey results also highlight the importance of a council's ability to attract local businesses and employers that align with its social-economic environment. This extends to ensuring job security by attracting individuals who are the right fit for relevant roles.


While 2023 saw a decrease in national disasters compared to the previous years of 2019 to 2022, many areas of Australia continue to face significant challenges due to prolonged recovery efforts and insufficient financial support for rebuilding after floods, bushfires and extreme weather events.

Against the background of local government still managing and/or recovering from COVID-19, the floods that impacted NSW and south-east Queensland in February 2022 provided no reprieve and are noted as the fourth most expensive natural disaster globally that year, with the Insurance Council of Australia recording the floods as the "costliest insured event recorded in Australia".<sup>1</sup>

While Financial Sustainability remains the key risk that defines local government's risk profile, the contribution from Chief Executive Officers/General Managers (CEO/GMs) to the 2023 Risk Survey provides essential and valuable data and information that will contribute to the sectors' conversations regarding the challenges and opportunities for local government sustainability. This information is essential for supporting resilient communities, a healthy economy and workforce, maintaining infrastructure and assets, enhanced investment in mitigating the impact of disaster events and ongoing provision of essential, regulatory and service delivery obligations.

<sup>1</sup> Insurance Council of Australia, Insurance Catastrophe Resilience report 2022-23





The input from Local Government CEOs and GMs is essential for gaining a comprehensive understanding of the risks they face while supporting their communities. The findings of the 2023 JLT Risk Survey were similar to the previous year's results on a national and regional level.

This year's JLT Risk Report explores the rankings of these risks at the national and state/territory levels. Furthermore, the report provides an in-depth analysis of the rankings, providing valuable insights for the various regions including city, metropolitan, regional city, regional and rural/remote areas.

A new addition to the report is the examination of the outcomes of these risks on councils. As risks continue to evolve, it is important to understand the consequences associated with them. This year, the JLT Public Sector Risk Survey introduced questions about these outcomes, shedding light on how councils and communities are affected beyond the risks themselves.

# OVERVIEW

## 2023

### Top two risks - Financial Sustainability & Cyber Security

It is widely acknowledged that the primary reason for Financial Sustainability consistently ranking as the top risk year after year is the significant impact of other risks on the financial stability of councils. This, coupled with the delay in receiving funding support following an event, has a direct impact on the financial sustainability of councils.

Cyber Security and the Breach of Data continue to be a major concern for Local Government. The rapid pace of technological advancement and the ever-evolving tactics of hackers make it challenging for most organisations to keep up. With 83 cyber incidents in the 2022/23 financial year, councils are increasing their knowledge and understanding of this risk to mitigate potential events that could impact them or their community.

### The other ten risks

This report highlights the understanding of councils regarding the interconnected nature of risks as well as the potential domino effect they can have on each other. While certain risks may shift in their ranking this year, councils know that any single risk can have a substantial impact on others during an event. The remaining risks are still recognised as significant concerns for councils. Although they are ranked, all of these risks are relevant and rankings reflect their importance at that specific moment in time.

# THE MOVEMENT OF RISK

## 2019-2023

This diagram illustrates the changes in the top five risks from 2019 to 2023, highlighting the shifting nature of these risks. More importantly, the top five risks have shown minimal movement over the past 12 months. Business Continuity dropped out of the top five, while climate change has entered the top five for the first time. This indicates that although there has been a reprieve in catastrophes and disasters over 2023, many councils are still impacted by prior events, and are still actively engaged in recovery and rebuilding efforts. As a result, these risks and vulnerabilities remain a significant concern for Local Government.

	2018	2019	2020	2021	2022	2023
1	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability
2		Cyber Security	Assets & Infrastructure	Cyber Security	Cyber Security	Cyber Security
3			Disaster or Catastrophic	Asset & Infrastructure	Asset & Infrastructure	Asset & Infrastructure
4		Natural Catastrophes	Cyber Security	Disaster or Catastrophe	Business Continuity	Climate Change
5		Climate Change			Disaster or Catastrophe	Disaster or Catastrophe
6	Asset & Infrastructure	Asset & Infrastructure	Business Continuity	Business Continuity	Climate Change	
7	Natural Catastrophes			Climate Change		
8	Cyber Security					
9			Climate Change			



# RISK RANKINGS 2018-2023

	2018	2019	2020	2021	2022	2023
1	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability
2	Theft, fraud and/or crime	Cyber Security	Assets & Infrastructure	Cyber Security	Cyber Security	Cyber Security
3	Reputation	Reputation	Disaster or Catastrophic	Asset & Infrastructure	Asset & Infrastructure	Asset & Infrastructure
4	Statutory & regulatory Requirements	Natural Catastrophes	Cyber Security	Disaster or Catastrophe	Business Continuity	Climate Change/ Adaptation
5	Environmental Management	Climate Change/ Adaption	Reputation	Reputation	Disaster or Catastrophe	Disaster or Catastrophe
6	Asset & Infrastructure	Asset & Infrastructure	Business Continuity	Business Continuity	Climate Change/ Adaptation	People & Culture
7	Natural Catastrophes	Statutory & Regulatory Requirements	Waste Management	Climate Change/ Adaptation	Statutory & regulatory Requirements	Business Continuity
8	Cyber Security	Ineffective governance	Statutory & Regulatory Requirements	Impact of Pandemic in 2021 & 2022	HR Management	Ineffective governance
9	Business Continuity	Business Continuity	Climate Change/ Adaptation	Statutory & Regulatory Requirements	Waste Management	Statutory & regulatory Requirements
10	Ineffective governance	HR/WHS Management	HR/WHS Management	Ineffective governance	Ineffective governance	Waste Management
11	HR/WHS Management	Environmental Management	Ineffective governance	Waste Management	Reputation	Reputation
12	Errors, omissions or civil liability exposure	Errors, omissions or civil liability exposure	Theft, fraud and crime threats (including social media)	HR/WHS Management	Impact of Pandemic in 2021 & 2022	Civil Liability Claims
13		Theft, fraud and crime	Errors, omissions or civil liability exposure	Civil Liability Claims		
14		Terrorism	Terrorism	Terrorism		

# THE RANKING OF THE 12 RISKS

The main reason for Financial Sustainability consistently being ranked as the top risk for councils is the significant impact of other risks on their financial stability.

Cyber security and the vulnerability of IT infrastructure remain major concerns for Local Government. The rapid advancement of technology and the ever-evolving tactics of hackers make it difficult for organisations to stay ahead.

## Highest ranking by respondents

**64.38%**

Financial Sustainability

**58.90%**

Cyber security/IT infrastructure

**42.47%**

Managing ageing, property, assets and infrastructure

**25.11%**

Climate Change/Adaptation

**24.20%**

Natural Hazard, Disaster/ Catastrophic Events

**21.92%**

People & Culture

**19.63%**

Business Continuity

**14.61%**

Ineffective Governance

**10.96%**

Statutory and/or Regulatory requirements

**8.68%**

Waste Management

**5.94%**

Reputation Risks

The local government risk environment is continually evolving, presenting local government executives with significant challenges in developing operational and financial plans that can deliver on the council's strategic plan.

With much of the organisation's finances allocated to delivering core council services, it can be difficult for CEO/GMs to ensure that their elected body balances short-term needs and longer-term investments in assets and essential infrastructure.

Financial Sustainability is interconnected with most risks – an underlying factor impacting the mitigation of risks across the spectrum.

With councils managing close to 33% of Australia's public sector-owned assets and infrastructure, the cost and resources required to build and maintain puts much pressure on council balance sheets. Many assets were built post-World War II and are seriously affected by disasters and catastrophes. This means councils can face an uphill battle in managing infrastructure.



1

## FINANCIAL SUSTAINABILITY

Since 1999, spending by local government has increased fourfold, with an annual growth rate of 6.7%. In 2018/19 total spending was estimated to be \$38.8 billion compared to \$8.2 billion in 1994/95. Furthermore, there have been significant changes in where local government expenditure has been directed with changes in environmental protection, recreation, culture and religion.

In the 21st century, the role of local governments has undergone significant changes in response to evolving community needs and the occurrence of cost shifting. Local governments are now responsible for delivering more than 150 services, despite minimal increases in funding to support these additional responsibilities.

Due to limited financial resources, local governments are facing challenges in maintaining their infrastructure. The Australian Local Government Association (ALGA) has highlighted that councils have little ability to upgrade their roads "to modern lane widths, safety standards or load-bearing capacities that cater for higher-productivity freight vehicles, higher traffic volumes, and congestion etc."<sup>2</sup>

In addition to infrastructure, community facilities are aging, and some local government areas are struggling to keep them properly maintained which places additional strain on the already limited resources available to councils.

Further, attaining and maintaining skilled professionals is a continual challenge when competing with the open market employees often move to the private sector. This is also affected by resource shortages such as lack of accommodation, and cost of living along with, the increase in bullying and harassment of staff by the public.

Cybersecurity and ensuring local government's IT infrastructure is safeguarded is paramount. The need to protect the organisation and community from sophisticated and malicious cyber-attacks continues to grow as the risks evolve. The reliance on digital and hybrid working models puts additional pressure on councils due to concerns about the impact on online services.

This report unpacks the underlying reasons why Financial Sustainability again ranks as the leading risk for local governments across Australia. This key element cuts across many other risks recognised in the survey and interconnects with risks, in particular Assets & Infrastructure, Reputation, councils' vulnerability to weather-related events and Human Resources.

Since 2018, Financial Sustainability has been the number one concern for council executives. While councils benefit from relatively stable annual council rates, in the current environment, facing scrutiny from the media and state governments, council rates are increasing at a much lower rate than inflation.

Further, councils face challenges in meeting community expectations in the delivery of not only essential services but also maintaining the attractiveness of community spaces. This is exacerbated by the often disproportionate spread of grant funding across states, as well as metropolitan and regional councils.



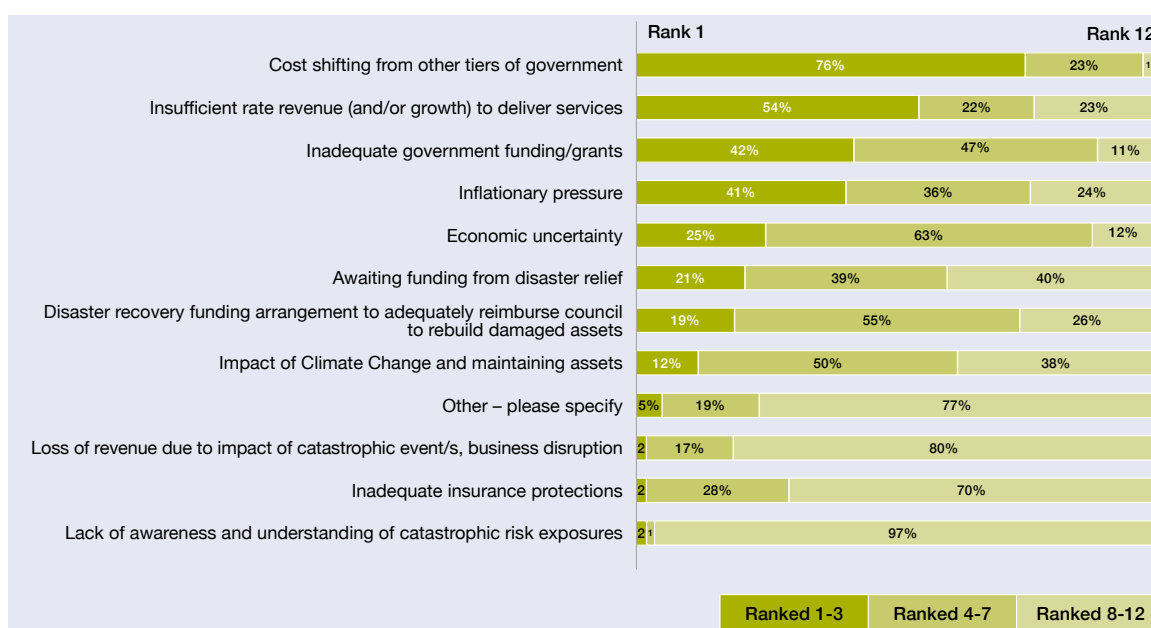


Figure 1: Financial Sustainability, national risk/heat map

64% of councils (nearly one-third of responses) ranked Financial Sustainability as their leading concern. Five of the seven states and territories ranked this risk as their highest risk. Conversely, for metropolitan councils who ranked this as their second highest risk, Cybersecurity was their leading risk at 42% (outweighing Financial Sustainability by 14%).

The management of critical infrastructure passed from state to local governments without adequate funding remains. This has a significant impact on local governments' bottom lines aligning with the leading underlying contributor to this risk. In fact, 75.8% of councils noted cost shifting from other tiers of government impacts their financial sustainability. This issue was ranked number one by metropolitan, regional and remote/rural councils.

Cost shifting from state to local government was again the highest-ranked underlying contributor to Financial Sustainability concerns. Cost shifting comes in many forms. One is the leasing of state-owned assets (like jetties, wharves, and sea walls) to councils that don't have the financial means to maintain or upgrade. The general belief in the community is that it is the council's responsibility to maintain these assets to acceptable levels. When this is not achieved, it creates reputational exposure. In some cases, liability risks arise if an asset fails, causing damage or injury.

Another prominent form of cost or risk shifting from state to local government is regulatory and legislation changes. Often, changes are driven by the state with relatively minor engagement with local government. A legislation change can impact the scope of services that councils might be required to deliver, creating a need for an increase in resources. It can also impact the scope of liability exposure in the event council's breadth of decision-making responsibility is increased without adequate funding.

#### Top three underlying factors for Financial Sustainability risk by region

##### CITY

1. Cost shifting from other tiers of government
2. Disaster recovery funding arrangements
3. Awaiting funding from disaster relief

##### REGIONAL

1. Inflationary Pressure
2. Insufficient rate revenue
3. Economic Uncertainty
4. Cost shifting from other tiers of government

##### REMOTE/RURAL

1. Cost shifting from other tiers of government
2. Insufficient rate revenue
3. Inadequate government funding/grants

<sup>2</sup> Australian Local Government Association, Background on Local Government Funding, 2020



Though council rates provide stable revenue, rising operations costs often mean services that need to be addressed are delivered with minimal budgets that cannot cover the actual costs. Over 54% of respondents noted insufficient rate increases as a serious risk. This is the second highest concern underpinning financial sustainability. However, it is the leading concern for 82.82% of regional city councils.

Many councils are still in the process of rebuilding from disasters that occurred between 2019-2023 and continue to wait for Federal Assistance Grants. As a result, many are forced to utilise their operational and investment funds to rebuild and assist their communities.

It is worth noting, prior to 2014, Financial Assistance Grants were indexed annually. However, the Federal Government discontinued this in 2014. ALGA noted this change has impacted communities estimating the cost to be more than \$600 million in services and infrastructure over three years.<sup>3</sup>

There's no doubt that councils are facing significant difficulties contending with the current economic environment. As inflation and interest rates increase, councils are unable to maintain rate increases with inflation. This, coupled with rising construction and material costs and delays due to contractor shortages meant 40% of councils ranked inflationary pressure as the fourth highest risk

Following on from previous years, councils continue to face limitations in how they receive revenue or with delay in funds for recovery. Councils primarily rely on three sources of revenue: taxation, charges/sales of goods and services and grants from federal and state/territory governments. Rural and remote councils will rely heavily on grants as revenue raising is limited.

In the event of a disaster, councils can access Natural Disaster Relief and Recovery arrangements. However, there is often a significant wait period for the funds to come through.

This, along with the significant inflationary issues, continues to place considerable pressure on delivering services and meeting their community's needs.

Many councils across the country have been impacted by fire and floods over the last five years. A common experience they share is the delay in receiving disaster response funding. This, coupled with the inability to progress projects, has an enormous impact on councils and their staff. Community expectations can boil over – and council executives and their elected body may find it difficult to contend with these pressures.

One emerging aspect of Financial Sustainability risk is the economic environment and the current low unemployment rates. Councils find themselves competing with private industry for talent in specialty roles, creating both recruitment and retainment challenges. Regional councils find this particularly difficult due to their limited resources and competition with large industrial and mining companies.

The nationwide housing shortage is another emerging concern. Many respondents noted that insufficient accommodation in regional areas posed a major challenge to securing talent.

Top ranking underlying factors for Financial Sustainability by State/Territory

NSW NT VIC	Insufficient rate revenue (and/or growth) to deliver functions, services
QLD SA WA	Cost shifting from other tiers of government
TAS	Disaster recovery funding arrangement to adequately reimburse council to rebuild damaged assets

Northern Territory

Financial Sustainability is the leading risk for 66% of senior executives in Northern Territory councils. This is 2% higher than the national response rate

Over the years, several costs have shifted from the Federal Government to local governments in the Northern Territory, yet the funding has not shifted. This has placed significant pressure on the territory, with 100% of all respondents noting this as their biggest issue.

New South Wales

The major factors driving council Financial Sustainability concerns are cost shifting from other tiers of government, insufficient rate revenue and inadequate government funding grants.

Inflationary pressure has exacerbated these over the last 12 months, which analysts forecast will continue in the first two quarters of 2024.

79% of respondents ranked cost-shifting from state and federal levels of government as the leading underlying concern, which is consistent with all states. This was primarily felt by metropolitan, regional and rural/remote councils. Managing ageing assets and infrastructure that has been passed to Councils to manage, along with many local government areas still recuperating after the 2020-2023 events is putting significant pressure on the purse strings.

<sup>3</sup> Background on Local Government Funding, 2020

All council regions identified insufficient rate revenue as a concern, complicating their ability to deliver functions. Constraints placed on local government's ability to generate revenue through rates make it difficult for councils to run the organisations in a strong position, and little control over grants and funding places further pressure on councils in managing their funding.

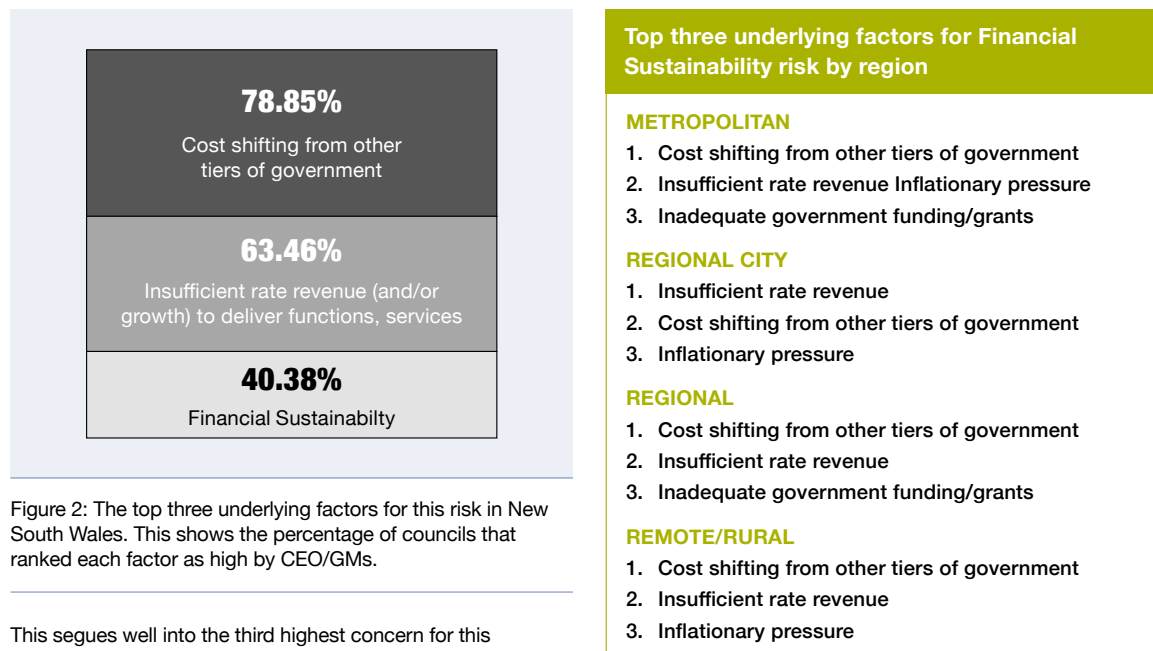


Figure 2: The top three underlying factors for this risk in New South Wales. This shows the percentage of councils that ranked each factor as high by CEO/GMs.

This segues well into the third highest concern for this risk in local government: the inadequate government funding from grants. This was strongly felt by metropolitan councils, where 40% of respondents ranked it in the top three places.

## Queensland

CEO/GMs in Queensland's local government share similar concerns about financial sustainability as the national perspective.

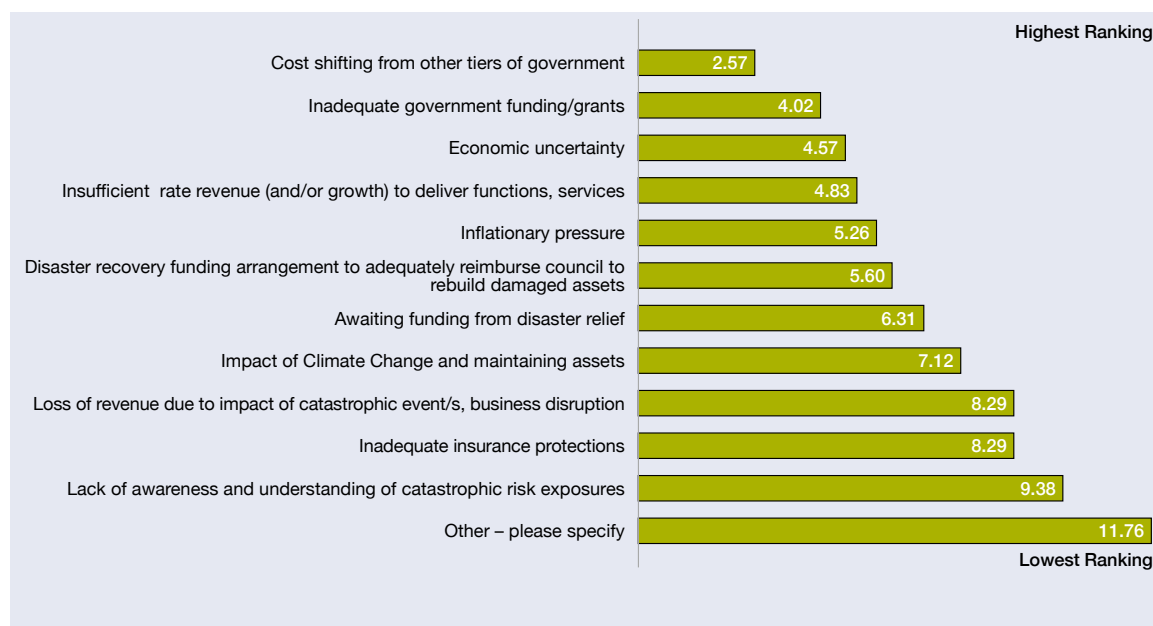


Figure 2: Financial Sustainability Average Queensland Ranking of underlying factors 1-12

Cost shifting from other levels of government clearly ranked highest. Insufficient financial grant assistance was ranked the second highest concern, with 48% of respondents identifying this as high risk. This contrasts to the national view, in which 54% of CEOs identified insufficient rate revenue as high risk.

This disparity could stem from Queensland not having any rate capping arrangements, as well as underscoring the need for access to financial assistance grants for Councils to maintain services across large distances, exposure to the frequency of natural hazards and disasters, and decentralised settlement patterns.

**Top three underlying factors for Financial Sustainability risk by region**

**METROPOLITAN**

1. Inflationary pressure
2. Economic uncertainty
3. Insufficient rate revenue

**REGIONAL CITY**

1. Cost shifting from other tiers of government
2. Insufficient rate revenue
3. Inadequate government funding/grants government

**REGIONAL**

1. Cost shifting from other tiers of government
2. Economic uncertainty
3. Inflationary pressure

**REMOTE/RURAL**

1. Cost shifting from other tiers of government
2. Inadequate government funding/grants
3. Insufficient rate revenue

Tasmania

In Tasmania, Financial Sustainability is not the leading risk for local governments. In fact, it's fifth. Despite this, CEO and GMs were adamant about the underlying issues that affect their financial sustainability.

Out of the seven responding Tasmanian Councils, over 85% ranked cost-shifting from other tiers of government as the leading issue impacting their financial sustainability. Again, this exceeds the national ranking.

In Tasmania, management of building, land and community assets has moved from federal and state governments to local government, and the funding has not matched this shift.

Disaster recovery funding arrangements to be reimbursed for rebuilding/replacement of assets insufficient rate revenue and waiting for disaster relief ranked as equal second among respondents.

**Top three underlying factors for Financial Sustainability risk by region**

**CITY**

1. Cost shifting from other tiers of government
2. Disaster recovery funding arrangements
3. Awaiting funding from disaster relief

**REGIONAL**

1. Inflationary pressure
2. Insufficient rate revenue
3. Cost shifting from other tiers of government

**RURAL/REMOTE**

1. Cost shifting from other tiers of government
2. Insufficient rate revenue
3. Inadequate government funding/grans

**Top three underlying factors for Financial Sustainability risk by region**

**METROPOLITAN**

1. Cost shifting from other tiers of government
2. Inflationary pressure
3. Insufficient rate revenue

**REGIONAL CITY**

1. Inflationary pressure
2. Cost shifting from other tiers of government
3. Insufficient rate revenue

**REGIONAL**

1. Cost shifting from other tiers of government
2. Inflationary pressure
3. Insufficient rate revenue

**REMOTE/RURAL**

1. Cost shifting from other tiers of government
2. Disaster recovery funding arrangements
3. Inadequate Government funding/grants

Western Australia

Western Australian senior executives ranked Financial Sustainability as their third biggest risk overall. While lower than the national view, this is still considerable – especially as its affected by Assets & Infrastructure and Cybersecurity concerns. Similar to other states and territories, 74% of council executives ranked cost shifting from other tiers of government as their leading concern. Local governments bear the costs and liability associated with assets gifted from the State Government. Some examples in the past include contaminated former landfill sites and asbestos-laden buildings.

Inflationary pressure was the second highest-ranked issue for Western Australia, closely followed by insufficient rate revenue. Increasing costs of essential services, infrastructure and labour is leading to significant pressure on local government's financial stability.

With limited avenues of generating revenue, insufficient rate revenue can lead to budget shortfalls within local governments, which impacts the delivery of other essential services offered to ratepayers. Interestingly, many local government elections are won on the promise of no rate changes.



Victoria

74% of councils in Victoria view Financial Sustainability as their leading concern. As with most states, Victoria's largest concern underpinning this risk is cost shifting from other tiers of government.

Rate capping in Victoria makes maintaining financial sustainability a constant challenge, especially in a high-inflation environment. Unsurprisingly, Victorian GMs acknowledge the impact on financial sustainability when the ability to increase revenues has a 'handbrake' applied by rate capping.

While not unique to Victoria, the additional demands placed on councils' throughout COVID lockdowns – exacerbated by rate capping and inflation – have resulted in the deterioration of Victorian councils' financial sustainability.



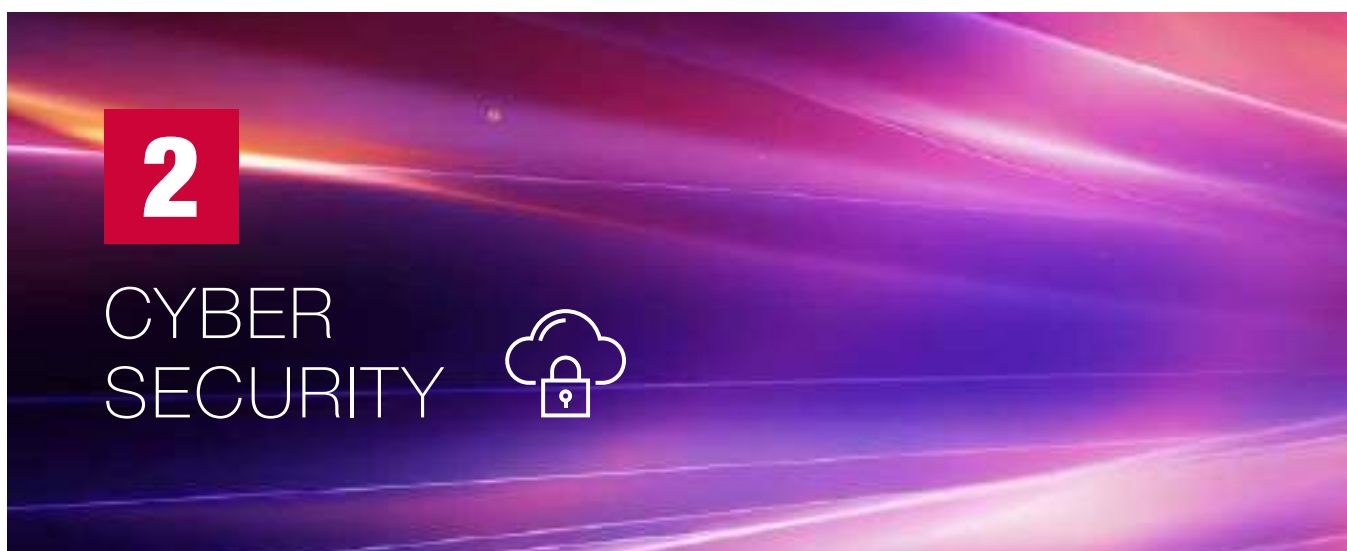
Top three underlying factors for Financial Sustainability risk by region
<b>CITY</b> <ol style="list-style-type: none"><li>1. Inflationary pressure</li><li>2. Insufficient rate revenue</li><li>3. Cost shifting from other tiers of government</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Insufficient rate revenue</li><li>2. Insufficient rate revenue</li><li>3. Inflationary pressure</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Insufficient rate revenue</li><li>2. Inflationary pressure</li><li>3. Cost shifting from other tiers of government</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Cost shifting from other tiers of government</li><li>2. Insufficient rate revenue</li><li>3. Inadequate Government funding/grants</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Cost shifting from other tiers of government</li><li>2. Insufficient rate revenue</li><li>3. Inadequate government funding/grants</li></ol>

South Australia

Financial Sustainability continues to be the principal concern of South Australian CEO/GMs. The underlying factors are important to observe including inadequate rate revenue, insufficient government grants, cost and risk shifting from state to local government. This is consistent across all councils. Interestingly, metro and regional councils offer different perspectives on these concerns. Metropolitan councils were consistent with the national perspective – they view inflationary pressures as the principal influencing factor in driving financial sustainability as a risk. Cost shifting from other tiers of government also ranked very high, while insufficient rate revenue ranked third overall. Conversely, regional councils ranked insufficient rate revenue as number one.

Interestingly, inadequate government funding ranked significantly higher with regional councils than metropolitan councils. This is likely because these councils on Financial Assistance Grants (FAGs) are highly dependent to maintain their road networks. Regional councils have much smaller balance sheets despite maintaining enormous road networks. This presents challenges to meeting community expectations, particularly in regional councils with several satellite towns which have competing priorities.

Top three underlying factors for Financial Sustainability risk by region
<b>CITY</b> <ol style="list-style-type: none"><li>1. Economic uncertainty</li><li>2. Impact of climate change and maintaining assets</li><li>3. Cost shifting from other tiers of government</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Inflationary pressure</li><li>2. Cost shifting from other tiers of government</li><li>3. Insufficient rate revenue</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Insufficient rate revenue</li><li>2. Inadequate government funding /grants government</li><li>3. Inflationary pressure</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Cost shifting from other tiers of government</li><li>2. Inflationary pressure</li><li>3. Inadequate government funding/grants</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Cost shifting from other tiers of government</li><li>2. Insufficient rate revenue</li><li>3. Inadequate government funding/grants</li></ol>



Cybersecurity breaches frequently unfold in the public eye, attracting heavy public scrutiny. Over the last two years, Australia has witnessed notable cyber breaches involving major companies like Optus, Medibank and Latitude Financial.

The intense scrutiny from mainstream and social media platforms presents a complex situation for leaders, who find themselves in the spotlight to address issues, often with limited technical knowledge. They're expected to take responsibility, reassure customers and mitigate financial exposure. Given these pressures, it's understandable that cybersecurity is a critical concern for local government CEOs, ranking it second.

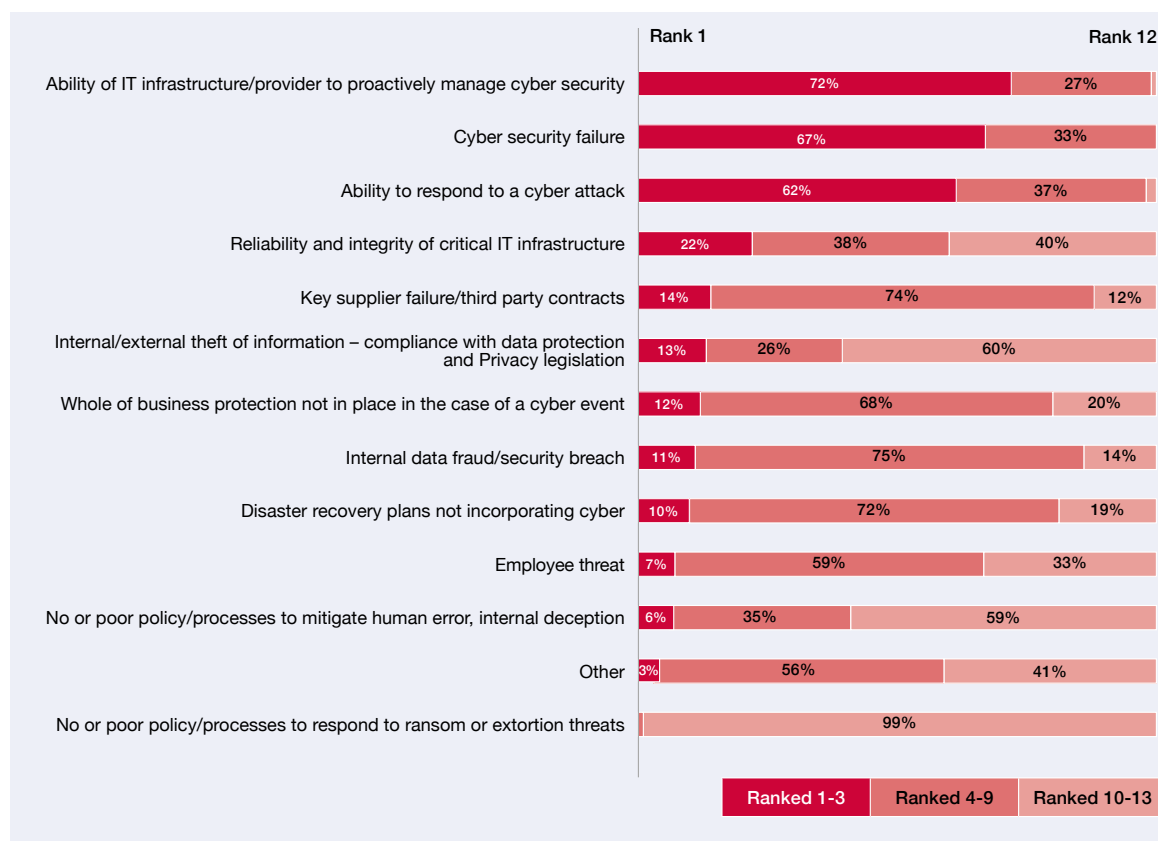


Figure 3: Cyber Security/IT Infrastructure National heat map.



Since 2019, cybersecurity has consistently ranked as the second highest concern for CEO/GMs, with only the unprecedented COVID-19 pandemic temporarily pushing it to fourth place in 2020.

This ranking is partly due to the ever-evolving cyber risk landscape and the difficulty local government CEO/GMs face in proactively mitigating the impact of a major cyber event. There is ongoing concern about potential reputational damage and managing community expectations in the event of a significant cyber incident that may compromise private information.

Fortunately, reportable cyber breaches are not as common or severe as one might assume. Between January and June 2023, the Office of the Australian Information Commissioner received 409 notifications, a 16% decrease from 2022.

Furthermore, 63% of data breaches affected 100 people or fewer. Notably, the public sector does not feature among the top five sectors for cyber breaches, which are:

1. Health service providers
2. Finance (including superannuation)
3. Recruitment agencies
4. Legal, accounting & management services
5. Insurance<sup>4</sup>

Cybersecurity concerns are prominent among local government CEOs/GMs. But the most important question is why? Our findings indicate that:

### 72%

of respondents cited the ability of IT infrastructure/provider to proactively manage cybersecurity as their foremost concern

### 67%

of respondents cited their council's ability to respond to a cyber-attack as high-risk

### 61%

of respondents cited cybersecurity failure as high-risk

This shows that the main concerns for managing cybersecurity are the potential failure of current security systems and the ability to respond to a cyber breach appropriately.

### Top three underlying factors for Cyber Security/ Data breach risk by region

#### CITY

1. Ability to proactively manage cyber security
2. Ability to respond to a cyber attack
3. Key supplier failure/third party contracts

#### METROPOLITAN

1. Cyber security failure
2. Ability to proactively manage cyber security
3. Ability to respond to a cyber attack

#### REGIONAL CITY

1. Ability to proactively manage cyber security
2. Ability to respond to a cyber attack
3. Cyber security failure

#### REGIONAL

1. Ability to proactively manage cyber security
2. Ability to respond to a cyber attack
3. Cyber security failure

#### REMOTE/RURAL

1. Ability to proactively manage cyber security
2. Ability to respond to a cyber attack
3. Cyber security failure

Furthermore, 54% of respondents identify the lack of preparedness and the absence of proactive plans to handle a potential cybersecurity event as their top concern. These concerns include the following areas:

- Ability of IT infrastructure/provider to proactively manage cybersecurity
- Ability to respond to a cyber-attack
- Absence of whole-of-business protection in the case of a cyber event
- Failure to incorporate cybersecurity into disaster recovery plans

<sup>4</sup> Australian Government, Office of the Australian Information Commissioner

Despite the dynamic, global nature of cybersecurity, several strategies can be implemented to mitigate these concerns. For example, including cyber events into the Council's disaster-recovery plans allows for proactive management of potential cyber breaches. With detailed planning and pre-established response mechanisms, key staff members can be engaged from the outset, ensuring a clear strategy to navigate the cyber breach.

Additionally, a well-defined Cyber Incident Response Plan – that includes relevant expert contact details – can greatly improve councils' ability to respond to a cyber event.

Although risk transfer only constitutes a minor aspect of councils' broader cybersecurity concerns, the program includes an Emergency Incident Response line. This enables the council to access services from specialist IT forensic providers, public relations agencies, IT recovery experts, hardware suppliers and legal advisors, all equipped to help the council manage a cyber In 2023, the Federal Government announced further assistance in their 2023 – 2030 Australian Cybersecurity Strategy, backed by a \$587 million funding allocation for various initiatives centred on six key 'cyber shields'.

These initiatives are spread over several 'event horizons' spanning to 2030. The first four shields – and some of the initiatives they cover – are as follows:

- 1. Strong businesses and citizens:** Establish no-fault ransomware reporting to share with the business community, establish a Cyber Incident Review Board and streamline reporting processes.

- 2. Safe technology:** Streamline appropriate data retention requirements.
- 3. World-class threat sharing and blocking:** Establish an Executive Cyber Council.
- 4. Protected critical infrastructure:** Strengthen security obligations for managed service providers.

Cybersecurity remains an ongoing risk, increasingly so with advancements in Artificial Intelligence and other machine learning. Despite the burdens this places on local government CEOs/GMs, proactive risk management and support from the Federal Government will help manage this risk effectively within the sector.

Top ranking underlying factors for Cyber Security/ Data Breach by State/Territory

NSW NT SA TA	Ability of IT infrastructure/provider to proactively manage cyber securit
QLD VIC	Ability to respond to a cyber attack
WA	Cyber security failure

New South Wales

In New South Wales, respondents ranked Cybersecurity as their second-highest risk, consistent with the national consensus. There were only slight differences in the medium and low rankings of this risk. Reflecting national views, NSW CEO/GMs identified the ability of their infrastructure/provider to proactively manage cybersecurity as the primary risk. 76% of councils identified it as the highest risk, surpassing the nationwide result of 72%. This is understandable, given the notable cyberattacks on high-profile organisations like Medibank and Optus. Additionally, ongoing global conflicts increase the risk of politically motivated cyberattacks on all government levels.

Following closely, the ability to respond to a cyberattack and cybersecurity failure were ranked as the next highest risk exposures respectively, consistent with the national perspective. Over 59% of respondents considered these two factors together formed the next significant reason for this cybersecurity being a concern.

As noted above, recent attacks on high-profile organisations and ongoing global conflicts have heightened cybersecurity awareness and its importance. This has led councils to scrutinise the effectiveness of their current cybersecurity protocols in protecting against cyberattacks.

Cybersecurity failure was ranked third, with 57% of respondents considering it a serious factor. Once again, Councils from all regions ranked this in either second or third position.

Top three underlying factors for Cyber Security/Data breach risk by region			
<b>METROPOLITAN</b>		<b>REGIONAL</b>	
1. Ability of IT infrastructure/provider to proactively manage cyber security		1. Ability of IT infrastructure/provider to proactively manage cyber security	
2. Ability to respond to a cyber attack		2. Cyber security failure	
3. Cyber security failure		3. Ability to respond to a cyber attack	
<b>REGIONAL CITY</b>		<b>REMOTE/RURAL</b>	
1. Ability of IT infrastructure/provider to proactively manage cyber security		1. Ability of IT infrastructure/provider to proactively manage cyber security	
2. Ability to respond to a cyber attack		2. Cyber security failure	
3. Cyber security failure		3. Ability to respond to a cyber attack	

## Northern Territory

In the Northern Territory, council CEO/GMs ranked Cybersecurity as their fifth-highest risk – compared to national ranking of second.

83% of respondents identified the ability of IT infrastructure/provider to proactively manage cybersecurity as their primary factor for cybersecurity risk. All councils ranked this in their top three concerns.

Meanwhile, respondents ranked no or poor policy/processes to mitigate human error or internal deception second.

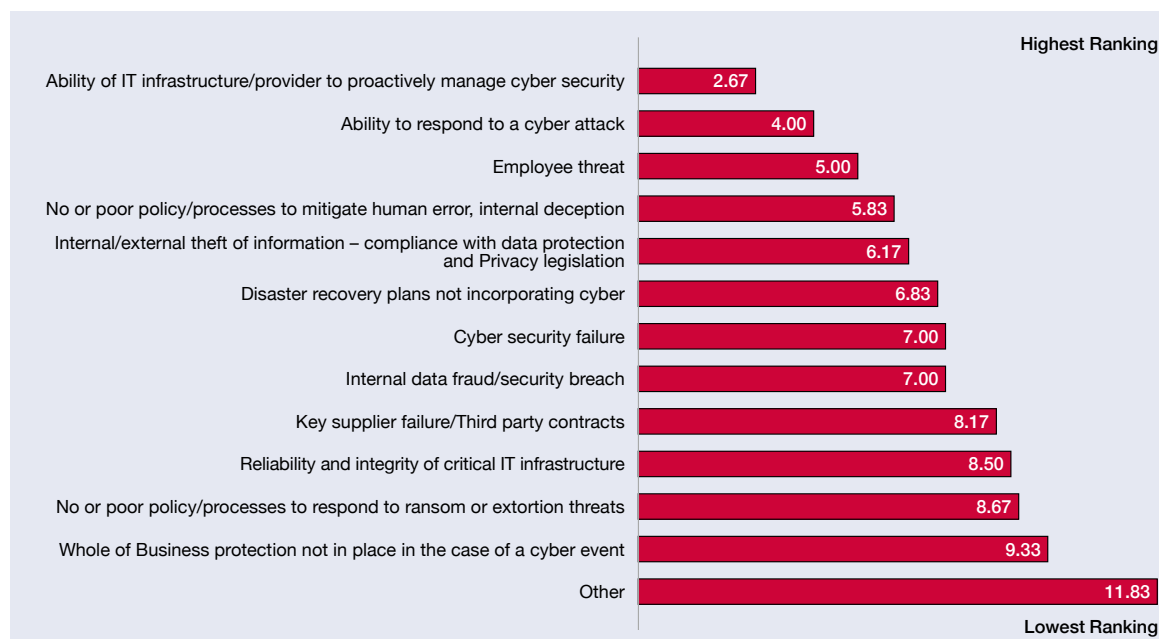


Figure 4: Cyber Security/IT Infrastructure, Northern Territory average ranking of underlying concerns 1-13

## Tasmania

Tasmania, respondents ranked Cybersecurity risk first, above the national ranking. This is likely because of the state's numerous remote communities that heavily rely on connectivity for delivering goods and services and maintaining supply chains. The relative ease with which cyber threat actors can infiltrate systems elevates the perceived risk within the Tasmanian local government sector.

Nearly 86% of respondents ranked the ability of IT infrastructure/provider to proactively manage cybersecurity as their primary contributing factor for this risk. Rural/remote councils ranked this as their top concern, while metropolitan and regional councils ranked this third.

In TAS, there is a range of cyber risk maturity and confidence among management teams in handling a cyber-incident response plan, as highlighted in the JLT Public Sector 12 Key Controls Report. A possible factor is the lack of scenario planning, which may contribute to the perceived inability to manage an attack. Nonetheless, all councils have access to Emergency Incident Response services within their cyber insurance policies, and increased preparedness for attacks may mitigate these concerns.

Cybersecurity failure and the ability to respond to a cyberattack were ranked as equal second underlying concerns by 71% of respondents. All metropolitan councils considered this as their primary issue, while rural/remote councils placed it fourth.

### Top three underlying factors for Cyber Security/Data breach risk by region

#### METROPOLITAN

1. Cyber security failure
2. Ability to respond to a cyber attack
3. Ability of IT infrastructure/provider to proactively manage cyber security

#### REGIONAL CITY

1. Internal/external theft of information & compliance
2. Reliability and integrity of critical IT infrastructure
3. Ability of IT infrastructure/provider to proactively manage cyber security

#### REMOTE/RURAL

1. Ability of IT infrastructure/provider to proactively manage cyber security
2. Disaster recovery plans not incorporating cyber
3. Reliability and integrity of critical IT infrastructure

South Australia

South Australian CEO/GMs share similar concerns with other states regarding the high importance of proactively managing cyber risk, closely followed by the ability to respond effectively.

Recent years have seen SA local governments impacted by cyber events that disrupted services, though data remained uncompromised. Given that council systems store potentially sensitive data, the constant threat of an event impacting councils' reputation looms large.

SA local government entities that are Members of the LGA Asset Mutual Fund benefit from funded Cyber Risk programs, tailored to the organisation's cyber risk maturity. These programs, which have been available for several years, have evolved alongside the maturing cyber environment. Local government's proactive approach to managing cyber risk was recognised in a 2020 Auditor General inquiry into government cyber risk.

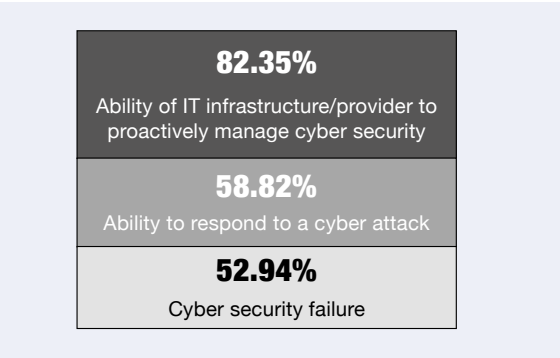


Figure 5: The top three underlying factors for this risk in South Australia. This shows the percentage of councils that ranked each factor as high by CEO/GMs.

Top three underlying factors for Cyber Security/  
Data breach risk by region

**CITY**

1. Ability of IT infrastructure/provider to proactively manage cyber security
2. Ability to respond to a cyber attack
3. Internal data fraud/security breach

**METROPOLITAN**

1. Cyber security failure
2. Ability of IT infrastructure/provider to proactively manage cyber security
3. Key Supplier failure/Third party contracts

**REGIONAL CITY**

1. Ability of IT infrastructure/provider to proactively manage cyber security
2. Cyber security failure
3. Ability to respond to a cyber attack

**REGIONAL**

1. Ability of IT infrastructure/provider to proactively manage cyber security
2. Ability to respond to a cyber attack
3. Cyber security failure

**REMOTE/RURAL**

1. Ability of IT infrastructure/provider to proactively manage cyber security
2. Reliability and integrity of critical IT infrastructure
3. Key Supplier failure/Third party contracts

Queensland

Queensland council CEO align with the national perspective on Cybersecurity risk, identifying the same three risks by a significant margin. However, nuances exist in their focus: Queensland CEOs emphasise their own capability to respond to cyberattacks or cybersecurity failures more than the national trend, which tilts towards risks linked to ICT service providers' failures.

Despite these ranking variations, the uniform concern across CEOs about these risks (in contrast to risks like legislative compliance, data theft or critical infrastructure service failures) indicates Queensland councils will prioritise cybersecurity risk controls similarly to other Australian local governments.

Top three underlying factors for Cyber Security/Data breach risk by region

**METROPOLITAN**

1. Cyber security failure
2. Ability to respond to a cyber attack
3. Whole of business protection not in place in the case of a cyber event

**REGIONAL**

1. Ability to respond to a cyber attack
2. Cyber security failure
3. Ability of IT infrastructure/provider to proactively manage cyber security

**REGIONAL CITY**

1. Ability of IT infrastructure/provider to proactively manage cyber security
2. Cyber security failure
3. Ability to respond to a cyber attack

**REMOTE/RURAL**

1. Ability of IT infrastructure/provider to proactively manage cyber security
2. Ability to respond to a cyber attack
3. Cyber security failure



## Victoria

In Victoria, Cybersecurity was ranked as the second leading risk by 65% of respondents, consistent with the national perspective.

Despite Victorian councils experiencing few incidents in the past five years, these events have not been adequate to thoroughly test their incident response plans. 65% of respondents placed the ability of IT infrastructure/providers to manage cybersecurity as the second most significant underlying concern is the ability to respond to a cyber-attack, with 72% ranking it first. This stems from the perceived lack of preparedness of councils nationwide.

Developing a cyber emergency incident response plan – while daunting – is the next crucial step for Victorian councils in strengthening their first lines of defence and enhancing their overall cyber resilience.

### Top three underlying factors for Cyber Security/ Data breach risk by region

#### CITY

1. Ability of IT infrastructure/provider to proactively manage cyber security
2. Key Supplier failure/Third party contracts
3. Ability to respond to a cyber attack

#### METROPOLITAN

1. Ability of IT infrastructure/provider to proactively manage cyber security
2. Cyber security failure
3. Ability to respond to a cyber attack

#### REGIONAL CITY

1. Ability to respond to a cyber attack
2. Cyber security failure
3. Ability of IT infrastructure/provider to proactively manage cyber security

#### REGIONAL

1. Ability to respond to a cyber attack
2. Ability of IT infrastructure/provider to proactively manage cyber security
3. Cyber security failure

#### REMOTE/RURAL

1. Ability to respond to a cyber attack
2. Ability of IT infrastructure/provider to proactively manage cyber security
3. Cyber security failure





Western Australia

Nearly 43% of Western Australian respondents ranked Cybersecurity as their second highest risk, consistent with the national ranking.



Figure 6: Cyber Security/IT Infrastructure, Western Australia average ranking of underlying factors 1-13

Cybersecurity failure is the leading underlying concern for this risk, with nearly 83% ranking it first. All responding regions ranked this concern in their top two positions.

The prominence of Cybersecurity as a critical risk for WA stems from the escalation of cyber threats, the potential economic impact of cyber-attacks, concerns about data breaches, and the imperative to safeguard critical infrastructure. The increased sophistication of cybercriminals affecting individuals, businesses and local governments alike shows that WA is equally at risk.

74% of respondents cited the ability to respond to cyber-attacks as their second most pressing concern. While most regions placed this issue in their top three concerns, regional city councils ranked it sixth

The ranking of the ability to respond to a cyber-attack as a leading concern underscores its importance in minimising impact and mitigating further damage. An effective response is crucial for containing and mitigating attacks involving breach identification, system restoration and preventative measures for future incidents.

For local governments in WA, a robust incident response capability with clear procedures, trained personnel, and appropriate technologies to detect, respond, and recover from cyber incidents is vital. The ability to respond effectively demonstrates a proactive approach to cybersecurity and enhances the state's overall resilience.

The lower ranking of the ability to respond to a cyber-attack by regional city councils could stem from several factors, such as limited resources and awareness and education as well as challenges in collaborating and information sharing, particularly during cyber incidents.

The emphasis of Cybersecurity as a significant risk in WA reflects its increasing relevance in today's digital landscape.

Top three underlying factors for Cyber Security/ Data breach risk by region

METROPOLITAN

- 1. Cyber security failure
- 2. Ability to respond to a cyber attack
- 3. Whole of business protection not in place in the case of a cyber event

REGIONAL CITY

- 1. Ability of IT infrastructure/provider to proactively manage cyber security
- 2. Cyber security failure
- 3. Ability to respond to a cyber attack

REGIONAL

- 1. Ability to respond to a cyber attack
- 2. Cyber security failure
- 3. Ability of IT infrastructure/provider to proactively manage cyber security

REMOTE/RURAL

- 1. Ability of IT infrastructure/provider to proactively manage cyber security
- 2. Ability to respond to a cyber attack
- 3. Cyber security failure

Effective response to cyber-attacks is key to mitigating damage and protecting critical infrastructure. The lower priority given by regional councils may be influenced by limited resources and gaps in cybersecurity awareness and education. For WA stakeholders, prioritising cybersecurity and fostering collaboration are essential steps to boost the state's resilience against cyber threats.

A person with long hair, wearing a white and grey striped long-sleeved shirt and dark pants, is walking away from the camera on a wooden boardwalk. The boardwalk has wooden railings and leads down a sandy dune area towards the ocean. The sun is low on the horizon, creating a warm, golden glow over the water and sky. The waves are breaking gently on the shore.

# 3

## ASSETS & INFRASTRUCTURE

Local government owns and maintains an enormous network of Assets and Infrastructure, which require significant resources to oversee – with funding often beyond what councils can generate through rates. The challenge of managing critical assets and infrastructure is at the forefront of CEO/ GMs minds, with Assets & Infrastructure placing third again in the Risk Report.

Local governments own and control an immense and diverse range of assets and infrastructure portfolios. The Australian Local Government Association (ALGA) estimates that councils collectively manage \$524 billion of assets and infrastructure<sup>5</sup>. As these estimates are being reviewed, it is anticipated that this value is considerably larger due to several factors. These influences include the significant population growth driven by international, interstate and regional migration, surging inflation and natural disaster repair and replacement programs across large areas of the country following widespread flooding during successive La Nina conditions over recent years.

The national portfolio's increase in size and value can be attributed to various factors. This includes the heightened focus by many Councils on asset identification and management planning due to a focus on data quality by state governments and insurers. These entities require accurate geolocation of assets in high-risk areas to be overlaid with fire and flood mapping. Additionally, state governments will build or provide key assets for councils, who commence contracts with the State agency and become responsible for maintaining the assets. Examples of such assets include jetties, wharves and seawalls.

In numerous instances, the grants provided by the State Government for ongoing maintenance are insufficient.

This is a critical issue in particular for small communities, who may be highly dependent on tourism and the jetty serves as a key feature.

Community expectations are crucial in managing council assets and infrastructure. They can influence the supply of new community facilities and infrastructure, maintaining and managing portfolios in an appropriate and fiscally responsible way, and planning for the renewal or decommission when assets reach the end of life. This issue is exacerbated in regional councils, which may result in multiple smaller council areas merging with smaller communities that expect strong maintenance of community assets. For example, small community hall even where they are infrequently used.

The primary concern for CEO/GMs is maintaining roads and its substantial associated costs. Road maintenance costs constitute a significant portion of councils' overall operational budget. Local government often faces media scrutiny about potentially dangerous roads, which influences community expectations. Councils depend on Commonwealth Government Financial Assistance Grants to fund this maintenance effectively, making it highly contentious between state and local government bodies who are all fighting for their fair share of the grant funding.

The Assets and Infrastructure Risk Heat Map (Figure 7) further illuminates the underlying risk profile for assets and infrastructure risks, highlighting the interconnections between assets and infrastructure risks and other significant risks that are faced by Councils.

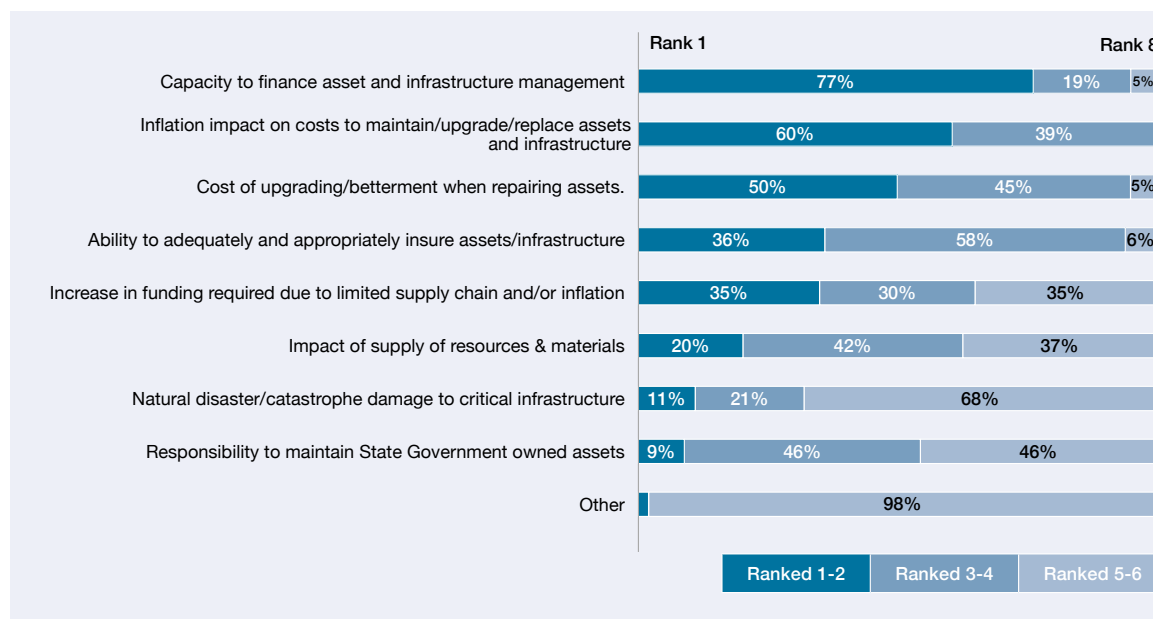


Figure 7: Management of and/or damage of property, Infrastructure and Asset risk national heat map

Perhaps the strongest interrelationship is with Financial Sustainability as over 75% of respondents identify the capacity to finance assets and infrastructure maintenance as a high-risk factor. Over half the respondents identified both funding for betterment and upgrades and the impact of inflation as key factors for this risk. Additionally, supply and supply-chain-related risk were also prominent concerns for most respondents; issues which have implications from a financial sustainability perspective. These responses were generally consistent across states, regions and local government areas.

These concerns likely reflect the shortfall in local government funding to manage existing, renewed or replaced assets and infrastructure that are nearing or at its end of life. This shortfall in funding is a key risk driver and amplifies the existing substantial vertical fiscal imbalance between the three levels of government. Despite local government receiving only 3.5% of revenue, councils retain responsibility for 30 to 40% of the total public asset base. This underlines the importance of enhanced collaboration among all levels of government to prioritise improved funding arrangements that will support asset and infrastructure management.

According to a recent report by The Grattan Institute<sup>5</sup>, requisite funding from the Commonwealth and State Governments has steadily declined. Since 1995, local governments have been left with the impossible task of maintaining and improving the quality of road infrastructure. The Institute's calculations indicate that local governments require an additional \$1 billion annually, consistently, through programs such as Roads to Recovery and Financial Assistance Grants. This funding is necessary to address the fundamental causes of this problem

It is imperative to prioritise access to funding for infrastructure repair and improvements after disaster events. The aim is to reduce vulnerability and enhance resilience in the face of an increasingly significant disaster risk profile and related impacts of climate change. Regardless, community expectations and the principles of good governance would expect assets are fit for purpose into the future and that all tiers of government collaborate to deliver resilient and long-term sustainability in assets and infrastructure management. Local governments possess invaluable experience, local knowledge and critical perspective enabling them to play their part.

Safe, efficient and reliable road infrastructure supports economic activity and fosters prosperity. It's critical that all levels of government work together to improve the quality of road networks as we pursue a strong and resilient national economy.

#### Top ranking underlying factors for Cyber Security/Data Breach by State/Territory

NSW QLD SA TAS VIC WA	Capacity to finance asset and infrastructure management	NT	Cost of upgrading/betterment when repairing assets
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Top three underlying factors for Management of Assets & Infrastructure by region			
<b>CITY</b>		2. Cost of upgrading/better of assets	
1. Cost of upgrading/better of assets		3. Inflation impact on costs to maintain/upgrade/replace	
2. Capacity to finance Assets & Infrastructure management		<b>REGIONAL</b>	
3. Impact of supply of resources & materials		1. Capacity to finance Assets & Infrastructure management	
<b>METROPOLITAN</b>		2. Cost of upgrading/better of assets	
1. Cyber Inflation impact on costs to maintain/upgrade/replace		3. Inflation impact on costs to maintain/upgrade/replace	
2. Capacity to finance Assets & Infrastructure management		<b>REMOTE/RURAL</b>	
3. Cost of upgrading/better of assets		1. Capacity to finance Assets & Infrastructure management	
<b>REGIONAL CITY</b>		2. Cost of upgrading/better of assets	
1. Capacity to finance Assets & Infrastructure management		3. Impact of supply of resources & materials	

## Northern Territory

In the Northern Territory, one-third of respondents ranked the management or damage of Assets & Infrastructure as the fourth highest risk, which is only one point below the national ranking.

The cost of upgrading or the betterment when replacing an asset – and the capacity to finance Assets & Infrastructure management – were equally ranked as the primary reason for this risk, with 83% considering this the leading concern. Like other states, factors such as inflation and supply constraints may contribute to these concerns' high rankings. This connects to the impact of resources and materials supply, which was rated as the second underlying concern (50% of respondents regarded it as a significant issue). In the Northern Territory, as Northern Queensland and Western Australia may experience, the distance and, in some cases, the remoteness may exacerbate delays and further compound these challenges.

<sup>5</sup> Grattan Institute Potholes and pitfalls: how to fix local roads 2023

<sup>6</sup> ALGA (2021) National State of the Assets Report



## New South Wales

NSW CEO/GMs ranked the management of ageing assets & infrastructure third – aligning with the national ranking. Nearly 40% of respondents cited it as a high risk.

The leading reason for this risk, as identified by over 86% of respondents, is the capacity to finance Assets & Infrastructure management. Factors such as limited supply, resource constraints and funding challenges, including competing with other states for grants, contribute to this concern. Furthermore, the frequency of events that impact councils, sometimes occurring multiple times, further exacerbates the issue.

In NSW, the risk associated with managing Assets & Infrastructure is particularly pronounced, as it's ranked as the first or second highest concern across all regions. This risk is intensified by the disparity in financial resources available to regional, rural, and remote councils compared to metropolitan counterparts.

Additionally, funds must be allocated to repair the continued road damage in these areas, leaving limited resources for essential upgrades and business-as-usual projects. Furthermore, 67% of respondents ranked the cost of upgrading or betterment when replacing an asset as the second highest reason for this high-risk scenario. Factors such as ageing assets, heritage issues and the lack of support funding from higher levels of government contribute to these significant costs for councils.

In NSW, the cost of upgrades is a top concern for regional city, regional, rural and remote councils, while metropolitan councils ranked it fourth. This difference in ranking can be attributed to the limited funding options available to regional areas compared to their metropolitan counterparts. Furthermore, the extensive damage to roads in these regions leads to a diversion of funds towards repairs, leaving fewer resources for asset upgrades and maintenance.

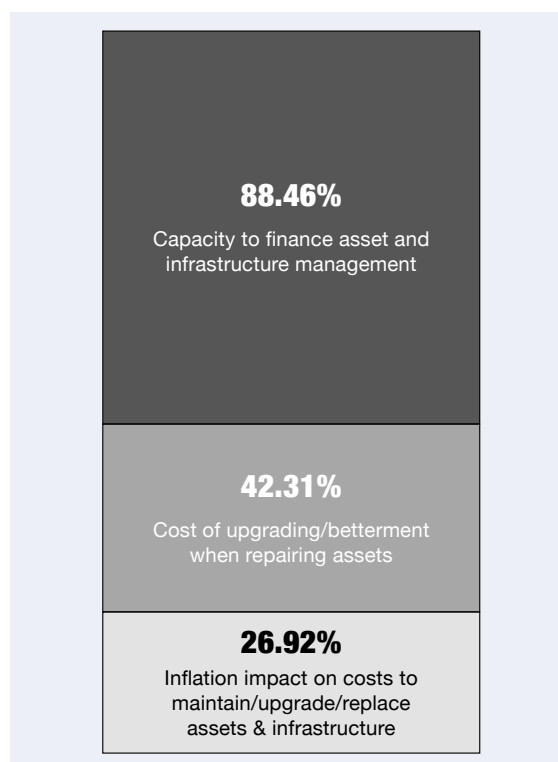


Figure 8: The top three underlying factors for this risk in New South Wales. This shows the percentage of councils that ranked each factor as high by CEO/GMs.

### Top three underlying factors for Management of Assets & Infrastructure by region

#### METROPOLITAN

1. Capacity to finance asset & infrastructure management
2. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure
3. Ability to adequately and appropriately insure assets/infrastructure

#### REGIONAL CITY

1. Cost of upgrading/betterment when repairing assets
2. Capacity to finance asset & infrastructure management
3. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure

#### REGIONAL

1. Capacity to finance asset and infrastructure management
2. Cost of upgrading/betterment when repairing assets
3. Impact of supply of resources & materials

#### REMOTE/RURAL

1. Capacity to finance asset and infrastructure management
2. Cost of upgrading/betterment when repairing assets
3. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure



Queensland

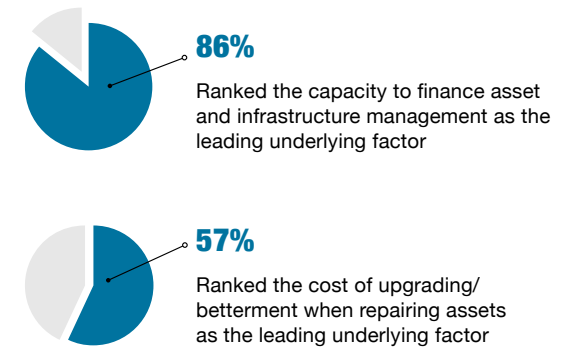
In Queensland, the capacity to finance Assets & Infrastructure management emerged as the most significant factor to the local government portfolio. This was closely followed by the impact of inflation on maintenance, upgrades and replacements. Nationally, the cost of betterment when repairing assets rated as the second highest factor, with 60% of CEOs considering it a high-risk factor for Assets & Infrastructure. In Queensland, however, this was identified as the fourth highest risk, with 45% of CEOs regarding it as a high concern.

Top three underlying factors for Management of Assets & Infrastructure by region	
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Significant increase in funding required due to limited supply chain/ inflation</li><li>2. Inflation impact on costs to maintain/upgrade /replace assets &amp; infrastructure</li><li>3. Ability to adequately and appropriately insure assets/infrastructure</li></ol>	<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Capacity to finance asset and infrastructure management</li><li>2. Cost of upgrading/betterment when repairing assets.</li><li>3. Impact of supply of resources &amp; materials</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Significant increase in funding required due to limited supply chain/inflation</li><li>2. Capacity to finance asset and infrastructure management</li><li>3. Inflation impact on costs to maintain/upgrade /replace assets &amp; infrastructure</li></ol>	<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Inflation impact on costs to maintain/upgrade/replace assets &amp; infrastructure</li><li>2. Impact of supply of resources &amp; materials</li><li>3. Cost of upgrading/betterment when repairing assets</li></ol>

Tasmania

In Tasmania, GMs ranked Assets & Infrastructure sixth, with 14% of respondents ranking this equally to negligence caused by civil liability claims, statutory and/or regulatory requirements and waste management. This ranking differs from the national ranking, where Assets & Infrastructure is ranked third.

Top three underlying factors for Management of Assets & Infrastructure by region
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Cost of upgrading/betterment when repairing assets. Cyber security failure</li><li>2. Inflation impact on costs to maintain/upgrade/ replace assets &amp; infrastructure</li><li>3. Capacity to finance asset and infrastructure management</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Cost of upgrading/betterment when repairing assets. Cyber security failure</li><li>2. Significant increase in funding required due to limited supply chain and/or inflation</li><li>3. Capacity to finance asset and infrastructure management</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Capacity to finance asset and infrastructure management</li><li>2. Natural disaster/catastrophe damage to critical infrastructure</li><li>3. Ability to adequately and appropriately insure assets/infrastructure</li></ol>



Nearly 86% of respondents identified the capacity to finance Assets & Infrastructure management as the leading reason for this risk. This concern was particularly prominent among rural/remote councils, while metropolitan and regional councils ranked this as their third highest concern. This indicates the divide in resources between these groups, given the geographic distances and sparse communities existing in regional areas. Nearly 56% of GMs ranked the cost of upgrading or betterment when repairing assets as the second highest reason for this risk. It should be noted that metropolitan and regional councils ranked this as the leading reason while rural and remote councils ranked this factor eighth.

## South Australia

In line with the national ranking, 44% of respondents ranked Assets & Infrastructure as the third highest risk

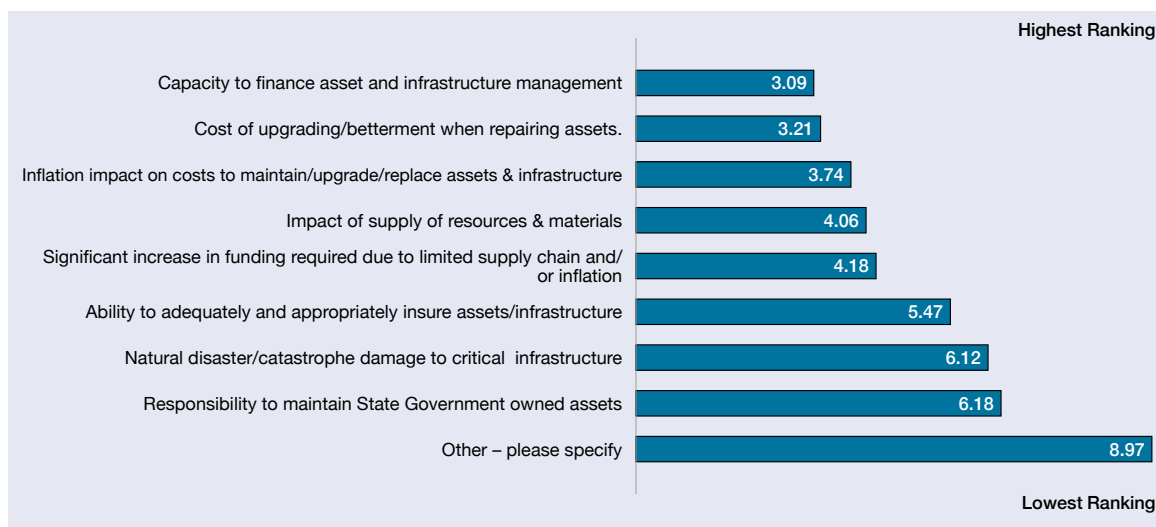


Figure 9: Management of and/or damage to property, infrastructure & assets average ranking in SA of underlying factors

The capacity to finance Assets & Infrastructure management was considered the primary concern underlying this risk, with 67% of respondents ranking it as the leading issue. This result was unsurprising as councils have expressed significant challenges with cost-shifting and applying adequate investment in maintaining and replacing critical infrastructure. While the state constructed many of these assets, they are expected to be maintained by local government. Common examples include jetties, wharves and sea walls. This issue was prominently ranked number one in regional city, regional and rural/remote areas. The concern is worsened for regional councils with lower revenue and capital works budgets, even though in many cases they may have substantial assets in need of upgrades or replacements.

The cost of upgrading or betterment when repairing assets was ranked as the second highest reason for this risk by nearly 56% of CEO/GMs. Unsurprisingly, the cost of repairing assets ranked highly, considering the predominantly fixed income and very limited funding to facilitate major maintenance works. This risk is closely interconnected with the number one overall risk: Financial Sustainability.



### Top three underlying factors for Management of Assets & Infrastructure by region

#### CITY

1. Impact of supply of resources & materials
2. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure
3. Cost of upgrading/betterment when repairing assets

#### METROPOLITAN

1. Significant increase in funding required due to limited supply chain and/or inflation
2. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure
3. Cost of upgrading/betterment when repairing assets

#### REGIONAL CITY

1. Cost of upgrading/betterment when repairing assets
2. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure
3. Capacity to finance asset and infrastructure management

#### REGIONAL

1. Capacity to finance asset and infrastructure management
2. Cost of upgrading/betterment when repairing assets
3. Significant increase in funding required due to limited supply chain and/or inflation

#### REMOTE/RURAL

1. Capacity to finance asset & infrastructure management
2. Impact of supply of resources & materials
3. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure



## Victoria

Aligned with the national ranking, 74% of respondents ranked Assets & Infrastructure as the third leading risk.

Like many other states, the capacity to finance Assets & Infrastructure management was ranked as the leading reason for this risk by 86% of respondents. This concern consistently ranked in the top three across all responding regions, with metropolitan, regional city and regional councils ranking this as their number one concern. Victorian councils have significant asset portfolios that they are either directly responsible for or are required to manage and maintain on behalf of the state government. Many of the assets and infrastructure are ageing and require committed annual funding to restore and maintain them.

The cost of upgrading or betterment when repairing assets was considered the second highest reason for this risk by 67% of CEO and GMs. This concern consistently ranked in the top three places by respondents, which is unsurprising considering the financial sustainability aspect.

### Top ranking underlying factor for Managing Assets & Infrastructure risk by region

#### CITY

1. Cost of upgrading/betterment when repairing assets
2. Significant increase in funding required due to limited supply chain and/or inflation
3. Capacity to finance asset and infrastructure management

#### METROPOLITAN

1. Capacity to finance asset & infrastructure management
2. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure
3. Ability to adequately and appropriately insure assets/infrastructure

#### REGIONAL CITY

1. Capacity to finance asset and infrastructure management
2. Cost of upgrading/betterment when repairing assets
3. Ability to adequately and appropriately insure assets/infrastructure.

#### REGIONAL

1. Capacity to finance asset and infrastructure management
2. Cost of upgrading/betterment when repairing assets
3. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure

#### REMOTE/RURAL

1. Cost of upgrading/betterment when repairing assets
2. Capacity to finance asset and infrastructure management
3. Impact of supply of resources & materials

## Western Australia

In Western Australia, 57% of respondents ranked Asset & Infrastructure as their leading risk. This percentage is higher than the national ranking of third.

71% of respondents ranked the capacity to finance Assets & Infrastructure management as the main reason for this risk. The budgetary constraints on local government can have a massive implication on their Assets & Infrastructure. In recent years, cyclones have posed challenges in restoring assets, as there have been difficulties in obtaining resources to complete repairs and claims.

In rural areas, local government is responsible for increasingly diverse infrastructure networks that were previously run by other tiers. Most rural councils will continually discuss the ageing infrastructure predominantly on heritage sites, especially regarding issues on how to maintain such an old property.

Nearly 66% of respondents ranked the impact of inflation on maintenance, upgrade and replacement of Assets & Infrastructure as the second most significant factor contributing to this risk. As WA competes with other states, the mining industry and the export trade, industries have the opportunities to earn higher profits, thereby leaving the local government adversely affected.

### Top three underlying factors for Management of Assets & Infrastructure by region

#### METROPOLITAN

1. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure
2. Capacity to finance asset and infrastructure management
3. Significant increase in funding required due to limited supply chain and/or inflation

#### REGIONAL CITY

1. Capacity to finance asset and infrastructure management
2. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure
3. Cost of upgrading/betterment when repairing assets

#### REGIONAL

1. Cost of upgrading/betterment when repairing assets
2. Inflation impact on costs to maintain/upgrade/replace assets & infrastructure
3. Significant increase in funding required due to limited supply chain and/or inflation

#### REMOTE/RURAL

1. Capacity to finance asset and infrastructure management
2. Cost of upgrading/betterment when repairing assets.
3. Significant increase in funding required due to limited supply chain and/or inflation

## 4

CLIMATE  
CHANGE

Three-quarters of Australian councils have set or are in the process of developing community emissions reduction targets in alignment with the 2015 Paris Agreement. These councils are committed to achieving net zero emissions, the target limit for mitigating climate change risks.

Councils recognise that investing in local clean energy solutions creates new jobs, delivers more affordable energy, improves housing and increases our climate change resilience. However, despite tangible reductions achieved in Europe and the United States<sup>7</sup>, greenhouse gas emissions in Australia have continued to increase.

Greenhouse gas emissions have already resulted in major changes in our atmosphere. These have amplified extreme weather events and caused significant impacts on ecological systems and processes, urbanisation, planning, chain of supply, health and wellbeing, economy and social structures.<sup>8</sup>

The World Economic Forum, The Global Risks Report 2024 supports this, noting, 'countries are grappling with the impacts of record-breaking extreme weather, as climate-

change adaptation efforts and resources fall short of the type, scale and intensity of climate-related events already taking place.'<sup>9</sup>

The 2023 JLT Risk Survey results indicate that councils share a common stance on climate change. This links with their assessment that predicting climate change impacts on council business and functions is difficult. In fact, 79.45% of councils listed this as their primary underlying concern for climate change risk.

According to a 2021 survey by the Australian Local Government Association (ALGA), the most common barrier for local government in addressing emissions reduction is a lack of funds.

As climate change related extreme weather-related hazard events become more frequent and unpredictable, a council's ability to lead its community to quick recovery is significantly diminished. Current disaster recovery funding arrangements designed to respond rather than mitigate the risk of future climate/extreme weather scenarios demonstrate this.

<sup>7</sup> Friedlingstein, P. et al. (2023). Global Carbon Budget 2023.

<sup>8</sup> Australian Climate Service. (2023). A changing climate.

<sup>9</sup> World Economic Forum, The Global Risks Report 2024,



In the 2023 JLT Public Sector Risk Survey, council CEOs/GMs ranked Climate Change as the fourth highest risk, narrowly surpassing Disaster & Catastrophic events by 0.91%.

This placement is understandable given increasing global focus and effort on decarbonisation and the strong link between climate change, increased natural hazard weather events and disasters.



Moreover, our survey data show that 48.4% of respondents are concerned that disaster recovery funding arrangements are insufficient to build back better and adequately support more resilient communities.

These issues underscore the importance of identifying, understanding and mitigating interrelated risks that influence via the domino effect other critical risks like financial sustainability and assets and infrastructure.

31.51% of councils cited inadequate capacity or capability to develop strategic plans, risk reduction frameworks and financial budgets to mitigate and adapt to the risk of climate change as contributing factors to this risk.

As current emissions continue to increase and cause major changes in our atmosphere and weather patterns, responding to climate change requires serious, measurable and collective action around the globe.

Many Australian councils are adopting and encouraging emission reduction targets and renewable energy goals often making tangible inroads to decarbonise operations.<sup>10</sup> Such actions include investing in energy efficiency and building sustainability, deploying local renewable energy supported by battery storage, investing in public transport, mitigating emissions from landfill and sewage treatment, incorporating emissions considerations in fleet procurement and offsetting residual emissions.

Councils can become leaders in their communities by facilitating local decarbonisation action. Common approaches include setting community-based emission reduction targets, advocating for policy change and amending planning instruments and building codes as well as collaborating with businesses, community groups and other levels of government to leverage and support local action and innovation.

<sup>10</sup> Ironbark Sustainability and ICLEI – Local Governments for Sustainability Oceania, Australian Local Government Climate Review 2021 and Climate Council 2023 Tracking Progress: 2022 Snapshot of Council Action on Climate Change

However, while Councils can play their part in reducing emissions, the consequences of past, current and anticipated future emission scenarios mean that climate change will increasingly impact councils and their communities into the future. Because of this, establishing and undertaking disaster risk profiling that considers vulnerability, hazard and exposure to climate change remains a key priority for councils.

Additionally, councils must account for reviewing and amending planning schemes, planning policies, infrastructure design standards and building codes. They also need to embed climate change considerations into several structures, including strategic and operational asset planning and management; proactive planning for resilience in disaster preparedness; and recovery including parks, reserves, streetscapes and urban forestry.

Climate change mitigation and adaptation is both risky and costly with significant implications for councils and their communities. Many of these risks are highly interconnected with other risks identified in this report, as illustrated in the Risk Heat Map below.

#### Top ranking underlying factors for Climate Change by State/Territory

NSW NT QLD SA TAS VIC WA	Assessment of predicted Climate Change impacts on Council business/functions
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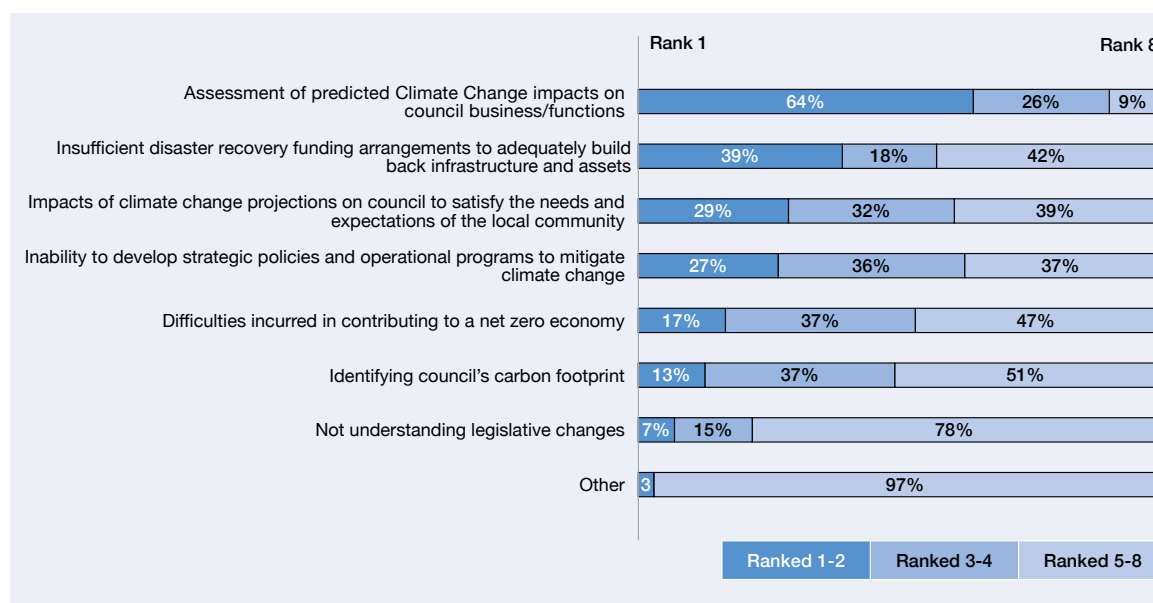


Figure 10: Climate change and/or adaption national heat map

#### Top three underlying factors for Climate Change/Adaption by region

##### CITY

1. Assessment of predicted climate change impacts on council
2. Impacts of climate change projections on council & ability to meet community expectations.
3. Difficulties incurred in contributing to a net zero economy

##### METROPOLITAN

1. Assessment of predicted climate change impacts on council
2. Impacts of climate change projections on council/ meet community expectations.
3. Insufficient disaster recovery funding

##### REGIONAL CITY

1. Assessment of predicted climate change impacts on council

2. Insufficient disaster recovery funding

3. Impacts of climate change projections on council/ meet community expectations

##### REGIONAL

1. Assessment of predicted climate change impacts on council
2. Insufficient disaster recovery funding
3. Difficulties incurred in contributing to a net zero economy

##### REGIONAL/RURAL

1. Assessment of predicted climate change impacts on council
2. Insufficient disaster recovery funding
3. Difficulties incurred in contributing to a net zero economy



## Victoria

Victorian CEOs ranked Climate Change in fourth, equalling the national ranking. 60% of CEOs ranked the assessment of predicted climate change impacts on councils' business and functions as the leading concern underpinning this risk. This is likely due to Victoria's diverse topography and climate change's increasing pace.

Financial constraints on Victorian councils due to rate capping leave them with few alternatives to manage the rapid environmental change. This reason ranked in the top two positions by all represented regions.

Second were two equally placed concerns: insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets that can withstand future climate scenarios, and the impact of climate change projection on councils' business/functions and ability to satisfy the local community's needs.

Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets that can withstand future climate scenarios was ranked in the top three places in regional city, regional and remote/rural areas.

This shows that limited revenue growth restricts councils' ability to implement proactive strategies for addressing climate change.

### Top three underlying factors for Climate Change/Adaption by region

#### CITY

1. Assessment of predicted Climate Change impacts on council business/function
2. Immature/inability/or not sure how to develop strategic policies and operational programs to mitigate and adapt to climate change
3. Not understanding legislative changes due to predicted climate change impacts

#### METROPOLITAN

1. Assessment of predicted Climate Change impacts on council business/function
2. Impacts of climate change projections on council/ meet community expectations.
3. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets

#### REGIONAL CITY

1. Assessment of predicted Climate Change impacts on council business/functions
2. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets
3. Impacts of climate change projections on council/ meet community expectations

#### REGIONAL

1. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets
2. Impacts of climate change projections on council/ meet community expectations
3. Assessment of predicted Climate Change impacts on council business/function

#### REMOTE/RURAL

1. Assessment of predicted Climate Change impacts on council business/function
2. Immature/inability/or not sure how to develop strategic policies and operational programs
3. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets

New South Wales

In New South Wales CEO/GMs ranked Climate Change fifth, just one point lower than the national ranking. 63% of respondents noted the unpredictability of climate change and its impact on Council business and functions as the leading contributing factor to this risk.

Severe and unforeseen natural events have impacted several regions over the past few years in which local governments and communities could not be prepared for. The Northern Rivers, for example, has experienced a series of unpredictable and devastating events, including storms, floods and bushfires.

The frequency and severity of these events have made it challenging for the community to anticipate and prepare for the impacts of these events. Residents have faced the difficult task of recovering from one disaster only to be struck by another, leaving them with little time to catch their breath and rebuild. These repeated and unpredictable events have devastated the region.

The 2022 Central NSW floods have had similar effects. The town of Forbes prepared for a one-in-100-year event but was instead impacted by a one-in-500-year event.

Though these floods were expected and planned for, no one predicted their magnitude.

Following this, 44% of respondents cited insufficient disaster recovery funding arrangements as a major concern. Current funding will not adequately build back better, nor will it fund building more resilient, climate-proof infrastructure and assets.

For example, Northern Rivers Councils have only received remediation works in 2024 for floods that occurred in 2021. Despite this, councils have made every effort to manage recovery efforts with their own funds. However, limited cash flow and the difficulty of repairs make true recovery challenging.

Lack of funds, construction resources, supplies, human resources and trades has a profound impact on communities. Without these critical resource efforts, councils face continued difficulties that hamper their ability to respond and support affected communities effectively.

Top three underlying factors for Climate Change/Adaption by region
<p><b>METROPOLITAN</b></p> <ol style="list-style-type: none"><li>1. Assessment of predicted Climate Change impacts on council business/function</li><li>2. Difficulties incurred in contributing to a net zero economy</li><li>3. Impacts of climate change projections on council/ meet community expectations</li></ol> <p><b>REGIONAL CITY</b></p> <ol style="list-style-type: none"><li>1. Assessment of predicted Climate Change impacts on council business/functions</li><li>2. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets</li><li>3. Impacts of climate change projections on council/ meet community expectations</li></ol> <p><b>REGIONAL</b></p> <ol style="list-style-type: none"><li>1. Assessment of predicted Climate Change impacts on council business/function</li><li>2. Impacts of climate change projections on council/ meet community expectations.</li><li>3. Difficulties incurred in contributing to a net zero economy</li></ol> <p><b>REMOTE/RURAL</b></p> <ol style="list-style-type: none"><li>1. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets</li><li>2. Assessment of predicted Climate Change impacts on council business/function</li><li>3. Difficulties incurred in contributing to a net zero economy</li></ol>

Queensland

Queensland CEOs in line with the national perspective cited the assessment of predicted impacts on council business and functions as their leading underlying concern for climate change by a significant margin. This was followed by insufficient disaster recovery funding to build back better and more resilient infrastructure capable of withstanding future climate scenarios.

The consistency between Queensland CEOs and their counterparts nationally demonstrates the need for prioritisation of support, investment and resilience building by the Commonwealth and states. These efforts must aim address local vulnerabilities and increase local response capacity and capability, with the ultimate goal of ensuring councils can help their local communities adapt to climate change's impact.

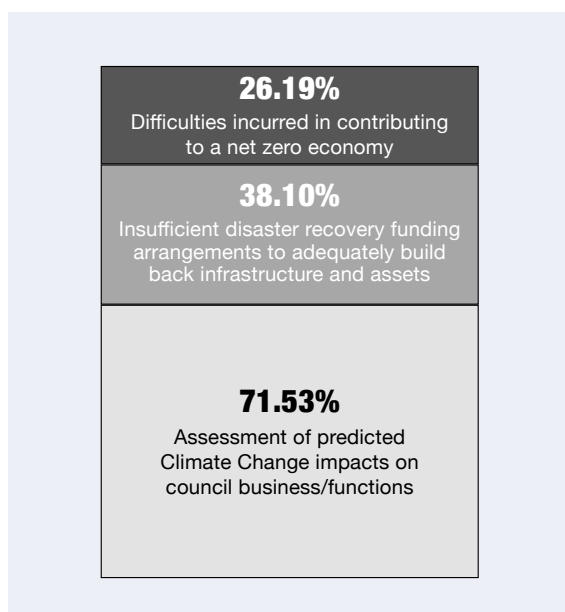


Figure 11: The top three underlying factors for this risk in Queensland. This shows the percentage of councils that ranked each factor as high by CEOs.

#### Top three underlying factors for Climate Change/Adaption by region

##### METROPOLITAN

1. Assessment of predicted Climate Change impacts on council business/function
2. Identifying council's carbon footprint to respond to community expectations
3. Impacts of climate change projections on council/ meet community expectations

##### REGIONAL CITY

1. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets
2. Assessment of predicted Climate Change impacts on council business/functions
3. Impacts of climate change projections on council/ meet community expectations

##### REGIONAL

1. Assessment of predicted Climate Change impacts on council business/function
2. Difficulties incurred in contributing to a net zero economy
3. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets

##### REMOTE/RURAL

1. Assessment of predicted Climate Change impacts on council business/function
2. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets
3. Not understanding legislative changes due to predicted climate change impacts

## Tasmania

Tasmanian respondents ranked Climate Change fourth, equal to the national ranking.

Over 85% of respondents ranked the assessment of predicted climate change impacts on councils' business and functions as the primary contributing factor for this risk. In seaside councils managing coastal erosion, this concern poses a serious threat. Discussions are taking place at the State level to address this issue and find solutions.

As the young, climate-conscious generation become eligible voters, climate change must be prioritised in policy. This concern was ranked in the top two positions across all regions.

Next was the impact of climate change projection on councils' business/functions and ability to satisfy the needs of the local community. This concern was ranked 57% of CEO/GMs. Metropolitan and rural/remote councils placed this in the top two positions.

#### Top three underlying factors for Climate Change/Adaption by region

##### METROPOLITAN

1. Assessment of predicted Climate Change impacts on council business/function
2. Impacts of climate change projections on council/ meet community expectations
3. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets

##### REGIONAL

1. Assessment of predicted Climate Change impacts on council business/function
2. Identifying council's carbon footprint to respond to community expectations
3. Not understanding legislative changes due to predicted climate change impacts (Development and Planning legislation, Emergency Management processes, budget impact on assets/infrastructure)

##### RURAL/REMOTE

1. Impacts of climate change projections on council/ meet community expectations
2. Assessment of predicted Climate Change impacts on council business/function
3. Not understanding legislative changes due to predicted climate change impacts





## Northern Territory

In the Northern Territory, CEOs ranked Climate Change considerably lower at ninth, compared to the national ranking of fourth.

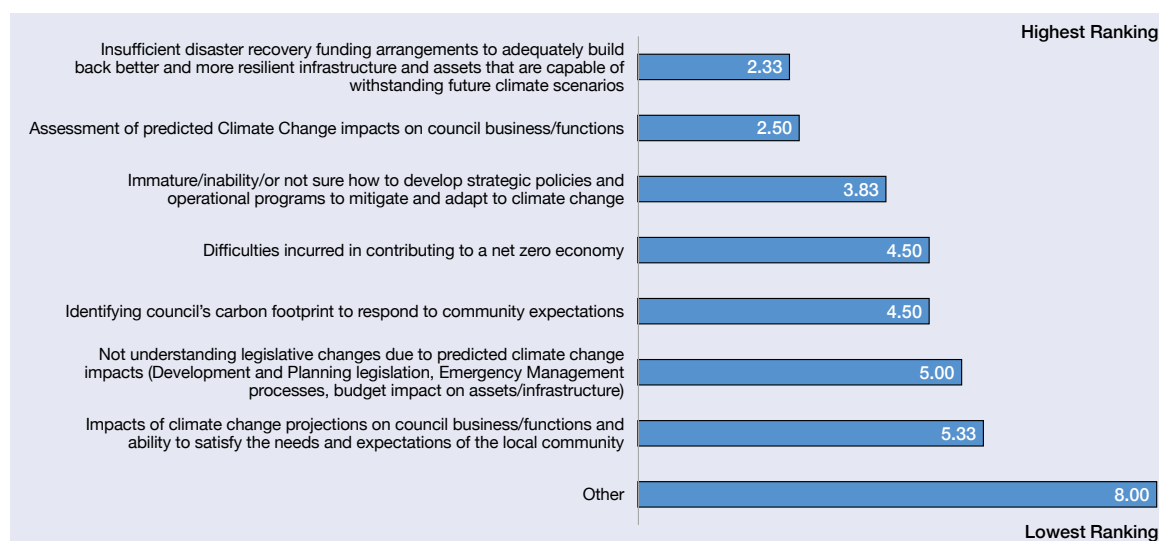


Figure 12: Climate change and/or adaption average ranking of underlying factors 1-8

This difference may be due to their focus on addressing ongoing short-term challenges and/or given the NT's familiarity with extreme weather and catastrophic events that infrastructure and communities are resilient.

When reviewing the underlying reasons for this risk, 66.6% of respondents equally ranked the following two factors as the underlying reasons for this risk. The assessment of predicted climate change impacting on councils' business

and functions was one of the concerns, along with insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets that can withstand future climate scenarios.

The assessment of predicted climate change impacts on councils' business function was within the top two ranking for all councils. However, insufficient disaster recovery funding ranked in the top two for municipal and regional councils.

## Western Australia

Western Australian council CEO/GMs placed the Climate Change risk fourth, in line with the national ranking

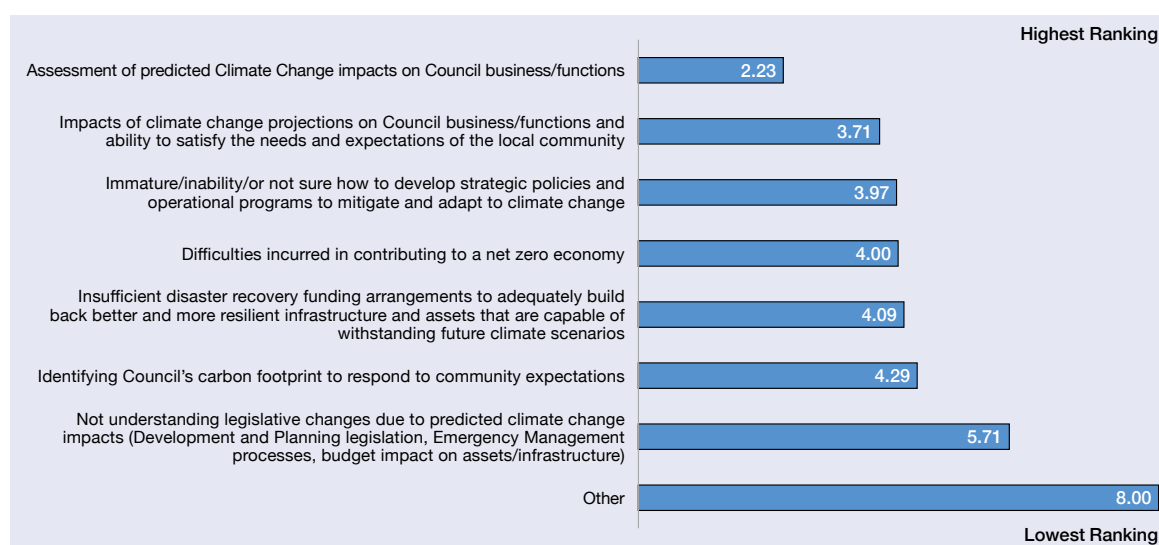


Figure 13: Climate change and/or adaption average ranking of underlying factors 1-8

60% of respondents noted the assessment of predicted climate change impacts on councils' business and functions as the leading concern for this risk. This reason was the highest ranking across all responding regions.

This ranking is critical considering WA's vulnerability to climate change, environmental and ecological risks, and the potential economic and social repercussions. Local government must prioritise strategies to address these risks and ensure their community's resilience and sustainability.

37% of respondents ranked insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets that can withstand future climate scenarios as the second most concern.

The underlying factor of insufficient disaster recovery funding arrangements for building resilient infrastructure and assets was ranked in the top three positions by

metropolitan, regional, and rural/remote councils. This is likely due to WA's vulnerability to climate change-related natural disasters, limited recovery resources and budgets, and Council's understanding that resilient buildings are critical for ensuring their community's long-term sustainability and safety.

Climate change and its impacts on councils' business and functions are significant concerns for WA local governments. Assessing predicted climate change impacts and sufficient funding arrangements for disaster recovery and resilience building are crucial for addressing these risks. It is vital that WA local governments prioritise climate change adaptation and mitigation strategies to protect their communities and ensure their sustainable future.

South Australia

South Australian CEO/GMs ranked Climate Change as the sixth highest risk. This is relatively close to the national placement of fourth.

The assessment of predicted climate change impacts on councils' business and functions was ranked as the leading concern underpinning climate change, with over 61% of respondents placing it first.

Climate data and projections are key to assessing climate risk impact on councils' business and functions. With accurate data, councils can undertake accurate risk assessments, identify the impacts and develop risk management strategies to reduce exposure to liability risk.

The second most significant concern underpinning climate change was difficulties incurred in contributing to a net zero economy, as ranked by 38% of respondents. This was ranked in the top two positions across all regions.

South Australian councils are working towards a net zero economy, with notable progress in some areas. However, with Financial Sustainability as the top risk in the JLT Risk Report, this objective faces significant challenges.

Top three underlying factors for Climate Change/Adaption by region	
<b>CITY</b> <ol style="list-style-type: none"><li>1. Impacts of climate change projections on council/ meet community expectations.</li><li>2. Assessment of predicted Climate Change impacts on council business/function</li><li>3. Difficulties incurred in contributing to a net zero economy</li></ol>	<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Assessment of predicted Climate Change impacts on council business/function</li><li>2. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets</li><li>3. Difficulties incurred in contributing to a net zero economy</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Impacts of climate change projections on council/ meet community expectations.</li><li>2. Assessment of predicted Climate Change impacts on council business/function</li><li>3. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets</li></ol>	<b>REGIONAL/RURAL</b> <ol style="list-style-type: none"><li>1. Assessment of predicted Climate Change impacts on council business/function</li><li>2. Identifying Council's carbon footprint to respond to community expectations</li><li>3. Difficulties incurred in contributing to a net zero economy</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Assessment of predicted Climate Change impacts on council business/functions</li><li>2. Insufficient disaster recovery funding arrangements to adequately build back better and more resilient infrastructure and assets</li><li>3. Inability to develop strategic policies and operational programs to mitigate and adapt to climate change</li></ol>	

A firefighter in silhouette is positioned in the lower-left foreground, facing right. The background is a dense forest of bare trees, with a bright, intense fire burning in the distance, creating a strong orange and yellow glow that fills the upper half of the image.

# 5

## DISASTER & CATASTROPHE



Unpredictable weather-related events and their profound impact on communities remain at the forefront of local government executives' agendas. Natural catastrophes/disasters and climate change consistently rank among the top three to five risks faced.

Unpredictable weather-related events and their profound impact on communities remain at the forefront of local government executives' agendas. Natural catastrophes/disasters and climate change consistently rank among the top three to five risks faced.

Australia continues to experience increased weather-related catastrophes, including extreme storm events, bushfires and floods. These are occurring with unprecedented frequency and severity and are exacerbated by unpredictable weather patterns.

82.65% of CEOs/GMs identified these extreme, unpredictable climate-related events as the leading contributing factor to the Disaster & Catastrophe risk.

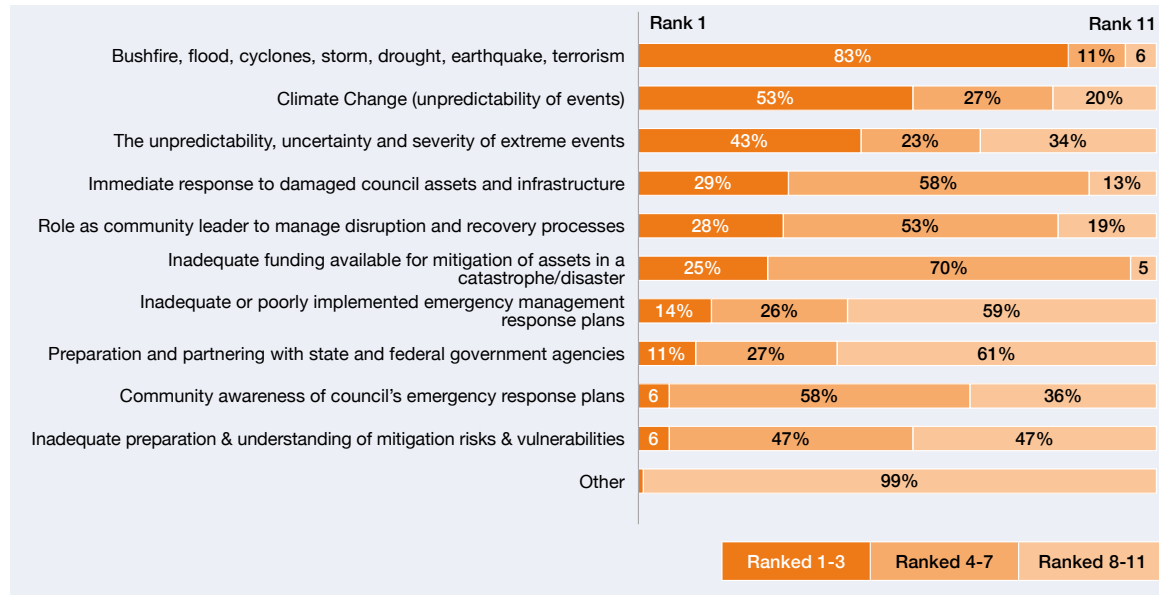


Figure 14: Disaster or Catastrophic Events National Risk Heat Map

This aligns with the 2024 World Economic Forum Global Risk Report findings, where world leaders ranked Extreme Weather events as the second most significant short-term risk (under two years) and the top risk over a longer term (10-year horizon).

In fact, 66% of respondents in this report identified Extreme Weather as the foremost global crisis risk, with El Niño's warming phase projected to intensify and persist into 2024.

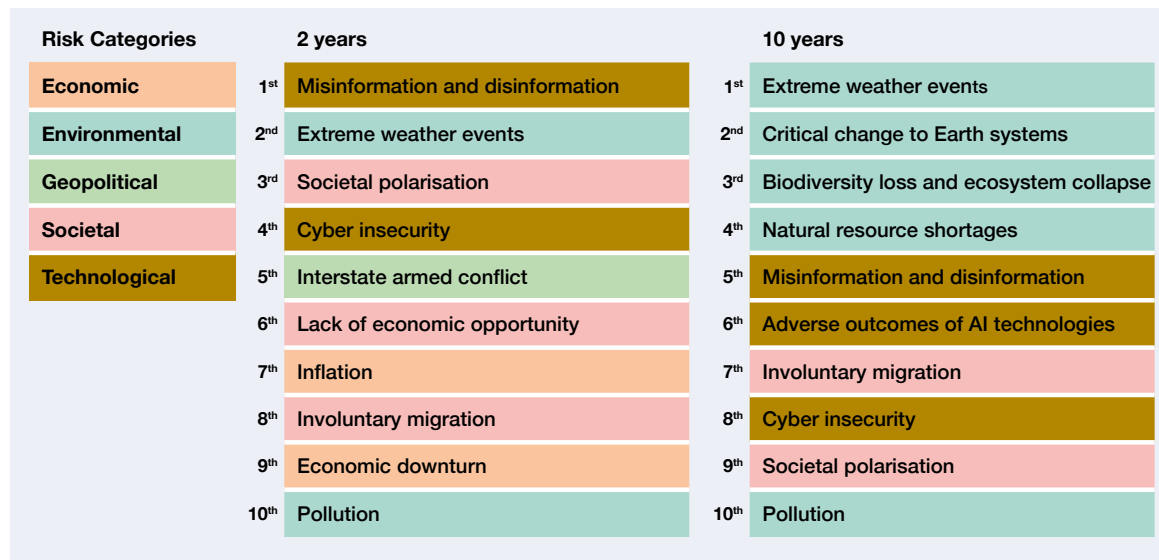


Figure 15: Global risks ranked by severity over the short and long term  
Source: World Economic Forum, Global Risks Perception Survey 2023-2024

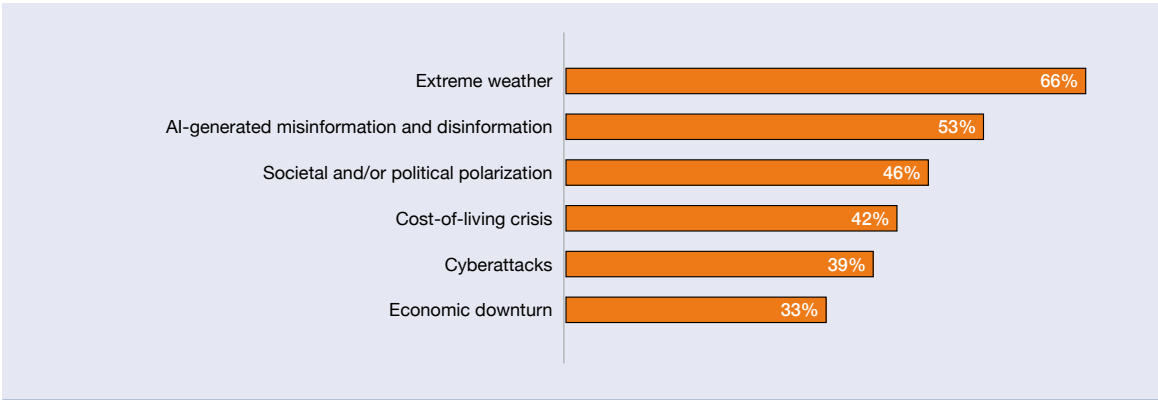


Figure 16: Current risk landscape  
Source: World Economic Forum, Global Risks Perception Survey 2023-2024

This finding aligns with the 2023 Allianz Risk Barometer,<sup>13</sup> which identified the major global business risks across 94 countries. Australia was the only country that rated Natural Catastrophes as its leading risk, followed closely by Business Interruption and Climate Change.

The Allianz Risk Barometer Global, Corporate & Specialty listed the top three risks in Australia as:

- 1. Natural catastrophes ↑
- 2. Business interruption ↓
- 3. Climate change ↑

Natural catastrophes are the new top risk, driven by events such as flooding, which resulted in the country’s most costly natural catastrophes in 2022.

The findings from the Public Sector Survey aligns with the trend over the past five years, marked by high costs from such events. The Insurance Council of Australia reported the 2022 New South Wales/Southeast Queensland flood as the second largest insured event, with over 240,000 claims totalling \$6 billion. This includes \$3.4 billion in home property, \$710 million in home contents and \$304 million in personal motor claims.

These figures highlight the interconnected nature of the risks outlined in this report, emphasising Financial Sustainability as the leading risk.

When combining the high and medium priority rankings, 94.52% of councils consider the immediate response to damaged council assets and infrastructure as the most pressing underlying concern. This further underscores the link between catastrophic events, assets & infrastructure and the associated management and repair costs.

These findings highlight other concerns like the ‘protection gap’ – the discrepancy between total and insured losses. Low insurance coverage in communities and high hazard levels ensures disaster risk and business continuity, risks remain key priorities for local government. This protection shortfall presents insurers with an opportunity to bridge the gap, contributing to more resilient communities in vulnerable regions in the future.

The national rankings of the top three factors contributing to this risk show minimal regional differences.

Regions hit by disasters and catastrophes in the past five years may have at least one distinct factor, yet Climate Change consistently ranks second following specific events affecting metropolitan, regional city, regional and remote/ rural communities, reflecting the significant impact these areas have faced.

The impact of natural disasters on local government owned or controlled assets is significant. Local governments are crucial in assisting communities post-disaster. Although government funding for roads and infrastructure repairs may be available to councils, accessing and consistently allocating them is challenging. Moreover, securing contractors for timely repairs is difficult in the current environment. This situation complicates meeting and managing community expectations.

To address these challenges, the Australian Government’s National Action Plan, supported by the National Disaster Resilience Strategy, advocates for building resilience as the key solution to lessen the impacts of disaster risk.

Although local governments are increasingly overwhelmed by the capacity and capability to respond and recover from unprecedented natural hazards, the urgency to bolster national-level resilience appears to be diminishing. For 537 councils, response strategies under the National Action Plan must vary to align with local needs and state/national priorities, crucially evolving over time as natural hazards occur.

As these events become more frequent, local governments face increasing pressure to prioritise disaster risk investment despite other priorities. Such informed investment decisions aim to mitigate the impact of natural hazards on communities.

It’s clear that more effective, efficient investment enhances the ability to measure and monitor Australia’s resilience. And when applied with certainty, this approach promotes better governance and informed decision-making – and attracts targeted investment.

<sup>13</sup> Allianz Risk Barometer 2023, Natural catastrophes, business interruption and climate change are top business risks in Australia 2023



Measuring resilience is complex due to the varied challenges natural hazards pose to all stakeholders, including households, communities, organisations, businesses, insurers and local, state and national governments. Plus, resilience levels fluctuate with the changing impact of disasters, the effectiveness of mitigation investment, shifting vulnerabilities, and the varying resources available to respond.

Measuring national resilience against disaster risk reveals the competing interests of communities, local, state, national government, national security and national sustainability. It also offers evidence to question the protection gap, the assumed 'adequacy' of protection, and 'insurance' accessibility and availability. A detailed national understanding of Australia's strengths and vulnerabilities will enable timely and decisive action to prepare for future crises, whatever they may be.

To June 2024, 34 councils have participated in the National Local Government Vulnerability Program which collaborates across all levels of government and is fundamental to the National Action Plan.

Through this program, JLT has collected risk and profile data to develop and apply suitable risk transfer solutions that mitigate disaster impacts on built, natural, community/ social and financial environment in a form that enables better informed decision for disaster risk reduction investments.

Participating councils gain valuable insights into their vulnerability profile with access to national data sorted by council and region acquiring harmonised information that informs and strengthens community resilience.

Responding to the assumptions of adequate levels of protection and the accessibility and availability of insurance for disaster risk, insurance in its traditional form falls short, as cost and limited availability of 'solutions' drive consumers away from the market. This leads to more challenging responses for governments, councils and communities to natural hazards/disaster events.

A Community Catastrophe Mutual (CCM) a financial model where a local government area or region partners with its community, other government levels and the insurance sector could be an alternative solution.

Insurers continue to advocate strongly for mitigation measures that systemically reduce disaster risk, enabling balanced downward pressure on insurance premiums. Reducing disaster risks and costs requires collaboration, effective long-term planning and measured investment to better protect Australians.

A CCM model could be a viable solution, provided it meets local environments, expectations and specific community needs. It must also provide sustainable and financially stable disaster risk protection.

Having insights into each council's vulnerability profile shapes each council's strategic, financial and risk reduction planning. In line with the objectives of the National Action Plan, Strategy and Risk Reduction framework, all levels of government will utilise the NLGVP data for coordinated and better informed decision-making, ensuring investments in disaster risks are made effectively and efficiently.

This will bolster Australia's resilience, fostering a culture where all community members can access safety, assurance and prosperity.

#### Top ranking underlying factors for Disaster or Catastrophic Event by State/Territory

NSW NT QLD SA VIC WA	Bushfire, flood, cyclones, storm, drought, earthquake, terrorism
TAS	Climate Change (unpredictability of events)

#### Top three underlying factors for Disaster/ Catastrophic Event by region

##### CITY

1. Inadequate funding available for mitigation of assets in a catastrophe/disaster
2. Climate Change (unpredictability)
3. Bushfire, flood, cyclones, storm, drought, earthquake, terrorism

##### METROPOLITAN

1. Bushfire, flood, cyclones, storm, drought, earthquake, terrorism
2. Climate Change (unpredictability)
3. Unpredictability/uncertainty and severity of extreme events

##### REGIONAL CITY

1. Bushfire, flood, cyclones, storm, drought, earthquake, terrorism
2. Climate Change (unpredictability)
3. Immediate response to damaged council assets/ infrastructure

##### REGIONAL

1. Bushfire, flood, cyclones, storm, drought, earthquake, terrorism
2. Climate Change (unpredictability)
3. Unpredictability/uncertainty and severity of extreme events

##### REMOTE/RURAL

1. Bushfire, flood, cyclones, storm, drought, earthquake, terrorism
2. Climate Change (unpredictability)
3. Community awareness of council's emergency response plans



New South Wales

New South Wales respondents ranked the Disaster & Catastrophe risk fourth, one point higher than the national ranking. This is unsurprising, considering the events the state has faced over the past five years.

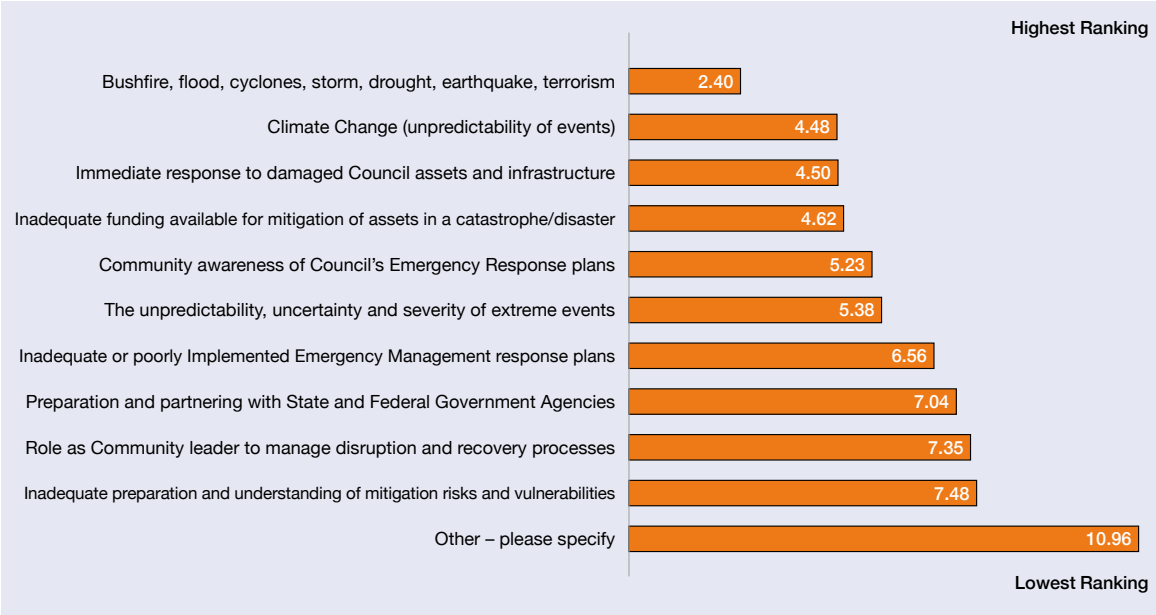


Figure 17: Disaster/Catastrophic Event Average Ranking for New South Wales of underlying factor 1-11

In line with the nationwide view, NSW council executives raised the threat of natural hazards like bushfires, floods, cyclones and storms as their primary concern.

This was especially true for regional councils, where 83% ranked it as a major concern compared to 60% of metropolitan councils. The frequent and severe storm-related flood events in the Northern Rivers and the Central West regions in recent years are likely to blame for this discrepancy.

50% of councils across the state identified climate change as a major concern, in line with the nationwide result. This highlights that many councils view climate change as the driving force behind rising natural catastrophic events. Climate change is viewed as an ongoing threat that could escalate the frequency and severity of these events.

Meanwhile, 40% of respondents raised the unpredictability, uncertainty and severity of extreme events as a major concern. This was slightly higher than the nationwide response of 39%.

Lack of funding poses a constant challenge for NSW councils, closely following this concern. 38% of NSW councils cite potential inadequate funding availability for disaster mitigation as a major threat, surpassing the national average of 32%.

This minor difference may be because some NSW councils received delayed and insufficient funding to assist with mitigating assets after catastrophes.

The rising frequency and severity of natural events in recent years has significantly impacted many NSW councils, heightening concerns about climate change and the potential lack of funds for mitigating assets after future catastrophic events.

Top three underlying factors for Disaster/Catastrophic Event by region

**METROPOLITAN**

- 1. Bushfire, floods, cyclones etc.
- 2. Unpredictability, uncertainty and severity of extreme events
- 3. Climate Change

**REGIONAL CITY**

- 1. Bushfire, floods, cyclones etc.
- 2. Climate Change
- 3. Unpredictability, uncertainty and severity of extreme events

**REGIONAL**

- 1. Bushfire, floods, cyclones etc
- 2. Inadequate funding available for mitigation of assets
- 3. Climate Change

**REMOTE/RURAL**

- 1. Bushfire, floods, cyclones etc
- 2. Climate Change
- 3. Inadequate funding available for mitigation of assets



Northern Territory

This year, the Northern Territory ranked Disaster & Catastrophe tenth.

The ranking of concerns can be influenced by recent events or experiences in the Northern Territory. While some NT communities have been impacted by recent significant events such as floods and cyclones, they have not had catastrophic impacts to NT Councils therefore it's natural for CEOs to have other leading concerns.

It is important to note that risk rankings can fluctuate annually and by regions, influenced by each area's unique context, experience, and priorities. These significantly shape the perception of various risks

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Queensland

Queensland respondents ranked Disaster & Catastrophe as the fourth highest risk, one point higher than the national ranking.

Queensland's Disaster & Catastrophe risk perspective aligns with the national view, prioritising the risk from exposure to natural or man-made hazards, followed by climate change impacts and the predictability of extreme events.

Interestingly, 92% of CEOs identified exposure to natural or manmade hazards as a high risk in Queensland compared with 82% of CEOs nationally, likely reflecting the state's higher frequency and exposure to natural disaster events in recent years.

Top three underlying factors for Disaster/ Catastrophic Event by region
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Climate Change</li><li>2. Bushfire, floods, cyclones etc.</li><li>3. Unpredictability/uncertainty and severity of extreme events</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Bushfire, floods, cyclones etc.</li><li>2. Immediate response to damaged council assets &amp; infrastructure</li><li>3. Inadequate funding available for mitigation of assets</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Bushfire, floods, cyclones etc</li><li>2. Climate Change</li><li>3. Unpredictability/uncertainty and severity of extreme events</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Bushfire, floods, cyclones etc</li><li>2. Community awareness of council's emergency response plans</li><li>3. Unpredictability/uncertainty and severity of extreme events</li></ol>

South Australia

South Australian CEO/GMs shared similar concerns as their interstate counterparts with the risk of bushfire, flood and the impact of extreme weather events as their principal concern. South Australia experienced significant bushfire events in 2020/21 on Kangaroo Island, Adelaide Hills and the South East region.

The River Murray floods in 2022/23 served as a stark reminder of the significant impact that flooding events can have on communities. These floods highlighted assets and infrastructure vulnerability and Council's exposure to such risks.

Managing community expectations after these bushfire and flooding events proved challenging. CEO/GMs reported that both private property and business owners were deeply affected by these events, particularly on Kangaroo Island and in the towns impacted by the River Murray flooding which rely heavily on tourism adding urgency and pressure to the recovery and restoration of critical assets and infrastructure. As such, meeting the expectations of the community, especially in terms of recovery and reinstatement efforts that became a critical focus for councils in these areas.

Interestingly, SA regional CEO/GMs ranked the ability for councils to respond immediately to address damaged assets and infrastructure equally to council's exposure to extreme weather events. This highlights the dual challenge councils face in securing adequate funding and mobilising resources for the recovery process.

Top three underlying factors for Disaster/ Catastrophic Event by region
<b>CITY</b> <ol style="list-style-type: none"><li>1. Inadequate funding available for mitigation of assets</li><li>2. Immediate response to damaged council assets &amp; infrastructure</li><li>3. Inadequate or poorly implemented emergency response plans</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Bushfire, floods, cyclones etc.</li><li>2. Climate Change (unpredictability)</li><li>3. Unpredictability, uncertainty and severity of extreme events</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Immediate response to damaged council assets and infrastructure</li><li>2. Bushfire, floods, cyclones etc</li><li>3. Climate change (unpredictability)</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Bushfire, floods, cyclones etc</li><li>2. Inadequate funding available for mitigation of assets</li><li>4. Climate change (unpredictability)</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Bushfire, floods, cyclones etc</li><li>2. Unpredictability, uncertainty and severity of extreme events</li><li>3. Climate Change (unpredictability)</li></ol>

## Victoria

28% of Victorian CEO/GMs ranked Disaster & Catastrophe as a leading risk for their councils, placing it fifth, matching the national ranking.

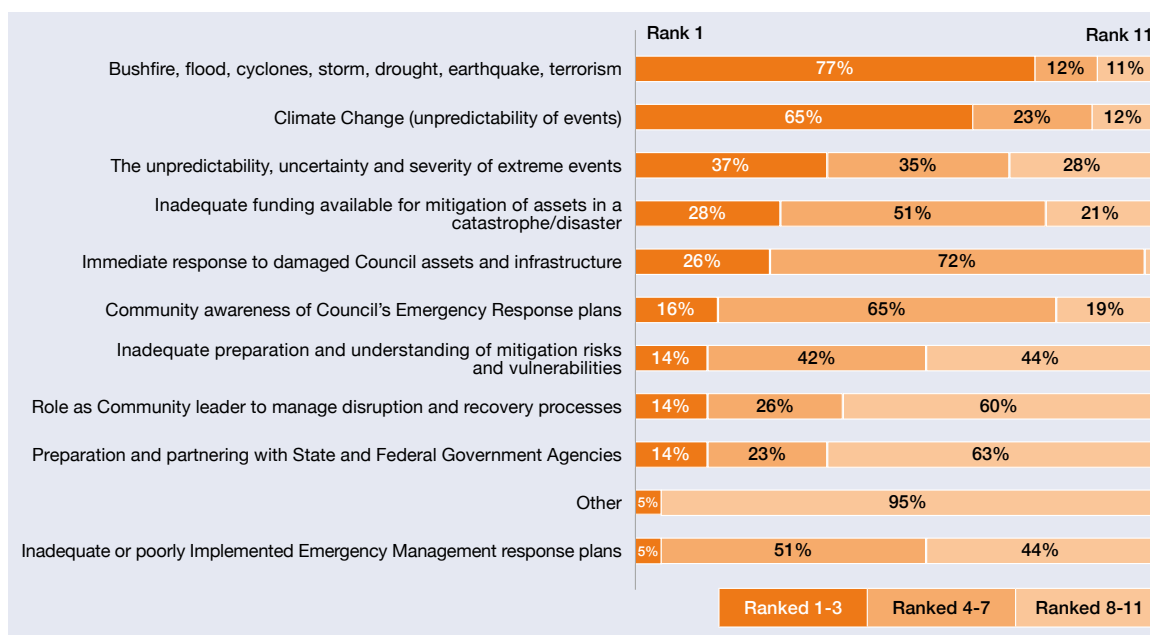


Figure 18: Disaster or Catastrophe Event, Victoria Risk Heat Map

This ranking likely follows the catastrophic flooding event in regional Victoria in 2022 and the extensive bushfire disaster that preceded it. Victoria's natural risk profile is particularly prone to bushfire and flooding events, though concern levels for these risks can vary by location, particularly among metropolitan councils.

Over 76% of respondents ranked bushfires, floods, cyclones as their primary concern for this risk. This ranking is likely linked with the second and third ranked concerns, with 65% of respondents ranking Climate Change as the second most pressing issue, followed by 37% who are concerned about the unpredictability, uncertainty and severity of extreme events.

Nearly 35% of respondents ranked the unpredictability of extreme events as a medium risk, nearly equal to the highest-ranking position. The summer of 2023/24 has proven the unpredictable nature of Victorian weather, with extreme heat, storms, flash-flooding and even a mini tornado affecting the state.

Interestingly, metropolitan councils ranked the unpredictability of natural events and climate change as their leading concern for this risk closely followed by bushfires, floods and cyclones etc. 90%-100% of regional city, regional and remote/rural regions ranked this as their leading concern.

### Top three underlying factors for Disaster/Catastrophic Event by region

#### CITY

1. Inadequate funding available for mitigation of assets
2. Climate Change (unpredictability)
3. Unpredictability/uncertainty and severity of extreme events

#### METROPOLITAN

1. Unpredictability/uncertainty and severity of extreme events
2. Climate Change (unpredictability)
3. Bushfire, floods, cyclones etc

#### REGIONAL CITY

1. Bushfire, floods, cyclones etc
2. Climate Change (unpredictability)
3. Immediate response to damaged council assets and infrastructure

#### REGIONAL

1. Bushfire, floods, cyclones etc
2. Climate Change (unpredictability)
3. Inadequate funding available for mitigation of assets

#### REMOTE/RURAL

1. Bushfire, floods, cyclones etc
2. Climate Change (unpredictability)
3. Unpredictability/uncertainty and severity of extreme events

Tasmania

Disasters & Catastrophes ranked third among risks, with over 42% of Tasmanian CEO/GMs prioritising it.

In Tasmania, all respondents cited climate change and natural disasters such as bushfires, floods, cyclones as equal leading concerns for this risk, underscoring the acute awareness and vulnerability to weather-related perils. The island's unique natural environment contributes to an extremely high risk of bushfires and flooding in specific areas.



Figure 19: The top three underlying factors for this risk in Tasmania. This shows the percentage of councils that ranked each factor as high.

Top three underlying factors for Disastster/ Catastrophic Event by region
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>Climate Change (unpredictability)</li><li>Bushfire, floods, cyclones etc.</li><li>Unpredictability/uncertainty and severity of extreme events</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>Unpredictability/uncertainty and severity of extreme events</li><li>Climate Change (unpredictability)</li><li>Bushfire, floods, cyclones etc</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>Climate Change (unpredictability)</li><li>Bushfire, floods, cyclones etc</li><li>Community awareness of council's Emergency Response plans</li></ol>

Western Australia

Western Australia aligned with the national ranking, placing Disaster & Catastrophe in fifth position, with 28% of respondents citing it as their leading risk. Meanwhile, 77% of respondents identified bushfires, floods, cyclones as the leading concern for this risk.

Regional city councils ranked this issue second, and regional and remote/rural councils ranked it as their top concern.

Natural disasters are becoming more frequent, reducing the recovery, planning and preparation time between incidents. This issue affects all WA local governments, but remote/rural councils are particularly susceptible to natural hazards (like bushfires, floods and cyclones) due to their geographical location and closeness to natural environments.


Resource availability also plays a crucial role. While all regional councils face challenges in resource allocation, larger regional centres often have better access to emergency services, funding and support from higher government levels. This improves their ability to manage and respond to disasters, resulting in less concern than rural areas with more limited resources and support.

Beyond the Disasters & Catastrophes concern, 51% of respondents identified climate change as their second highest concern, highlighting a direct link between these risks. Climate change exacerbates the frequency and intensity of natural disasters, a critical issue for WA local governments facing more frequent bushfires and coastal erosion due to rising sea levels.

Almost 49% of respondents identified community awareness of the council's emergency response plans as a leading concern, especially in regional and remote areas, where it was ranked among the top three concerns.

Local governments in these areas face distinct challenges in promoting community awareness of emergency response plans. Factors such as vast geographic distances, dispersed populations, limited resources, and unreliable internet and phone systems complicate effective communication with the community.

Top three underlying factors for Disastster/ Catastrophic Event by region
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>Unpredictability/ uncertainty and severity of extreme events</li><li>Climate Change (unpredictability)</li><li>Bushfire, floods, cyclones etc.</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>Climate Change (unpredictability)</li><li>Bushfire, floods, cyclones etc</li><li>Inadequate funding available for mitigation of assets</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>Bushfire, floods, cyclones etc</li><li>Climate Change (unpredictability)</li><li>Community awareness of council's emergency response plans</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>Bushfire, floods, cyclones etc</li><li>Climate Change (unpredictability)</li><li>Community awareness of council's emergency response plans</li></ol>



The shift from the term 'Human Resources' to 'People and Culture' reflects a broader shift in the mindset of organisations. This change in language signifies a departure from viewing employees solely as resources to recognising them as vital contributors to the identity of local governments.



## 6

PEOPLE &  
CULTURE

People and Culture represents a commitment to fostering an inclusive and collaborative workplace. It acknowledges that individuals are integral to driving innovation and a positive organisational ethos. This rebranding reflects a modern perspective on work, is aligned with the terminology used in the private sector and emphasises valuing individuals.

Despite ranking fifth, People and Culture has progressed two places. Councils have recognised the connection between their human resources and the culture of the organisation, which intertwines with many other risks.

When a significant event occurs, employees are stretched to their capacity to manage operational requirements while either preparing or recovering from the event. How this is

addressed can impact the reputation and governance for a council and this therefore demonstrates the importance of People and Culture in supporting the workforce. Councils that have a strong culture and resilient workforce unsurprisingly can move past a significant event and resume normal operations sooner.

There were two main underlying issues identified within People and Culture, with their perceived importance varying between metropolitan and regional local governments. Metropolitan councils expressed their primary concern for their limited capacity to attract and retain professional staff. Meanwhile, regional areas noted managing a remote workforce as the number one challenge, with attracting staff followed closely behind.



Figure 20: People & Culture National Risk Heat Map

The limited capacity to attract and retain professional staff, coupled with inadequate employee numbers, can profoundly impact local government. This shortfall can jeopardise operational efficiency, hindering the completion of tasks and projects.

The inability to attract and retain qualified staff can lead to constant turnover, which disrupts institutional knowledge and continuity. This places undue strain on existing employees, potentially resulting in burnout and decreased morale. The consequence of the inability to attract and retain a qualified workforce impedes day-to-day operations and undermines the capacity to adapt, innovate, continuously improve and thrive in local government.

With heightened expectations on working from home, there are unique challenges in managing a remote workforce. Maintaining team cohesion, monitoring productivity and

addressing communication gaps become more complex. Balancing flexibility with accountability is crucial, as is providing adequate support to ensure employee wellbeing and sustained performance in a virtual work landscape. Employers must also accommodate for the services that are not always available in remote communities. As such, transparent processes in managing these risks will contribute to a more resilient workforce and cultivate a positive relationship between leaders and employees.

Interestingly, the underpinning factor of rapidly increasing employment market costs and compliance with employee work, health and wellbeing regulations ranked similarly across all regions. Wage pressure and competing with private sector offerings are a concern, as is the ongoing handling of workers' compensation matters.

Competing with wage variations between local government and the private sector will always be challenging, as salaries are determined differently. Private sector wages are often influenced by market demand and competition, leading to potential fluctuations. However, local government wages can be more stable, as they reflect public sector policies and enterprise agreements, which impact salary scales and overall compensation structures.

Efficiently handling workers' compensation claims in Australia continues to be essential for both employers and employees. It guarantees prompt and equitable assistance for injured workers, supporting their recovery. Sound management minimises financial strain on councils by returning injured workers earlier and improving the sense of belonging. Several studies have shown that prioritising and valuing injured workers has a significant impact in decreasing in return-to-work timeframes.

By viewing these concerns holistically, we can see how ineffective People and Culture is one of the greatest risks moving forward and this is reflected in the higher ranking this year. Appropriate leadership and developing strategies to obtain, maintain and develop individuals into long-serving employees is more critical than ever.

Top ranking underlying factors for People & Culture by State/Territory

NSW QLD SA VIC WA	Limited capacity to attract and retain professional staff
NT	Inadequate employee numbers
TAS	Compliance with employee health, safety and wellbeing regulation

Top three underlying factors for People & Culture by region	
CITY	<div><div>1. Rapidly rising employment market costs</div><div>2. Limited capacity to attract and retain professional staff</div><div>3. Compliance with employee health, safety &amp; wellbeing regulation</div></div>
METROPOLITAN	<div><div>1. Rapidly rising employment market costs</div><div>2. Compliance with employee health, safety &amp; wellbeing regulation</div><div>3. Limited capacity to attract and retain professional staff</div></div>
REGIONAL CITY	<div><div>1. Inadequate employee numbers</div><div>2. Limited capacity to attract and retain professional staff</div><div>3. Rapidly rising employment market costs</div></div>
REGIONAL	<div><div>1. Limited capacity to attract and retain professional staff</div><div>2. Inadequate employee numbers</div><div>3. Rapidly rising employment market costs</div></div>
REMOTE/RURAL	<div><div>1. Limited capacity to attract and retain professional staff</div><div>2. Inadequate employee numbers</div><div>3. Compliance with employee health, safety &amp; wellbeing regulation</div></div>

Queensland

Like the rest of Australia, Queensland councils are struggling to attract and retain employees. In comparison to the national view, a larger percentage of CEOs ranked the top two risks to People and Culture as high or medium risk. This suggests that Queensland's employment market may be more challenging than other states.

Indeed, addressing these risks in the context of local government is incredibly complex. Successfully navigating these challenges will require sustained focus, innovation and state government support.

Top three underlying factors for People & Culture by region	
METROPOLITAN	REGIONAL
<div><div>1. Limited capacity to attract &amp; retain professional staff</div><div>2. Workplace safety – protection from community &amp; the psychological impact</div><div>3. Compliance with employee health, safety and wellbeing regulation</div></div>	<div><div>1. Limited capacity to attract and retain professional staff</div><div>2. Inadequate employee numbers</div><div>3. Compliance with employee health, safety and wellbeing regulation</div></div>
REGIONAL CITY	REMOTE/RURAL
<div><div>1. Inadequate employee numbers</div><div>2. Workplace safety – protection from community and the psychological impact inadequate employee numbers</div><div>3. Limited capacity to attract &amp; retain professional staff</div></div>	<div><div>1. Inadequate employee numbers</div><div>2. Limited capacity to attract and retain</div><div>3. Managing staff productivity and performance</div></div>

Northern Territory

In the Northern Territory, CEOs ranked People and Culture as the fifth risk, which is one point above the national ranking.



Figure 21: People & Culture Average Ranking of underlying factors in Northern Territory 1-10

The leading reasons for this risk were inadequate employee numbers and limited capacity to attract and retain professional staff. In fact, 83% of respondents ranked these as the top concerns.

When comparing the rankings between capital cities and regional councils, inadequate employee numbers were graded first or second by capital cities, while regional cities positioned this sixth.

Capital cities ranked limited capacity to attract and retain employees eighth while regional city and regional councils placed this second.

Tasmania

In Tasmania, People and Culture was not considered a high risk, ranking eleventh compared to its sixth national ranking.

The reasons behind this risk in Tasmania include compliance with employee health and wellbeing regulations, rapidly rising employment market costs and the challenges of managing a remote workforce with increased expectations of workplace flexibility arrangements. These three factors ranked equally as the top reasons agreed upon by 57% of respondents. It is worth noting that the medium to low rankings for these reasons were the same.

Nearly 43% of respondents ranked inadequate employee numbers as the second highest concern underpinning this risk. This was cited as a leading concern for metropolitan councils equalling the three above concerns. It was also ranked first by regional councils. However, it didn't receive a high ranking by rural and remote councils, indicating a sound medium ranking.

These results underscore the challenges encountered by Tasmanian councils in attracting and retaining quality staff. Tasmania has been a 'confined talent pool' for many years, and considering the cost-of-living crisis, councils have struggled to match the private sector to secure high level talent.

Top three underlying factors for People & Culture by region

**METROPOLITAN**

1. Inadequate employee numbers
2. Rapidly rising employment market costs
3. Compliance with employee health, safety and wellbeing regulation

**REGIONAL**

1. Rapidly rising employment market costs
2. Limited capacity to attract and retain professional staff
3. Inadequate employee numbers

**REMOTE/RURAL**

1. Compliance with employee health, safety and wellbeing regulation
2. Challenges of managing a remote workforce with increased expectation of WFH arrangements
3. Rapidly rising employment market costs



New South Wales

Among New South Wales respondents, People and Culture ranked sixth – agreed upon by 21% of respondents and aligned with the national ranking.

Nearly 60% of respondents identified the limited capacity to attract and retain professional staff as the primary reason for this risk. Many councils operate under stringent budgets, which impacts their ability to offer competitive remuneration compared to other tiers of government or the private sector.

In rural areas, the situation is further complicated by the shortage of specialised positions. Rural workers often need to wear multiple hats and adopt various responsibilities, which can be daunting to candidates and deter them from working in regional locations.

Local government’s political nature can present challenges for individuals from corporate backgrounds who are unfamiliar with the unique processes and requirements involved. Furthermore, it’s not always perceived as exciting or rewarding compared to other sectors. This perception can be influenced by negative portrayals in the media or on social media platforms. It is important to note that these impressions do not always reflect the reality of working in local government.

In metropolitan, regional and rural/remote areas, this issue ranked second, while in regional cities it ranked fifth. Typically, regional city councils are large enough to attract public sector candidates, but not enough corporate talent. They strike the right balance of incorporating a greater job scope and remuneration compared to city, regional and rural councils.

Regional cities can often access quality health and education services and are close to airports and other essential facilities. This allows residents to enjoy the benefits of city life while living in a quieter environment. It also provides great flexibility for professionals to travel to major cities for work or personal reasons.

This issue was closely followed by rapidly rising employment market costs, which nearly 56% of respondents ranked second.

Top three underlying factors for People & Culture by region
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Rapidly rising employment market costs</li><li>2. Limited capacity to attract and retain professional staff</li><li>3. Compliance with employee health, safety and wellbeing regulation</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Rapidly rising employment market costs</li><li>2. Compliance with employee health, safety and wellbeing regulation</li><li>3. Inadequate employee numbers</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Limited capacity to attract and retain professional staff</li><li>2. Inadequate employee numbers</li><li>3. Rapidly rising employment market costs</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Limited capacity to attract and retain professional staff</li><li>2. Rapidly rising employment market costs</li><li>3. Inadequate employee numbers</li></ol>

Victoria

In Victoria, nearly 14% of CEO/GMs ranked this risk seventh, which is lower than the national ranking of sixth.

58% of respondents identified the limited capacity to attract and retain professional staff as the primary reason for this risk. This reason was ranked the highest by regional and rural/remote councils. Metropolitan and regional city councils ranked this third, while capital city councils placed it ninth. This might reflect the COVID-19 sea or tree change that many Victorians made. Now, several years on, evidence reveals growth is declining in regional areas as many people return to metropolitan hubs.

Nearly 49% of CEO/GMs ranked inadequate employee numbers as the second highest concern. This issue was particularly significant in regional city and regional councils, where they ranked highly. The other regions placed this in the middle.

This further supports the notion that councils’ financial stability is hindering their ability to attract and retain staff in a highly inflationary environment. The private sector has been offering higher wages for a while. Yet many councils particularly regional ones do not have the resources to compete for talent.

46% of respondents ranked compliance with employee health, safety and wellbeing regulations, as well as rapidly rising employment market costs as equal third reasons for this risk. All regions ranked these two concerns in the top five. These results indicate the increasing burden of employee mental health related complaints and wellbeing issues since the COVID-19 pandemic. These are major issues in the WorkSafe claims within the sector and we’re likely to see increases in these issues by approximately 40% across local government for many years.

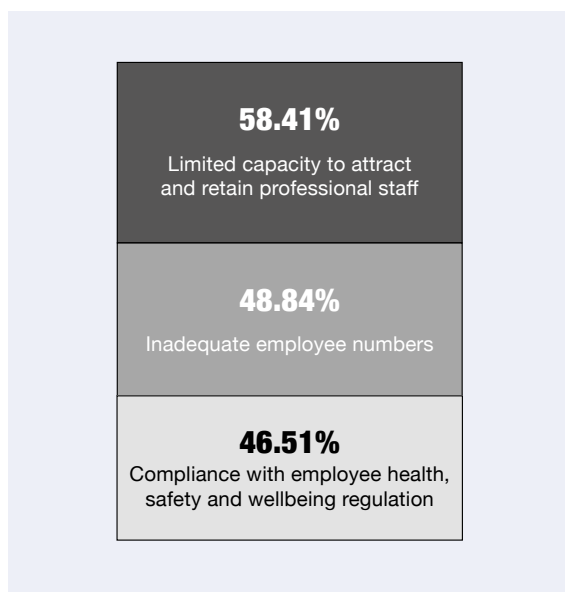


Figure 22: The top three underlying factors for this risk in Victoria. This shows the percentage of councils that ranked the respective factor as high.

#### Top three underlying factors for People & Culture by region

##### CITY

1. Rapidly rising employment market costs
2. OHS & PWSH fines & penalties
3. Compliance with employee health, safety and wellbeing regulation

##### METROPOLITAN

1. Workplace safety – protection from community & the psychological impact
2. Compliance with employee health, safety and wellbeing regulation
3. Limited capacity to attract and retain professional staff

##### REGIONAL CITY

1. Inadequate employee numbers
2. Challenges of managing a remote workforce with increased expectation of WFH arrangements
3. Limited capacity to attract and retain professional staff

##### REGIONAL

1. Limited capacity to attract and retain professional staff
2. Inadequate employee numbers
3. Compliance with employee health, safety and wellbeing regulation

##### REMOTE/RURAL

1. Limited capacity to attract and retain professional staff
2. Rapidly rising employment market costs
3. Compliance with employee health, safety and wellbeing regulation

## Western Australia

28% of respondents ranked People and Culture in sixth position, aligning with the national ranking.

The survey results revealed that the limited capacity to attract and retain professional staff is a leading concern for local government CEOs in Western Australia, with 65% ranking it as the top issue. This challenge arises from factors such as competition for talent, limited resources, geographic location, workload demands, limited training opportunities and work perceptions. These factors make it difficult for local governments to attract and retain skilled professionals, leading to challenges in delivering effective services and implementing projects.

The concern of inadequate employee numbers is particularly pronounced in regional and rural/remote local governments. This is attributed to factors such as a limited pool of professionals, geographic isolation, lack of infrastructure, limited professional development opportunities and challenges in maintaining work-life balance. To tackle these issues, we need targeted strategies, including offering competitive remuneration, providing professional development opportunities, improving infrastructure and highlighting the unique benefits of working in regional and rural/remote areas.

In summary, the challenges in attracting and retaining professional staff pose a risk to the people and culture of WA local governments. Factors such as limited capacity, competition for talent, limited resources, geographic location, workload demands, and negative perceptions contribute to this risk. Inadequate staffing levels can lead to decreased productivity and service delivery delays. To mitigate this risk, local governments need to offer competitive remuneration, implement targeted recruitment strategies, invest in professional development, address work-life balance and promote the positive aspects of working in the public sector. These measures will help ensure a skilled and engaged workforce to effectively serve the community.

#### Top three underlying factors for People & Culture by region

##### METROPOLITAN

1. Workplace safety – protection from community & the psychological impact
2. Rapidly rising employment market costs
3. Compliance with employee health, safety and wellbeing regulation

##### REGIONAL CITY

1. Managing staff productivity & performance
2. Rapidly rising employment market costs
3. Workplace safety – protection from community & the psychological impact

##### REGIONAL

1. Limited capacity to attract and retain professional staff
2. Inadequate employee numbers
3. Managing staff productivity & performance

##### REMOTE/RURAL

1. Limited capacity to attract and retain professional staff
2. Inadequate employee numbers
3. Rapidly rising employment market costs

## South Australia

In South Australia, 34% of CEOs/GMs ranked People and Culture as the fourth highest risk two points above the national ranking. Among the respondents, 62% identified the limited capacity to attract and retain professional staff as the primary reason for this risk. This concern was placed in the top two positions by all regions in South Australia.

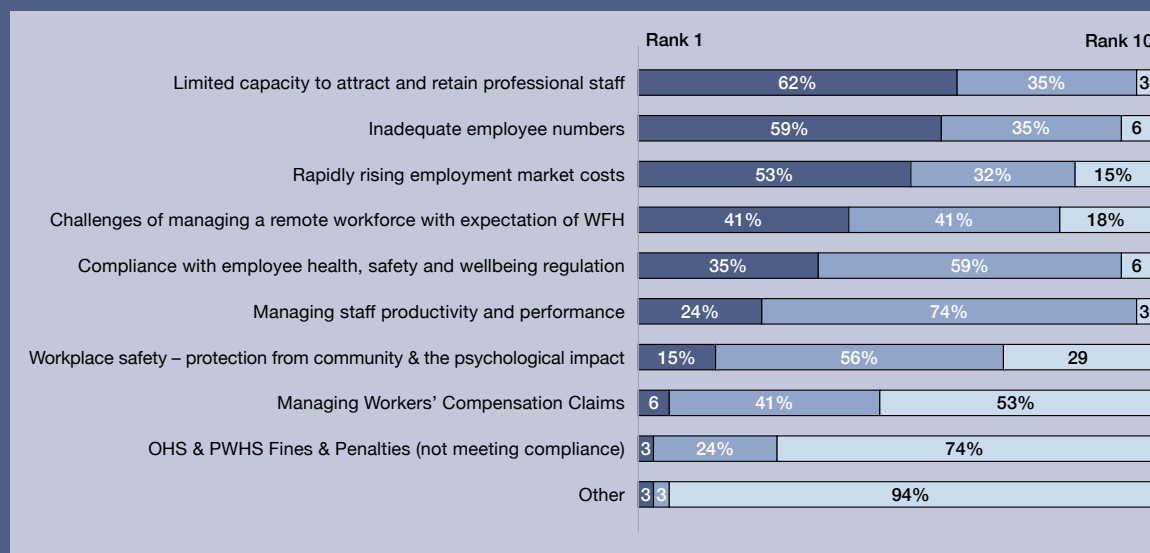


Figure 23: People & Culture South Australia risk heat map

Additionally, nearly 59% of CEOs/GMs ranked inadequate employee numbers second. This was the leading reason for rural/remote councils, as other states placed it in the top four positions.

According to the Australian Local Government Association's 2022 report on Workplace Skills & Capability, South Australian executives identified the key drivers of skills shortages as:

- Pandemic border closures and the subsequent impact on skilled workers
- Depth of the labour market and Local Government competing for talent with the private industry
- Budgetary constraints
- Lack of employment opportunities for spouses in regional areas
- Providing fixed-term contracts, with applicants seeking longer-term security
- Challenges of competing against major infrastructure projects for labour.

Rapidly rising employment market costs was cited as the third factor underpinning this risk, as determined by 53% of respondents. South Australian regional councils were heavily impacted by the strong performance of the mining and agriculture sectors, resulting in losing key staff to the private industry. Councils have struggled to compete with salaries in the private sector. It's also been difficult to secure affordable housing to attract candidates to regional areas.



7

## BUSINESS CONTINUITY PLANNING



Over the past year, the world has faced a multitude of challenges, with some disruptions occurring simultaneously, leaving organisations and communities with little time to recover. Local government in Australia also felt the weight of these difficulties.

Spurred by various events, councils experienced substantial business interruptions. These included post-COVID19 events, the succession of severe and frequent natural disasters and escalation in incidents or threats of cyberattacks. Many councils faced these tragic events from 2021 to 2023. The disruptions greatly impacted local government authorities operations and finances.

Seemingly distant global events (e.g. supply chain and geopolitical events) have also impacted Australian businesses and communities, including those in regional areas. These events placed additional pressure on councils, resulting in their inability to deliver services.

The most direct impact on local government has been financial. Every disaster or interruption changes priorities, with resources being redirected towards repairs and recovery efforts. As local government's main source of income is continuously strained due to dealing with disruption shocks the gap between what can be accomplished and what needs to be done widens.

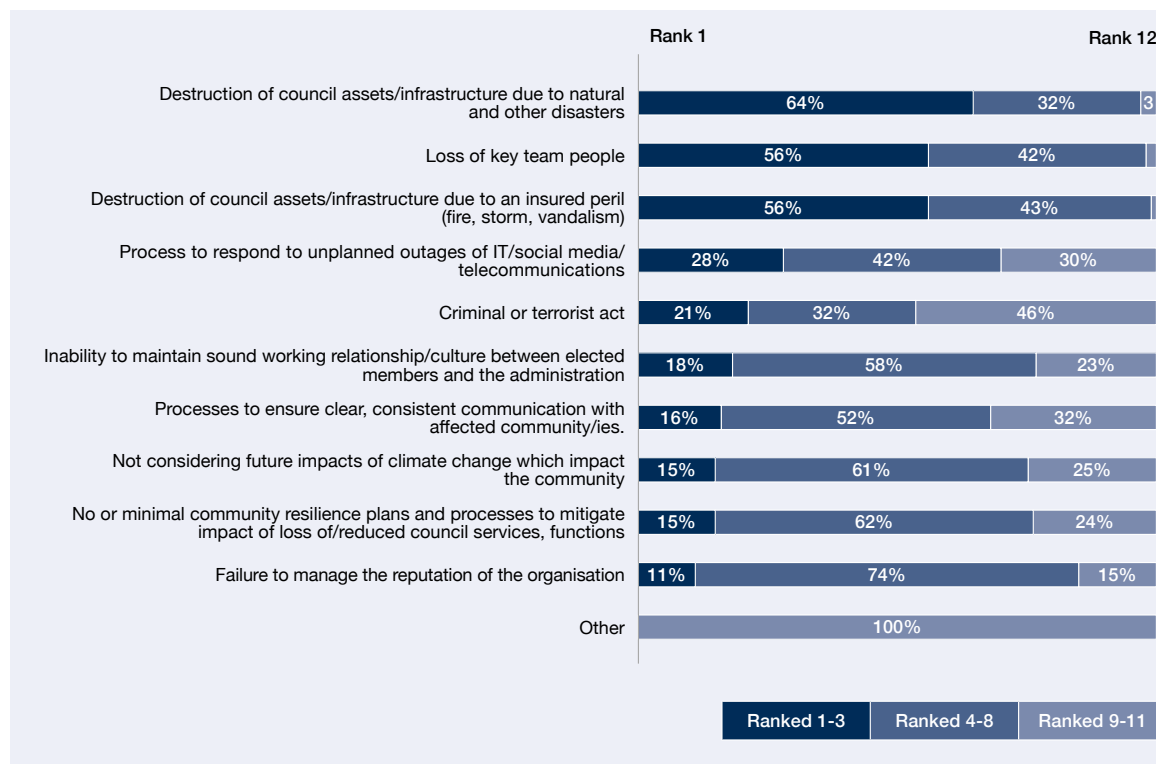


Figure 24: Business Continuity Planning National Risk Heat Map

Since 2018, natural disaster impacts have consistently ranked among the top five concerns. This is attributed to the compounded natural disaster events (e.g. bushfires, severe storms and floods) occurring in the same regions – sometimes within days of each other. In the 2023 Risk Survey, this disruption ranked as the top business continuity planning risk at 26.48%.

The financial cost associated with disaster events amounts to billions of dollars, and the visible remnants of these events can be observed in assets waiting repair or replacement. In addition to the monetary costs, there is also the immeasurable emotional and wellbeing tax on communities, families and individuals, which will have enduring effects for years to come.

The Loss of Key People ranks as the second highest factor for business continuity planning. Although this aspect is experienced by all organisations and businesses, the survey results indicate that regional councils regard it as the leading factor (21%) impacting their business continuity capabilities.

The above concerns directly effect the business continuity capability on various levels. They range from losing key people, which compromises effective decision-making and resourcing, to losing premises to operate from. While organisations have adapted and perfected the working-from-home arrangements, many essential council services rely on specific facilities to deliver what are often critical services such as water, sewer and waste management.

The lessons learned from the impact of COVID-19 have prompted organisations to embrace a more agile approach. As a result, information technology experts have furnished councils with an unprecedented level of workforce flexibility. This advancement has alleviated concerns councils may have regarding certain operations, as many can be swiftly restored through remote working arrangements.

However, technology cannot solve every business continuity impact nor costs of rebuilds or repairs from asset destruction. Understandably, financial sustainability is the leading national concern.



In an uncertain situation like a disaster event, it is essential to have the right individuals with the necessary expertise to plan and strategise a path towards recovery.

It is considered best practice for organisations to proactively plan for such events to minimise the impact. This involves having a documented framework and set of recovery strategies and operational workarounds that are sound, current, reliable and logical. These plans need to provide clear guidance and high-level strategies that are dynamic enough to be effectively implemented in any major circumstance. A well-crafted business continuity plan can provide the right framework for decision-making and instil confidence in people by establishing a structured approach. This can only be achieved if the framework is effective, fit for purpose and involves the active participation and commitment of the organisation’s top management.

To address the concern of the potential loss of key people, councils can implement practical measures to create redundancy within the organisation. Strategically, organisations should ensure there are alternate personnel who can step into key decision-making roles in the event of a major disruption. Operationally, councils can create redundancy by ensuring that all critical business services have sufficient personnel who are cross-skilled and qualified to assume other positions. Additionally, documenting clear recovery strategies for these personnel will further enhance preparedness and resilience.

Implementing a well-structured business continuity management framework and ensuring personnel are well-trained and are confident to step into their assigned roles. This will ensure an effective and timely recovery from a major disruption, significantly minimising its impact. When an organisation demonstrates this level of resilience, it not only instils confidence in its people but also the trust of the community it serves.

The level of complexity, frequency and severity of disruptions have become commonplace. Considering this, it is more important than ever for organisations to recalibrate and plan for a new comprehensive approach to managing significant disruptions. This approach should be holistic and consider the new scale of ‘worst case’ scenarios and provide an efficient and effective method for responding and recovering from major complex disruptions. Additionally, it must prioritise collaboration, which involves working closely with state and federal levels of government, the community, the private sector, and neighbouring councils. This unified effort will help develop broader recovery plans, secure funding and implement measures that will support their communities.

Top ranking underlying factors for Business Continuity by State/Territory

NSW QLD SA VIC	Destruction of council assets/infrastructure due to natural and other disasters (bushfire, flood, extreme storms, pandemic, drought, earthquake, act of terror etc.)
NT WA	Loss of key team people
TAS	Destruction of council assets/infrastructure due to an insured peril (fire, storm, vandalism)

Top three underlying factors for Business Continuity Planning by region

CITY

- 1. Destruction of council assets/infrastructure due to disasters
- 2. Loss of key team people
- 3. Destruction of council assets/infrastructure due to an insured peril

METROPOLITAN

- 1. Loss of key team people
- 2. Destruction of council assets/infrastructure due to disasters
- 3. Destruction of council assets/infrastructure due to an insured peril

REGIONAL CITY

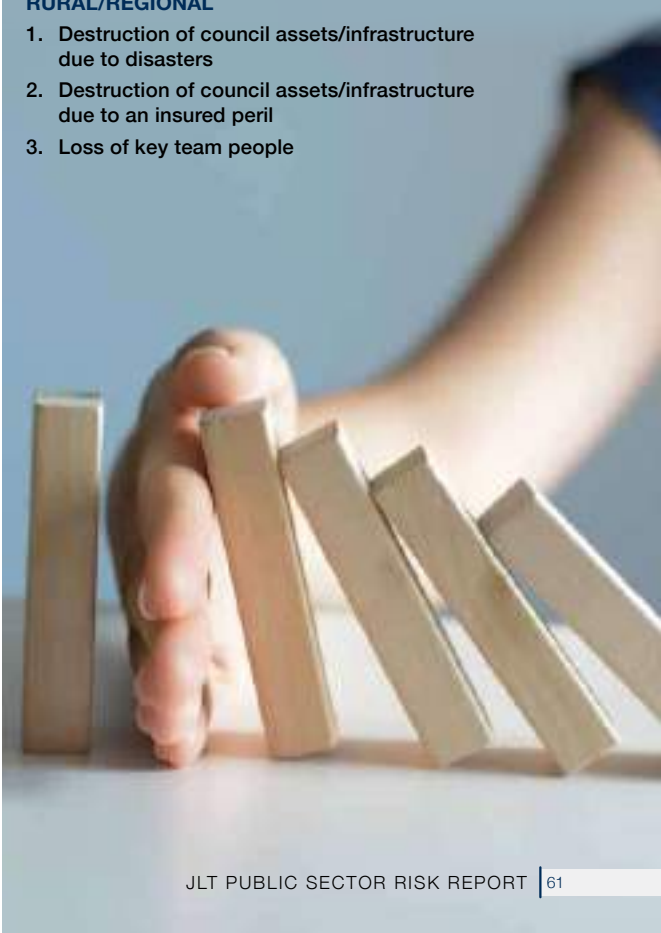
- 1. Destruction of council assets/infrastructure due to disasters
- 2. Destruction of council assets/infrastructure due to an insured peril
- 3. Loss of key team people

REGIONAL

- 1. Loss of key team people
- 2. Destruction of council assets/infrastructure due to disasters
- 3. Destruction of council assets/infrastructure due to an insured peril

RURAL/REGIONAL

- 1. Destruction of council assets/infrastructure due to disasters
- 2. Destruction of council assets/infrastructure due to an insured peril
- 3. Loss of key team people



New South Wales

In the rankings, NSW placed Business Continuity Planning in seventh position, which is consistent with the national level ranking. Although only 21% of respondents viewed it as a high risk, it is important to highlight that nearly 54% considered it as a medium risk.

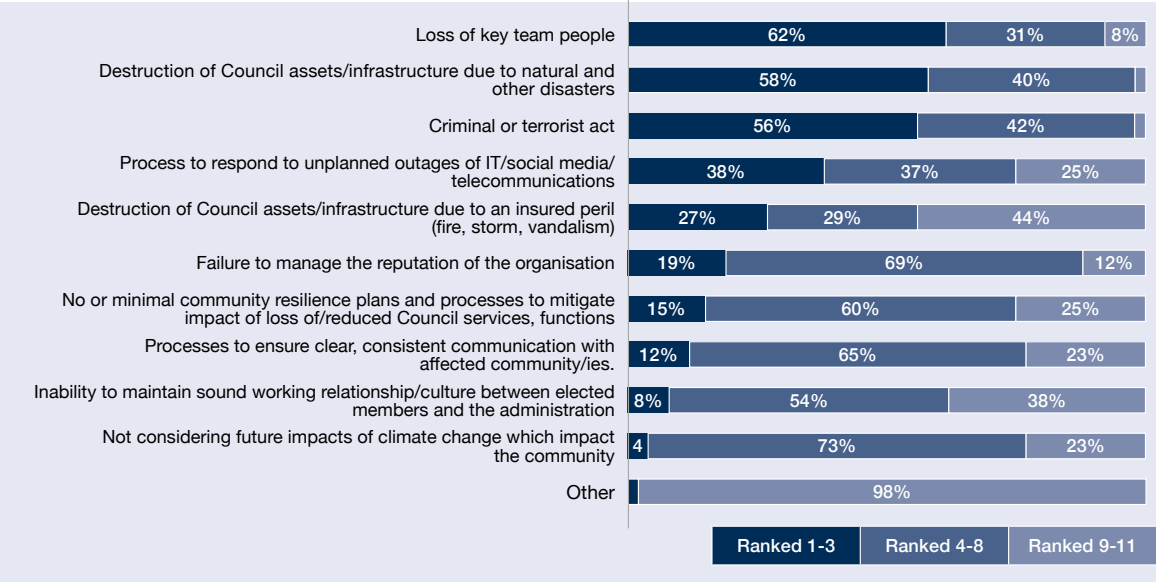


Figure 25: Business Continuity Planning NSW Risk Heat Map

Nearly 62% of respondents identified the destruction of council assets as the primary factor for this risk. This factor was particularly prominent in metropolitan, regional, and remote/rural areas.

The lack of preparedness and the outdated nature of existing assets, which were not designed to withstand the disasters of the 21st century, is a growing concern for councils. It is necessary to futureproof these assets, but this comes with significant costs that need to be allocated appropriately. Retrofitting older assets, particularly those with heritage listing, presents challenges in NSW, as it is difficult to strike a balance between heritage requirements with the needs of business continuity planning.

While councils demonstrate competence in emergency preparation and response, there may be a lack of comprehensive plans in place. It is crucial to focus on prevention and proactive measures. Additionally, it is also important to consider the other risks that contribute to business continuity, as it is not solely about the Business Continuity Plan itself.

Many councils have assets located in flood-prone or bushfire-prone areas, which further complicates the management of council services and land.

58% of respondents identified the loss of key personnel as a significant contributing factor to the management of business continuity. This concern was particularly notable in metropolitan, regional, and remote/rural councils, where it ranked among the top two concerns.

Whilst experiencing a disaster, the loss of key personnel can have a substantial impact. Local Emergency Management Officers (LEMOs) and council staff involved in business continuity planning may also be responsible for managing local emergencies. The unavailability of key staff during an event can impede response efforts. Also, the rotation of staff and the ongoing need to train and maintain their present

additional challenges, as continuity may be disrupted when new personnel join the organisation.

The adoption of communication tools like Zoom has enhanced communication capabilities, and councils are embracing these opportunities to strengthen their business continuity efforts.

Top three underlying factors for Business Continuity Planning by region

METROPOLITAN

1. Destruction of council assets/infrastructure due to an insured peril

2. Loss of key team people

3. Process to respond to unplanned outages of IT/ social media/telecommunications

REGIONAL CITY

1. Destruction of council assets/infrastructure due to disasters

2. Destruction of council assets/infrastructure due to an insured peril

3. Criminal or terrorist act

REGIONAL

1. Loss of key team people

2. Destruction of council assets/infrastructure due to disasters

3. Failure to manage the reputation of the organisation

REMOTE/RURAL

1. Destruction of council assets/infrastructure due to disasters

2. Loss of key team people

3. Destruction of council assets/infrastructure due to an insured peril



Queensland

In Queensland, Business Continuity Planning was ranked fifth, which is two points higher than the national ranking of seventh.

The most significant factor for business continuity in Queensland is the damage to infrastructure or assets from natural hazards or insured perils such as a fire, storm or vandalism event. This is due to the frequency of disasters that have impacted Queensland councils in the past five years, where many councils have struggled to recover before another event occurred.

This factor is followed by the loss of key personnel. This reason was consistent with the national view, emphasising the fundamental similarities between council operations and business interruption risk in an event.

Top three underlying factors for Business Continuity Planning by region
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Destruction of council assets/infrastructure due to natural and other disasters</li><li>2. Process to respond to unplanned outages of IT/ social media/telecommunications</li><li>3. Loss of key team people</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Destruction of council assets/infrastructure due to natural and other disasters</li><li>2. Destruction of council assets/infrastructure due to an insured peril</li><li>3. Process to respond to unplanned outages of IT/ social media/telecommunications!</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Destruction of council assets/infrastructure due to natural and other disasters</li><li>2. Destruction of council assets/infrastructure due to an insured peril</li><li>3. Loss of key team people</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Destruction of council assets/infrastructure due to natural and other disasters</li><li>2. Destruction of council assets/infrastructure due to an insured peril</li><li>3. Loss of key team people</li></ol>

Northern Territory

In the Northern Territory, Business Continuity Planning was ranked as the second highest risk by 37% of CEOs. This is five positions higher than the national average. Operating in a lean environment poses a challenge for most NT councils. Despite this, councils remain committed to maintaining business continuity, and take pride in their ongoing response to disruptive events.

The primary factor contributing to this ranking is the loss of key personnel, with 83% of respondents ranking it as their top concern. This result was particularly pronounced among regional councils, where 100% of respondents ranked it as their number one concern.

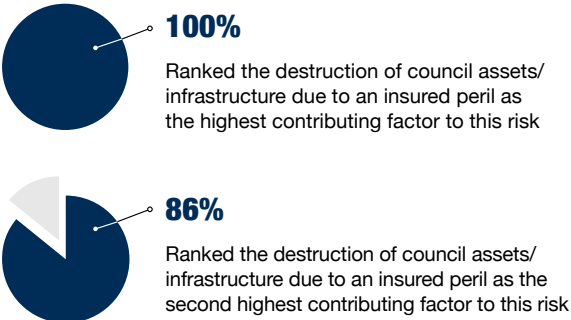
Tasmania

Business Continuity Planning was ranked second with 71% of councils considering it as the second leading risk for the state. This significant risk for the state could be attributed to the challenges faced by councils in accessing trades and reinstating services. While planning efforts are robust, the difficulty lies in obtaining the necessary resources to support when an event occurs, and rebuilding becomes necessary.

The above is reinforced by the fact 100% of respondents placed the destruction of council assets or infrastructure due to insured peril as the leading reason for this placement. As mentioned earlier, the lead times for trades and resources can extend beyond three years before rehabilitation works can begin, and this effects business continuity planning for future events. Regardless of the region of the council, all ranked this between first and third.

Furthermore, nearly 86% of respondents noted the destruction of council assets or infrastructure due to a natural or other disaster as an underlying factor for this risk. Once again, councils from different regions ranked this in the top three further reinforcing why they had ranked BCP in second position.

Top three underlying factors for Business Continuity Planning by region
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Destruction of council assets/infrastructure due to natural and other disasters (bushfire, flood, extreme storms, pandemic, drought, earthquake, act of terror etc.)</li><li>2. Destruction of council assets/infrastructure due to an insured peril (fire, storm, vandalism)</li><li>3. Loss of key team people</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Destruction of council assets/infrastructure due to natural and other disasters (bushfire, flood, storms, pandemic, drought, earthquake, act of terror etc.)</li><li>2. Processes to ensure clear, consistent communication with affected community/ies. Integrity of current business continuity plan and process</li><li>3. Destruction of council assets/infrastructure due to an insured peril (fire, storm, vandalism)</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Criminal or terrorist act</li><li>2. Destruction of council assets/infrastructure due to an insured peril (fire, storm, vandalism)</li><li>3. Failure to manage the reputation of the organisation</li></ol>



Victoria

In Victoria, CEOs ranked Business Continuity Planning in eighth position, one point lower than the national ranking. 63% of respondents identified the destruction of council assets and infrastructure caused by natural and other disasters as the leading underlying reason for this risk. This concern was ranked as the first or second reason by all councils except for city councils. The specific reasons for city councils not ranking this as high could vary and may be influenced by factors such as different risk profiles or a greater focus on other aspects of business continuity.

While destruction of council assets & infrastructure from natural and other disasters was the leading factor, 53% of CEOs/GMs identified the destruction caused by insured perils as the second-highest contributing factor. This reason consistently ranked between first and third by all councils except for city councils. Again, the specific reasons for city councils ranking this differently could vary and may be influenced by factors such as different risk profiles or a greater emphasis on other aspects of business continuity.

The loss of key team members was identified as a contributing factor to this risk. It ranked third across the state, with all councils placing it between first and fourth. The positioning of this factor may be influenced by the relative importance placed on other risks or the perception that other factors have a more significant impact on business continuity.

It is important to note that the rankings and reasons presented are derived from the responses of the CEOs/GMs in the survey and may vary depending on the specific circumstances and priorities of each council.

Top three underlying factors for Business Continuity Planning by region	
<p><b>CAPITAL</b></p> <ol style="list-style-type: none"><li>1. Not considering future impacts of climate change which impact the community</li><li>2. Process to respond to unplanned outages of IT/social media/telecommunications</li><li>3. Loss of key team people</li></ol>	<p><b>REGIONAL</b></p> <ol style="list-style-type: none"><li>1. Destruction of council assets/infrastructure due to natural and other disasters</li><li>2. Not considering future impacts of climate change which impact the community</li><li>3. Destruction of council assets/infrastructure due to an insured peril</li></ol>
<p><b>METROPOLITAN</b></p> <ol style="list-style-type: none"><li>1. Destruction of council assets/infrastructure due to an insured peril</li><li>2. Destruction of council assets/infrastructure due to natural and other disasters</li><li>3. Loss of key team people</li></ol>	<p><b>REMOTE/RURAL</b></p> <ol style="list-style-type: none"><li>1. Destruction of council assets/infrastructure due to natural and other disasters</li><li>2. Destruction of council assets/infrastructure due to an insured peril</li><li>3. Not considering future impacts of climate change which impact the community</li></ol>
<p><b>REGIONAL CITY</b></p> <ol style="list-style-type: none"><li>1. Loss of key team people</li><li>2. Destruction of council assets/infrastructure due to natural and other disasters</li><li>3. Destruction of council assets/infrastructure due to an insured peril</li></ol>	

South Australia

Among South Australian CEO/GMs, Business Continuity was ranked seventh by 14% of respondents, with nearly 65% ranking it as medium risk.

The primary factor contributing to this ranking is the destruction of council assets or infrastructure caused by natural and other events, as identified by nearly 59% of respondents. This concern was consistently ranked as either first or second across all regions represented in the survey. These rankings can be attributed to the significant impact of flooding and storm-related events that occurred in South Australia during the 2022/23 period.

The Loss of Key People was ranked equally with the Destruction of Council Assets or Infrastructure as significant contributing factors to the risk of business continuity. This concern was ranked as either first or second by all council regions.

The destruction of Council Assets or Infrastructure due to an Insured Peril was ranked second, with 41% of councils listing this as a primary concern for this risk. This ranking was primarily supported by capital city and regional city councils. However, when considering the combined high and medium risks, this concern becomes more prominent across all regions.

Top three underlying factors for Business Continuity Planning by region	
<b>CAPITAL</b> <ol style="list-style-type: none"> <li>1. Failure to manage the reputation of the organisation</li> <li>2. Destruction of council assets/infrastructure due to an insured peril</li> <li>3. Loss of key team people</li> </ol>	<b>REGIONAL</b> <ol style="list-style-type: none"> <li>1. Loss of key team people</li> <li>2. Destruction of council assets/infrastructure due to natural and other disasters</li> <li>3. Inability to maintain sound working relationship/ culture between elected members and the administration</li> </ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"> <li>1. Loss of key team people</li> <li>2. Destruction of council assets/infrastructure due to natural and other disasters</li> <li>3. Not considering future impacts of climate change which impact the community</li> </ol>	<b>REMOTE/RURAL</b> <ol style="list-style-type: none"> <li>1. Destruction of council assets/infrastructure due to natural and other disasters</li> <li>2. Loss of key team people</li> <li>3. No/minimal community resilience plans and processes to mitigate impact of loss of/reduced council services, functions</li> </ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"> <li>1. Loss of key team people</li> <li>2. Destruction of council assets/infrastructure due to natural and other disasters</li> <li>3. Destruction of council assets/infrastructure due to an insured peril</li> </ol>	

## Western Australia

In Western Australia, Business Continuity was ranked ninth among other risks by CEO. The leading factor driving this ranking was loss of key people with 70% contributing to this ranking.

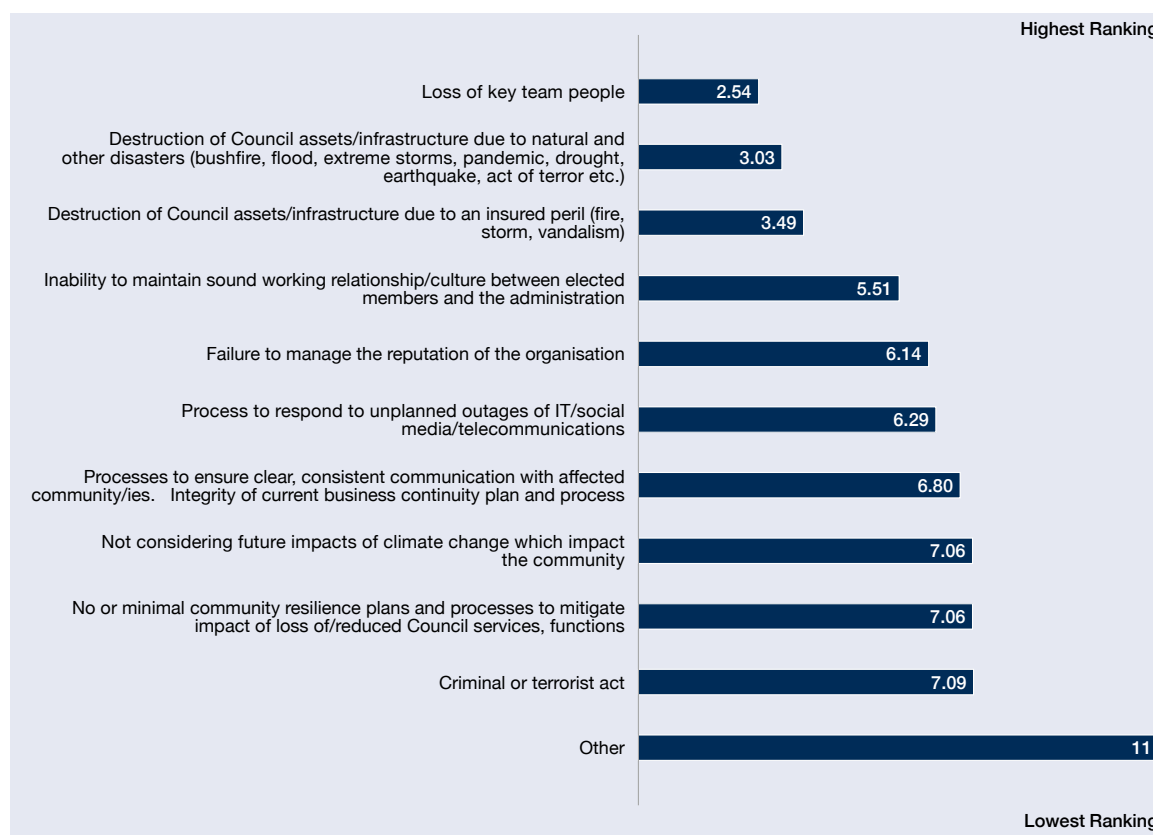


Figure 26: Business Continuity Planning WA Risk Heat Map

The loss of key people within local governments in WA during a disruption can impede continuity, decision-making, relationships, and expertise. It is crucial for councils to have succession planning strategies in place to mitigate the impact and ensure the continuity of essential services.

The findings also revealed that the destruction of council assets and infrastructure due to disasters and the destruction of council assets and infrastructure due to an insured peril are closely aligned risks for WA local governments. These risks share the potential to impact service delivery, financial stability, public safety, and community well-being. In both scenarios, there is a loss or damage of critical assets and infrastructure, which can result in service disruptions, economic consequences, compromised public safety, and reduced community resilience. While disasters may encompass a broader range of perils, including uninsured events, the risks associated with the destruction of assets and infrastructure in both cases require similar mitigation strategies. These strategies include disaster preparedness, risk assessment, contingency planning, and investment in infrastructure resilience.

Business Continuity Planning is a key risk for local governments in WA, as it can lead to disruptions in essential services, financial stability, public safety, and community wellbeing. This risk can occur from various events, such as disasters, the loss of key people, and the destruction of assets and infrastructure. To mitigate these risks local government need to prioritise business continuity planning, including risk assessment, emergency response strategies, succession planning, infrastructure resilience, and resource allocation, to ensure the continuity of essential services and minimise the impact of potential risks.

#### Top three underlying factors for Business Continuity Planning by region

##### **METROPOLITAN**

1. Loss of key team people
2. Process to respond to unplanned outages of IT/social media/telecommunications
3. Destruction of council assets/infrastructure due to natural and other disasters

##### **REGIONAL CITY**

1. Destruction of council assets/infrastructure due to natural and other disasters
2. Destruction of council assets/infrastructure due to an insured peril
3. Inability to maintain sound working relationship/ culture between elected members and the administration

##### **REGIONAL**

1. Loss of key team people
2. Destruction of council assets/infrastructure due to natural and other disasters
3. Destruction of council assets/infrastructure due to an insured peril

##### **REMOTE/RURAL**

1. Destruction of council assets/infrastructure due to natural and other disasters
2. Destruction of council assets/infrastructure due to an insured peril
3. Loss of key team people





8

## INEFFECTIVE GOVERNANCE



Governance encompasses the system by which an organisation is controlled and operated, and the mechanisms put in place to ensure accountability of the organisation and its people.<sup>14</sup>

Good governance embraces strong ethics, practical and robust risk management, a compliance culture, good decision-making and transparency. Australian communities expect local governments to adhere to these standards.

Australian local governments, like all organisations, are operating in an increasingly interconnected and rapidly advancing technological environment. While this brings many opportunities, it also brings new vulnerabilities and risks.<sup>15</sup>

Nationwide supply chain issues, inflationary pressures, election cycles and workforce challenges further compound the challenges local governments face. Without strong governance frameworks, this can place significant pressure on local governments' workplace culture, internal control environment and capacity, potentially leading to performance and accountability issues.

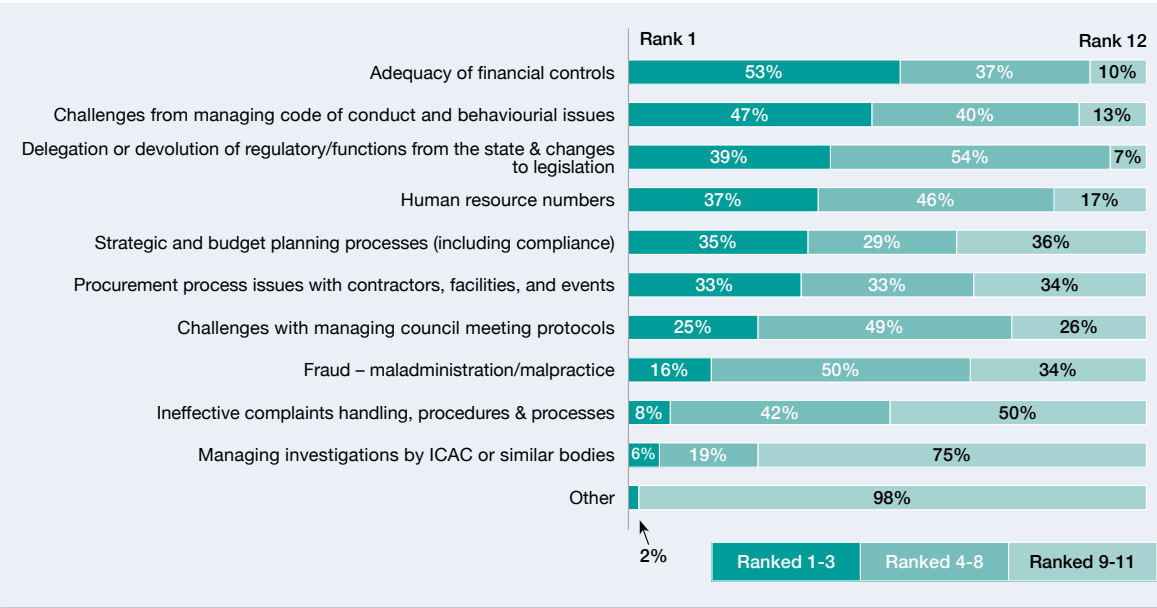


Figure 27: Ineffective Governance National risk heat map

In 2023, local government CEOs/GMs provided valuable insights into ineffective governance. The Risk Heat Map above highlights these national results.

Over 50% of respondents considered the adequacy of financial controls as their primary underlying concern for Ineffective Governance. This sheds some light on the driving forces behind the foremost risk overall, Financial Sustainability.

In order to effectively manage this critical risk due to financial controls, elected members and leaders of local government need to take a strategic approach to their organisation's financial sustainability framework. This involves ensuring all strategic planning, budgeting and corporate planning activities are considered within the context of long-term financial sustainability

Over 46% of respondents considered challenges from managing elected members and/or employee behaviour/misconduct as a high risk. This aligns with the continued increase in claims in areas like public and professional liability, councillors and officers, and fidelity/crime covers.

These findings highlight the ongoing need for these risk coverage solutions in these areas and emphasise the importance and ongoing need for strong and practical councillor and employee induction programs and ongoing code of conduct training. Additionally, the elected member position's political nature and ongoing reform by all state governments have an impact on on integrity-related matters.

The 2024 Edelman Trust Barometer results show an increase in public trust in the Australian Government (without distinguishing each level of government. An increase that brings it to a neutral position of 50%.<sup>16</sup>

Other factors contributing to Ineffective Governance are the delegation/devolution of regulatory or other functions from the state (noted by 38% of respondents) and changes to legislation and human resource numbers (noted by 35% of respondents).

These two risks play a key role in accelerating governance risk for local governments. These concerns place additional pressures on local government's lean operating environment – many of which are already operating beyond capacity due to labour market challenges.

<sup>14</sup> Governance Institute of Australia: What is governance? (governanceinstitute.com.au).  
<sup>15</sup> International Risk Governance Council: What do we mean by 'Risk Governance'? - IRGC  
<sup>16</sup> Edelman Trust Barometer, Australia Report. 2023

The fifth contributing factor to Ineffective Governance is the strategic and budget planning processes (including compliance), noted by 34% of respondents. These legislative processes have been implemented to better support local government's ability to mitigate key risks associated with financial sustainability and improve governance. This is crucial, as many local governments operate in such a lean operating environment with human resource constraints, making compliance with these processes a risk in itself.

The concern of procurement process issues with contractors, facilities and events, was classified as an impacting factor by 32% of respondents, while an additional 32% considered it a medium concern. These results highlight the continued importance of ensuring these fundamental processes are right, ensuring all sourcing and delivery of services are carried out transparently and effectively. This is paramount in the current environment and will contribute to improving and maintaining trust in government.

Failing to adhere to legislation and community expectations and neglecting the necessary due diligence in sourcing and delivering services, can expose local governments to various risks. These can include liability claims, financial losses, and significant damage to their reputation.

Top three underlying factors for Ineffective Governance risk by region	
CITY	<div><div>1. Adequacy of financial controls</div><div>2. Challenges from managing code of conduct/ behavioural issues</div><div>3. Challenges with managing council meeting protocols</div></div>
METROPOLITAN	<div><div>1. Adequacy of financial controls</div><div>2. Challenges from managing code of conduct/ behavioural issues</div><div>3. Procurement process issues with contractors/ facilities/events</div></div>
REGIONAL CITY	<div><div>1. Adequacy of financial controls</div><div>2. Strategic and budget planning processes</div><div>3. Challenges with managing council meeting protocols</div></div>
REGIONAL	<div><div>1. Adequacy of financial controls</div><div>2. Challenges from managing code of conduct/ behavioural issues</div><div>3. Human resource numbers</div></div>
RURAL/REGIONAL	<div><div>1. Adequacy of financial controls</div><div>2. Challenges from managing code of conduct/ behavioural issues</div><div>3. Human resource numbers</div></div>

Across the country, many respondents identified the above six underlying concerns of Ineffective Governance as substantial issues. This indicates that, despite the differences in state legislation and regulatory bodies across the country, the principles of good governance apply nationally and should be a strategic priority for all local governments.

An effective elected member group and executive leadership team that establishes a positive tone at the top can greatly contribute to addressing this risk. By investing in governance-related training, process mapping, and internal audit, these leaders can provide valuable support to the organisation. This approach will help effectively manage and combat the overall impact of this risk.

Top ranking underlying factors for Ineffective Governance by State/Territory

NSW NT QLD TAS VIC WA	Adequacy of financial controls
SA	Challenges from managing code of conduct and behavioural issues

Tasmania

Ineffective Governance was placed tenth in Tasmania, two points lower than the national ranking. Respondents ranked it only in the medium to low level.

Nearly 72% of respondents noted the adequacy of financial controls as the leading contributor to Ineffective Governance. This was especially true in metropolitan and rural areas. Concern around employee numbers was ranked second by 52% of respondents.

Top three underlying factors for Ineffective Governance risk by region	
METROPOLITAN	<div><div>1. Adequacy of financial controls</div><div>2. Challenges with managing council meeting protocols</div><div>3. Human resource numbers</div></div>
REGIONAL	<div><div>1. Strategic and budget planning processes (including compliance)</div><div>2. Delegation or devolution of regulatory or other functions from the state and changes to legislation</div><div>3. Human resource numbers</div></div>
REMOTE/RURAL	<div><div>1. Adequacy of financial controls</div><div>2. Human resource numbers</div><div>3. Strategic and budget planning processes (including compliance)</div></div>



## South Australia

South Australian council CEO/GMs ranked Ineffective Governance fifth which was a slight move upward on the 2021 survey. 53% of respondents cited challenges associated with managing elected member code of conduct and behavioural issues as a leading contributing factor to Ineffective Governance. Regional and rural areas ranked this contributing factor the highest at 71% and 88%, respectively.

A significant contributing factor negatively impacting councils' ability to meet legislative requirements was the inability to resource key roles, particularly for regional councils.

Interestingly, managing code of conduct and behavioural issues was equally ranked with adequate staff resourcing. This suggests that these contributing factors are seen as equally important to effective governance. Councils have indicated that along with staff resourcing, attracting and retaining talent is a major challenge, with private sector competition and escalating wages a key factor.

Adequate financial controls follow closely behind these concerns. This aligns with the importance of ensuring proper financial management within organisations to maintain effective governance and mitigate risks.

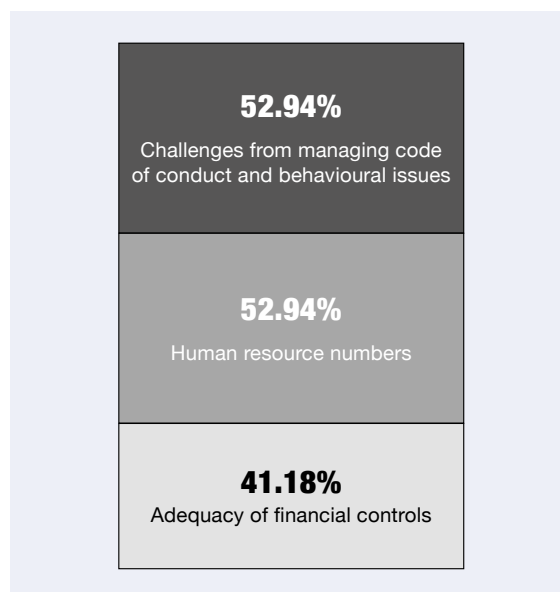


Figure 28: The top three underlying factors for this risk in South Australia. This shows the percentage of councils that ranked the respective factor as high.

### Top three underlying factors for Ineffective Governance risk by region

#### CAPITAL

1. Challenges from managing code of conduct and behavioural issues
2. Ineffective complaints handling, procedures & processes
3. Delegation or devolution of regulatory or other functions from the state and changes to legislation

#### METROPOLITAN

1. Procurement process issues with contractors, facilities, and events
2. Challenges from managing code of conduct and behavioural issues
3. Delegation or devolution of regulatory or other functions from the State and changes to legislation

#### REGIONAL CITY

1. Strategic and budget planning processes (including compliance)
2. Challenges with managing council meeting protocols
3. Procurement process issues with contractors, facilities, and events

#### REGIONAL

1. Challenges from managing code of conduct and behavioural issues
2. Adequacy of financial controls
3. Challenges with managing council meeting protocols

#### RURAL/REGIONAL

1. Human resource numbers
2. Strategic and budget planning processes (including compliance)
3. Delegation or devolution of regulatory or other functions from the state and changes to legislation



## Northern Territory

Northern Territory council CEOs placed Ineffective Governance in third position which is higher than the national average of eighth (noting only six NT councils participated in the survey).

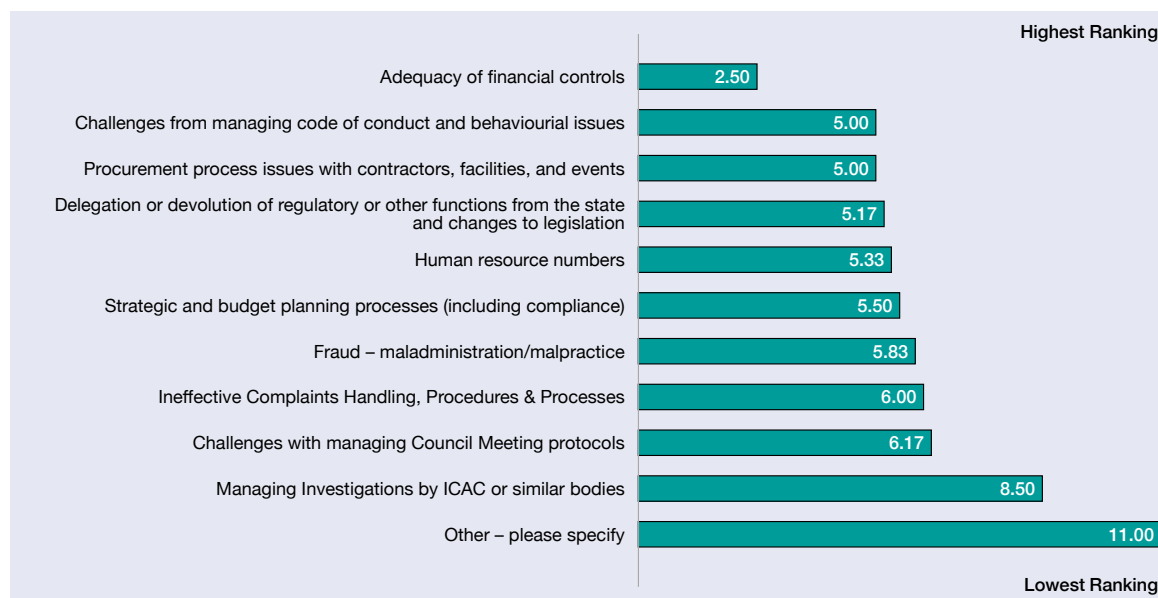


Figure 29: Business Continuity Average Ranking of Northern Territory underlying factors

This placement may be attributed to the NT's limited human resources along with NT councils also managing increasing governance requirements and associated governance costs.

66% of respondents cited the adequacy of financial controls as their leading contributing factor to Ineffective Governance, likely due to complex management controls.

Interestingly, the NT and QLD ranked issues procuring contractors, facilities and events higher than all other states.

## New South Wales

While Ineffective Governance is not identified as a leading risk for councils in New South Wales, the underlying issues are well recognised.

The JLT Public Sector Risk Survey found 57% of NSW respondents highlighted the adequacy of financial controls as their leading contributing factor to Ineffective

Governance. 50% of respondents noted challenges in managing the code of conduct and behavioural issues with employees and councillors as a major concern.

Metropolitan and regional city councils identified challenges of managing a code of conduct as their primary concern, while regional and rural councils expressed greater concern with the adequacy of financial controls.

### Top three underlying factors for Ineffective Governance risk by region

#### METROPOLITAN

1. Challenges from managing code of conduct and behavioural issues
2. Adequacy of financial controls
3. Challenges with managing council Meeting protocols

#### REGIONAL CITY

1. Challenges from managing code of conduct and behavioural issues
2. Challenges with managing Council Meeting protocols
3. Adequacy of financial controls

#### REGIONAL

1. Adequacy of financial controls
2. Challenges from managing code of conduct and behavioural issues
3. Procurement process issues with contractors, facilities, and events

#### REMOTE/RURAL

1. Adequacy of financial controls
2. Delegation or devolution of regulatory or other functions from the state and changes to legislation
3. Challenges from managing code of conduct and behavioural issues

## Victoria

In Victoria, CEO/GMs are more concerned about Ineffective Governance than the national ranking, 23% of Victorian respondents ranked it sixth, compared to the national ranking of eighth.

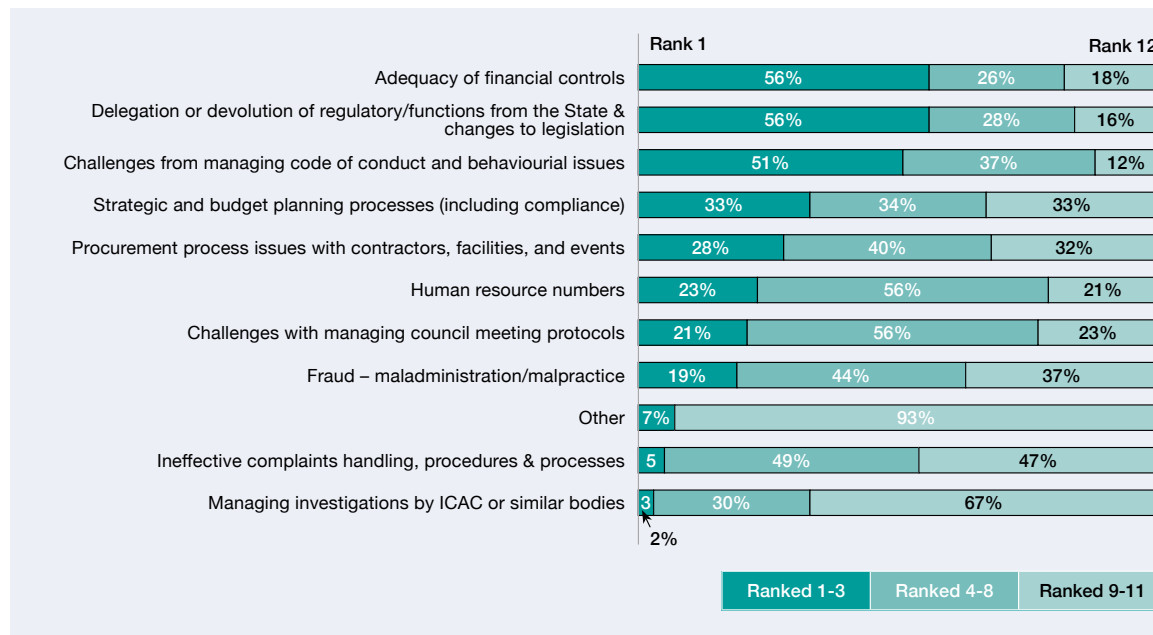


Figure 30: Ineffective Governance Victoria Risk Heat Map

Like other states and territories, 56% of respondents cited the adequacy of financial control as their leading contributing factor, tied for first place with devolution of regulatory and other functions due to state and changes to legislation. This factor is ranked as the highest by 75% of metropolitan councils and 63% of regional councils, indicating that these regions are more impacted by this issue.

51% of respondents ranked challenges in managing code of conduct and behavioural issues as their second highest contributing factor to Ineffective Governance. This concern was ranked higher in regional city, regional and rural councils.

Top ranking underlying concern for Ineffective Governance risk by region	
<b>CAPITAL</b> <ol style="list-style-type: none"> <li>1. Strategic and budget planning processes</li> <li>2. Adequacy of financial controls</li> <li>3. Managing investigations by ICAC or similar bodies</li> </ol>	<b>REGIONAL</b> <ol style="list-style-type: none"> <li>1. Delegation or devolution of regulatory or other functions from the state and changes to legislation</li> <li>2. Challenges from managing code of conduct and behavioural issues</li> <li>3. Fraud – maladministration/malpractice</li> </ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"> <li>1. Delegation or devolution of regulatory or other functions from the state and changes to legislation</li> <li>2. Adequacy of financial controls</li> <li>3. Procurement process issues with contractors, facilities, and events</li> </ol>	<b>REMOTE/RURAL</b> <ol style="list-style-type: none"> <li>1. Adequacy of financial controls</li> <li>2. Challenges from managing code of conduct and behavioural issues</li> <li>3. Delegation or devolution of regulatory or other functions from the state and changes to legislation</li> </ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"> <li>1. Challenges from managing code of conduct and behavioural issues</li> <li>2. Human resource numbers</li> <li>3. Challenges with managing council meeting protocols</li> </ol>	

## Queensland

In Queensland, CEOs identified issues procuring contractors, facilities and events as their leading contributing factor to ineffective governance. This differs from the national view, which identifies the adequacy of financial controls first.

Nationally, only 33% of respondents identified procurement issues as high-risk to governance – far below code of conduct issues, delegation or devolution from the state, human resources and strategic and budget planning processes.

### Top three underlying factors for Ineffective Governance risk by region

#### METROPOLITAN

1. Human resource numbers
2. Procurement process issues with contractors, facilities, and events
3. Delegation or devolution of regulatory or other functions from the state and changes to legislation

#### REGIONAL CITY

1. Strategic and budget planning processes (including compliance)
2. Delegation or devolution of regulatory or other functions from the state and changes to legislation
3. Procurement process issues with contractors, facilities, and events

#### REGIONAL

1. Delegation or devolution of regulatory or other functions from the state and changes to legislation
2. Strategic and budget planning processes (including compliance)
3. Procurement process issues with contractors, facilities, and events

#### REMOTE/RURAL

1. Adequacy of financial controls
2. Challenges from managing code of conduct and behavioural issues
3. Procurement process issues with contractors, facilities, and event

## Western Australia

Western Australian council CEO/GMs ranked Ineffective Governance tenth, two points lower than the national ranking. Effective governance is a strong focus for WA governments; however, the number and demographic of survey responders have led to a lower ranking.

Again, as with most states and territories, WA respondents' primary concern is the adequacy of financial control, with 54% placing this first. Metropolitan (72%) and rural/remote councils (60%) ranked this as the first concern. Rural/regional and metropolitan were the primary responders to this question.

48% of CEO/GMs ranked challenges in managing code of conduct and behavioural issues as their second highest concern. This was particularly noted by metropolitan (54%) and regional councils (66%), indicating a significant concern across these areas.

In WA, the booming resource sector in regional areas poses a challenge to local governments. In some areas, the fierce competition for a limited talent pool leads to inflated wages, making attracting and retaining employees challenging. Accommodation shortages compound this issue.

### Top three underlying factors for Ineffective Governance risk by region

#### METROPOLITAN

1. Adequacy of financial controls
2. Challenges from managing code of conduct and behavioural issues
3. Procurement process issues with contractors, facilities, and events

#### REGIONAL CITY

1. Strategic and budget planning processes (including compliance)
2. Delegation or devolution of regulatory or other functions from the state and changes to legislation
3. Adequacy of financial controls

#### REGIONAL

1. Human resource numbers
2. Challenges from managing code of conduct and behavioural issues
3. Challenges with managing council Meeting protocols

#### RURAL/REGIONAL

1. Adequacy of financial controls
2. Human resource numbers
3. Delegation or devolution of regulatory or other functions from the state and changes to legislation

9



# STATUTORY/REGULATORY REQUIREMENT

Australian local governments face the complex and dynamic task of managing numerous statutory and regulatory requirements mandated by State and Federal legislation. They must also act as regulators themselves through local laws and exercise delegated powers from state/territory government agencies in areas like waste management and environmental management.

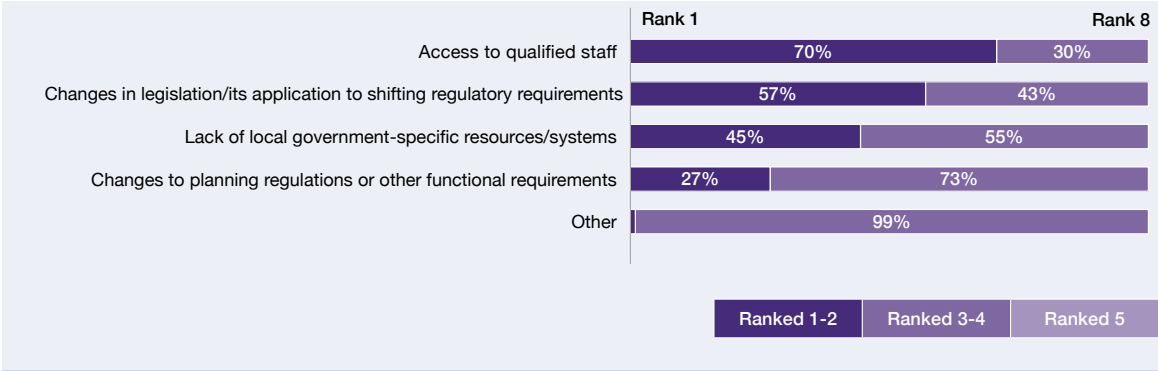


Figure 31: Inability for council to meet increased statutory and/or regulatory requirements National Risk Heat Map

This delegation of power has risen in recent years due to cost-shifting policy priorities from higher levels of government. Consequently, local governments often have to accomplish more with limited resources.

Australian communities rightfully expect their local governments to operate in compliance with legislative obligations and to regulate in a consistent, fair and transparent manner. However, in the current environment, this has become increasingly complex and costly for local governments. As the range of services provided by local governments continues to expand, so does the risk of non-compliance.

Organisations urgently require robust and accurate compliance functions.<sup>17</sup> Although the need for these functions is clear and appropriate, the capability to meet them in the current climate poses a challenge for many organisations.

<sup>17</sup> Thomas Reuters Regulatory Intelligence, 2023 Cost of Compliance Report.

According to the JLT Public Sector Risk Survey, more than 70% of respondents identified access to qualified staff as a significant issue for this category. This is unsurprising as local governments across the country face fierce competition for talent from the private industry. Regional areas that compete with large mining and agricultural firms and lack secure accommodation for prospects find accessing quality staff more challenging. Over 57% of respondents considered changes in legislation or its application to shifting regulatory requirements to be a concern. Additionally, more than 44% considered the lack of local government-specific resources/systems to meet regulatory requirements a high risk.

Top three underlying factors for Statutory/regulatory requirement risk by region
<b>CITY</b> <ol style="list-style-type: none"><li>Changes in legislation or its application to shifting regulatory requirements.</li><li>Access to qualified staff</li><li>Changes to planning regulations/other functional requirements</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>Changes in legislation or its application to shifting regulatory requirements.</li><li>Access to qualified staff</li><li>Changes to planning regulations/other functional requirements</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>Changes in legislation or its application to shifting regulatory requirements.</li><li>Access to qualified staff</li><li>Lack of local government specific recourses/systems to meet requirements</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>Access to qualified staff</li><li>Changes in legislation or its application to shifting regulatory requirements.</li><li>Lack of local government specific recourses/systems to meet requirements</li></ol>
<b>RURAL/REGIONAL</b> <ol style="list-style-type: none"><li>Access to qualified staff</li><li>Changes in legislation or its application to shifting regulatory requirements.</li><li>Lack of local government specific recourses/systems to meet requirements</li></ol>

These results highlight the ongoing challenges faced by local governments in Australia. The competition for qualified staff, coupled with the need to adapt to evolving regulatory landscapes, poses significant hurdles.

The lack of dedicated resources and systems tailored to local government further compounds the risk. Addressing these issues will ensure effective governance and compliance within local government organisations. This aligns with the sixth-ranked risk of People & Culture, which specifically addresses the challenges of attracting and retaining professional staff. These risks are clearly depicted in the accompanying heat map.

For regional and remote local governments, accessing qualified staff to manage these risks was considered an even higher risk by many respondents. This underscores the significant challenge smaller and more remote communities face in addressing their staffing needs.

Failure to comply with statutory requirements and to appropriately regulate local government obligations can have significant consequences, including:

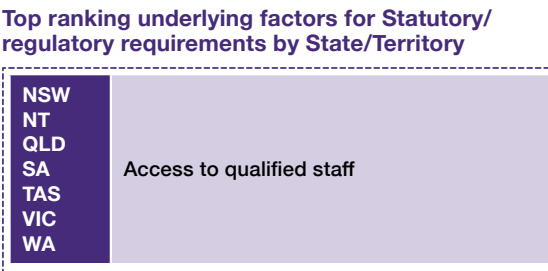
- Risk of harm to the workplace and community:** Non-compliance can lead to unsafe working conditions and potential harm to employees and the community at large.
- Reputational damage:** Failure to meet regulatory obligations can tarnish the council's reputation, eroding public trust and confidence.
- Environmental harm:** Inadequate regulation and non-compliance can result in environmental damage, such as pollution or improper waste management, impacting ecosystems and natural resources.
- Financial loss via litigation, fines and penalties for non-compliance:** Non-compliance can lead to legal action, resulting in costly litigation, fines and penalties imposed by regulatory authorities.

Amid ongoing nationwide legislative reform and labour market challenges, this risk will continue to accelerate this year and into the next. In response, local governments must adopt a risk-based approach. This means seeking support where necessary from external experts, leveraging internal audit planning to focus on key high-risk areas, and investing in staff professional development and technology systems to support and improve the council's compliance management framework.

The rise in statutory and regulatory compliance risk corresponds with the increase of claims in the Public and Professional Liability, Council and Officers, and Fidelity/Crime covers highlighting the importance of this risk transfer mechanism to local governments.

Local governments can position themselves to effectively manage the increasing risk of statutory and regulatory requirements this year and beyond. But it's a long game of strategic investment in things like:

- Investment in development and or review of Compliance Management Framework aligned to ISO 37301
- Organisational development programs
- Management commitment and accountability
- Relevant systems
- Ongoing professional development
- Robust internal audit functions
- Practical enterprise risk management



Victoria

Only 4% of Victorian respondents ranked the inability of councils to meet increased statutory and/or regulating requirements as a high risk, placing it ninth, consistent with the national ranking.

65% of CEO/GMs ranked access to qualified staff as the leading contributing factor for this risk. Staff turnover in Victorian councils is significant and, unfortunately, is gathering momentum as councils compete with the private sector's higher salaries.

This competition has changed the profile of candidates attracted to the sector, especially in regional areas where it's a top concern for all, except capital city councils, which placed it second to last.

53% of respondents identified changes in legislation or its application to shifting regulatory requirements as the second leading reason for this risk, with significant regional variations. Capital city, regional city and regional councils ranked it among the top two concerns, whereas metropolitan and rural/remote councils ranked it as their second to last concern.

Top three reasons underpinning statutory and regulating requirements by region

METROPOLITAN

1. Changes in legislation/shifting regulatory requirements.

2. Changes to planning regulation/function requirements

3. Lack of LG-specific resources/systems

REGIONAL

1. Lack of LG-specific resources/systems

2. Access to qualified staff

3. Changes in legislation/shifting regulatory requirements

REMOTE/RURAL

1. Lack of LG-specific resources/systems

2. Access to qualified staff

3. Changes to planning regulation/function requirements

Western Australia

19% of Western Australian respondents viewed council's inability to meet increased state and/or regulatory requirements as high risk, placing it seventh, two points below the national ranking.

65% of CEO/GMs identified access to qualified staff as the number one contributing factor for this risk. This is unsurprising, given Western Australia's extremely tight labour market.

As of December 2023, Western Australia's unemployment rate was 3.8%. Meanwhile, the underemployment rate sits at 5.9% - slightly lower than the national average of 6.6%. This, coupled with the strongest participation rate of any of the states at 69.3%, indicates an incredibly tight employment market.

Regional councils in particular struggle to find appropriately qualified staff, ranking this concern second. In contrast, metropolitan organisations rank it as their second last concern. The disparity is unsurprising given the skills needed and labour market data.

Regional and rural WA experience even tighter labour markets, with the employment rate ranging from 81.7% to 79.6%, and the unemployment rate between 2.7% and 3.2%. To attract talent, regional councils are innovating, offering competitive packages that may include housing, fly-in/fly-out options, health and wellbeing benefits and generous leave policies.

Nearly 64% of respondents expressed concern over legislation changes or its application to shifting regulation requirements. WA local governments have experienced considerable legislative change in the past year, with significant further changes anticipated.

These adjustments introduce new or modified requirements, where non-compliance can lead to penalties or legal consequences. Regional councils feel the pressure acutely, struggling to allocate resources like time, staff and funding to meet new standards. This can strain their operational efficiency, budget planning and increase the risk of compliance issues.

Top three underlying factors for Statutory/Regulatory Requirement risk by region

METROPOLITAN

1. Access to qualified staff

2. Changes in legislation/shifting regulatory requirements

3. Changes to planning regulation/function requirements

REGIONAL CITY

1. Changes in legislation/shifting regulatory requirements

2. Access to qualified staff

3. Changes to planning regulation/function requirements

REGIONAL

1. Changes in legislation/shifting regulatory requirements

2. Access to qualified staff

3. Lack of LG-specific resources/systems

REMOTE/RURAL

1. Access to qualified staff

2. Lack of LG-specific resources/systems

3. Changes in legislation/shifting regulatory requirements



New South Wales

All metropolitan and regional councils in New South Wales ranked most contributing factors influencing their ability to meet increased statutory and/or regulating requirements as medium to high.

50% of metropolitan councils and 30.77% of regional councils ranked access to qualified staff as their leading concern contributing to statutory and regulatory compliance risk. Staff turnover and the ability to attract and retain qualified staff continue to impact councils across New South Wales.

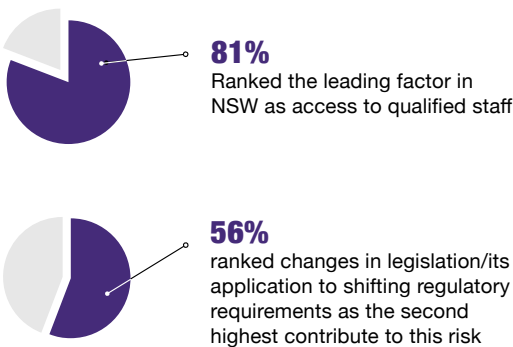
38.46% of regional councils ranked lack of local government-specific resources/systems to meet regulatory requirements as a contributing factor to this risk, compared to 10% of metropolitan councils. This discrepancy highlights the differing challenges regional and metropolitan councils face.

Councils across NSW face challenges arising from changes in legislation or its application to shifting regulatory requirements. This is a concern for 23.08% of regional councils and 20% of metropolitan councils, indicating its significance as an underlying issue.

Furthermore, 20% of metropolitan councils compared with 7.69% for regional councils identified changes to planning regulation or other functional requirements as a contributing factor.

These findings demonstrate the shared compliance and regulatory challenges NSW councils face, while also pinpointing some variations between metropolitan and regional councils. Addressing these issues requires a comprehensive approach that includes attracting and retaining qualified staff, allocating resources for local government-specific needs and adapting to evolving legislative and regulatory landscapes.

Top three underlying factors for Statutory/Regulatory Requirement risk by region
<b>METROPOLITAN</b> 1. Access to qualified staff 2. Changes in legislation/shifting regulatory requirements 3. Lack of LG-specific resources/systems
<b>REGIONAL CITY</b> 1. Access to qualified staff 2. Changes in legislation/shifting regulatory requirements 3. Lack of LG-specific resources/systems
<b>REGIONAL</b> 1. Access to qualified staff 2. Lack of LG-specific resources/systems 3. Changes in legislation/shifting regulatory requirements
<b>REMOTE/RURAL</b> 1. Access to qualified staff 2. Changes in legislation/shifting regulatory requirements 3. Lack of LG-specific resources/systems



Northern Territory

The inability of councils to meet increased statutory and regulatory requirements was not ranked highly by Northern Territory CEOs. In fact, they placed this risk 11th, two points lower than the national ranking.

That said, 100% of respondents ranked access to qualified staff as the leading factor for this risk. This may be because of several factors specific to the region. For example, the NT faces challenges in attracting and retaining qualified staff due to its remote location, small local talent pool, and competition from other levels of government and industries. This has a negative impact on NT councils’ ability to effectively manage compliance and regulatory requirements.

The lack of local government-specific resources and systems to meet regulatory requirements was ranked as the second reason for this risk, with 66% of respondents identifying it as a concern. This suggests NT councils struggle with securing the necessary resources and systems to meet the specific regulatory requirements for local government operations. Challenges might stem from limited funding, increasing obligations, or a lack of specialised expertise in the region. This shortfall in resources and systems can hinder NT councils’ ability to manage compliance and regulatory obligations effectively, thereby exacerbating the overall risk.

Queensland

In Queensland, 71% of CEO considered legislation changes as the highest risk to meeting their statutory and regulatory requirements.

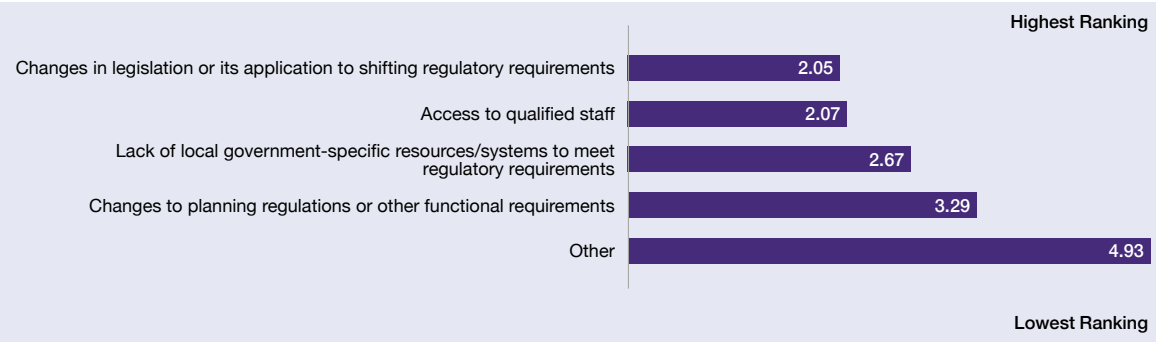


Figure 32: Inability for council to meet increased statutory and/or regulatory requirements Average Ranking of Queensland underlying factors

This concern significantly surpasses issues related to access to qualified staff, ranked by 60%, and the availability of local government-specific resources and systems, ranked by 50%.

This contrasts with the national view where 70% of CEO/GMs noted access to qualified staff as the biggest contributing factor for risk, with legislation changes following at 57%. This difference underlines the need for legislators to be aware of and support ongoing investment in governance by councils.

Top three underlying factors for Statutory/Regulatory Requirement risk by region	
<strong>METROPOLITAN</strong> <ol style="list-style-type: none"><li>Changes in legislation/shifting regulatory requirements.</li><li>Lack of LG-specific resources/systems</li><li>Changes in planning regulation/functional requirements</li></ol>	<strong>REGIONAL</strong> <ol style="list-style-type: none"><li>Changes in legislation/shifting regulatory requirements.</li><li>Lack of LG-specific resources/systems</li><li>Access to qualified staff</li></ol>
<strong>REGIONAL CITY</strong> <ol style="list-style-type: none"><li>Changes in legislation/shifting regulatory requirements.</li><li>Lack of LG-specific resources/systems</li><li>Access to qualified Staff</li></ol>	<strong>REMOTE/RURAL</strong> <ol style="list-style-type: none"><li>Access to qualified staff</li><li>Changes in legislation/shifting regulatory requirements.</li><li>Lack of LG-specific resources/systems</li></ol>

Tasmania

In Tasmania, 14% of respondents ranked the inability of councils to meet increased statutory and/or regulatory requirements placing it in eighth. This was one point higher the national ranking.

57% of respondents identified the lack of local government-specific resources/systems to meet regulatory requirements as the primary contributor to this risk.

Regional and rural/remote councils expressed greater concern for this reason, while metropolitan councils ranked it third. This underscores the challenges councils face particularly in regional and rural areas in securing the right resources and systems for effective compliance with local government regulation. This lack of resources and systems can hinder their ability to fulfil obligations and manage complex regulations.

A 2023 local government review recommended merging 12 state councils into seven to improve per capita resourcing.

Approximately 43% of respondents equally ranked access to qualified staff, changes in legislation or its application to shifting regulatory requirements and changes to planning regulations or other functional requirements as the second highest contributing factors.

Regional data analysis revealed that metropolitan councils are primarily concerned about legislation changes or shifting regulation requirements, while regional and rural/remote councils were more concerned about accessing qualified staff.

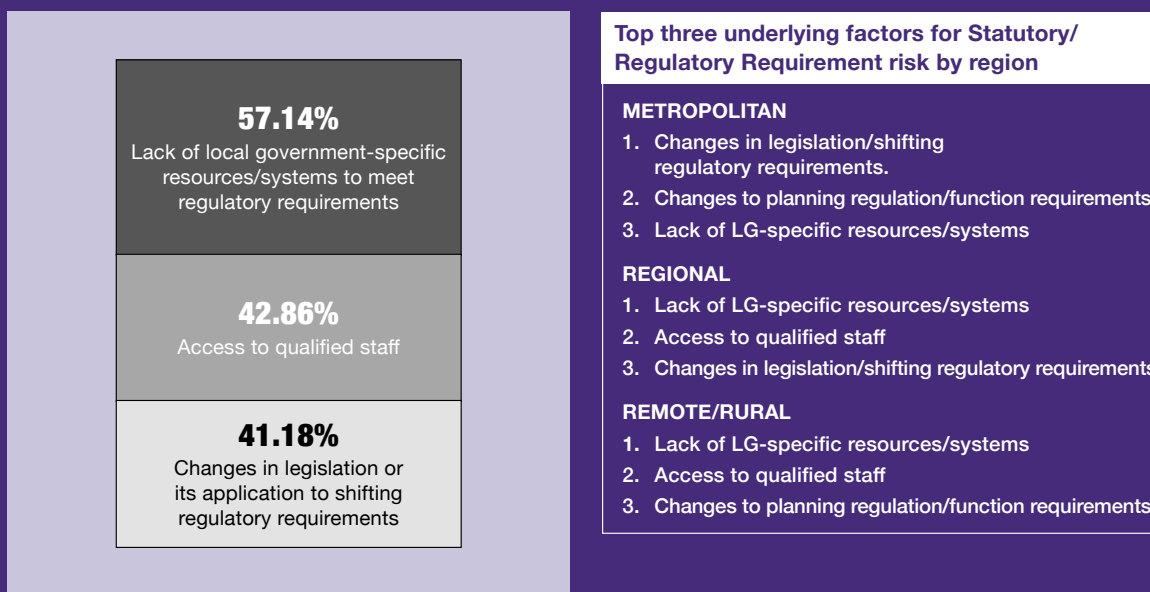


Figure 33: The top three underlying factors for this risk in Victoria. This shows the percentage of councils that ranked the respective factor as high.

## South Australia

In South Australia (SA), executives identified access to qualified staff as the primary contributing factor to statutory and regulatory risk. A significant 76% of participants considered this to be a high-risk factor. 47% of respondents considered both changes in legislation/risk shifting and lack of local government-specific resources/systems as high-risk factors. These challenges are widely recognised by local governments and have been exacerbated post-pandemic.

Councils require experienced risk and governance staff to effectively navigate the local government regulatory environment. And yet, attracting and retaining specialist staff is a key challenge for SA local governments. Councils often compete with private industry for talent, making it difficult to secure the necessary expertise.

The 2022 Local Government Workforce Skills and Capability Survey, commissioned by the LGASA, revealed that 84% of SA Councils had some critical skills shortages. This was a 45% increase on the 2018 report.

The survey identified several key specialist roles that were particularly affected, including IT, engineering, urban and town planning and human resources. 47% of SA respondents were investigating or engaging in shared services for governance, compliance and environmental and planning roles.

### Top three underlying factors for Statutory/Regulatory requirements risk by region

#### CAPITAL

1. Changes in legislation/shifting regulatory requirements
2. Access to qualified staff
3. Lack of LG-specific resources/systems

#### METROPOLITAN

1. Access to qualified staff
2. Lack of LG-specific resources/systems
3. Changes to planning regulation/function requirements

#### REGIONAL CITY

1. Changes in legislation/shifting regulatory requirements
2. Access to qualified staff
3. Lack of LG-specific resources/systems

#### REGIONAL

1. Access to qualified staff
2. Changes in legislation/shifting regulatory requirements
3. Lack of LG-specific resources/systems

#### RURAL/REGIONAL

1. Access to qualified staff
2. Lack of LG-specific resources/systems
3. Changes in legislation/shifting regulatory requirements



The increased expectations to reimagine the waste management process to create better practices and sustainability continue to pose substantial challenges for the sector. These challenges encompass issues of financial capacity, environmental sustainability, resource allocation and public health. In some local government areas, Councils are exposed to these changes across its functions as a waste authority, recycler and a producer of waste. Waste management is a high-risk activity with challenges around all aspects of risk, from liability, property, workers, and the environment.

The Federal Government is committed to improving waste management across the country. To do this, it has introduced three initiatives:

- 1. A national target to reduce landfill waste by 80% by 2030
- 2. A ban on waste plastic, paper, glass and tyre exports
- 3. A strategy to significantly enhance Australia's ability to produce and sell high-value recycled commodities

Infrastructure development to support these initiatives is progressing, though slower than expected. This may raise the risk of stockpiling and redirection to landfill.

Australia's population is experiencing continuous growth, leading to evolving waste streams. Additionally, the rapid pace of technology enhancements has introduced new types of waste such as electronic and hazardous materials.

In 2023, local governments' risk sentiment towards Waste Management remained mostly unchanged. 96% of respondents cited financial capacity, mitigation and waste disposal methods, and evolving community expectations as the most significant risks to sustainable waste management.

Lower national risk averages are noted against compliance and regulation suggesting local governments continue to have challenges in managing evolving regulatory

environments and exposure to long-tail risks from historic waste management practices.

Interestingly, whilst cost pressure and financial sustainability dominates as the primary national risk, state-level trends vary.

Councils in NSW and Victoria place the circular economy in its top three concerns. Meanwhile, Western Australia and Victoria stand out as the only states where assessing and monitoring environmental risk does not rank within the top three exposures.

Queensland largely mirrors national trends but places greater emphasis on the macro environment. And the Northern Territory considers monitoring environmental pollution and improper disposal as its most significant exposure concerns.

Top ranking underlying concerns by state

NSW NT SA	Balancing community expectations for managing recycling/reuse operations in accordance with regulations
QLD VIC WA	Cost and ability to effectively manage waste
TAS	Environmental land/air/water management and compliance

The move towards a circular economy puts short-term pressure on financial resources and councils' ability to adapt. After all, this shift necessitates infrastructure and customer offering updates.





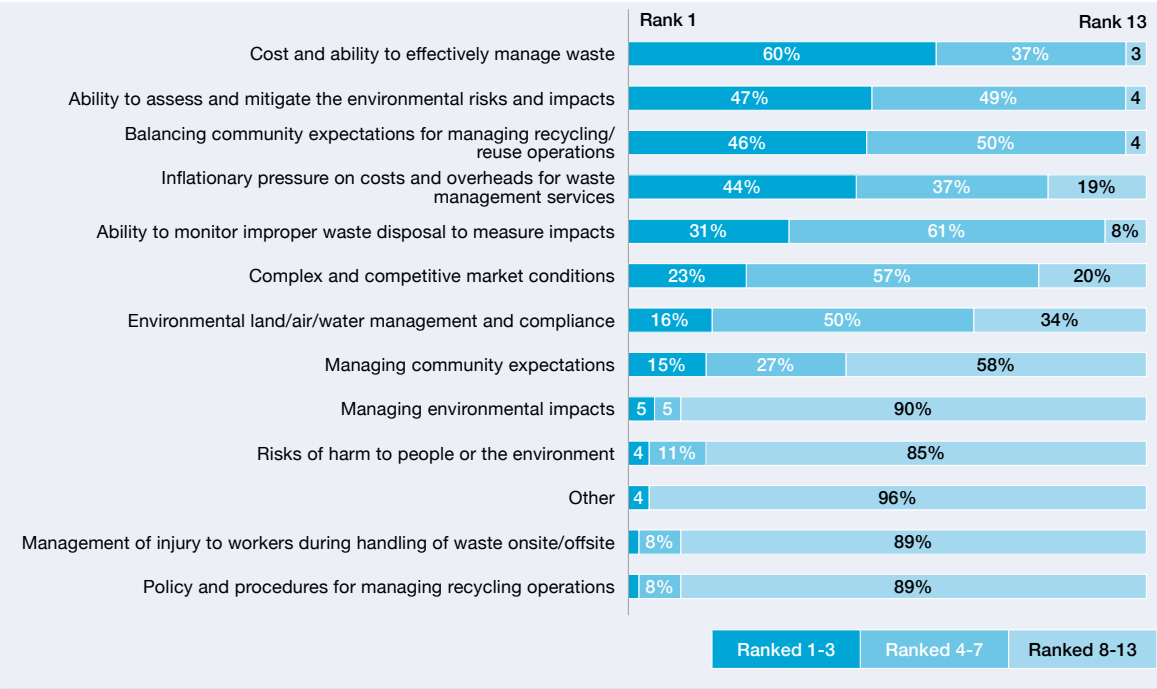


Figure 34: Waste Management National Risk Heat Map

Shifting Waste Management trends in Australia and globally

**1. Alternative to landfill disposal:** Stricter regulations and higher handling fees are driving national and international demand for waste managers to find alternatives to landfill disposal.

At the same time, there's competing pressure to invest in improved landfill practices. Local government entities are exploring Waste-to-Energy (WTE), recovery and reuse options to control operational costs and generate revenue. This shift is supported by the Federal Government's commitment to boost renewal energy, as announced at the COP28 summit. Therefore, careful balancing of landfill improvements and transition efforts is critical.



**2. Innovation:** Technological advancements like smart waste bins, recycling robots and e-waste kiosks show the potential to revolutionise waste management practices. Investment in smart infrastructure is increasing across the sector, with the growing use of artificial intelligence, analytics and cameras to analyse waste items. Transitioning to electric fleets and enhancing material extraction from electronics is also on the rise.

New technology also brings new risks, particularly in data management, cybersecurity, system security and increased e-waste.

**3. Transportation:** Legacy collection fleets pose serious sustainability challenges, particularly in reaching carbon targets. Transitioning to suitable fuels and vehicles is crucial. However, implementing such changes involves capital risk, operational risks and uncertainties.

**4. Shifting towards electrical or biofuel:** Electric or biofuel waste fleets introduce different characteristics and requirements than traditional fuel systems. This shift may result in increased maintenance, repair and supply costs. Careful consideration and planning are necessary to mitigate these risks and ensure a smooth transition to more sustainable waste management practices.

**5. Transition waste:** Transition waste, such as WTE residual waste, could also pose a challenge for transportation and supply chain routes. Careful assessment of supply chain dependencies, pollution and emergency response is required.

**6. Greenwashing:** Greenwashing is when entities make sustainability declarations without basis. Recently, we've seen increased litigation and regulatory action against greenwashing. While local governments don't fall within the bounds of the Corporation Act, liability may arise from Australian consumer Law, which states that when a local government involves itself in trade or commerce, it is prohibited from engaging in misleading or deceptive conduct. Misstatements in publications of de-carbonisation plans or climate change initiatives linked to funding may fall within this exposure area.

**7. Changes in climate:** Changing climate conditions in Australia continue to pose risks to waste management activities across production local governments must address risks from bushfires, flood, land use planning and buffer zones, and increased demand and dependency risks posed by natural disasters. The National Waste Report 2022 reported that 2020-21's major weather events produced 181,000 tonnes of disaster waste. Managing such disaster waste must also contend with increased asbestos contamination (for example, Tweed Shire Council collected 1,440 tonnes of ACM following the flood in early 2022). Enhanced regulatory management could improve tracking from source to disposal but may lead to higher costs and the risk of illegal disposal.

Waste Management risk drivers

Local governments have strong incentives to adopt and evolve to ensure efficient management of waste to accommodate changing waste streams and meet community expectations. This will require careful consideration across the following key areas of change:

- Exposure:** Business interruption and supply chain exposure, along with challenges accessing capital and social governance, the costs of managing non-revenue-generating legacy landfills, and an increased dependency on one or two private sector operators, are significant concerns.

- Partnerships:** Private and Public Partnerships (PPP) are expected to grow and evolve, changing the dynamic and potentially leading regional amalgamation of waste management due to increased operating costs.
- Operations:** As new technology and automation gain popularity, worker safety, liability, and property exposures will change, as well as staff retention and training.
- Digitisation:** IT dependency, cyber and data security, and WTE operations being classified under critical infrastructure provisions represent significant issues.

Continued investigation and investment in WTE solutions, recycling hubs and regional waste facilities is crucial to ensure a resilient transition to the Federal Government's waste management objectives.

Top ranking underlying factors for Waste Management by state/territory

NSW NT SA	Balancing community expectations for managing recycling/reuse operations in accord with regulations
QLD VIC WA	Cost and ability to effectively manage waste
TAS	Environmental land/air/water management and compliance

Top three underlying factors for Waste Management risk by region	
CITY	<div>1. Ability to monitor improper waste disposal</div> <div>2. Balancing community expectations for managing recycling/reuse operations</div> <div>3. Complex/competitive market conditions for waste collection</div>
METROPOLITAN	<div>1. Cost &amp; ability to effectively manage waste</div> <div>2. Inflationary pressure on costs/overheads for waste management</div> <div>3. Balancing community expectations for managing operations</div>
REGIONAL CITY	<div>1. Ability to assess and mitigate the environmental risks/impacts</div> <div>2. Cost &amp; ability to effectively manage waste</div> <div>3. Inflationary pressure on costs/overheads for waste management</div>
REGIONAL	<div>1. Cost &amp; ability to effectively manage waste</div> <div>2. Balancing community expectations for managing recycling/reuse operations</div> <div>3. Ability to assess and mitigate the environmental risks/impacts</div>
RURAL/REGIONAL	<div>1. Cost &amp; ability to effectively manage waste</div> <div>2. Ability to assess and mitigate the environmental risks/impacts</div> <div>3. Balancing community expectations for managing recycling/reuse operations</div>

Victoria

Victorian senior council executives placed Waste Management in twelfth position two points lower than the national ranking.

Nearly 70% of respondents identified the cost and ability to effectively manage waste relevant to Council areas as the leading contributing factor to this risk. This was the highest-ranked reason for all regions except for capital city councils, who ranked this 12th out of 13.

Complex and competitive market conditions for waste collection, disposal, recycling and reuse procurement processes was ranked as the second concern by 46% of respondents. Unlike regional city councils, capital, metropolitan and regional councils ranked this issue in their top three concerns.

This discrepancy is mainly because regional areas often manage waste internally, whereas most metropolitan councils seek external assistance to collect and process waste, facilitated by their higher population density

Top three underlying factors for Waste Management risk by region
<b>CITY</b> <ol style="list-style-type: none"><li>1. Complex and competitive conditions for collection, disposal, recycling and reuse</li><li>2. Managing community expectations for councils to manage environmental responsibilities</li><li>3. Ability to monitor improper waste disposal</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Cost and ability to effectively manage waste</li><li>2. Complex and competitive market conditions for waste collection</li><li>3. Inflationary pressure on costs and overheads for waste management services</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Cost and ability to effectively manage waste</li><li>2. Ability to assess and mitigate the environmental risks and impacts of waste disposal methods</li><li>3. Environmental land/air/water management and compliance</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Cost and ability to effectively manage waste</li><li>2. Complex and competitive conditions for collection, disposal, recycling and reuse</li><li>3. Inflationary pressure on costs and overheads for waste</li></ol>
<b>RURAL/REGIONAL</b> <ol style="list-style-type: none"><li>1. Cost and ability to effectively manage waste</li><li>2. Inflationary pressure on costs and overheads for waste</li><li>3. Balancing and mitigating the environmental risks and impacts of waste disposal methods</li></ol>

New South Wales

20% of metropolitan councils in New South Wales identified inflationary pressure as high risk, compared to 15% of regional councils. Both areas ranked the impact of inflation on waste management operations as medium risk, with very few regional councils identifying inflation as low risk.

40% of metropolitan councils rated waste management as high risk due to complex and competitive market conditions for waste collection, disposal, recycling and reuse procurement processes relevant to all aspects of contractual arrangements.

Regional councils shared similar concerns, with 30.77% of respondents identifying the same challenges facing local government.

30% of metropolitan councils and 30.77% of regional councils ranked the ability to assess and mitigate the environmental risks and impacts of waste disposal as a leading concern.

Both metropolitan and regional councils showed similar levels of risk maturity in managing work health and safety (WH&S) concerns. 70% of metropolitan councils considering this low risk, and 53.85% of regional councils agreed. However, 7.59% of regional councils identified WH&S exposure as medium risk.

For 10% of metropolitan councils, the cost and effectiveness of waste management are major concerns, compared to 30% of regional councils. Climate change poses ongoing operational challenges for waste management, with fires and flood increasing operational costs for councils.

Top three underlying factors for Waste Management risk by region
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Balancing community expectations for managing recycling/reuse operations</li><li>2. Complex and competitive market conditions for waste collection, disposal, recycling and reuse</li><li>3. Inflationary pressure on costs and overheads for waste management services</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Ability to assess and mitigate the environmental risks and impacts of waste disposal methods</li><li>2. Inflationary pressure on costs and overheads for waste management services</li><li>3. Cost and ability to effectively manage waste</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Balancing community expectations for managing recycling/reuse operations in accord with regulations</li><li>2. Ability to assess and mitigate the environmental risks and impacts of waste disposal methods</li><li>3. Cost and ability to effectively manage waste</li></ol>
<b>RURAL/REGIONAL</b> <ol style="list-style-type: none"><li>1. Cost and ability to effectively manage waste</li><li>2. Balancing community expectations for managing recycling/reuse operations in accord with regulations</li><li>3. Ability to assess and mitigate the environmental risks and impacts of waste disposal methods</li></ol>



## Northern Territory

Respondents ranked the cost and ability to effectively manage waste relevant to council area as the second highest contributing factor. In fact, 66% of respondents ranked this as a high risk.

Interestingly, only regional city councils and regional councils ranked this in their top two positions. Metropolitan councils ranked this as medium. Assessing and mitigating the environmental risks and impacts of waste disposal methods was ranked equal second.

This concern was the primary contributing factor in capital city and regional city councils, and it was ranked third by regional councils.



Figure 35: Waste Management Average Ranking of Northern Territory underlying factors

## Tasmania

14% of Tasmanian council senior executives ranked Waste Management as high risk, placing it ninth, one spot higher than the national ranking.

57% of respondents ranked environmental land/air/water management, compliance and ability to assess and mitigate the environmental risks, and impact of waste disposal methods, as their leading contributing factors.

Nearly 43% of respondents ranked the costs and ability to effectively manage waste relevant to council areas. The wide geographic spread of councils and small population bases across many municipalities increase waste management costs.



Top three underlying factors for Waste Management risk by region	
<b>CAPITAL</b> <ol style="list-style-type: none"> <li>1. Complex and competitive conditions for collection, disposal, recycling and reuse</li> <li>2. Managing community expectations for councils to manage environmental responsibilities</li> <li>3. Ability to monitor improper waste disposal</li> </ol>	<ol style="list-style-type: none"> <li>3. Environmental land/air/water management &amp; compliance</li> </ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"> <li>1. Cost and ability to effectively manage waste</li> <li>2. Complex and competitive market conditions for waste collection</li> <li>3. Inflationary pressure on costs and overheads for waste management services</li> </ol>	<b>REGIONAL</b> <ol style="list-style-type: none"> <li>1. Cost and ability to effectively manage waste</li> <li>2. Complex and competitive conditions for collection, disposal, recycling and reuse</li> <li>3. Inflationary pressure on costs and overheads for waste</li> </ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"> <li>1. Cost and ability to effectively manage waste</li> <li>2. Ability to assess and mitigate the environmental risks and impacts of waste disposal methods</li> </ol>	<b>REMOTE/RURAL</b> <ol style="list-style-type: none"> <li>1. Cost and ability to effectively manage waste</li> <li>2. Inflationary pressure on costs and overheads for waste</li> <li>3. Balancing and mitigating the environmental risks and impacts of waste disposal methods</li> </ol>

## Western Australia

20% of Western Australian respondents ranked Waste Management as a considerable risk, placing it eighth, two points higher than the national ranking

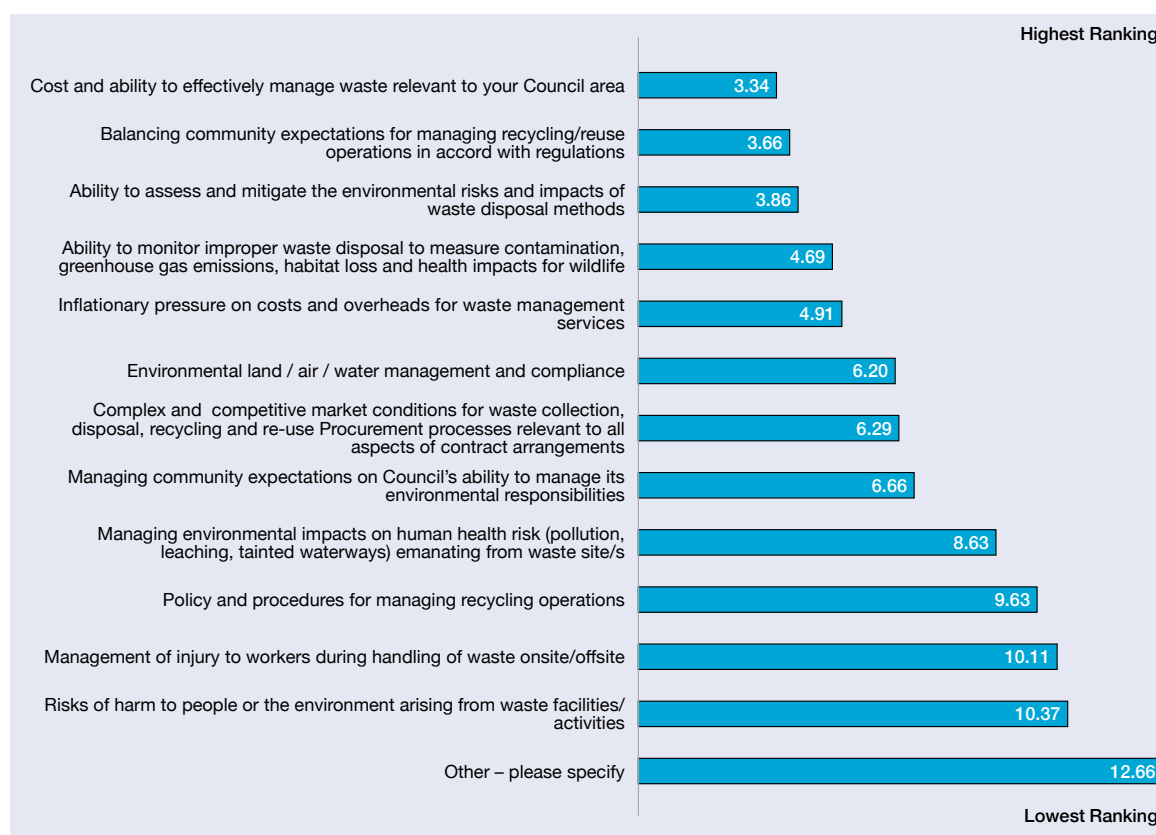


Figure 36: Waste Management Average Ranking of Western Australia underlying factors

In Western Australia, 57% of council senior executives ranked the cost and ability to effectively manage waste relevant to Council areas as the leading underlying concern. Metropolitan and regional councils ranked this as their leading reason, whereas regional city and rural/remote councils considered it a lower concern.

Recent significant population growth, particularly in urban areas, has led to increased waste production and the demand for waste management services across the state. This places stress on existing infrastructure and resources.

Metropolitan councils face the challenge of finding suitable sites for new landfills, prompting the sector to adopt alternative waste management strategies. This transition requires substantial investment and introduces greater risk, as waste managers store and process greater volumes of complex waste, like mineral-rich batteries.

For 51% of respondents, the ability to assess and mitigate the environmental risks and the impact of waste disposal

methods was the second highest contributing factor. This is understandable, as waste management carries higher risks than many other industries and local government services.

Recent major incidents in Western Australia have increased awareness of these risks and their potential long-term negative impacts on local communities, environments and industries.

Moreover, as WA waste managers transition to new processes particularly those involving mineral-rich waste and energy generation they face a steep learning curve to understand new risk exposures and implement suitable controls.

These concerns are more pronounced for regional city, regional and rural/remote councils, as their challenges are compounded by geographic size, limited resource availability and the difficulty of securing skilled workers.

Top three underlying factors for Waste Management risk by region			
METROPOLITAN		REGIONAL	
1. Cost and ability to effectively manage waste		1. Cost and ability to effectively manage waste	
2. Inflationary pressure on costs and overheads for waste management services		2. Ability to assess and mitigate the environmental risks and impacts of waste disposal methods	
3. Balancing community expectations for managing recycling/reuse operations in accord with regulations		3. Balancing community expectations for managing recycling/reuse operations in accord with regulations	
REGIONAL CITY		REMOTE/RURAL	
1. Ability to assess and mitigate the environmental risks and impacts of waste disposal methods		1. Ability to assess and mitigate the environmental risks and impacts of waste disposal methods	
2. Environmental land/air/water management & compliance		2. Balancing community expectations for managing recycling/reuse operations in accord with regulations	
3. Management of injury to workers during handling of waste onsite/offsite		3. Ability to monitor improper waste disposal to measure contamination etc	

Queensland

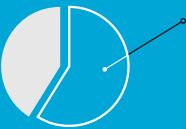
In Queensland, financial challenges were identified as the most pressing risks for effective waste management, with 76% of council senior executives citing costs as a high concern, followed by inflationary pressures, which were rated as high by 52%.

Nationally, cost was still the highest risk but cited by only 60% of council senior executives. The impacts of inflation fell to fourth, with 44% identifying this as a high risk.

Queensland councils are likely to prioritise financial considerations in evaluating their waste management programs and risk controls. It is unclear whether this is due to decentralised settlement patterns, demographic changes or underlying system and regulatory framework.

South Australia

8% of senior council executives in South Australia ranked Waste Management as high risk, placing it in eleventh position, one spot lower than its national ranking.



**59%**  
Noted balancing community expectations for managing recycling/reuse operations as the leading issue for this risk



**53%**  
Noted cost and ability to effectively manage waste as the second leading reason for this risk

Nearly 59% of council senior executives ranked balancing community expectations with regulation compliance in managing recycling/reuse operations as the primary contributing factor to this risk. This remains consistent with national responses.

Capital city, metropolitan and regional councils ranked this as a leading contributing factor. Regional city and rural/remote councils ranked this as the fourth contributing factor.

Council senior executives ranked cost and ability to effectively manage waste relevant to council area, along with inflationary pressure on costs and overheads for waste management services, as the joint second highest contributing factor for this risk.

Inflationary pressure was a major concern for metropolitan, regional city and rural/remote councils, ranking third highest. City and regional councils ranked this issue in fourth and fifth position.

City, regional city, regional and rural/remote councils ranked the cost and ability to effectively manage waste relevant to council's area within the top three positions as a high concern. In contrast, metropolitan ranked this in fifth position.

Policy and procedures for managing recycling operations ranked the lowest on the South Australia heat map. This indicates that councils have appropriate controls in place to address liability exposures.

Legacy landfill sites and new developments pose risks for South Australian councils.

Top three underlying factors for Waste Management risk by region
<p><b>CITY</b></p> <ol style="list-style-type: none"><li>1. Balancing community expectations for managing recycling/reuse operations</li><li>2. Managing community expectations on Councils ability to manage its environmental responsibilities</li><li>3. Monitoring the diverse environmental waste mediums</li></ol> <p><b>METROPOLITAN</b></p> <ol style="list-style-type: none"><li>1. Balancing community expectations for managing recycling/reuse operations</li><li>2. Inflationary pressure on costs and overheads for waste management services</li><li>3. Complex and competitive conditions for collection, disposal, recycling and reuse</li></ol> <p><b>REGIONAL CITY</b></p> <ol style="list-style-type: none"><li>1. Inflationary pressure on costs and overheads for waste management services</li><li>2. Cost and ability to effectively manage waste</li><li>3. Environmental land/air/water management &amp; compliance</li></ol> <p><b>REGIONAL</b></p> <ol style="list-style-type: none"><li>1. Balancing community expectations for managing recycling/reuse operations</li><li>2. Ability to assess and mitigate the environmental risks and impacts of waste disposal method</li><li>3. Cost and ability to effectively manage waste</li></ol> <p><b>REMOTE/RURAL</b></p> <ol style="list-style-type: none"><li>1. Cost and ability to effectively manage waste</li><li>2. Ability to assess and mitigate the environmental risks and impacts of waste disposal methods</li><li>3. Inflationary pressure on costs and overheads for waste management services</li></ol>

11

## REPUTATION RISK

Reputation remains a prominent risk for local government CEO/GMs. As the government level closest to communities, councils are in touch with community needs and often know the best way to meet those needs. Nonetheless, this comes with the challenge of managing community expectations around providing essential services.

CEOs and GMs often encounter a significant challenge when it comes to the breadth of services that councils deliver, especially considering the finite financial and human resources available when managing an extremely broad portfolio. This challenge becomes even more pronounced for smaller regional councils. Merged councils that have limited funds to allocate across multiple towns face an even greater challenge, often having to navigate the prospect of capped rates.

Like last year's results, executives identified their ability to administer governance effectively as their most significant contributor to Reputation risk. This is closely followed by a loss of community trust in council executives and elected bodies. Prominent issues that contribute to this risk include governance failures in procurement, discharging duties, and elected member behaviour.

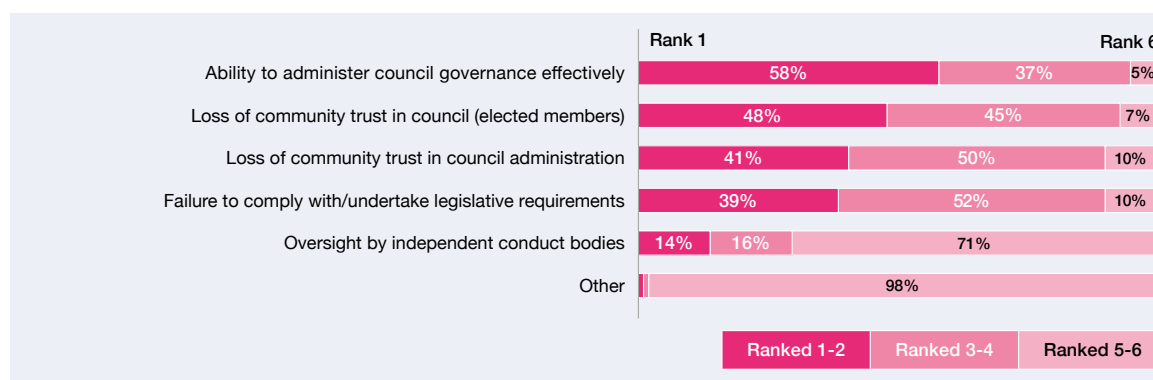
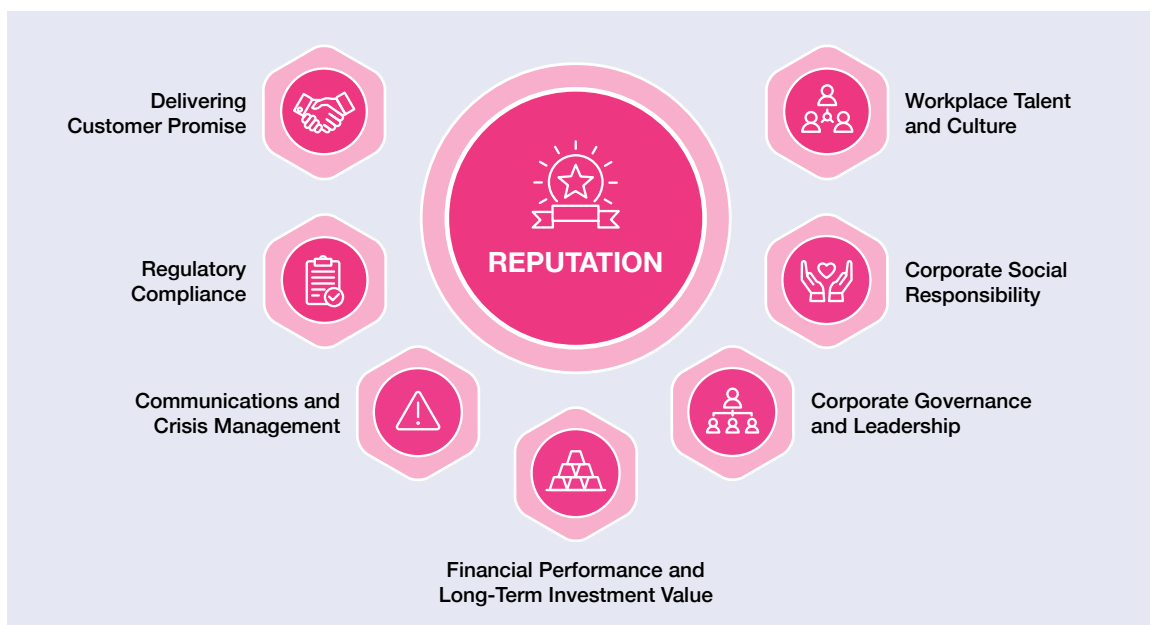


Figure 37: Reputation as Local Government National Risk Heat Map

Like many risks, reputation is closely interconnected with other key risks for the sector. One such risk that local government faces is ineffective governance, which ranked number 11 this year. High-profile issues that attract media attention, such as disputes among elected member, electoral procedure errors and controversial planning decisions, all have the potential to adversely affect the reputation of the council.

Another risk closely connected to this is assets & infrastructure, ranking third this year. As previously mentioned, it can be challenging to meet community expectations regarding the management and maintenance of critical infrastructure and community recreation spaces. In many instances, Councils are responsible for maintaining key assets that are owned by the state government such as jetties, wharves and sea walls. Due to limited funds, council's reputation is often impacted when such infrastructure fails.

The graphic below highlights several reputation risk drivers for organisations.



Reputation plays a critical role in building public trust, attracting investment, retaining talent and fostering community engagement.

The biggest drivers of reputational risks have been perceived to be related to governance practices, ethics and integrity of local government. In fact, 57% of respondents ranked their ability to administer council governance effectively as the most significant issue underpinning their reputation.

Interestingly, larger metropolitan councils ranked this contributing factor lower than smaller regional and remote councils (albeit slightly). This suggests that resource constraints and difficulties in attracting and retaining talent may be potential contributors to the perception of its significance within councils.

The governance implications that arise from the involvement of councils in such a wide range of activities are significant. It is important to note governance is a response that is influenced by the organisation's operating environment. This places even greater strain on already limited resources and capacity.

Furthermore, councils are often the central institution in their communities. This high degree of visibility and expectation can increase their reputation risk.

Changing community and other stakeholder expectations introduces an additional dimension to the consideration of these issues. In recent years, there has been a growing awareness and an increase in social activism around

Environmental, Social and Governance ESG issues. As the closest level of government to the community and subject to established statutory governance regimes, councils already were and are at the forefront of many of these issues.

The evolution of public values in ESG matters undoubtedly pose challenges to existing council governance mechanisms and add additional pressure on already limited council resources. Councils are faced with the task of meeting the changing demands and expectations of their constituents to adapt to these public values.

This once again highlights the interconnectedness among various significant risks councils encounter, with ongoing financial sustainability challenges being one of the most notable. These challenges have the potential to result in complex, compounding and cascading consequences.

In addition to their ability to effectively administer governance, respondents identified a loss of community trust in the council (and elected members) as the next most significant risk to reputation.

Trust serves as the foundation on which thriving communities and effective local governments are built. It is the social contract between elected representatives and their communities and is crucial for developing public policy and delivering community services.

According to a recent Edelman survey, Australian government is less trusted than businesses.

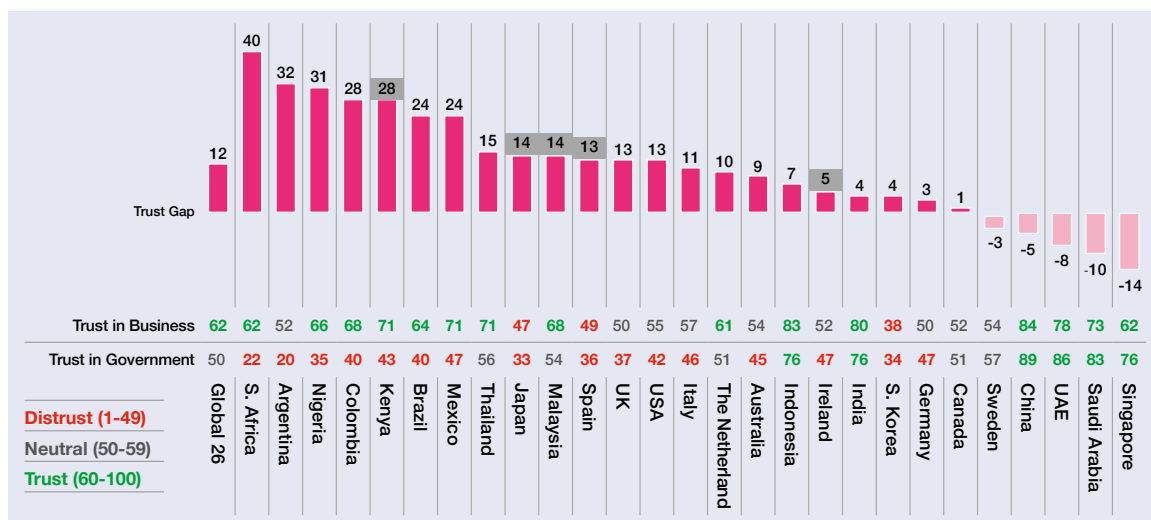


Figure 38: Government Less Trusted than Business

This trust gap has obvious implications for government reputations – and reinforces respondents' view on this risk. Despite these results, local government is generally perceived as more trustworthy than the State and Federal Governments.

The following elements can help secure public trust:

- **Demonstrating competence:** The organisation's ability to demonstrate competence and deliver on promises.
- **Demonstrating empathy:** The organisation's empathy demonstrated toward the community showcasing that the council does more than serve its own agenda.
- **Demonstrating integrity:** The organisation shows integrity by representing the community's interests and acts in alignment with its stated values and commitments, even when no one is watching.

While councils have been actively advocating for and addressing the needs of their communities, there have also been notable instances in the past 12 months where councils have been placed into administration or had elected representatives dismissed. These occurrences serve as a confirmation that the risk of losing trust and the subsequent impact on reputation is not unfounded or unrealistic.

As councils strive to meet their community's evolving needs and expectations, they must continue to ask: 'Do our actions enhance or erode trust?'

Prioritising actions and implementing structures and mechanisms that enhance trust ensures that councils can effectively serve their communities, make informed decisions and build a strong reputation. This creates a growth and prosperity environment.

#### Top ranking underlying factors for Reputation by State/Territory

NSW NT QLD TAS VIC WA	Ability to administer council governance effectively
SA	Loss of community trust in council (elected members)

#### Top three underlying factors for Reputation risk by region

##### CITY

1. Loss of community trust in council administration
2. Loss of community trust in council (elected members)
3. Ability to administer council governance effectively

##### METROPOLITAN

1. Loss of community trust in council (elected members)
2. Ability to administer council governance effectively
3. Loss of community trust in council administration

##### REGIONAL CITY

1. Ability to administer council governance effectively
2. Failure to comply with/undertake legislative requirements

3. Loss of community trust in council (elected members)

##### REGIONAL

1. Ability to administer council governance effectively
2. Loss of community trust in council (elected members)
3. Loss of community trust in council administration

##### REMOTE/RURAL

1. Ability to administer council governance effectively
2. Failure to comply with/undertake legislative requirements
3. Loss of community trust in council (elected members)



New South Wales

Social media has increased public awareness, making it easier for the public to scrutinise their local government. Communities are eager to judge poor decision-making or conduct that falls short of their expectations.

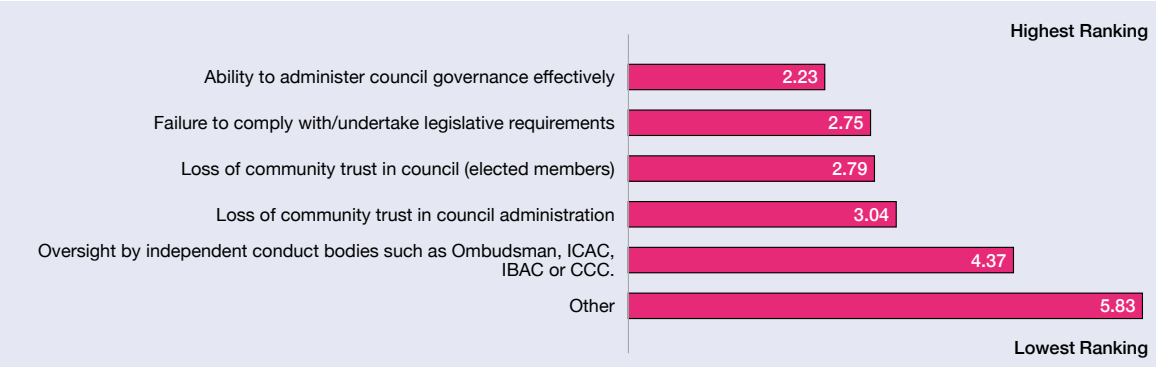


Figure 39: Reputation as Local Government Average Ranking of New South Wales underlying factors

Unfortunately, loss of community confidence can lead to lasting voter backlash, making forgiveness challenging. Such a loss of trust often leads elected officials and executives to potentially act ultra-conservatively, wary of their future tenure. A council that lacks respect also tends to discourage community-minded individuals from running for election, as they fear facing distasteful sentiments even before making a decision to run. Over 30% of all CEO/GMs have been displaced in NSW following the local government elections after COVID-19. This resourcing ‘re-correction’ endured for nearly 18 months, and management continuity versus effective government suffered considerably during this time.

Top three underlying factors for Reputation risk by region	
<strong>METROPOLITAN</strong> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Failure to comply with/undertake legislative requirements</li><li>3. Loss of community trust in council (elected members)</li></ol>	<strong>REGIONAL</strong> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Failure to comply with/undertake legislative requirements</li><li>3. Loss of community trust in council administration</li></ol>
<strong>REGIONAL CITY</strong> <ol style="list-style-type: none"><li>1. Loss of community trust in council (elected members)</li><li>2. Ability to administer council governance effectively</li><li>3. Failure to comply with/undertake legislative requirements</li></ol>	<strong>REMOTE/RURAL</strong> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Failure to comply with/undertake legislative requirements</li><li>3. Loss of community trust in council (elected members)</li></ol>

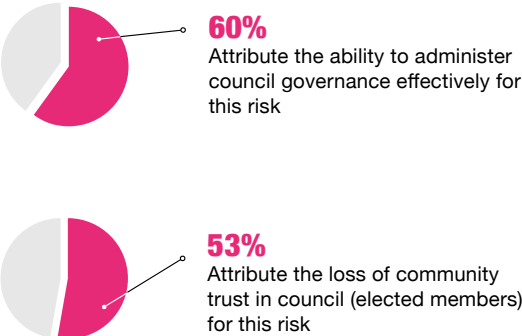
Queensland

In Queensland, the view on reputational risk was consistent with the national perspective. However, there is more concern about the ability to administer council governance effectively. Over 40% of CEO/GMs ranked this as their leading underlying factor to local government's reputation. The national ranking is 30%. Contrastingly, loss of trust in elected members was ranked higher nationally (29%) than in Queensland (26%). It is anticipated that there will continue to be a strong focus on supporting and improving governance in Queensland as a means to manage reputational risk

Top three underlying factors for Reputation risk by region	
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council administration</li><li>2. Loss of community trust in council (elected members)</li><li>3. Ability to administer council governance effectively</li></ol>	<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Failure to comply with/undertake legislative requirements</li><li>3. Loss of community trust in council (elected members)</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Loss of community trust in council (elected members)</li><li>3. Loss of community trust in council administration</li></ol>	<b>RURAL/REGIONAL</b> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Failure to comply with/undertake legislative requirements</li><li>3. Loss of community trust in council administration</li></ol>

Victoria

Reputation was ranked tenth in Victoria, one point higher than the national ranking. This suggests that it remains a considerable risk for councils.



Consistent with other states and territories, the survey results indicate that 60% of respondents ranked the ability to administer council governance effectively as the primary reason for this risk. This factor was ranked first by all council regions, except for capital city councils, where it was ranked fifth.

53% of respondents cited loss of community trust in council elected members as their second-most concern. All regions ranked this in the top two places, except for regional city councils, which ranked it fourth.

This may stem from the potential loss of community trust in the council administration and elected members, which may lead to communication breakdowns, diminished confidence in decision-making, and a negative perception of the council's ability to serve effectively.

Top three underlying factors for Reputation risk by region	
<b>CITY</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council administration</li><li>2. Loss of community trust in council (elected members)</li><li>3. Oversight by independent conduct bodies</li></ol>	
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council (elected members)</li><li>2. Loss of community trust in council administration</li><li>3. Ability to administer council governance effectively</li></ol>	
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council administration</li><li>2. Ability to administer council governance effectively</li><li>3. Failure to comply with/undertake legislative requirement</li></ol>	
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council (elected members)</li><li>2. Loss of community trust in council administration</li><li>3. Ability to administer council governance effectively</li></ol>	
<b>RURAL/REGIONAL</b> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Loss of community trust in council (elected members)</li><li>3. Failure to comply with/undertake legislative requirements</li></ol>	

Northern Territory

In the Northern Territory respondents ranked Reputation twelfth, one point lower than the national average.

66% of respondents ranked the ability to administer council governance effectively as their leading contributing factor. This was closely followed by the loss of community trust in council administration and the loss of community trust in elected members (50%).

These rankings could be attributed to the Northern Territory's current lower human resource capacity. Councils in the Northern Territory are also managing the increasing governance requirements and the associated costs.

Western Australia

The ability to administer council governance effectively is a reputational risk for Western Australian local governments, affecting public trust, compliance with regulations, ethical conduct, stakeholder relationships, and the media and public perception.

The results indicated that while all regions ranked administering council governance effectively as the leading reason, regional councils ranked this slightly lower. In Western Australia, both metropolitan and regional councils face this factor, however, the higher public visibility, complex decision-making, greater financial resources, and higher expectations placed on metropolitan local governments may contribute to higher reputational risk compared to regional local governments.

The loss of community trust in council administration and elected members poses a critical challenge, undermining local government's legitimacy, accountability, and transparency, reducing public participation and engagement. It also damages its reputation and impacts effective governance and service delivery. Restoring and maintaining this trust is essential for effective governance and service.

Despite ranking eleventh, reputational risk remains a considerable concern. Local governments need to mitigate this risk through implementing strategies that safeguard their reputation through clear communication, ethical conduct, stakeholder engagement, and transparency. Through proactive reputation management, local governments in Western Australia can ensure their ongoing effectiveness in serving the community and cultivating public trust.

Top three underlying factors for Reputation risk by region
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council administration</li><li>2. Ability to administer council governance effectively</li><li>3. Loss of community trust in council (elected members)</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Failure to comply with/undertake legislative requirement</li><li>3. Loss of community trust in council administration</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council administration</li><li>2. Loss of community trust in council (elected members)</li><li>3. Failure to comply with/undertake legislative requirement</li></ol>
<b>RURAL/REGIONAL</b> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Failure to comply with/undertake legislative requirements</li><li>3. Loss of community trust in council (elected members)</li></ol>

South Australia

South Australian CEO/GMs ranked reputation ninth, higher than the national ranking of eleventh.

61% of CEO/GMs cited the Loss of Community Trust in Council Elected Members as their leading concern. This is closely followed (53%) by the Loss of Trust in Council Administration.

All participating councils ranked these two contributing factors in their top three positions. Metropolitan councils ranked oversight by independent conduct bodies such as the ombudsman, ICAC, etc. as their second-most reason, however, other councils did not cite this as a major concern.

Top three underlying factors for Reputation risk by region	
<b>CITY</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council administration</li><li>2. Loss of community trust in council (elected members)</li><li>3. Oversight by independent conduct bodies.</li></ol>	<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council (elected members)</li><li>2. Loss of community trust in council administration</li><li>3. Ability to administer council governance effectively</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council (elected members)</li><li>2. Oversight by independent conduct bodies</li><li>3. Loss of community trust in council administration</li></ol>	<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Ability to administer council governance effectively</li><li>2. Failure to comply with/undertake legislative requirements</li><li>3. Oversight by independent conduct bodies</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Loss of community trust in council administration</li><li>2. Ability to administer council governance effectively</li><li>3. Loss of community trust in council (elected members)</li></ol>	

Tasmania

Tasmanian respondents ranked Reputation last, consistent with the national ranking.

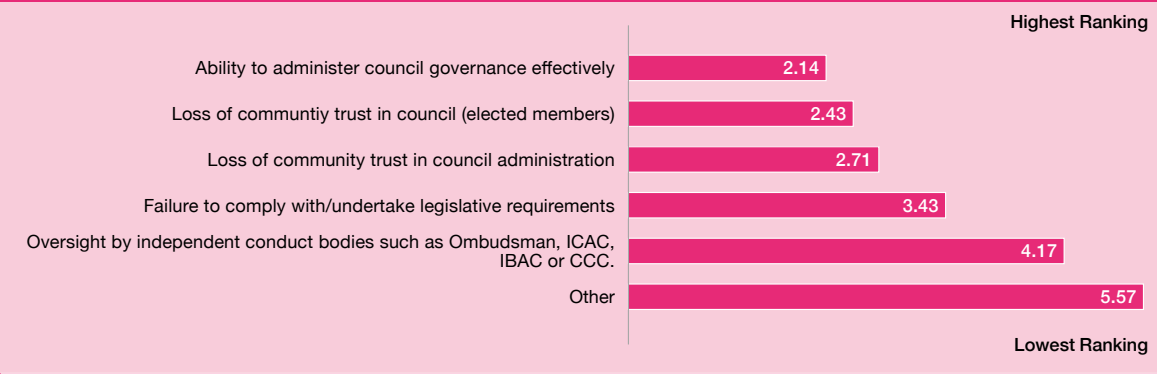


Figure 40: Reputation as Local Government Average Ranking of Tasmania underlying factors

83% of respondents cited the ability to administer council governance effectively as the leading reason for this risk. All represented regions placed this first.

Additionally, 50% of respondents ranked the loss of community trust in council administration and the loss of community trust in council elected members as their second-most reason for this risk. This may stem from the risk of the community losing trust in the administration and elected members, which can lead to communication breakdowns, diminished confidence in decision-making and a negative perception of the council's ability to serve effectively.

Top three underlying factors for Reputation risk by region		
METROPOLITAN	REGIONAL	REMOTE/RURAL
1. Ability to administer council governance effectively	1. Ability to administer council governance effectively	1. Ability to administer council governance effectively
2. Loss of community trust in council administration	2. Loss of community trust in council (elected members)	2. Oversight by independent conduct bodies
3. Failure to comply with/undertake legislative requirements	3. Oversight by independent conduct bodies	3. Loss of community trust in council administration





Gone are the days of 50c per litre fuel or 30c ice cream. The cost of living has significantly increased over the past decade, rising by 23.4%. This upward trend has continued in the past year with a notable increase of 5.1%. The rise of living costs has impacted various sectors – and claims costs have been no exception.



Figure 41: Negligence giving rise to civil liability claims against council National Risk Heat Map

According to the Australian Prudential Regulation Authority claims cost increases in the liability sector 'have been higher than general inflation'.<sup>18</sup> Several factors contribute to the significant increase in claim costs, including but not limited to 'higher claimant demands and media scrutiny, as well as legal and litigation expenses and rising medical bills'.<sup>19</sup>

<sup>18, 19</sup> Pugh, Insurance News, The pain and perils of public liability



On top of the cost of liability claims increasing, the frequency of claims has also risen. Australia has become one of the most litigious countries globally when it comes to personal injury and damages claims.<sup>20</sup> In fact, New South Wales ranks as the second most litigious region behind California in the USA.<sup>21</sup>

We can only speculate as to why Australia has become more litigious. For example, individuals struggling in the cost-of-living crisis may be seeking compensation through legal means. Plaintiff law firms may also contribute to the rise of litigation as they become more active.

Liability claims against councils have ranked as the eleventh highest risk to local government in Australia. This placement support the overall trend of increased litigation and highlights the importance of effectively managing this risk for councils. It is interesting to note that 29.68% of Australian councils identified ‘understanding of council’s risk profile and application of the risk management policy and processes’ as the highest issue concerning liability claims.

Consequently, data analysis and AI technology may escalate in severity and frequency, as these tools can instantaneously review claims-related data points and analyse them to indicate a claim. Looking forward, this proactive approach will be essential to understanding claims risk across Australia.<sup>22</sup> To effectively understand their risk profiles and subsequently apply their risk management policies effectively, it is critical for councils to accurately record all claims data. When councils access accurate data, it can be determined where their major risks lie and subsequently, which areas the council should focus on to apply their risk management policies. For example, with accurate data, we may find a significant influx of tree limb claims from a particular area within a council municipality. This data can help council identify the high-risk area and move it to the risk management action for tree management. Risks for each council will be unique and we suspect the risk profile of metropolitan councils will differ from regional councils. Emerging AI technologies will help councils manage and analyse their risk profiles and take steps to minimise liability exposure.

The top concern underlying liability claims subcategories across Australia is being able to deter liability claims and the ‘ability to discharge a reasonable duty of care resulting in fewer injuries.’ Another factor is ‘the ability to apply policy and procedures in accordance with the strategic plan.’

For instance, in one state, most liability claims arose from trip and fall incidents. For councils to effectively discharge a reasonable duty of care and apply policy and procedure effectively, it is essential councils adhere to statutory and common law obligations in their respective state. If councils adhere to the required inspections, repairs, intervention levels or other state-determining factors, this will prevent claims incidents from occurring and/or provide better protection as it improves the prospects of successfully defending any claim.

Nationally, understanding the risk associated with providing professional advice’ ranked as a low concern, with only 3.2% of councils considering it their greatest risk. Councils should monitor and review this factor further. The pandemic’s aftermath poses an increased risk for professional indemnity claims due to inflationary pressures with rising legal defence costs and higher settlements.

Independently, liability claims present a high-level risk. It is also important to consider their intersection with other major risks. Through examining the top risks such as Cybersecurity/IT Infrastructure, Natural Hazard, Disaster/ Catastrophic events and Managing Ageing, Assets and Infrastructure, it is clear that these risks can result in claims when inadequately managed.

While claims are inevitable, some are also preventable. With councils involved in various activities, it is unrealistic to wholly eliminate the risk of losses or damages. However, by implementing a robust risk management regime, many claims can be avoided.

Top ranking underlying factors for Negligence giving rise to civil liability claims

NSW WA	Ability to apply policy and implement procedures in accordance with the strategic plan
NT	Ability to undertake due diligence when administering statutory/regulatory responsibilities including administration of code of conduct
QLD TAS VIC	Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss
SA	Understanding of council’s risk profile and application of the risk management policy and processes

<sup>20</sup> So, J, Australasian Lawyer, Highlight: Australia among the most litigious countries for personal injury  
<sup>21</sup> AHK Australien, Did you know? Australia is the world’s second most litigious country, 2021  
<sup>22</sup> AHK Australien, Did you know? Australia is the world’s second most litigious country, 2021  
<sup>23</sup> Allianz, Global Claims Review, 2022

Top three underlying factors for Liability Claims risk by region	
<b>CAPITAL</b> <ol style="list-style-type: none"><li>1. Understanding of council's risk profile and application of the risk management policy and processes</li><li>2. Understanding the risk associated with providing professional advice</li><li>3. Ability to undertake due diligence when administering statutory/regulatory responsibilities</li></ol>	<ol style="list-style-type: none"><li>3. Understanding of council's risk profile and application of the risk management</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>2. Ability to apply policy and implement procedures in accordance with the strategic plan</li><li>3. Ability to undertake due diligence when administering statutory/regulatory responsibilities</li></ol>	<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>2. Ability to apply policy and implement procedures in accordance with the strategic plan</li><li>3. Ability to undertake due diligence when administering statutory/regulatory responsibilities</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>2. Ability to apply policy and implement procedures in accordance with the strategic plan</li></ol>	<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public resulting in injury/loss claims of negligence</li><li>2. Ability to apply policy and implement procedures in accordance with the strategic plan</li><li>3. Understanding of council's risk profile and application of the risk management</li></ol>

New South Wales

CEO/GMs ranked negligence giving rise to civil liability claims against councils as their lowest risk. Nearly 79% of respondents cited the ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss.

Factors that contribute to this concern include:

- **Volume of people:** In metropolitan areas, the higher population density increases the potential for incidents and claims.
- **Funding pitfalls:** Councils struggle to address all risks due to limited resources. This raises the need for councils to prioritise risks.

The ability to apply policy and implement procedures in accordance with council's strategic plan ranked closely as a contributing factor to this risk. It was the second highest concern, as determined by 75% of respondents. This reason was ranked second in all regions except metropolitan councils who regarded it as their leading concern. For councils, this demonstrates their competing issues – especially in cases where there are larger populations and workplaces.

Top three underlying factors for Liability Claims risk by region	
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>2. discharge a reasonable duty of care to the public resulting in injury/loss claims of negligence</li><li>3. Ability to undertake due diligence when administering statutory/regulatory responsibilities</li></ol>	<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>2. Ability to apply policy and implement procedures in accordance with the strategic plan</li><li>3. Ability to undertake due diligence when administering statutory/regulatory responsibilities</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>2. Ability to apply policy and implement procedures in accordance with the strategic plan</li><li>3. Ability to undertake due diligence when administering statutory/regulatory responsibilities</li></ol>	<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>2. Ability to apply policy and implement procedures in accordance with the strategic plan</li><li>3. Understanding of council's risk profile and application of the risk management</li></ol>



Northern Territory

Northern Territory CEO ranked the risk of negligence giving rise to civil liability claims against councils eighth, which is 4 points higher than the national ranking of twelfth.

83% of respondents noted the leading reason for this risk as the ability to discharge a reasonably duty of care to the public to avoid negligence claims for injury/loss. This could be attributed to the remote, challenging environment and resourcing issues that councils face in the Northern Territory. Furthermore, there can be multiple stakeholders in the delivery of infrastructure, facilities and services to the community.

The above contributes to the next factor leading to this risk. The ability to undertake due diligence when administering statutory/regulatory responsibilities, including the administration of the code of conduct, ranked as the second reason by 66% of respondents.

Top three underlying factors for Liability Claims risk by region
<b>CAPITAL CITY</b> <ol style="list-style-type: none"><li>1. Understanding of council's risk profile and application of the risk management policy and processes</li><li>2. Understanding and implementing council's regulatory requirements</li><li>3. Understanding the risk associated with providing professional advice</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Understanding of council's risk profile and application of the risk management</li><li>2. Ability to undertake due diligence when administering statutory/regulatory responsibilities</li><li>3. Ability to apply policy and implement procedures in accordance with the strategic plan</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Understanding of council's risk profile and application of the risk management</li><li>2. Understanding the risk associated with providing professional advice</li><li>3. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li></ol>
<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public resulting in injury/loss claims of negligence</li><li>2. Understanding of council's risk profile and application of the risk management policy and processes</li><li>3. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li></ol>
<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Understanding of council's risk profile and application of the risk management</li><li>2. Ability to apply policy and implement procedures in accordance with the strategic plan</li><li>3. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li></ol>

South Australia

South Australian respondents ranked the risk of negligence giving rise to civil liability claims as their lowest risk, supporting the national ranking.

79% of respondents cited the leading reason for this risk as understanding the council's risk profile and application of the risk management policy and processes. There is 100% council membership in South Australia's liability and workers' compensation schemes. The workers' compensation scheme operates in accordance with stringent licencing requirements and conditions. However, lines can blur on the difference between compliance and liability, leading to a higher awareness of this issue.

61% of respondents ranked the ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss as this risk's second concern. Regional councils brought this ranking to second, with regional city and rural/remote councils placing this third. It was ranked fourth by city and regional councils. This situation could impact the claims experience of the Council. If Council respondents do not submit a significant number of claims, it is possible that claims may no longer be considered a high priority risk. In SA, all councils benefit from three statutory immunities:

- 1. **Section 42 of the Civil Liability Act:**  
For example, council isn't liable because of failing to repair/renew roads, footpaths and associated infrastructure.
- 2. **Section 245 of the Local Government Act:**  
Council isn't liable for the loss or damage caused by street trees.
- 3. **Section 244 of the Local Government Act:**  
Council, as the occupier of community land (e.g. parks and reserves), is only liable by consequence of a wrongful act.

These three immunities will impact councils liability claims.



Tasmania

14% of Tasmanian respondents ranked the risk of negligence giving rise to liability claims seventh. This placement is five positions above the national ranking. This risk also ranked equally with Managing Ageing, Property Assets and Infrastructure. These two risks are connected in Tasmania as councils have a statutory defence under sub-section (4) of Section 21 of the Local Government (Highways) Act 1982. Council is not liable for any loss or damage unless they had conducted works and caused the damage.

With ongoing ageing assets and infrastructure, it becomes necessary to conduct required works. If these works are not carried out, it can expose council to liability.

All CEO/GMs ranked the ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss as the leading factor for this risk.

When determining whether council has breached this duty, council can usually rely on section 28 of the Civil Liability Act 2002 (Tas). This places a reasonable constraint on the financial resources available to councils. Given the current economic climate and increasing inflation, it would be more challenging for councils to allocate and manage their resources effectively. 71% of respondents ranked understanding the council's risk profile and application of the risk management policy and processes as the second highest reason for this risk.

Top three underlying factors for Liability Claims risk by region

METROPOLITAN

1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss

2. Understanding of council's risk profile and application of the risk management policy and processes

3. Ability to undertake due diligence when administering statutory/regulatory responsibilities

REGIONAL

1. Understanding of council's risk profile and application of the risk management

2. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss

3. Ability to apply policy and implement procedures in accordance with the strategic plan

REMOTE/RURAL

1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss

2. Understanding of council's risk profile and application of the risk management policy and processes

3. Understanding the risk associated with providing professional advices

Victoria

Victorian respondents ranked the risk of negligence giving rise to civil liability claims eleventh. This position is one spot higher than the national ranking of twelfth.

74% of CEO/GMs ranked the ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss as the leading reason for this risk. In Victoria, councils must inspect, repair and maintain their footpaths and roadways under section 40 of the Road Management Act 2004. This requirement has made councils be proactive in their inspection and intervention regimes. If councils choose not to adhere to requirements, this can increase the risk of claims due to negligence.

Regional city, regional and rural/remote councils ranked the above as their highest contributing factor to this risk. This risk is likely higher in regional councils as they have less resources and often, more rural trees or infrastructure which makes inspection regimes more onerous. Capital city and metropolitan cities placed this reason third and fourth. This is likely due to having more resources. It is easier to address issues such as tree management and inspections as they have fewer in these areas. Metropolitan councils have a higher foot traffic which creates greater risk for trip and fall claims. However, with a higher population and smaller area, there are less areas to 'inspect' and more people to notify councils of a potential risk.

The second highest reason for this risk was the equal importance placed on the ability to apply policy and implement procedures in alignment with the council's strategic plan, as well as the diligent administration of statutory/regulatory responsibilities, including the enforcement of the Code of Conduct. In Victoria, councils have 'Road Management Plans' under the Road Management Act 2004. Applying these policies and procedures is essential for defending negligence claims.

Regional city, regional and remote/rural councils ranked the ability to apply policy and implement procedures in accordance with council's strategic plan in the top three places. However, this ranked lower for city and metropolitan councils, which is likely due to more resources and a bigger municipality, making inspection and intervention targets easier to achieve than in regional locations.

City and metropolitan council ranked undertaking due diligence when administering statutory/regulatory responsibilities including administering the code of conduct highly, while other regions ranked this lower.

Top three underlying factors for Liability Claims risk by region	
<b>CAPITAL</b> <ol style="list-style-type: none"><li>1. Ability to undertake due diligence when administering statutory/regulatory responsibilities including administration of code of conduct</li><li>2. Understanding the risk associated with providing professionals advice</li><li>3. Understanding of council's risk profile and application of the risk management policy and process</li></ol>	<ol style="list-style-type: none"><li>2. Ability to apply policy and implement procedures accordance with the strategic plan</li><li>3. Ability to undertake due diligence when administering statutory/regulatory responsibilities including administration of code of conduct</li></ol>
<b>METROPOLITAN</b> <ol style="list-style-type: none"><li>1. Ability to undertake due diligence when administering statutory/regulatory responsibilities including administration of code of conduct</li><li>2. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>3. Understanding of council's risk profile and application of the risk management policy and process</li></ol>	<b>REGIONAL</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>2. Ability to apply policy and implement procedures accordance with the strategic plan</li><li>3. Understanding of council's risk profile and application of the risk management policy and process</li></ol>
<b>REGIONAL CITY</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li></ol>	<b>REMOTE/RURAL</b> <ol style="list-style-type: none"><li>1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss</li><li>2. Ability to undertake due diligence when administering statutory/regulatory responsibilities including administration of code of conduct</li><li>3. Ability to apply policy and implement procedures accordance with the strategic plan</li></ol>

Western Australia

Respondents ranked the risk of negligence giving rise to civil liability claims twelfth, equalling the national placement.

77% of respondents attributed the ability to apply policy and implement procedures in accordance with the strategic plan as the leading reason for this risk. Their liability risk management maturity has grown in recent years, increasing awareness of the potential risks and controls. This response reflects the sector's deep understanding of knowledge, resources and process implementation gaps to ensure they meet the strategic plan's requirements. This concern ranked highest in metropolitan, regional and rural/remote regions. However, it ranked much lower in regional cities, with the response linked to the level of exposure. Offering a range of services, metropolitan councils have dense populations with high demands and expectations. This mix can lead to increased liability exposures. Rural/remote councils share a similar problem, and often, they fill a community need when it is unaddressed by the state government or commercial market. They venture into non-traditional areas such as housing, medical services and even supermarkets. An unfamiliarity with these services coupled with the difficulty of having insufficient resources and being remote all provides challenges to implementing liability risk controls.

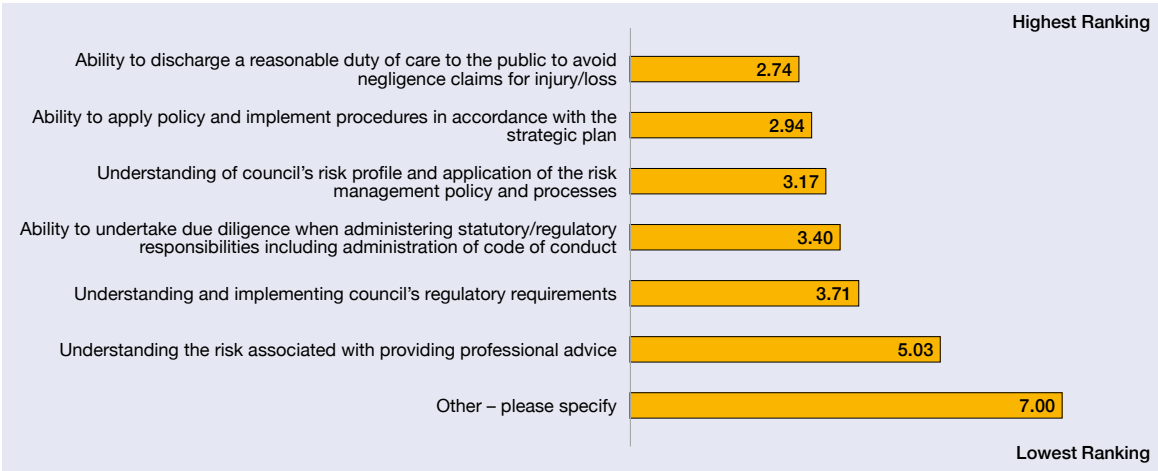


Figure 42: Negligence giving rise to civil liability claims Western Australia underlying factors Western Australia underlying factors

These contributors, particularly the tension between community expectations and limited resources, also account for respondents' concern about their ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss. 65% of respondents ranked this factor as the second highest reason behind this risk.

### Top three underlying factors for Liability Claims risk by region

#### METROPOLITAN

1. Ability to apply policy and implement procedures accordance with the strategic plan
2. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss
3. Understanding of council's risk profile and application of the risk management policy and process

#### REGIONAL CITY

1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss
2. Understanding of council's risk profile and application of the risk management policy and process
3. Understanding and implementing council's regulatory requirements

#### REGIONAL

1. Ability to apply policy and implement procedures accordance with the strategic plan
2. Ability to undertake due diligence when administering statutory/regulatory responsibilities including administration of code of conduct
3. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss

#### REMOTE/RURAL

1. Ability to apply policy and implement procedures in accordance with the strategic plan
2. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss
3. Ability to undertake due diligence when administering statutory/regulatory responsibilities including administration of code of conduct

## Queensland

In Queensland, respondents ranked the risk of negligence giving rise to liability claims eleventh, one point above than the national ranking of last (eleventh).



**88%**  
Attribute the ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss as their leading factor for this risk



**67%**  
Ability to apply policy and implement procedures in accordance with the strategic plan factor for this risk

88% of respondents identified the leading factor underlying this risk as the Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss. This reason placed in the top two by all regions.

66% of CEO/GMs ranked the ability to apply policy and implement procedures in accordance with council's strategic plan as the second highest reason for this risk. Regional and remote/rural councils placed this reason second while metropolitan and regional cities ranked it fourth.

### Top three underlying factors for Liability Claims risk by region

#### METROPOLITAN

1. Ability to undertake due diligence when administering statutory/regulatory responsibilities
2. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss
3. Understanding and implementing council's regulatory requirements

#### REGIONAL CITY

1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss
2. Understanding of council's risk profile and application of the risk management
3. Ability to undertake due diligence when administering statutory/regulatory responsibilities

#### REGIONAL

1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss
2. Ability to apply policy and implement procedures in accordance with the strategic plan
3. Ability to undertake due diligence when administering statutory/regulatory responsibilities

#### REMOTE/RURAL

1. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss
2. Ability to apply policy and implement procedures in accordance with the strategic plan
3. Ability to undertake due diligence when administering statutory/regulatory responsibilities

# OUTCOMES OF THE RISKS

This year, for the first time since the inception of the JLT Public Sector Risk Report and JLT Risk Survey, we surveyed CEOs and General Managers to gain insight into their concerns regarding the outcomes of the identified risks. After the general survey on the 12 risks, we asked participants to rank their top choices for specific outcomes.

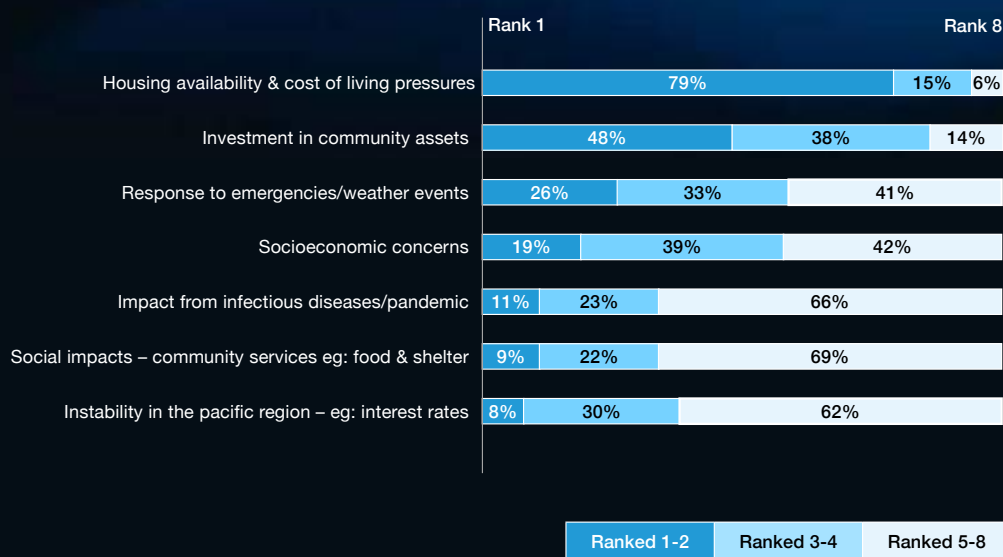


Figure 43: Concern for Potential Outcomes from the Risks National Heat Map

# THE KEY RISK INDICATOR REPORT **METHODOLOGY**

The 2023 JLT Risk Survey was conducted between September and October of 2023. A total of 219 CEOs and GMs from rural/ remote, regional, metropolitan, and city councils participated in the questionnaire.

### Survey Approach

The survey offers insights from CEOs and General Managers of local government regarding their perception of 12 key risks. It provides respondents with the opportunity to rank their risks in a more specific manner. Initially, each risk was ranked based on the level of concern.

Respondents are specific in their ranking of their risks. The first question asks respondents to rank each risk in order of concern.

CEOs/GMs then ranked the underlying factors in order of concern from highest to lowest.

The following explanation illustrates this approach using example rankings.

### Risk Category:

Reputation

	HIGH	MEDIUM	LOW
	Ranked 1-2	Ranked 3-4	Ranked 5-6
Ability to administer council governance effectively	58%	37%	5%
Loss of community trust in council (elected members)	48%	45%	7%
Loss of community trust in council administration	41%	50%	10%
Failure to comply with/undertake legislative requirements	39%	52%	10%
Oversight by independent conduct bodies	14%	16%	71%
Other	1%	1%	98%

If we take the reputation risk category as an example, the highlighted row above sums to 100% and shows a breakup of all the risks ranked high.

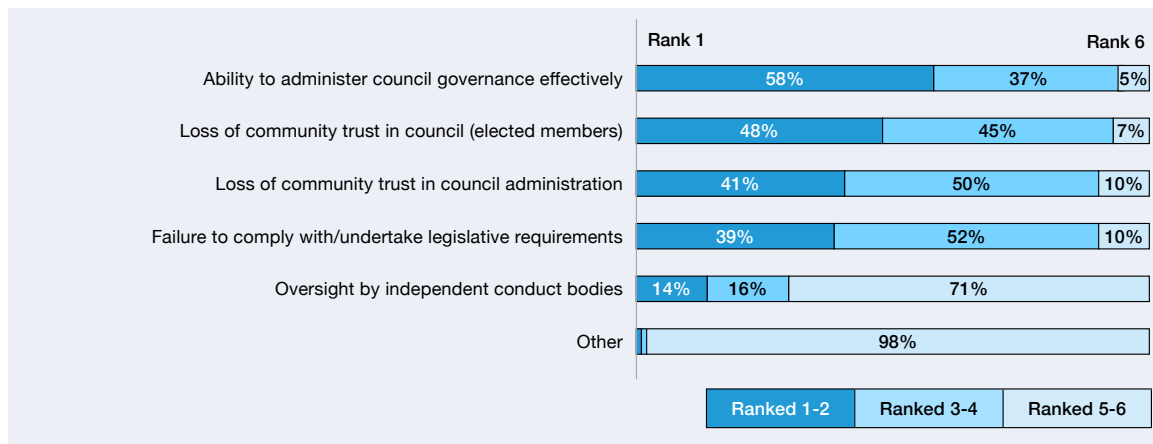
To ascertain the highest rank risk, the rankings are divided into high, medium and low.

Sample: Reputation

HIGH	MEDIUM	LOW
Ranked 1-2	Ranked 3-4	Ranked 5-6



The following example looks at Reputation and shows the underlying factors and how they are ranked. You can see in this example that 58% of respondents ranked ability to administer council governance effectively and 5% ranked this factor as low.



Whilst the above showcased the ranking of high, medium and below, the following table demonstrates the underlying factors average ranking. In the following table, you note that the 'Ability to administer council governance effectively' is ranked highest with an average ranking is 2.37.

When we look at the third and fourth rankings, Loss of community trust in council administration and Failure to comply with/undertake legislative requirements, we can see the rankings are 2.88 and 2.91. This means when we average out all the rankings the responders placed these two underlying factors for Reputation and they averaged out to be fairly close.

### Survey Respondents

The 2023 JLT Public Sector Risk Survey saw the participation of 219 local government CEOs and General Managers. Representatives came from all states and the Northern Territory, representing metropolitan, city, regional, regional city and rural/remote communities.

Participants were asked to rank 12 risks from highest to lowest, providing further insight into the factors behind each risk.

### State representation nationally

The 2023 Risk Survey had 219 respondents representing 40.73% of council CEO/GMs. Of this representation of State responses is in Figure 42

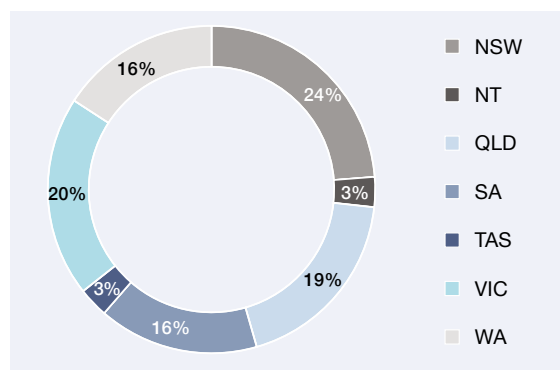
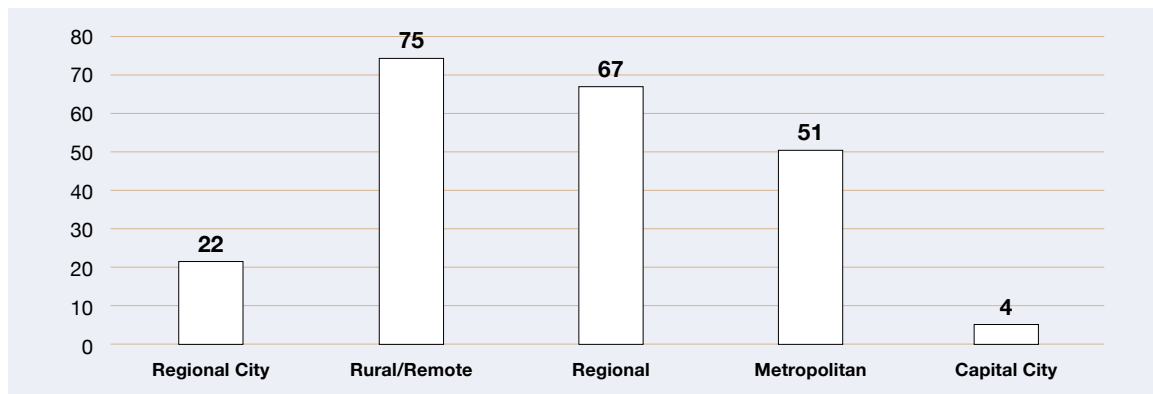


Figure 42: State Representation in JLT Public Sector Risk Survey

### Regions

The representation within these charts consider small populations in remote Australia through to densely populated cities. Remoteness is based on the level of access to services. The following provides the breakdown of councils by region.



No. of Councils by Region Type

# 2018-2023

## MOVEMENT OF RISKS OVER THE PAST SIX YEARS

	2018	2019	2020	2021	2022	2023
1	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability
2		Cyber Security	Assets & Infrastructure	Cyber Security	Cyber Security	Cyber Security
3			Disaster or Catastrophic	Asset & Infrastructure	Asset & Infrastructure	Asset & Infrastructure
4		Natural Catastrophes	Cyber Security	Disaster or Catastrophe	Business Continuity	Climate Change
5					Disaster or Catastrophe	Disaster or Catastrophe
6	Asset & Infrastructure	Asset & Infrastructure	Business Continuity	Business Continuity		
7	Natural Catastrophes					
8	Cyber Security					
9	Business Continuity	Business Continuity				

## GLOSSARY

Business Continuity		Business continuity planning and community disruption
Climate Change/Adaption		Climate Change and/or Adaptation
Cyber		Cyber security/IT infrastructure
Financial Sustainability		Financial Sustainability
Ineffective Governance		Ineffective governance
Assets & Infrastructure		Managing aging, property, assets, and infrastructure
Disaster & Catastrophic		Natural Hazard, Disaster/Catastrophic Events
Liability Claims		Negligence giving rise to civil liability claims
People & Culture		People & Culture
Reputation		Reputation as a local government and with the community
Statutory and/or Regulatory requirements		Statutory and/or Regulatory requirements
Waste Management		Waste Management

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City of Bayswater Strategic Risk Register Q1 2024-2025

#	SCP Category	Risk Description	Risk Rating	Appetite	In Appetite	Risk Strategy
1	Community	Inability to support our local community, business and organisations to be resilient to the physical, social and economic challenges that impact our way of life	Medium	Medium	Yes	Accept
2	Vibrancy	Lack of sufficient resources to finance, construct, and sustain essential infrastructure and assets.	Medium	Medium	Yes	Improve Control
3	Environment and Liveability	Environmental mismanagement leading to ecological damage, loss of biodiversity, water scarcity and increased greenhouse gas emissions.	Medium	Low	No	Improve Control
4	Leadership and Governance	Inability to work collaboratively to engage and partner with the stakeholders to promote and advocate opportunities to live and invest in the City.	Medium	Medium	Yes	Accept
5	Leadership and Governance	Inability to manage stakeholder expectation through early and ongoing engagement.	Medium	Medium	Yes	Improve Control
6	Leadership and Governance	City does not have the adequate financial capacity to deliver planned services and maintain assets.	Medium	Medium	Yes	Accept
7	Leadership and Governance	Unethical or inadequate council governance and decision-making. Failure to comply with legislation.	High	Medium	No	Improve Control
8	Leadership and Governance	Ineffective processes and controls to enable the delivery of Strategic objectives.	High	Medium	No	Improve Control
9	Leadership and Governance	Inability to develop and maintain a competent, capable and culturally aligned workforce.	Low	Medium	Yes	Accept
10	Leadership and Governance	Failure to prevent, prepare, respond and recover to incidents, emergencies or major disruptions impacting operations.	Medium	Medium	Yes	Improve Control
11	Leadership and Governance	Lack of modern, integrated and secure digital environment. Inability to respond to cyber attract. Inability to proactively manage cyber security.	Medium	Medium	Yes	Improve Control
12	Leadership and Governance	Failure to provide staff safety and support health and wellbeing.	Medium	Low	No	Improve Control
13	Environment and Liveability	Inability to effectively manage the city's waste	High	Low	No	Improve Control



**10.5.1.5 Project Eden Update - October 2024**

<b>Responsible Branch:</b>	Digital Solutions and Services
<b>Responsible Directorate:</b>	Corporate Services
<b>Authority/Discretion:</b>	Information Purposes
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	1. PROJECT EDEN Ci to CiA ARC Briefing November 2024 [8.5.1 - 12 pages]

**SUMMARY**

This report provides Council with an update of Project Eden, the upgrade of the City's Enterprise Resource Planning (ERP) software and the Project Eden provisional roadmap.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)**

That Council notes the Project Eden update as contained in Attachment 1 of this Report.

**BACKGROUND**

The City's Executive Leadership Team (ELT) endorsed the Digital Strategy 2021-2031 in January 2022. One of the key themes of the strategy is systems harmonisation.

The City's ERP solution is rapidly approaching end of life. No new features and only critical fixes applied from October 2023, and support for the on-premise hosted solution will cease in October 2024.

At the Ordinary Council Meeting held on 26 July 2022, Council authorised the Chief Executive Officer to continue its partnership with TechnologyOne and on-board to the Software as a Service platform for the period 30 June 2022 to 30 June 2027. The continuation of the partnership is an operational service continuity decision. With no further product development or support for on-premise hosted solutions, this business risk will be managed with the move to a cloud-based system and to the latest version (CiA Live) to support the City's core business services.

A Council Briefing session was held on 30 May 2023 providing a detailed overview of the project and options to meet the funding requirements for FY23. Project status updates are provided through the Audit and Risk Management Committee through to Council.

**EXTERNAL CONSULTATION**

No external consultation has taken place since the end of the 'lift & shift' phase.

**OFFICER'S COMMENTS**

The Project Eden Status Report can be found in Attachment 1.

Phase two of project Eden is in full flight with the start of the work package to implement Ci to CiA on the Core Enterprise Suite of TechnologyOne. This work package is a dependent project on the implementation of Property and Rating. An issue IR006 has occurred whereby TechnologyOne has advised on 8 October that the project environment will not be delivered as scheduled for 18 October. A root cause analysis is being conducted to ascertain why this delay has occurred and to gain insights on how the City prevents these delays to schedule in future with TechnologyOne.

**LEGISLATIVE COMPLIANCE**

Nil.

**RISK MANAGEMENT CONSIDERATION**

The table below shows the level of risk for each impact category, if the officer's recommendations is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Medium
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Medium
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR11 - Lack of modern, integrated, and secure digital environment.	

**FINANCIAL IMPLICATIONS**

Please refer to **Attachment 1** for details of the cost breakdown.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

**CONCLUSION**

A project status update is provided in **Attachment 1** and further updates will be provided to the Audit and Risk Management Committee and Council.



# Project Eden – ARMC Briefing

11 November 2024












# 1. Program Status Overview

# Contents

1. Program Status Overview
2. Timeline
3. Estimated Costs
4. Key Next Steps
5. Provisional Roadmap

# Program Status Overview

## Headline Activities

Cost	Schedule	Risk
  	  	  

- Subject to Strategy 10 (Annual Upgrades to Latest Release), Eden Board decision endorsed to implement the 2024a TechOne Software version
- Due diligence lessons learnt meeting with Fremantle Council to discuss their experience implementing Corporate Information Anywhere (CiA, browser software version) from Corporate Information (Ci, desktop software version) for Payroll, Human Resources, Finance and Purchasing
- Backfill implemented to address Subject Matter Experts required on the project
- Environment management strategy started
- Project Internal Audit initiated 295hrs from 1 November 2024
- Project Initiation Document endorsed by Eden Board 5 September 2024
- eServices deployment of Rates Smoothing to production
- Business Requirement captured for Deployment 2 eServices and an LG Connect fixed Statement of Work approved
- Approval to commence detailed planning and discovery to remediate issue IR002 related to time sheeting taking 13 minutes per timesheet to enter
- Issue IR006 - Rsk-14 has turned into an issue, whereby the TechOne Project Manager advised that the Project Environment has not been converted which was due for delivery 18 October 2024. City of Bayswater CEO escalated the issue with the TechnologyOne Project Manager



# RAID Breakdown

## Breakdown of Risks, Actions, Issues and Decisions (RAID), Opportunities

### Risk Register

Rsk-016 - The time sheeting new process could add more time to Waves employees and also create an arduous process

### New Issues

IR002 - Payroll advised that moving from Ci to CiA will result in an extra 13 minutes per timesheet to enter before a payrun can be processed.

IR004 - Subject Matter Expert (SME) knowledge is required for two days per week for the duration of the project. Currently due to various blackout periods the SMEs are not available which needs backfilling to meet the project deadlines.

IR005 - RSK011 has turned into an issue IR005 - eServices build is delayed due to single vendor dependency. LG Connect has won a tender with Pets WA, and is working across other local governments for their eServices offerings.

IR006 - Rsk-14 has turned into an issue, whereby the TechOne Project Manager advised that the Project Environment has not been converted which is due for delivery on 18 October 2024.

### Actions Register

Status	Count
Completed	71
Duplicate	4
Not Started	7
WIP	25
<b>Total</b>	<b>107</b>



## 2. Timeline

# Key Milestones

Milestone	Due Date	Status	Notes
Project Initiation Document	2 August 2024	Completed	21/10/24 - signed off Eden Board 5/9/24
TechOne Plan	1 November 2024	WIP	21/10/24 - walkthrough scheduled but TechOne Consultant couldn't explain the plan. TechOne to provide a detailed plan.
Test Scenarios Signoff	2 August 2024	Completed	
Environment Strategy	20 December 2024	WIP	21/10/24 - discussions with other councils are underway to obtain lessons learned regarding timing of software version upgrades.
Upgrade 2024a Upgrade Deployment	8 November 2024	WIP	
Internal Audit	31 January 2025	Not Started	
eServices Deployment Two	15 November 2024	WIP	21/10/24 - rescheduled from the 1/10/24 to the 15/11/24.
Subject Matter Experts Review			
TechOne eLearning	20 December 2024	WIP	
Access Management Review / Implementation - Project Environment	31 January 2025	Not Started	21/10/24 - waiting on schedule for Project Environment implementation
CI to CIA System Integration Testing	28 March 2025	Not Started	21/10/24 - waiting on schedule for Project Environment implementation

## Summary

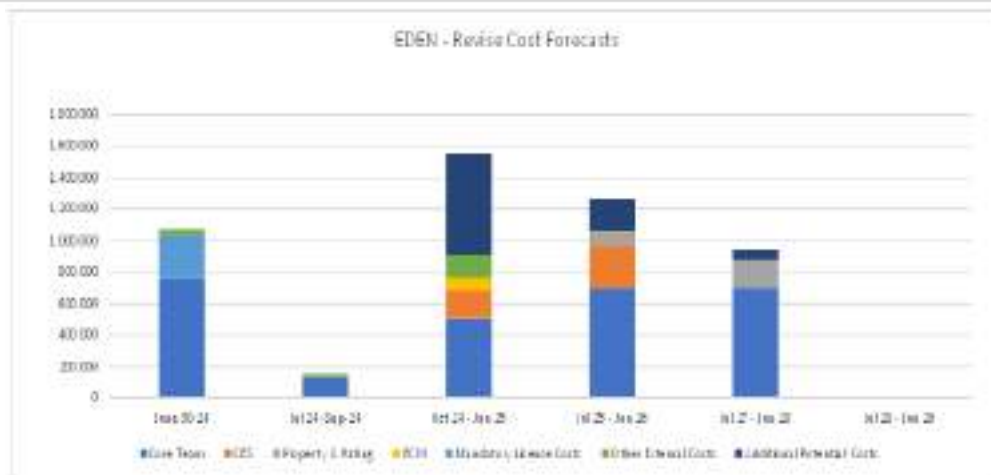
- Project team heavily involved in the 2024a Software upgrade
- eServices deployment two (Planning & Building submission implementation & securePAY gateway implementation)



## 3. Estimated Costs

# Estimated Costs

Excludes 10% Buffer	Actuals to	Actuals (Yr2)	Forecasted Spend (Yr2)	Forecast Spend (Yr3)	Forecast Spend (Yr4)	Forecast Spend (Yr5)	Totals
Implementation Area	June 30 24	Jul 24 - Sep 24	Oct 24 - Jun 25	Jul 25 - Jun 26	Jul 27 - Jun 28	Jul 28 - Jun 29	
Core Team	758,126	130,410	507,714	704,952	704,952		2,806,154
CES	0	0	178,308	268,920	0		447,228
Property & Rating	0	0	0	75,336	171,972		247,308
ECM	0	0	78,304	5,088	0		83,392
Mandatory Licence Costs	280,985	0	0	0	0		280,985
Other External Costs	32,078	23,083	141,120	0	0		196,282
Additional Potential Costs			650,000	210,000	60,000		920,000
<b>Actual / Forecast</b>	<b>1,071,189</b>	<b>153,493</b>	<b>1,555,446</b>	<b>1,264,296</b>	<b>936,924</b>	<b>0</b>	<b>4,981,348</b>
<b>Original Forecasted Budget</b>	<b>2,267,361</b>			<b>2,195,791</b>	<b>626,228</b>		<b>5,089,381</b>



## Comments

- Incorporates Yr5 in line with Long Term Financial Plan
- Business SME's subject to workforce planning



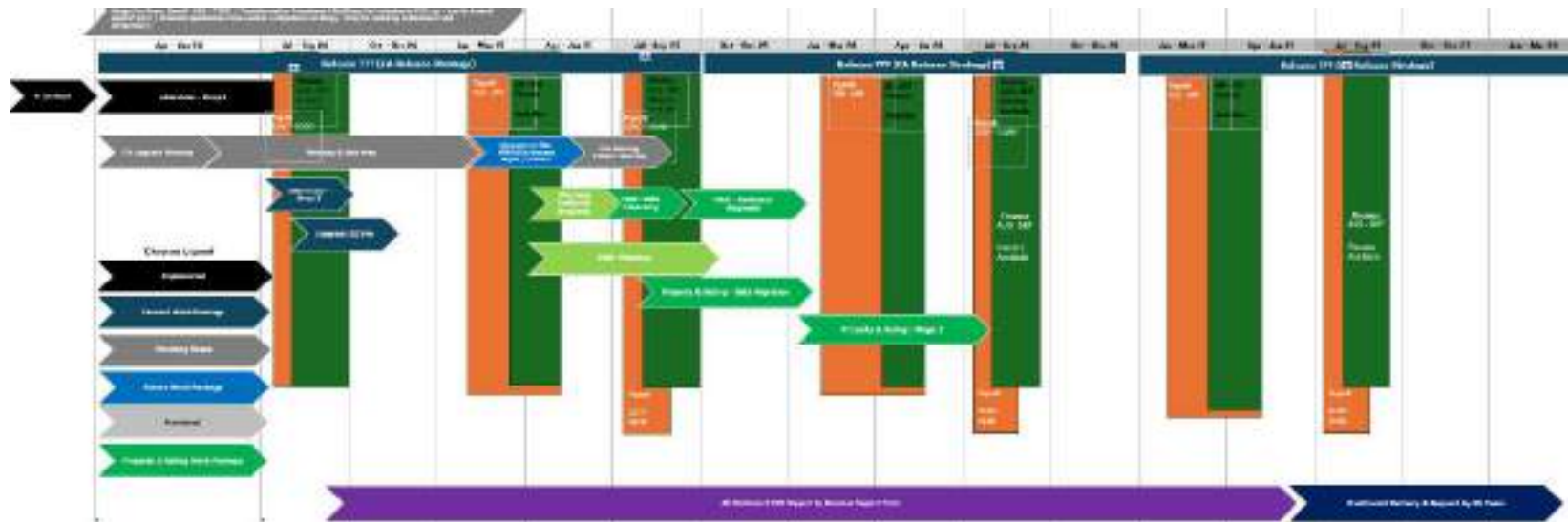
## 4. Key Next Steps



# Key Next Steps Overview

- Root Cause Analysis of issue IR006 related to the Project Environment not being provisioned by the 18 October by TechnologyOne to ensure no further delays.
- Replanning of Provisional Roadmap to take into consideration the new proposed scheduled Roadmap and planning for the Subject Matter Expert deployment to the project.
- Delivery team to work with the Business System team and the Business areas to deliver drop two of eServices across Building & Planning via securePAY.
- Receive the TechOne plan that allocates resourcing and timing for
  - Provisioning a project environment
  - TechOne resourcing availability for System Integration Testing
  - TechOne hypercare for User Acceptance Testing
  - TechOne upgrade window to deploy Ci to CiA into production
- Eden Board endorsement to implement the 2024a TechOne Software upgrade.
- Environment strategy signed off (Codeset timeline / Refresh timeline / Business Custodian).
- Internal Audit of Project Eden.
- Project environment integration testing.
- Subject Matter Experts to review TechnologyOne eLearning collateral and determine what can be adopted by City of Bayswater.

# Eden Provisional Roadmap



- New Release of OneCouncil software available for SAAS customers

## Conclusions

- C1: Subject to business readiness (SMT availability & business readiness, eg: work instructions, processes and procedures)
- C2: TechnologyOne recovery of the Roadmap
- C3: Subject to contractual considerations: Open Windows – can we lock it in
- C4: Subject to Roadmap development
- C5: Subject to City Council for Art to create draft files (Environment & Release Strategies)
- C6: Subject to Subject Matter Expert (SME) in full

## Notes

- Provisional roadmap includes an upgrade to 2024a TechOne software deployment
- Subject to Strategy S8, Executive to formally review Roadmap every 3 Months
- eServices has been split into two deployments, a) Rates Smoothing, and b) Other scope items related to Building & Planning

**10.5.1.6 Debtors Write-Off**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate and Strategy
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. CONFIDENTIAL - Infringement Debtor Write Off List under \$500 [8.6.1 - 1 page]</li> <li>2. CONFIDENTIAL - Infringement Debtor Write Off List \$500 [8.6.2 - 1 page]</li> <li>3. CONFIDENTIAL - Rates - Small Balance Write Off List [8.6.3 - 1 page]</li> </ol>

**Confidential Attachment(s) - in accordance with Section 5.23(2)(b) of the Local Government Act 1995:**

(b) the personal affairs of any person;

**SUMMARY**

This report presents and notifies Council of a list of bad debts that have been written off under delegated authority in accordance with the *Sundry Debt and Recovery Policy*.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)**

**That Council:**

1. **Notes an amount of \$15,775.66 of bad debts as outlined in Confidential Attachments 1 and 2 to this Report, have been written off under delegated authority;**
2. **Approves the write off of \$23.32 rate small amount as outlined in Confidential Attachment 3 to this Report.**

**BACKGROUND**

This report provides an overview of bad debts accrued and requiring write off under the *Sundry Debt Collection and Recovery Policy*.

Australian Accounting Standards and the provisions of the *Local Government Act 1995* and Financial Management Regulations require, inter alia, ongoing assessment of the likelihood that debts recognised in the organisation's accounts will be collected.

Sundry debtors are managed in accordance with the City's *Sundry Debt Collection and Recovery Policy*. While all reasonable efforts are made to recover aged debts, there are also some that, for practical purposes, require write off.

These debts relate to monies due for user charges, infringements, fees and other services rendered and rates related charges. The process for collection is dependent on the type of debt raised and the mechanisms available under various legislation for recovery. Section 6.12 (1) of the *Local Government Act 1995* allows for debts to be written off by Council, and the Delegated Authority Granting Concession and Write Offs gives delegated authority to the Chief Executive Officer to write off any sundry debts under \$1,000 per account. The CEO is required to advise Council, via a report, when the delegation is exercised. Any amount in excess of \$1,000 requires approval from Council to write off.

## EXTERNAL CONSULTATION

Not applicable.

## OFFICER'S COMMENTS

### Infringement Debtors

The infringement write-off list (**Confidential Attachments 1 and 2**) refers to current infringements where either the City cannot acquire the offender's details from the Department of Transport or the Fines Enforcement Registry (FER) has advised that the debt is not recoverable or economical to enforce. The amount written off under Delegated Authority is \$15,775.66.

There is no debt exceeding the Delegated Authority threshold that is required to be written off by Council during this reporting period.

### Rates Debtors

Council approval is being sought to write off small balances for rates totalling \$23.32 for 48 properties (**Confidential Attachment 3**) as the City does not have delegated authority to write-off rates debtors other than those charges that are non-rates income, such as penalty interest.

## LEGISLATIVE COMPLIANCE

The *Sundry Debt Collection and Recovery Policy* applies and section 6.12 (1) of the *Local Government Act 1995* states:

*"Subject to subsection (2) and any other written law, a local government may —  
... (c) write off any amount of money, which is owed to the local government."*

## RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendations is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

## FINANCIAL IMPLICATIONS

Bad debts are reflected in the end-of-year operating result. The ongoing review of the City's revenue collection and debt recovery practices is considered to be an important feature of risk management and strengthening corporate governance.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance  
Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

**CONCLUSION**

It is recommended that Council notes an amount of \$15,775.66 of bad debts has been written off under delegated authority. In addition, it is recommended Council approve the rate small balance write off of \$23.32 as outlined in **Confidential Attachment 3.**

**10.5.1.7 Legal Services Update - 1 July 2024 to 30 September 2024**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	Nil

**SUMMARY**

Council has requested that the City provides regular reporting on legal matters affecting the City, and an overview of the City's legal expenditure. As the Audit and Risk Management Committee (ARMC) is responsible for advising Council on all matters relating to compliance with legal and statutory requirements, this report has been prepared for the ARMC to review.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)**

**That Council notes the legal services update for the period 1 July 2024 to 30 September 2024.**

**BACKGROUND**

This report provides an overview of legal matters currently affecting the City and expenditure on legal services. The report does not include legal matters being dealt with by the City's insurers (LGIS).

The reporting period for this report is from 1 July 2024 to 30 September 2024.

Due to the complexity and range of legal matters that the City deals with, the City does not have an 'in-house' legal service. The City procures legal services across a range of providers, depending on the nature of the legal support or representation required.

**EXTERNAL CONSULTATION**

No consultation has occurred with the public or other agencies on this matter.

**OFFICER'S COMMENTS*****Legal matters***

In the day-to-day course of its operations, City officers may need to seek legal advice and/or representation on a range of legal matters. Some of this work is ongoing, some reoccurring and some of it is 'one-off'.

Examples of legal matters may include:

- debt recovery
- animal prosecutions
- infringement prosecutions
- land or property settlements
- State Administrative Tribunal (SAT) reviews
- planning matters
- contract disputes.

This report provides information on individual legal matters, where the total cost of the individual legal matter exceeds \$25,000. For the period 1 July 2024 through to 30 September 2024, there was no legal advice the City sought that exceeded \$25,000.

### **Legal expenditure**

A breakdown of the City's legal expenditure across service areas for the period 1 July 2024 to 30 September 2024 is provided below by Directorate:

<b>Service Area</b>	<b>Budget 2024/25</b>	<b>Actuals (Year to date) 2024/25</b>
<b>Office of the CEO</b> <ul style="list-style-type: none"> <li>Property and Economic Development</li> <li>Governance and Strategy</li> </ul>	<b>\$75,000</b>	<b>\$5,215</b>
<b>Community Services</b> <ul style="list-style-type: none"> <li>Community Development</li> <li>Rangers and Security</li> <li>Environmental Health and Statutory Building</li> <li>Statutory Planning and Compliance</li> <li>Recreation Services</li> </ul>	<b>\$147,750</b>	<b>\$20,021</b>
<b>Corporate Services</b> <ul style="list-style-type: none"> <li>Financial Services</li> <li>Digital Solutions and Services</li> <li>People, Culture and Safety</li> <li>Communications, Engagement and Customer Relations</li> </ul>	<b>\$25,000</b>	<b>\$8,891</b>
<b>Infrastructure and Assets</b> <ul style="list-style-type: none"> <li>Transport and Buildings</li> <li>Parks and Environment</li> <li>Project Services</li> <li>Assets</li> <li>Infrastructure Planning</li> </ul>	<b>\$11,500</b>	<b>\$2,183</b>
<b>TOTAL</b>	<b>\$259,250</b>	<b>\$36,310</b>

This information has been collated from an internal report of invoices allocated to the various legal expense budgets.

### **LEGISLATIVE COMPLIANCE**

The procurement of legal services must be in accordance with the *Local Government (Functions and General) Regulations 1996* and the City's *Procurement Policy*.

The City's main service providers for the reporting period have been Jackson McDonald, McLeod's Barristers and Solicitors, Mills Oakley Lawyers, Civic Legal and Cornerstone Legal. These legal providers have been procured through the WALGA preferred supplier contract.

The City must also prepare an annual budget, noting particulars of the estimated expenditure. This report provides oversight of legal matters and expenditure, so that the ARMC and Council may ensure that sufficient funds are allocated in the budget and to monitor expenditure.

### **RISK MANAGEMENT CONSIDERATION**

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.



Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

### FINANCIAL IMPLICATIONS

The Annual Budget 2024-25 has a total legal budget of \$259,250 allocated across a number of service areas. The actual spend between 1 July 2024 and 30 September 2024 was \$36,310 (14% of total budget).

In 2023-24 the actual spend on legal services was \$313,082 (84% of the total budget).

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance

Goal L2: Plan and deliver projects and services in a sustainable way.

Work together to deliver the best outcomes for the community by managing our resources in a financially sustainable way.

### CONCLUSION

The Council notes the overview provided on legal matters affecting the City, and the City's legal expenditure for the period 1 July 2024 to 30 September 2024.

### 10.5.1.8 Update: Local Government Act Reform

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Fact sheets - Local Government Amendment Bill 2024 [8.8.1 - 22 pages]
<b>Refer:</b>	Item: 10.5.1.9 OCM: 22.08.2023 Item: 10.6.1.9: OCM 23.05.2023 Item: 10.6.2.1: OCM 31.01.2023 Item: 10.1: SCM 11.10.2022 Item: 11.4: OCM 20.09.2022 Item: 10.2.9: OCM 22.02.2022 Item: 10.2.1: OCM 7.12.2021

#### SUMMARY

To provide Council with an update on the reforms to the *Local Government Act 1995* (the Act).

#### **COMMITTEE RECOMMENDATION TO COUNCIL** **(OFFICER'S RECOMMENDATION)**

**That Council notes the update on the reforms to the *Local Government Act 1995*, as detailed in this Report.**

#### BACKGROUND

In 2017, the McGowan Government announced it would be conducting the most significant and comprehensive reform of the *Local Government Act 1995* (the Act) in two decades. The review was conducted in two stages, with stage one including priority reforms and stage two comprising wide-ranging reforms. The majority of the stage one reforms have already been implemented.

In November 2021, the stage two reforms were released for public consultation. The submission period closed 25 February 2022, and more than 200 submissions were received. The City also made a submission, which was endorsed by Council at its meeting of 22 February 2022.

The *Local Government Amendment Act 2023*, which received Royal Assent on 18 May 2023, introduced the first tranche of reforms relating to the following:

- Optional preferential voting.
- Public election of the Mayor.
- Removal of wards for smaller local governments.
- Aligning the size of Councils.
- Reforms to the owner/occupier role (to prevent sham leases).
- State-wide caretaker periods.

On 15 August 2024, the Local Government Amendment Bill 2024 was introduced into Parliament that included the second tranche of proposed reforms to the Act. Key changes in the second tranche Bill include:

- establishing the Local Government Inspector and monitors for early intervention into the affairs of local governments and elected councils
- providing greater role clarity for council, mayors and presidents, councillors and CEOs
- an updated audit, risk and improvement committee structure that is independently chaired
- a requirement for local governments to maintain an annual rates and revenue policy
- enabling resource sharing

- reducing red tape for regional subsidiaries
- streamlining processes for local laws
- establishing processes local government CEOs can use to deal with unreasonable repeat complaints
- facilitating council member superannuation
- strengthening penalties.

**Attachment 1** details the fact sheets developed by the Department of Local Government, Sport and Cultural Industries to explain the reforms in more detail.

At the time of writing this report the Bill has passed through the Legislative Assembly and is currently in the Legislative Council for its third reading.

## EXTERNAL CONSULTATION

While no consultation has occurred with the public or other agencies on this report, the Department of Local Government, Sport and Cultural Industries invited comments from local governments and the wider community to inform implementation of the reforms between 10 November 2021 to 25 February 2022. More than 200 submissions were received from local governments, peak bodies, advocacy groups and members of the public. At its meeting held on 22 February 2022 Council endorsed the City's submission on the Phase 2 reform proposals.

## OFFICER'S COMMENTS

Local Government Act Reform has progressed over many years and has involved consideration of many documents such as:

- the *Local Government Review Panel Final Report* (mid 2020).
- the *City of Perth Inquiry Report* (mid 2020).
- Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020).
- the Victorian Local Government Act 2020 and other State Acts.
- the Parliament's Select Committee *Report into Local Government* (late 2020).
- Western Australian Local Government Association (WALGA) submissions.
- direct engagement with local governments.
- correspondence and complaints.
- miscellaneous past reports.

## LEGISLATIVE COMPLIANCE

*Local Government Act 1995.*

*Local Government Amendment Act 2023.*

*Local Government Regulations Amendment Regulations (No.2) 2023.*

Local Government Amendment Bill 2024.

## RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low

Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

**FINANCIAL IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Leadership and Governance  
Goal L4: Communicate in a clear and transparent way.  
Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

**CONCLUSION**

While the Bill may receive Royal Assent by the end of the year, there are various changes to Regulations that also need to be made, and at this stage the time of such changes are not known. Such changes are under the auspices of the Minister to make, on guidance from the Department of Local Government, Sport and Cultural Industries and the State Solicitors Office.



Department of  
Local Government, Sport  
and Cultural Industries



# Fact sheet: Local Government Inspector and Monitors

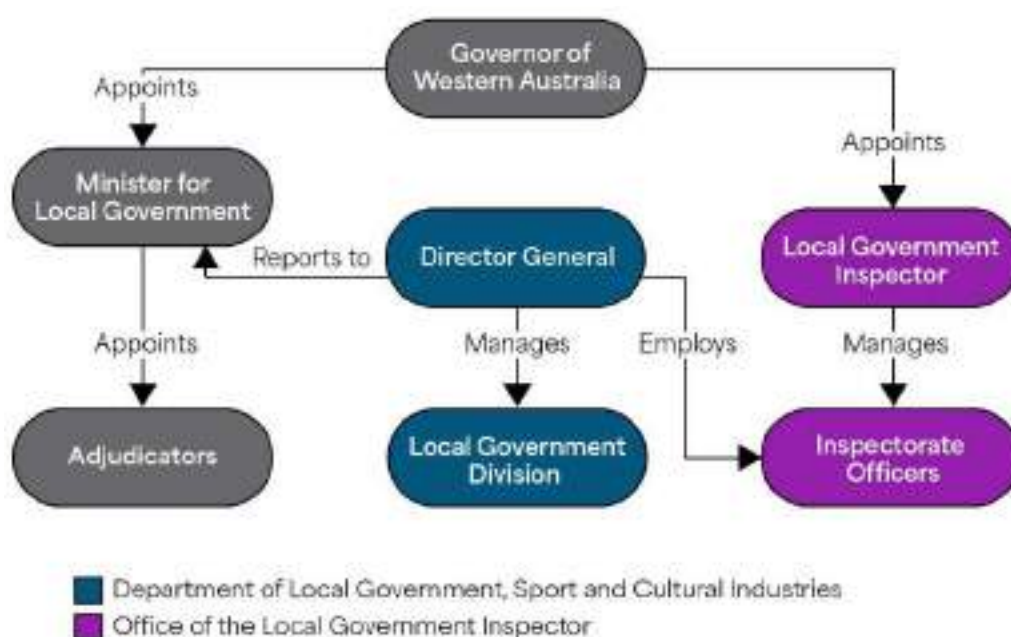
Local Government Amendment Bill 2024

## Introduction

The independent Local Government Inspector (the Inspector) will lead the Office of the Local Government Inspector (the Office), which will be separate from the existing Local Government division at the Department of Local Government, Sport and Cultural Industries.

The Office will be comprised of the Inspector, supported by skilled investigators, compliance specialists, complaints handlers and other support staff.

The Inspector will be broadly independent of the direction of the government of the day in the exercise of their powers under the *Local Government Act 1995* (the Act).



### Proposed structure and relationships for the Local Government Inspector and adjudicators

## Why do we need an Inspector?

The Act outlines how the Western Australian Government may intervene to ensure that local governments are providing good government to their districts. Previous intervention tools have been limited and primarily relied on lengthy and costly local government inquiries.

A dedicated Office focuses on early intervention and compliance to mitigate dysfunction. Where intervention is necessary, stronger penalties and streamlined processes will now be available to ensure integrity is maintained in local governments.

This new system has been designed to provide:

- earlier intervention to enable resolution of potential problems before they escalate
- pathways to support local governments resolve problems without the need for more significant intervention
- greater accountability of local governments
- better decision-making by local governments
- improved public confidence in local governments
- increased community participation in the decisions and affairs of local governments.

## Role of the Inspector

The Inspector's role is to:

- monitor the conduct of a local government's operations and affairs
- provide education and information to assist in compliance and conduct
- receive and deal with complaints
- conduct investigations, including those initiated by the Inspector
- if necessary, conduct an Inspector's Inquiry.

## Powers of the Inspector

The Inspector will be vested with various powers to investigate complaints that exist under the current Act. These powers include:

- requiring a person to produce information about the local government's affairs
- requiring a person to appear before the Inspector and give evidence
- requiring a person to produce a document, information or property to the Inspector in the person's possession and allow the Inspector access to it
- entry onto local government property without a warrant and obtain a warrant to enter private property
- the ability to obtain the recording of council meetings (including meetings held behind closed doors).

New powers for the Inspector include the ability to:

- obtain business records and data access orders under Parts 6 and 7 of the *Criminal Investigations Act 2006*
- require a local government to compile information for the Inspector (referred to as a "statement of information")
- extend secrecy to some of their notices and directions
- recommend, through an Inspector's Inquiry, the dismissal of a council or council member.



## Compliance powers of the Local Government Inspector



## Early intervention

The Inspector will focus on early intervention to help local governments resolve issues before they escalate into wider dysfunction.

To achieve this, the Inspector can undertake compliance reviews, system analysis, and consult with and make recommendations to local governments. The Inspector may also appoint a monitor.

## Monitors

A monitor may be appointed by the Inspector to assist a local government to address issues. They may also be appointed on request from a council, mayor or president, or a local government CEO.

Monitors will have specific experience or expertise, relevant to the potential problem they are being assigned to assist a local government resolve. It is expected that monitors may include:

- former mayors, presidents, and councillors
- former local government CEOs or experienced public sector administrators
- independent governance and legal professionals

- experts in organisational and interpersonal fields
- financial and accounting professionals
- other experienced professionals in fields that may relate to a function of a local government.

Monitors work constructively with the council members and staff to resolve issues, but they are not investigators. They promote compliance with laws by building capacity and facilitating resolutions to interpersonal problems where applicable.

A monitor's primary role is to work to identify and resolve a potential problem and report the outcome to the Inspector. If a monitor is not satisfied that they have been able to resolve a significant problem, they may report any areas of concern to the Inspector for further review.

If the monitor's report indicates that further action is required, the Inspector may choose to escalate the handling of the matter using the Inspector's other powers.

Monitors will have powers to inspect local government documents, attend closed meetings and require council members and employees to attend meetings to resolve issues. Monitors can have varied powers depending on the nature of their assignment and their terms of appointment.

Costs related to appointing a monitor will be borne by the local government.

## Breaches

A person may complain to the Inspector regarding a behavioural, conduct or specified breach. The Inspector is to determine the type of breach complaint.

The Inspector may request further information from any relevant person regarding the complaint.

The Inspector will have broad powers to refuse to consider a complaint that is trivial, vexatious or misconceived. This system is designed to enable the Inspector to focus on dealing with credible complaints about potentially significant issues.

Read the [new breach system fact sheet](#) for more information.

## General complaints

A general complaint is a complaint made by a person to the Inspector that a relevant person or the local government has contravened a provision of the Act or associated regulations.

This could be a breach of an offence provision or other non-compliance with a requirement of the Act. It does not include behavioural breaches, conduct breaches, recurrent or specified breaches.

The Inspector must acknowledge a general complaint within 14 days of receipt. A general complaint must relate to matters that occurred within the last 5 years.

The Inspector may conduct a preliminary assessment to decide whether to accept the complaint.

The Inspector may refer a general complaint to the council of the local government concerned if the Inspector is satisfied that this is more appropriate. The Inspector may issue instructions to a local government on how a general complaint is to be dealt with if the complaint relates to their CEO.

In some cases, the Inspector may refer a general complaint to another public officer or body who has authority or responsibility over matters raised if they believe it is more appropriate for the officer or body to deal with the complaint.

## Investigations

Part of the Inspector's role will be to investigate claims that a council member has committed a breach of the Act, or another person has committed an offence under the Act. The Inspector may also investigate non-compliance with the Act by local governments.

The Inspector will have powers to obtain local government documents or business records, conduct voluntary interviews and if necessary, obtain search warrants to investigate such claims.

## Inspector's inquiry

Where the Inspector determines there may be severe dysfunction in a local government, the Inspector may initiate an Inspector's inquiry.

During such an inquiry, the Inspector and their staff may require people associated with the local government to attend an interview, answer questions and compel evidence from them.

The Inspector must prepare a report at the end of the inquiry setting out their findings. This report may recommend the council, or a council member, be suspended or dismissed.

The Minister for Local Government will retain the option to establish a panel of inquiry, renamed an 'independent inquiry'. Independent inquiries will continue to have all the powers of a Royal Commission.

## Suspension and dismissal

The reforms include stronger penalties for conduct breaches, including possible suspension of office for up to 3 months.

Where the behaviour of a council or individual council members is so serious that it prevents the local government from functioning properly, the Inspector may recommend that the Minister for Local Government suspend the council or council members.

Any council member who is suspended 3 times for a breach will be disqualified from office for 10 years.

Where an Inspector's inquiry finds that a council or its members' actions make them unlikely to be able to provide good government, they may recommend their dismissal.

## Enforcement

The Inspector can compel compliance using various tools that are proportionate to the level of non-compliance. The Inspector will have the power to order a local government, council members, a local government CEO, or employees to comply with provisions of the Act and stop contravening the Act.

The Inspector can also deal with certain prescribed offences via an infringement with a modified penalty.

Where an infringement is not appropriate, other breaches that are investigated by the Inspector may employ escalating enforcement mechanisms depending on the nature of the breach, the evidence gathered, and intended outcome.

For example, the Inspector can consider the following options:

- appoint a monitor
- apply to the State Administrative Tribunal to make an order
- initiate prosecution through the court system.

## Penalties

Penalties for offences have been revised throughout the Act, with financial penalties roughly doubled. This reflects the effects of inflation since the Act was passed in 1995.

The tier of penalty applied to each offence is based upon several factors including:

- the seriousness of the offence
- the need for an appropriate deterrent
- if the offence should be subject to an infringement scheme
- the penalty for a similar offence under another Act.

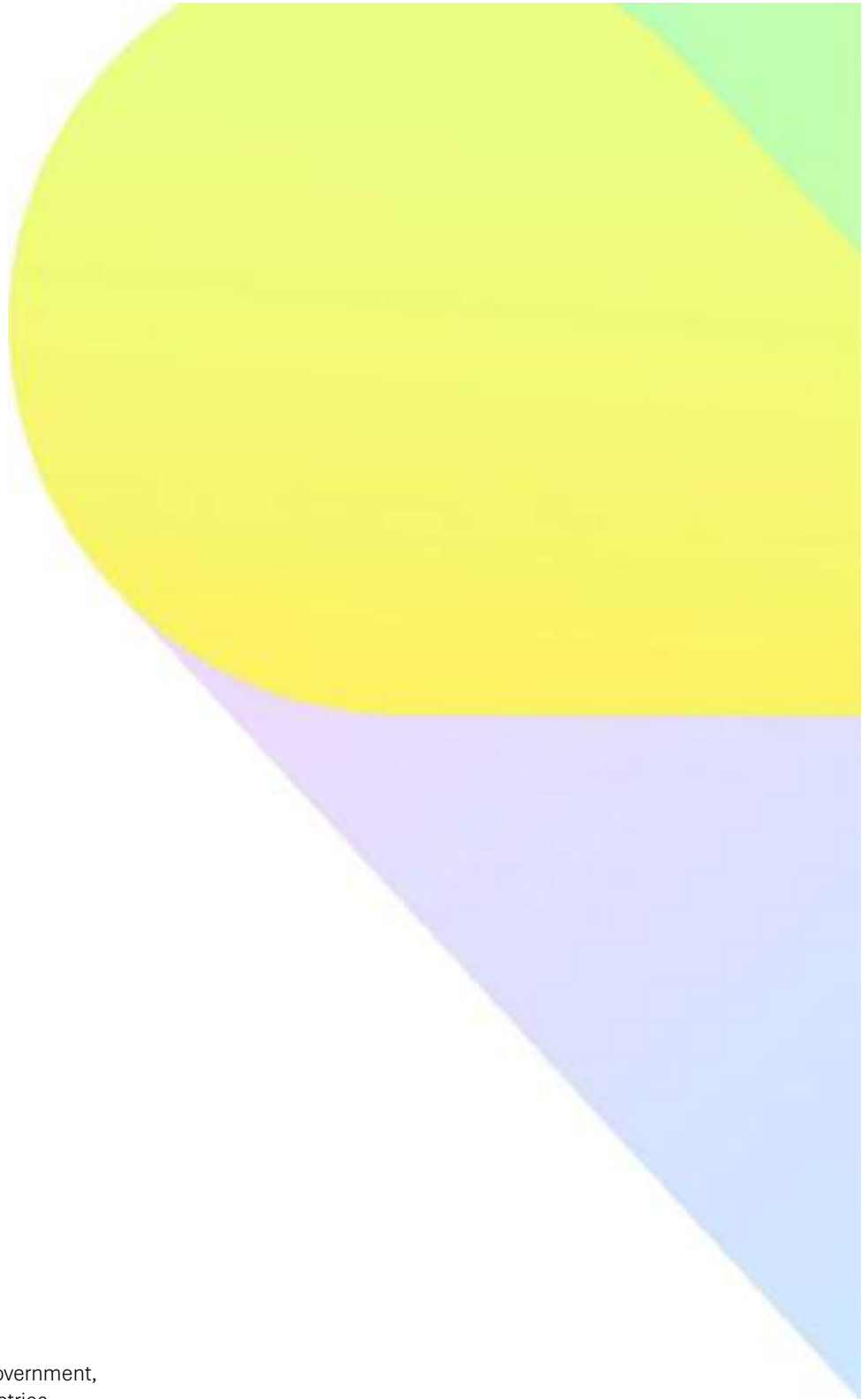
The Office will be able to deal with certain prescribed offences by way of an infringement notice with modified penalties, ensuring greater compliance with the Act.

### Summary of new penalty tiers

Tier	Maximum fine	Imprisonment
1	\$5,000	Not applicable
2	\$10,000	Not applicable
3	\$12,000	12 months
4	\$24,000	24 months

### Questions?

Get in touch with DLGSC via email to [actreview@dlgsc.wa.gov.au](mailto:actreview@dlgsc.wa.gov.au)



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Sport and Cultural Industries  
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Department of  
Local Government, Sport  
and Cultural Industries



# Fact sheet: Reforms to governance and committees

Local Government Amendment Bill 2024

## Introduction

The Local Government Amendment Bill 2024 (the Bill) proposes to change the *Local Government Act 1995* (the Act) to provide for various reforms, including the establishment of a new Local Government Inspector (the Inspector) and monitors that can provide for early intervention and assist local governments in resolving dysfunction.

In addition to the [Inspector and monitor reforms](#), a range of other second tranche reforms are being introduced that focus on good governance and decision-making at council and committee meetings:

- Revising the roles and responsibilities for the council, council members and local government chief executive officers (CEOs) to clarify the separation of powers and duties within local governments.
- Improving rules for closing part of a council or committee meeting to the public, to ensure greater transparency and that these meetings are held openly wherever possible.
- Changing audit committees to have an improved focus as “audit, risk and improvement committees” that are independently chaired, with greater clarity on how council committees should operate.

## Roles and responsibilities

The role of councils is to lead and represent their communities. Councils do so by engaging with their community, making decisions and setting the strategic direction of a local government. The administrative arm of the local government is responsible for implementing decisions and plans made by council.

The roles of the council, mayors or presidents, council members and the CEO have been further clarified in the second tranche of reforms. These changes ensure there is a clear distinction between the functions and responsibilities of a council and a CEO.

All council members are expected to:

- Represent the interests of electors, ratepayers and residents of the district as well as consider the interests of other persons who work in or visit the district.
- Participate in the decision-making process of the local government at council and committee.
- Facilitate communication with the community about the local government’s decisions.
- Facilitate and maintain good working relationships with other council members and the CEO.
- Observe the separation of roles of the council and CEO.
- Make decisions on merit, evidence and law, conscious of the capacity of the local government and with consideration of the local government’s finances and resources.
- Promote an organisational culture that respects employees.
- Maintain and develop the requisite skills to effectively perform their role.



As the leader of the local government council, mayors or presidents perform the following roles in addition to their council member role:

- Provide leadership and guidance to the council and its members, including guidance about their roles.
- Act as the principal spokesperson of the local government, including at ceremonial and civic functions, in a manner consistent with the resolutions of the council.
- Preside at meetings of the council, maintaining order at those meetings and ensuring that those meetings are conducted in a manner consistent with the Act.
- Promote and facilitate positive and constructive working relationships among council members.
- Liaise with the CEO regarding the local government's affairs and performance of its functions.

The CEO is responsible for the administration and operation of the local government, including:

- Causing council decisions to be implemented.
- Managing the provision of the services and facilities that the council has determined the local government will provide.
- Determining procedures and systems to implement the local government's policies and managing the local government's administration and operations.
- The employment, management, supervision and direction of other employees.
- Ensuring that records and documents of the local government are properly kept.
- Advising and procuring advice for the council in relation to the local government's affairs and performance of its functions.
- Ensuring that the council has the information and advice it needs to make informed and timely decisions.
- Keeping the minutes of council meetings.

The CEO liaises with the mayor or president on the local government's affairs and performance of its functions and may speak on behalf of the local government, with the mayor or president's agreement.

Role clarity is vital when different roles work to achieve the same objectives. When people understand their roles, better decisions can be made and implemented more effectively, resulting in improved use of ratepayer funds.

As a minor reform, local governments will now be required to advise the Department of Local Government, Sport and Cultural Industries (DLGSC) when vacancies on the council arise.

## Roles of the council and local government staff



## Meetings behind closed doors

By default, under the reforms, council and committee meetings must be open to the public. In certain circumstances, part of a meeting may be closed to deal with specific information where there is a clear public interest for that information to remain confidential.

The reforms provide a much stronger definition of the limited reasons to close a meeting.

Matters where a meeting must be closed include:

- a committee of the Parliament advising the local government to be confidential
- the recruitment or employment of the CEO or a senior employee, including termination or review of the CEO's performance.

Examples of the types of information to be considered that may provide a basis for closing part of a meeting include:

- Legal advice or other matters which legal professional privilege extend to.
- Information relating to the personal affairs of an individual.
- Information contained in a tender received by the local government where that information is the tendered price or the tendered methodology for calculating that price.
- Information contained in a tender where the information discloses any technology, technology, or any manufacturing, industrial or trade process, that the tenderer proposes to use in performing the contract and which is not public (and if made public would have an adverse effect on the tenderer's business interests).
- Information which would endanger the security of the local government property or operations, including cybersecurity matters.
- Information which could impair the effectiveness of an investigation or that deals with a contravention or possible contravention of the law.

The reforms clarify that:

- A decision to close part of a meeting must be made in an open part of a meeting.
- The local government is to record the reason for closing part of a meeting, including the type of information that is to be considered.
- The minutes must include a description of how the local government has sought to maximise the degree of information available to the public about the matter being considered.

The Bill also contains a new section to define irrelevant reasons for closing part of a meeting. These include:

- the information to be considered would cause embarrassment to the local government, council, or any individual
- the matter is controversial
- making the information public would result in criticism.

The new Inspector will be able to review a decision to close part of a meeting to the public.

From 1 January 2025, all local governments will be required to audio record parts of a meeting that are closed to the public. Additionally, as proposed in the Bill's reforms, the Inspector will be able to order that the local government release the audio recording to the public if the Inspector determines that the meeting was not closed in accordance with the Act or regulations.

## Audit, risk and improvement committees

Audit committees will be revised as audit, risk and improvement committees (ARICs). ARICs must have an independent presiding member to ensure a level of neutrality and impartial oversight in chairing these meetings. An independent presiding member must be a person who is not a council

member of a local government or an employee of the local government. If a deputy presiding member is appointed, they must also be independent.

The introduction of an independent presiding member provides an opportunity for increased community confidence in a local government's financial and risk management. Local government operations may also benefit through appointing an independent chair with risk and financial management expertise that may otherwise be unavailable.

This reform reflects modern governance practices in State Government authorities and agencies as well as private corporations.

In relation to the current Act, an audit committee is required to be established comprising 3 or more persons appointed by absolute majority by a local government. Most of the members must be council members. The CEO or a local government employee cannot be a member.

### Audit, risk and improvement committee model

The new audit, risk and improvement committee will comprise the following roles, with a total of 3 or more members.



Under the proposed amendments in the Bill, an ARIC now requires an independent presiding member. A local government can choose to appoint an independent deputy presiding member to chair the meeting if the independent presiding member is unable to do so.

If a local government chooses not to nominate a deputy presiding member, the council will need to appoint an independent proxy to chair the meeting should the need arise.

Smaller local governments may also now choose to share an ARIC to reduce the burden on their resources.

## Council committees

The Bill includes changes to allow for greater transparency and clarity on how council committees operate.

Council can now establish committees that have either an advisory or decision-making function and are generally open to the public.

The appointment process for the presiding member and deputy presiding member has also been simplified. Councils will appoint these roles, instead of the committee electing those roles by secret ballot.

Local governments are still able to establish informal working groups, which are not committees, to engage with their community or develop ongoing networks.

Questions? Get in touch with DLGSC via email to [actreview@dlgsc.wa.gov.au](mailto:actreview@dlgsc.wa.gov.au)



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Department of  
Local Government, Sport  
and Cultural Industries



# Fact sheet: New breach system

Local Government Amendment Bill 2024



## Current system

The Department of Local Government, Sport and Cultural Industries (DLGSC) supports the local government sector in the provision of good governance and compliance by monitoring, promoting and enforcing compliance with the relevant legislation.

DLGSC accepts complaints about alleged breaches of and non-compliance with the *Local Government Act 1995* (the Act) and regulations.

There are currently 3 main levels of complaints that are specific to council members, outlined below.

### Behavioural breaches

These breaches include rude or inappropriate behaviour and are dealt with in accordance with Division 3 of the Local Government (Model Code of Conduct) Regulations 2021 (the Model Code of Conduct).

Typical penalties include being required to undertake training as part of a behaviour improvement plan. These breaches are often best resolved through sensitive communication.

### Minor breaches

These breaches can range from misusing council resources to a council member using their office to disadvantage others. They are currently assessed by the Local Government Standards Panel (Standards Panel) based on the complaint and response documents submitted.

Typical penalties include being required to make a public apology.

### Serious breaches

These breaches include offence provisions such as failing to disclose a relevant interest when being involved in a council decision. Serious breaches can be referred for consideration to the State Administrative Tribunal (SAT) by the Director General of DLGSC.

Penalties from the SAT can include suspension and disqualification from office. These are also offences and can alternatively be prosecuted in court.

Three or more minor breaches can become a recurrent breach, which can be dealt with in the same way as a serious breach.

## Local Government Amendment Bill

The Local Government Amendment Bill 2024 (the Bill) introduces a proposed reformed system for breach complaints, including:

- Clearer definition and terminology of types of breaches.
- Replacing the Standards Panel with adjudicators.
- Improved complaint handling, including avenues to collate relevant evidence and information before decisions are made about a complaint.
- New avenues to proactively resolve breaches without use of penalties where appropriate (e.g. through mediation or assignment of a monitor).
- Stronger penalties and escalating sanctions for severe instances of non-compliance.

This fact sheet outlines the new breach system proposed in the Bill.

## Adjudicators

The Model Code of Conduct provides for a mandatory code of conduct to be observed by all mayors, presidents, councillors and committee members, including the rules of conduct.

These rules are currently enforced by the Standards Panel, which consists of DLGSC staff members, a council member and a person with relevant legal knowledge. As part of the reforms to introduce the Inspector and support earlier intervention, the Standards Panel will be replaced with adjudicators.

Adjudicators are to be legal practitioners with at least 5 years' experience who are not council members. Adjudicators are appointed by the Minister and are independent of the Inspector.

Adjudicators will be responsible for hearing allegations of conduct breaches. Conduct breach complaints can be made by any person submitting a form to the Inspector. There will be a Principal Adjudicator who will be assisted by one or more adjudicators.

Appeals of a decision of an adjudicator will remain with the SAT, which is the same as the former Standards Panel appeal process.

## Proposed new system

### Behavioural breaches

The intent remains to require local governments to deal with behavioural breach complaints under their code of conduct.

However, changes to the Act permit regulations to be made to allow a complaint to be referred to the Inspector in limited circumstances. This allows the Inspector to refer a complaint to an adjudicator instead of the local government (for instance, if a local government has fallen into dysfunction).

Complainants and respondents that are council members will also be prohibited from presiding over, participating in, or being present during any discussion or decision-making related to a complaint. This addresses concerns about conflicts of interest when dealing with such complaints.

The establishment of the Inspector is intended to involve the development of guidance and supporting materials to assist local governments respond to behavioural complaints.

## Conduct breaches

Minor breaches will be renamed ‘conduct breaches’, to better reflect their potential seriousness. Any person can make a complaint of a conduct breach. Allegations will now be submitted to the Inspector, who will be able to use basic investigative powers to collect relevant evidence, such as video footage of council meetings. Complaints that are frivolous, vexatious, trivial, misconceived or without substance will not satisfy the initial assessment.

To mitigate risks of apprehended bias, the Inspector then refers the complaint and evidence to a separate adjudicator, who is specifically appointed to make findings, order mediation if appropriate, and may make orders for penalties, which can be appealed to the SAT.

If a complaint is referred to an adjudicator, the person (council member) being complained about will be provided with the complaint and invited by an adjudicator to provide a response. This is to ensure procedural fairness. An adjudicator will consider the brief of evidence prepared by the Inspector and any submission from the person being complained about before deciding whether the breach occurred. If an adjudicator determines there was a breach, sanctions can be imposed by an adjudicator.

The range of penalties for conduct breaches will be bolstered to include withholding of council member fees and allowances, and suspension of the council member from office for up to 3 months.

If the Inspector decides that a conduct breach is a recurrent breach, the Inspector must refer the complaint to the Principal Adjudicator or make an allegation to the SAT. In that case, the Inspector must give the complainant and respondent a copy of the allegation.

## Specified breaches

Serious breaches will be renamed as specified breaches, with a list of those breaches compiled in a proposed new Schedule to the Act.

The Inspector can allocate a specified breach complaint to an investigator. A copy of a specified breach allegation must be given to the complainant and the respondent.

The Inspector will now deal with these complaints and may progress relevant allegations of these breaches to the SAT.

Within 14 days of receiving a finding, decision or order, the Inspector must publish the following information on its website:

- censures, findings and orders made for specified breaches
- decisions and orders made by the SAT on the review of an adjudicator’s decision
- any decision or order made on an appeal from a decision of the SAT.

Three or more conduct breaches can still be treated as a recurrent breach, which can be dealt with in the same way as a specified breach.

Any failure of a person to comply with an order must be referred to the SAT.

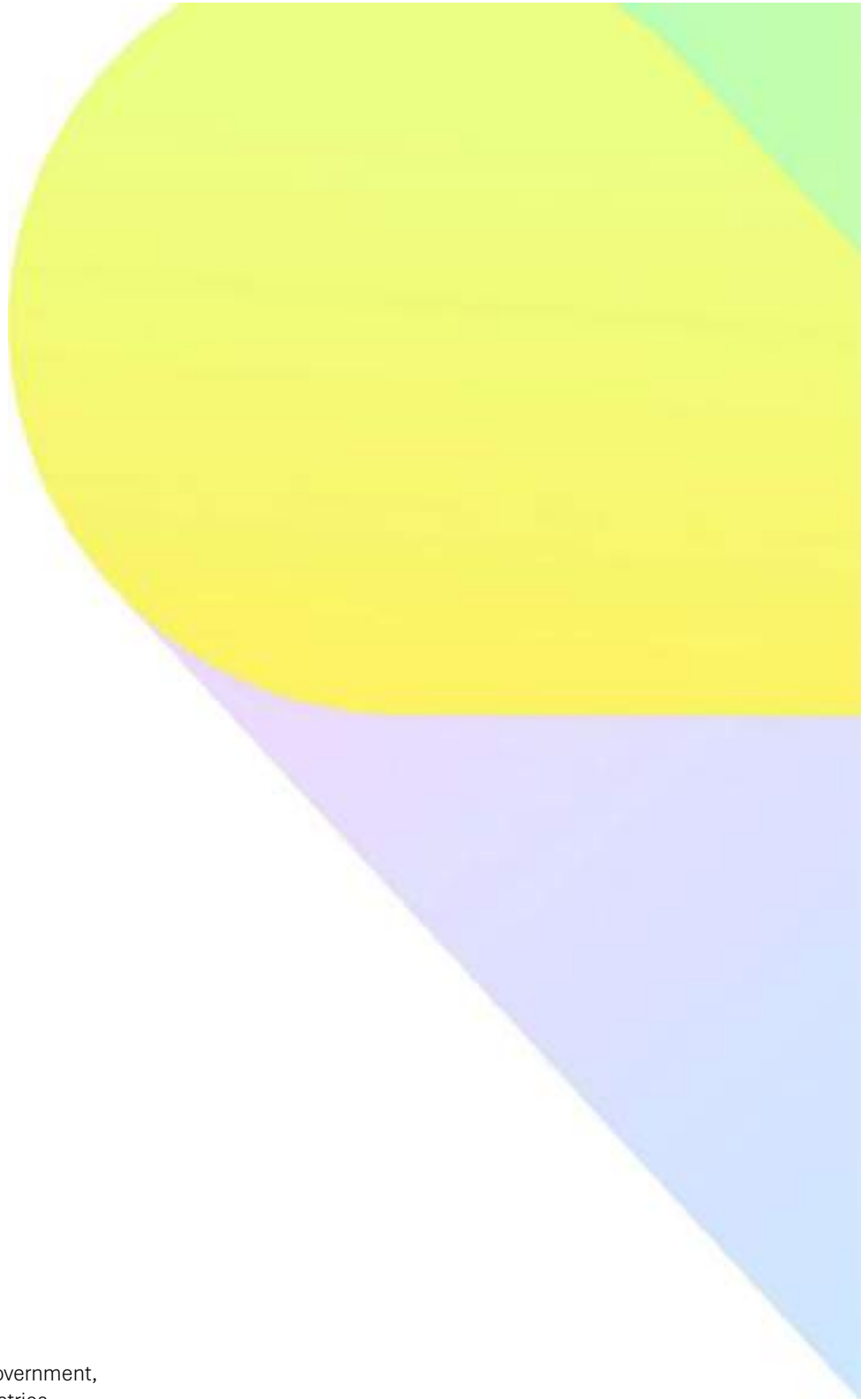
# Benefits of the new system

## Summary of the key benefits of the proposed new breach system

Making and receiving complaints	<ul style="list-style-type: none"> <li>• All complaints can come to the Inspector, providing a consistent approach.</li> <li>• The potential for conflicts of interest is reduced by not requiring a local government CEO to be the complaints officer.</li> <li>• Allows the Inspector the discretion to refuse certain complaints and focus resources on relevant matters.</li> <li>• The ability to request further information to assess a matter provides more accurate outcomes.</li> </ul>
Behavioural breaches	<ul style="list-style-type: none"> <li>• The proposed system provides a head of power to define behavioural breaches, requiring local governments to respond to complaints under their code of conduct.</li> <li>• The Inspector may refer a complaint to an adjudicator.</li> <li>• Conflicts of interest are reduced as complainants or respondents are no longer allowed to participate in decision-making.</li> </ul>
Conduct breaches	<ul style="list-style-type: none"> <li>• By using a single adjudicator who is a legal practitioner, rather than a Standards Panel, decisions can be made quicker.</li> <li>• Providing the Inspector with broader powers to obtain information assists with more accurate assessments.</li> </ul>
Recurrent breaches	<ul style="list-style-type: none"> <li>• By providing for the Inspector to determine whether an allegation should go to the SAT, rather than a complaints officer, the potential for conflicts of interest is reduced.</li> </ul>
Specified breaches	<ul style="list-style-type: none"> <li>• The Inspector is an independent officer who can allocate complaints to investigators.</li> <li>• Publication of results on the Inspector's website provides greater transparency for the sector.</li> </ul>

## Questions?

Get in touch with DLGSC via email to [actreview@dlgsc.wa.gov.au](mailto:actreview@dlgsc.wa.gov.au)



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**11 Motions of Which Previous Notice Has Been Given****11.1 Cr Sally Palmer - Funding of Sewer Connection for Lightning Park Education Centre**

<b>Responsible Branch:</b>	Transport and Buildings
<b>Responsible Directorate:</b>	Infrastructure and Assets
<b>Authority/Discretion:</b>	Advocacy
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. WAPC Development Decision Letter - April 2024 [11.1.1 - 5 pages]
<b>Refer:</b>	Item 10.3.1 – OCM 26.07.2022

In accordance with clause 5.3(1) of the City of Bayswater's *Standing Orders Local Law 2021*, Cr Sally Palmer raised the following motion:

***That Council:***

- 1. Supports the installation of a sewer pump station and sub-metered water service connection to the ground leased area of Lighting Reserve for Friends of Lighting Swamp Bushland Incorporated.***
- 2. Considers an \$70,000 budget allocation in the 2025/26 Annual Budget for up to 50% of the estimated \$140,000 cost of the works, as part of the annual business planning process.***

**MATERIAL FACTS**

In accordance with clause 5.3(3) of the City of Bayswater *Standing Orders Local Law 2021*, the Chief Executive Officer may provide relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.

On the 26 July 2022 Ordinary Council meeting, Council resolved:

- 1. Supports, in principle, the leasing of a portion of Lot 500, Reserve 46881, Lighting Park Recreation Centre, Noranda, for the use of a nature-based learning space by the Friends of Lighting Swamp Bushland group, subject to the following conditions:*
  - (a) The lease being in accordance with all applicable terms and conditions of the Community Facility Lease and Licence/User Agreement Policy, as per Category 1a Small Volunteer Community Groups, with a tenancy term of five years.*
  - (b) The proposed lease being endorsed by the Department Planning, Lands and Heritage, and the Minister for Lands; and*
  - (c) All relevant planning and/or building approvals are obtained from the Western Australian Planning Commission for the installation of a sea container on the subject site.*
- 2. Authorises the Chief Executive Officer to prepare and execute a lease agreement in accordance with Limb 1.*

The ground leased area is leased in an 'as is' condition, being an undeveloped portion of Lighting Park Reserve except for a power connection. All other services including sewer, water and telecommunications have not been provisioned for.



Planning approval (**Attachment 1**) for two transportable structures was granted to the group by the Western Australian Planning Commission (WAPC) with support from the City. Condition 4 of the approval states 'the applicant is to make arrangements with the City of Bayswater for the provision of sewerage servicing to the development to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission'.

The City is in support of the Friends of Lighting Swamp Bushland Incorporated (the group) however there is currently no funding allocated to this portion of the reserve in the City's Forward Capital Works Program or Long-Term Financial Plan as the City does not have any long-term plans for this portion of land.

On behalf of the group, the City has approached the Local Member for Morley to initiate the possibility of attracting State funding to assist in delivering sewer and water infrastructure.

#### **OFFICER'S COMMENT**

The Lighting Park Sports Pavilion was completed in 2007. However, due to the topography of the area a gravity fed sewer line connection was not possible, and as such a pump station was required for the pavilion.

Original plans indicate this sewer line (rising main) runs underneath the corner boundary of the ground lease area with the Water Corporation sewer connection at the corner of Matthews Close and Rosaglen Rise. However, in consultation with the City's plumbing contractor it has been advised that it is not recommended to connect another sewer service directly into the rising main line as the plans indicate the highest point is between the ground lease area and the sewer connection, therefore causing the waste to run back to the Lighting Park Pavilion pump-out station.





It is recommended a new sewer line (130m) be installed between the ground lease area and the pump station at the Pavilion. Further investigations and surveying would need to take place to confirm if this line could be gravity fed, or if another pump station would be required to be installed in the ground lease area.

A water connection for the area can be achieved by connecting into the existing water supply to the Pavilion. With the installation of a submeter usage can be on-charged to the group. Plans indicate the water supply runs between the stream and driveway into the carpark.

All works would require reinstatements from excavating through the carpark, road, oval and natural areas.

### LEGISLATIVE COMPLIANCE

Nil.

### FINANCIAL IMPLICATIONS

The estimated cost for the installation of a pump out station, sewer line connection to the sites original pump out station, water supply connection and reinstatement works is \$140,000.

It is suggested that Council consider a contribution of up to 50% of the estimated cost of works with the remaining funding being sourced via the State Government.

This cost does not take into account the annual servicing of the pump station which as of the 2024/25 financial year costs \$595.

### STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme:	Community
Goal C3:	Maximise the use of the City's facilities and parks by all sections of the community.

Theme: Vibrancy

Goal V4: Support businesses across the City to grow and thrive.

### **CONCLUSION**

This motion is seeking the support of the installation of a sewer pump station and sub-metered water service connection to the ground leased area of Lighting Reserve for Friends of Lighting Swamp Bushland Incorporated with the consideration of a budget allocation of \$70,000 in the 2025/26 financial year for up to 50% of the estimated cost of works.



Our Ref : 21-50297-6  
Your Ref :  
Enquiries : Declan Dulemba-Hobbs (Ph 6551 9396)

The Friends Of Lightning Swamp Bushland Inc.  
54 Matthews Close  
NORANDA WA 6062

Application for Approval to Commence Development plans dated 9 May 2023 received 9 May 2023.

Lot Number	: 502
Location	: -
Plan / Diagram	: 419740
Volume/Folio	: LR3174/618
Locality	: Lot 502 (No. 30) Della Road, Noranda
Owner	: State Of Western Australia C/- City Of Bayswater P O Box 467 MORLEY WA 6943

Under the provisions of the *Planning and Development Act 2005* this application has been referred for determination by the Western Australian Planning Commission.

The application has now been considered by the Commission and the formal notice setting out the terms of the decision is attached.

A copy of this decision has been forwarded to the Local Government for information.

Should the applicant be aggrieved by this decision there is a right to apply for a review pursuant to the provisions of Section 252 of the *Planning and Development Act 2005*. Such an application for review must be submitted to the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH WA 6000 in accordance with Part 14 of the *Planning and Development Act 2005*. It is recommended that you contact the State Administrative Tribunal for further details (telephone 9219 3111) or go to its website: <http://www.sat.justice.wa.gov.au>.

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e-mail: [info@dph.wa.gov.au](mailto:info@dph.wa.gov.au); web address <http://www.dph.wa.gov.au>  
ABN 35 482 341 493



ADVICE TO APPLICANT

1. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
2. The premises is to comply with the Health Act 1911 as amended, Environmental Protection (Noise) Regulations 1997, Health (Air Handling and Water Systems) Regulations 1994, Building Code of Australia and the City of Bayswater's Health Local Laws.
3. In regard to Condition 7, in the event the structures fall into disrepair the City of Bayswater may require their immediate removal at the expense of the applicant.
4. In regard to Condition 8, screening of the underside of the sea container and transportable structure are required to prevent entrapment of litter beneath the structures.
5. In regard to Condition 10, the Waste Management Statement shall include details of refuse bin locations, the number of rubbish and recycling receptables, vehicle access and manoeuvring.
6. The applicant is encouraged to consider lighting and security measures to the buildings where appropriate.
7. In regard to Condition 13, the applicant is advised that the following recommendations of the Bushfire Management Plan are to be implemented:
  - a) Buildings are to be located within the area of the lot which is within BAL-29; and
  - b) An Asset Protection Zone be maintained to BAL-29 to reduce the loss of infrastructure and stored goods in the event of a bushfire.

*Sam Boucher*

Ms Sam Boucher  
Secretary  
Western Australian Planning Commission  
30 April 2024

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Our Ref : 21-50297-6  
 Your Ref :  
 Enquiries : Declan Dulemba-Hobbs (Ph 6551 9396)

### PLANNING AND DEVELOPMENT ACT 2005

City of Bayswater

#### APPROVAL TO COMMENCE DEVELOPMENT

Name and Address of Owner and Land on which Development Proposed:

Owner	:	State Of Western Australia C/- City Of Bayswater P O Box 467 MORLEY WA 6943
Lot Number	:	502
Location	:	-
Plan / Diagram	:	419740
Volume/Folio	:	LR3174/618
Locality	:	Lot 502 (No. 30) Della Road, Noranda
Application Date	:	9 May 2023
Application Receipt	:	9 May 2023
Development Description	:	Two Transportable Structures For Community Purpose At Lightning Park Recreation Centre

The application for approval to commence development in accordance with the plans submitted thereto is granted subject to the following condition(s):

1. The development is to be carried out in accordance with the approved plans date stamped 9 May 2023 subject to any modifications as required by the conditions of approval.
2. The development approval is valid for a period of two years from the date of this letter. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.

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 ABN 35 482 341 493



3. Upon the discontinuation of the community use, the sea container, the transportable structure and associated footings shall be removed within thirty days and the site shall be made good, at the expense of the applicant to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.
4. The applicant is to make arrangements with the City of Bayswater for the provision of sewerage servicing to the development to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.
5. All stormwater is to be contained on-site to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.
6. All existing trees and vegetation are to be retained (unless their removal is otherwise approved by the City), and shall have measures consistent with AS 4970-2009 undertaken to ensure its protection during construction of the subject development to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.
7. The sea container and transportable structure are to be kept in good condition to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.
8. The underside of the sea container and transportable structure are to be screened to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.
9. No storage or display of goods is to occur outside the building to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.
10. Prior to the commencement of relevant works, a Waste Management Statement shall be submitted to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.
11. Prior to the commencement of operations, the accessible surfaces of the sea container and transportable structure are to be applied with an anti-graffiti coating.
12. Prior to the commencement of operations, all excess articles, equipment, rubbish and materials are to be removed from the site and the site is to be left in an orderly and tidy condition to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.
13. Prior to the commencement of construction, the Bushfire Management Plan and Bushfire Emergency Plan shall be endorsed by the City of Bayswater. The findings and recommendations of the Bushfire Management Plan prepared by Bushfire Prone Planning dated 23 February 2024 are to be implemented to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.

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Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

*Sam Boucher*

Ms Sam Boucher  
Secretary  
Western Australian Planning Commission  
30 April 2024



**12 Questions From Members Without Notice**

**12.1 Responses to Questions From Members Without Notice**

Nil.

**12.2 Question From Members Without Notice**

**13 New Business Of An Urgent Nature**

**14 Meeting Closed To The Public****14.1 Matters for Which the Meeting May be Closed****14.1.1 Nomination for Honorary Freeman of the City**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	<b><i>ABSOLUTE MAJORITY REQUIRED</i></b>
<b>Attachments:</b>	Nil
<b>Refer:</b>	Nil.

**REASON FOR CONFIDENTIALITY**

*This is a CONFIDENTIAL REPORT in accordance with section 5.23(2) of the Local Government Act 1995 (WA), which permits the meeting to be closed to the public for the business relating to:*

*(b) the personal affairs of any person;*

**OFFICER'S RECOMMENDATION**

That the recommendation as contained in the "Confidential Report" be adopted.

**14.2      Public Reading of Resolutions that May be Made Public**

**15          Closure**