



**CITY OF BAYSWATER**

# **MINUTES**

**FOR THE**

**ORDINARY MEETING**

**OF COUNCIL**

**22 May 2018**





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**CITY OF BAYSWATER**

**Minutes** of the Ordinary Meeting of the Bayswater City Council which took place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on **22 May 2018**.

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**MINUTES****1. OFFICIAL OPENING**

The Chairperson, Cr Dan Bull, Mayor, welcomed those in attendance and declared the meeting open for the ordinary business of Council at 6:30 pm.

**1.1 Traditional Owners Acknowledgement**

The Chairperson, Cr Dan Bull, Mayor, respectfully acknowledged the past, present and future traditional custodians of the land on which we are meeting, the Whadjuk (Perth) region people of the Noongar nation. Cr Dan Bull, Mayor acknowledged and respected their continuing culture and the contribution they make to the life of this city and this region.

**1.2 Declaration of Due Consideration**

*The Chairperson read the Declaration of Due Consideration and all Councillors present raised their hands to indicate that due consideration was given to all matters contained in the Agenda.*

**2. RECORD OF ATTENDANCE, APOLOGIES, ABSENCE AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)****Attendance, Apologies and Absence****Members**West Ward

Cr Dan Bull, Mayor (Chairperson)  
Cr Lorna Clarke  
Cr Giorgia Johnson

Central Ward

Cr Chris Cornish, Deputy Mayor  
Cr Barry McKenna  
Cr Sally Palmer

North Ward

Cr Brent Fleeton  
Cr Stephanie Gray  
Cr Filomena Piffaretti

South Ward

Cr Catherine Ehrhardt  
Cr Elli Petersen-Pik

### **Officers**

Mr Andrew Brien	Chief Executive Officer
Mr George Rimpas	Acting Director Technical Services
Mr Des Abel	Director Planning and Development Services
Ms Carissa Bywater	Director Finance and Corporate Services
Mr Darren Beltman	Acting Director Community Services
Mr Michael Worthington	Manager Environmental Health Services
Ms Jelena Misic-Hughes	Mayor and Council Support Officer

### **Observers**

Press - 1  
Public - 16

### **Leave of Absence**

Nil.

### **Apologies**

Mr Doug Pearson                      Director Technical Services

## **3. PUBLIC QUESTION TIME**

In accordance with section 5.24(1)(a) of the *Local Government Act 1995*, time is allocated for questions to be raised by members of the public, as follows:

- (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.
- (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Pursuant to regulation 7(4)(a) of the *Local Government (Administration) Regulations 1996*, questions from the public must relate to a matter affecting the local government.

In accordance with section 5.25(1)(f) of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* regulation 11(e) 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.

Where a question is taken on notice at the meeting, in accordance with clause 5.6(7)(b) of the *City of Bayswater Standing Orders Local Law 2013* a summary of the response to the question will be included in the minutes for the following Council meeting.

The City will continue to provide written responses to those questions taken on notice at the meeting but will no longer include associated forms and personalised correspondence as part of Council Minute appendices.

**3.1 Responses to Public Questions Taken 'On Notice'**

**Tony Green, Bayswater City Residents Association (Inc), P.O. Box 1639, Morley, [bcra.wa@gmail.com](mailto:bcra.wa@gmail.com)**

**Question 1**

**Why is it that the proposed changes to building permits, which is still open to public comment until 4:30pm on 21 May 2018, and has certainly not been passed by this Council, has already been put into practice against at least one ratepayer on 28 March 2018, and will this now be rescinded and replaced by the current building permit requirements Notice of Determination? I have attached copies of the relevant City correspondence with the ratepayer.**

**Answer 1**

The City may impose conditions on development approvals where considered appropriate. The requirement for a landscaping plan is often associated with proposals including variations to open space requirements and high levels of hardstand with a lack of consideration being given to allow for the provision of landscaping.

The City's officers also give regard to the City's Urban Forest Strategy, which was adopted by Council at its Ordinary Meeting held 19 July 2017, which aims to increase tree canopy cover throughout the City and protect existing trees. In regard to the development at 109 The Strand, Bedford the requirement for a new street tree to be provided as a condition of development approval is considered a reasonable response to achieving this objective.

The requirement for a landscaping plan is to reduce the increased paving and hardstand areas that ordinarily result from lots being subdivided. The City is seeking to reverse this with the encouragement of planting of new trees and vegetation which will assist in attractive streets, on-site storm retention and provide cooling through shade and transpiration.

The City's practice to include development approval conditions relating to landscaping and street trees precedes the draft Trees on Private Land and Street Verges Policy currently being advertised. The policy will provide a more formal setting for the City's expectations relating to trees and landscaping, however does not impact on the development approvals and associated conditions already issued by the City.

**Question 4**

**As a final observation, I tried to make a submission on the new planning laws and it just sat there on the website saying 'submitting' for about an hour and nothing happened. I don't know if there is anything that your IT people can do about that?**

**Answer 4**

The City's submission feature on the engage website does appear to be working as other submissions have been received. The City's IT Services will investigate if they are able to identify any issues which may be affecting functionality for specific users. In the meantime submissions may also be made to [mail@bayswater.wa.gov.au](mailto:mail@bayswater.wa.gov.au).

**George Key, 36 Hudson Street, Bayswater**

**Question 1**

**Could you advise who is responsible for parking in the vicinity and surrounds of the Galleria Morley? If I park in Progress Street tomorrow morning, who will be responsible for giving me a ticket or seeing that the people there are on time? Is it Bayswater Council or is it Wilson's?**

Answer 1

The embayed, angled parking bays that are located on Progress Street are managed by the City of Bayswater. These parking bays are clearly signposted with a 1 hour time limit. North of these bays, there are carparks on both sides of the street that are owned by private businesses.

For ease of reference, City of Bayswater infringements will clearly display the City of Bayswater logo and contact details, infringements and parking invoices from other businesses will not.

If you believe you have inappropriately received an infringement issued by the City then you can appeal that infringement. A parking appeal infringement form will need to be completed and submitted along with any supporting evidence. Information on appealable grounds and the form can be found on:

<http://www.bayswater.wa.gov.au/residents/parking/parking-appeals?faqId=2538#2538>. This appeal will then be assessed and a letter of response advising you of the outcome of the appeal will be forwarded to you.

**Laurence Butler, 20 Langley Road, Bayswater**

Question 1

I'd like your permission to ask the same question that I asked two weeks ago, and to comment on the non-answers that I got. Will the Council have the infill of Block 1, 39 Hudson Street, and the infill on the verge physically retained to prevent these infills running out from behind the oversized retaining walls and verge and onto the property, 20 Langley Road? If the wall cannot contain the infill, how can it contain stormwater as per condition 10C of the conditions of the development? The comments I got back:

***"Initial inspections by a City officer found no evidence of soil erosion or drifting on the verge and soil could not be located along the retaining wall escaping into your property at 20 Langley Road, Bayswater".***

Well, I have been shoveling it out.

***"The area was re- inspected on 26 March 2018 by the City officers for sand drift issues and any soil that may have been impending onto the footpath".***

To get on the footpath, it would have to defy gravity and go uphill.

***"At that time there was still no significant evidence of sand erosion into your property or sand drift onto the footpath. It did appear to staff that the soil around the retaining wall and near a communication pit had been excavated and was not consistent with erosion or unstable soil".***

It has been excavated - the NBN are working there. The people who filled it in, they covered the original pit. The NBN had to dig it all out to replace the pit.

According to Council advice to other developers, ***"kerbs, roadways, footpaths, open drains, storm water 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 City development"***.

This was not followed through by this developer. They covered the pit up and the NBN had to dig it out.

***"The City has informed you that the storm water you claimed was entering your property could not be substantiated."***

**I didn't have storm water from that property for the simple reason that there were no decent storms. But as you can see from the photographs, water does not run uphill, it only runs down.**

Answer 1

At a site meeting held Wednesday 9 May 2018 attended by the City's Mayor, Director Planning and Development Services, Manager Planning Services, and Manager Transport and Engineering, it was established that there was an issue of sediment from the property entering into the adjoining verge area due to the ground level differences. The City will be applying a treatment to the area of concern to retain the sediment on site, however it is noted this is only a temporary solution. On development of the site a more permanent solution will be required to address this matter.

### **3.2 Public Question Time**

**Public Question Time commenced at 6:33pm.**

**The following questions were submitted verbally:**

**Margaret Landre, 1 Catalina Cove, Maylands, [mlandre@bigpond.com](mailto:mlandre@bigpond.com)**

#### **Item 10.3 - Dog Exercise Area Review**

Question 1

**Attachment 5 of the Officer's recommendation does not indicate that the Maylands lakes and surrounding bushland be included as a specified area of Maylands Peninsula. Is that an oversight, or does Council intend to include the Maylands lakes and surrounding bushland as a specified area of Maylands Peninsula?**

Answer 1

Darren Beltman, Acting Director Community Services, advised that on page 55 of the report, which is attachment 5 - the map of the Maylands Peninsula - the area in red indicates the area that the report is recommending would remain on leash. The other areas that aren't highlighted on that map, which would include the parkland around the two lake areas north of that area are not proposed in this recommendation to be on leash. The other lakes north of there that aren't highlighted are not proposed to be dog on leash as part of this report.

Question 2

**Why does Council propose to increase Ranger patrols if the recommendation considers the issuing of fines for dogs off lead a last resort? What will the Rangers be patrolling for?**

Answer 2

Darren Beltman, Acting Director Community Services, advised there are several options for enforcement. The City would prefer to educate in the first instance, through signage and verbal conversations. There are also other options such as written official warnings that can be issued to people on a first offence, followed by infringements, and then in the worst offences it is possible to prosecute.

Question 3

**Council's policy on dog attacks states if a dog attacks or chases a person or animal without causing injury, this may incur penalties. Will that policy remain when all these dogs are set loose as surely the number of people and animals being chased will increase?**

Answer 3

Darren Beltman, Acting Director Community Services, advised that the statement just read through is not actually a Council Policy, it is part of the State Legislation in the Dog Act and Council does not have the opportunity to amend or alter that. That is a piece of legislation currently in force and it will remain in force if this item is carried.

Kevin Hamersley, 4 Tourer Court, Maylands, [kevin\\_hamersley@yahoo.com.au](mailto:kevin_hamersley@yahoo.com.au)

**Item 10.3 - Dog Exercise Area Review****Question 1**

**I understand from the last question that the area around the Maylands lakes is going to be an uncontrolled area, a dog off lead area. If that's the case, given that the lakes have been classified by the Environmental Protection Authority as "modified wetlands whose existing wetlands function is to be retained" and there is an abundance of ducklings, cygnets, waterfowl chicks and tortoise hatchlings around the area during breeding season, why are the lakes treated differently to the Eric Singleton Bird Sanctuary?**

Answer 1

Darren Beltman, Acting Director Community Services, advised this is the first report where officers are recommending that some areas be designated for dogs prohibited unless on paths, which is what is proposed with Eric Singleton Bird Sanctuary. There are other provisions in these recommendations that will support wildlife in areas such as the lakes. Within the recommendations, dogs will not be allowed on leash within 5 metres of any lake, so that's a provision that is in the recommendations. In addition to that, the recommendations make allowance for dogs to be excluded from certain areas, or from designated areas during seasonal activities such as breeding. So if there is a short period of breeding, the City does have the provisions to completely exclude dogs from that area, for that period of time, should we choose.

**Question 2**

**The Peninsula foreshore has been designated an on leash area because in the notes it says there is conflict between the runners and the cyclists on the paths. However, the same path runs up one side of the lakes. Why does that concern risk apply to cyclists and runners not apply to the same path in the lakes area?**

Answer 2

Darren Beltman, Acting Director Community Services, advised there was desktop work and research that has gone behind this and there was decisions made around different parks, based around the number of reported incidents. There is a high number of incidents of reported clashes between dogs and bikes in that area that has been highlighted in the map.

**Question 3**

**Is the Council aware that the Police dogs are exercised around those lakes areas? I know from speaking to the Police that off lead dogs present quite a serious risk of dog on dog attack?**

Answer 3

Cr Dan Bull, Mayor, advised he did not know whether Councillors were aware or not, however, they had heard the question.

Geoff Trott, Friends Of Maylands Lakes, 23 Tourer Court, Maylands, gtrott@tsa-wa.com.au

### Item 10.3 - Dog Exercise Area Review

#### Question 1

The Friends of Maylands Lakes believes it and other relevant groups within the City of Bayswater have not been adequately consulted regarding this very important proposal, about which we are gravely concerned. With this in mind, my question is: would Council consider deferring any motion pending formal consultation between Councillors and the relevant groups, so that they are fully aware of our concerns and we of theirs.

#### Answer 1

Cr Dan Bull, Mayor, advised Councillors had heard the question and would be able to take it in mind when the item came up for debate.

#### Question 2

Assuming the Sunday Times is correct in quoting that Rangers have dealt with 263 reported dog attacks since 2016, why would the Council consider more dog off-leash areas when there are already 41 such areas in the City of Bayswater?

#### Answer 2

Darren Beltman, Acting Director Community Services, advised that at the moment the broad theme through the community engagement was that people were confused by the concept of dog exercise areas and where they were and where they weren't. There was even a gentleman in the focus groups who adamantly believed he knew exactly where all the dog exercise areas were, and when questioned, he didn't actually understand what a dog exercise area was, and what the legislation was around that. The thought behind this recommendation is to broadly simplify where people can exercise their dogs under control, and that's the intent of this. The Rangers' enforcement becomes about people controlling their animals, whether they're on a leash or off a leash, rather than people just being confused about whether I should be in the park a kilometre down the road, or whether I can be in this park that I'm at now. The legislation around whether you can exercise your dog on a leash or off a leash a dog is unrelated to whether a dog would attack or not. A dog attack would be caused by either someone provoking a dog, or a dog not being under the effective control of the owner. The provisions in the Act require a dog off a leash to be under effective control of a responsible person.

#### Question 2A

Could I ask a sub-question to that, please? How do you suggest that a dog off leash is under control (and you're talking to someone who's been attacked severely by dogs off leash)?

#### Answer 2A

Darren Beltman, Acting Director Community Services, advised that a typical test that a Ranger might perform is walk up to a person who is exercising their dog and ask them to call their dog over and attach a leash. If the person can't do that and they have to chase after the dog for example, then it will be deemed that they're not under control because the dog is not following their command.

#### Question 3

Why is justification of the recommendation by Officers, that "All parks are designated as off-leash areas except where specified" in part, that 34% of the survey respondents believe there are too few dog exercise areas and only 6% believe there should be fewer locations. When the more telling statistic is that 39% believe there are enough or should be fewer dog exercise areas?

Answer 3

Darren Beltman, Acting Director Community Services, advised there were several themes through the engagement and one of the broad themes was that when people were answering that question, we believed many people were answering that without adequate knowledge of what a dog exercise area is. We're seeking to eliminate some confusion in where people can exercise their dogs.

**Question 3A**

**Could I ask a sub-question, please? Why have a review if you're not going to take any notice of the people that respond to the review because you say that they're confused? Couldn't the review be structured in such a way that people wouldn't be confused?**

Answer 3A

Cr Dan Bull, Mayor, advised this sub-question was taken as a rhetorical question.

**Warren Lance, 21 Watervista Place. Maylands**

**Item 8 - Petitions**

**Question 1**

**We have already lodged through the City 208 signatures on petitions against the proposals submitted by SHO. We will be lodging with Council in the next couple of days a further approximately 200 signatures. So that is in excess of 400 signatures. What we haven't heard back from anybody is when there's going to be any further information coming from Council. Has there been any update? We heard there's 450 responses to the SHO.**

Answer 1

Des Abel, Director Planning and Development Services, advised the City has followed up with the Heritage Directorate, and they are to get back to the City on the timeframe. As information needs to be released to the Council and in answer to the public, the City will follow this up again with the Heritage Directorate and provide a response to Mr Lance. The City has not received any formal documentation from the Heritage Directorate as yet.

**Question 2**

**If you recall, as part of what we submitted in relation to that was there was an alternate site that could be developed as a retirement village, being 1 Clarkson Road. Are you aware there is a For Sale sign on it now? Is the Council going to consider doing some joint venture with the State Government to generate some funds?**

Answer 2

Cr Dan Bull, Mayor, advised that he was not aware of a joint venture, or that there was a For Sale sign on Clarkson Road either.

Des Abel, Director Planning and Development Services, advised there has been no discussion with the State Government or with the Council regarding that matter.

**Question 2A**

**But you will confirm we did bring that location to your attention?**

Answer 2A

Cr Dan Bull, Mayor, advised that, at the end of the meeting which they organised and invited Councillors to, they did bring to his attention the existence of that land as being State land and the potential for that to be developed or sold to help fund the redevelopment.



**Question 2B**

**There were also other locations on that schedule that are in the City. Did you review any of those as well?**

**Answer 2B**

Cr Dan Bull, Mayor, advised he had looked at that schedule, and acknowledged there are items there. He has had no discussions with the State Government about any of those pieces of land, and is not aware of any other Councillor, or anyone from the City, who has.

**Question 2C**

**If there are decisions by full Council, is it expected that those decisions are carried through? Is there any follow up for it? For example, I asked those questions when we lodged a lot of things in the middle of March, and the answers I got back were very slow - I lodged it on 16 March, got the responses on 9 May. My questions refer back to decisions made at Council. There is no answer on those responses. In other words, to the proposals put up by SHO. There was a Council meeting that said, it's got to conform with the City's standard development policies. I asked the question, was it reviewed by the development section of the City before they got circulated? The answer I got back was, no they haven't looked at it yet. So that seems to me to be a breach of an actual Council decision. Would that be an accurate description?**

**Answer 2C**

Cr Dan Bull, Mayor, advised that the question would be taken on notice and a written response provided.

**Heather Warden 1125 Beaufort Street, Bedford**

**Item 10.3 - Dog Exercise Area Review****Question 1**

**I notice with regards to public consultation, it was mainly limited to online - Facebook, social media - that's where I stumbled across it. Nothing's been in any of the parks I frequent, especially down at Riverside, and none of the people I've spoken to down at Riverside - it's all hearsay on what's going on. I'd just like to clarify as to why it was mainly social media based and where the actual physical contact with the park goes was?**

**Answer 1**

Darren Beltman, Acting Director Community Services, advised there were three components to the consultation:

1. Rangers went out over a roughly one month period and actually visited every single park within the City of Bayswater.
2. There was an online component as well, which was promoted through Engage Bayswater and through the City's website.
3. There was then a focus group formed with a number of people with different backgrounds and different interests in this report, to have some further discussions around the item itself.

**Question 2**

**How will the proposed separation at Riverside Gardens go? Will it be fenced, will we be fined if our dogs happen to go into the area that they're not supposed to go when it's next to the established business that's going to suffer in the coffee barn, the pop up stalls that are there - how will that work? You've had signs up for the past 5 years or so regards**

**cyclists not cycling in certain areas because it's a dog area, and yet the cyclists don't pay attention to that, my dog is constantly being hit and all I get is verbal abuse.**

Answer 2

Darren Beltman, Acting Director Community Services, advised there's recommendations about improved signage and the first stage of that signage in year one would be to focus on those major parks, such as Riverside Gardens. So should Council choose to separate that park as described, we would envisage designing some signage to move between that area to indicate when people cross that area that they need to attach their dog to a leash.

Question 2A

**That signage with regards to cyclists dismounting and it being a pedestrian only path has been up for about four or five years, and it hasn't worked. We have to be enforced to put our dogs on leads. Will there be an increased enforcement to make sure that cyclists dismount their bicycles?**

Answer 2A

Darren Beltman, Acting Director Community Services, advised the question would be taken on notice and a written response provided.

Question 3

**With regards to the proposed dog exercise areas, if you are taking half of the park off us at Riverside, which is a much valued, much utilised and wonderful place. The exercise areas that you're planning to give us are in Noranda and places like that. It's not actually in the areas that people go to or live near. Why haven't you looked at other underutilised areas, such as Wymond Park? You could fence that off and put a lovely little dog park in there.**

Answer 3

Darren Beltman, Acting Director Community Services, advised he could not respond in relation to Wymond Park, however, in relation to Riverside Gardens, Riverside Gardens West is currently a dog exercise area, Riverside Gardens East is not. This proposal that's on the table would see both Riverside Gardens West and East become dog exercise areas, and a small portion of Riverside Gardens West adjacent to the playground and barbecue area would become dog on leash. So if this motion was to be passed, there would actually be a greater area available for dogs off leash in the Riverside Gardens area.

Question 3A

**So the area that's going to be on leash is the one that's directly near the coffee van et cetera. How are we supposed to enforce that?**

Answer 3A

Darren Beltman, Acting Director Community Services, advised no carparks are off leash areas. The coffee van's located within the carpark, so whenever anyone approaches a coffee van, no matter which side of the park they're coming from, they will be required under this to attach their dog to a leash.

**Ben Webb, 30 Tourer Court, Maylands, [ben@webbautosales.com.au](mailto:ben@webbautosales.com.au)**

**Item 10.3 - Dog Exercise Area Review**

Question 1

**How is it perceived that dog owners will comply with the 5 metre exclusion radius around playgrounds, lakes and carparks? And how will this requirement be enforced?**

Answer 1

Darren Beltman, Acting Director Community Services, advised there's recommendations in the report about improved education and signage, and there will also be further enforcement from the Rangers.

Question 2

**The Reviewer concedes that the City's Rangers are mostly reactive to complaints. Why is this the case, when there is clearly an ever-increasing dog off-leash problem and around more than 100 reported dog attacks per year since 2016? Why is it still escalating if they're being reactive?**

Answer 2

Darren Beltman, Acting Director Community Services, advised that's one of the reasons for this report. Rangers to date have been primarily reactive in relation to responding to dog attacks and that's increased awareness that this report was required and we needed to do a review of the areas, so this is proactive action that's commencing now.

Question 3

**Which of the 41 gazetted dog exercise areas in the City of Bayswater are overcrowded and when are they overcrowded?**

Answer 3

Darren Beltman, Acting Director Community Services, advised the question would be taken on notice and a written response provided.

**John Della, 7 Swan Bank Road, Maylands**

**Item 10.3 - Dog Exercise Area Review**

Question 1

**One of the subjects you brought forward was, you would educate dog owners. Is that through extra signage? How are you going to educate dog owners to keep their dogs under control?**

Answer 1

Darren Beltman, Acting Director Community Services, advised there will be improved signage and education programmes and patrols from Rangers. We're not talking formal education such as workshops or forums, we would be talking publicity type education campaigns through the media and social media and their like.

Question 2

**Regarding education through signage, I put it to you that the signage that's there now is not working. We foster dogs, we take dogs for walks through these areas. We have had on numerous occasions where people are letting their dogs run free. When we've brought it to their attention to look at the sign 'keep your dogs on lead', what we are told is 'go and get a life' and that's the mild part of it, then we get abused. You can put as much signage as you want, it's not going to work.**

Answer 2

Cr Dan Bull, Mayor, acknowledged that the Councillors had heard the question.

Question 3

**Is there going to be fines? I think people have been warned enough in regards to dogs being off the lead. I think there needs to be a more positive approach from the Rangers. You very rarely see Rangers around, so I don't know how you're going to enforce this.**

Answer 3

Darren Beltman, Acting Director Community Services, advised as outlined in the report, it is proposed there would be additional enforcement campaigns, and issuing infringements is an option available to Rangers, and to exercise that discretion.

**Harry Bouzidis, 21 Parkinson Street, Noranda**

**Item 10.3 - Dog Exercise Area Review**Question 1

**I was a bit curious about one of the responses from the Director, who claimed that to demonstrate control of a dog the Ranger would go up to an owner and ask that owner to call the dog to demonstrate that control. Has that ever happened?**

Answer 1

Darren Beltman, Acting Director Community Services, advised that, yes, it is an example of fairly standard tests that a Ranger would use. He is not on the ground and is not aware of the frequency with which they use tests such as that.

Question 1A

**So it has happened. Is there any documentation of that? I know that Rangers keep records of where they're called out and so on.**

Answer 1A

Darren Beltman, Acting Director Community Services, advised that, no, Rangers wouldn't typically record every verbal interaction they have with residents in parks.

Question 1B

**Can I have access to any of that documentation? Only because I find that very hard to believe.**

Answer 1B

Andrew Brien, Chief Executive Officer, advised there would be a requirement to go through under the *Freedom Of Information Act 1992* (FOI). It does have the personal affairs of those people in it so the City wouldn't generally release that information to the public. However, he is happy to do a check and find if some of that information does exist and confirm in writing for Mr Bouzidis that he had seen it, rather than trying to release it through an FOI process.

**John Williams, Friends of Lightning Swamp Bushland, c/o 54 Matthews Close, Noranda**

**Item 10.3 - Dog Exercise Area Review**Question 1

**Considering the recent article in the press, in my attempt to identify how the recommendation derived the facts presented in the review report, I would like to ask Council how they propose to abate the mixed messages that's sending to responsible dog owners and local residents? I found it just remarkable the way it was all presented, and even the report I found very confusing. The desktop thing was just not of any value.**

Answer 1

Cr Dan Bull, Mayor, thanked Mr Williams and acknowledged that the Councillors had heard his concerns and would take them into consideration.

Question 2

**The fact is, it changes how most of our open spaces could become dog off lead areas. How does this resolve and curtail the increasing issues of the growing number of**

**irresponsible dog owners, as reported in the report? I don't know how that's going to curtail that if we're just opening up more open space to this problem?**

Answer 2

Darren Beltman, Acting Director Community Services, advised that, broadly, this report seeks to simplify where people can and can't exercise their dogs and provide further education and enforcement from Rangers.

Question 3

**As a key stakeholder for an environmentally sensitive area, which over many years has continued to endure the damage and threat posed by dogs off leads, would it not serve the best interests of the City's natural environment and their users to bring together community representatives of those local environments as a focus group, which would work collaboratively with Council in adopting the changes. Because, for example, location of signage, exclusion zones, which deliver the most effect. So that we can deliver the most effective desired deterrent of these areas. My main reason for bringing that up is that back in February 2016, we had challenging times with dogs and we approached Ranger Services and we had meetings. We were told that signage would eventually go out at Lightning Swamp. You're talking of 177 acres with a number of entrances and we thought, 'oh, this is great', given that we now are City of Bayswater, no longer City of Swan. We ended up with three signs at three entrances. There's six entrances and one of the most major entrances, and none of them have signs. We've got three signs sitting on three entrances. Then we asked about exclusion zone - we said we've got a really sensitive exclusion zone. Let's look at going inside the wetland itself and putting some education signage. We never heard anything back - that was two years ago. I really think that we need to do some really good homework on this and make it right for dog owners and everybody else that are using these parks and open spaces.**

Answer 3

Cr Dan Bull, Mayor, thanked Mr Williams and acknowledged that the Councillors had heard his concerns and would take them into consideration.

**Harvey Tonkin, harveyt@iinet.net.au**

**Item 13.3 - Maylands Tennis Club**

Question 1

**Who owns the site where the tennis club is and was the building and carpark already there? Who maintains the building and carpark? Has the Council received or asked for financial details for the past three years?**

Answer 1

Carissa Bywater, Director Finance and Corporate Services, advised the City is responsible for asset maintenance, building insurance, general and preventative maintenance and rubbish collection costs. No water is charged, due to the fact that it is connected to a community toilet, and there is no ESL rates or rubbish charged. The club is responsible for contents insurance, public liability, the minor maintenance and cleaning and all utility charges, green keeping fees and electricity. The site is State Government owned, and the Council owns the building.

Question 2

**As a ratepayer, I am not impressed that the Council is wiping the debt, albeit under the guise that they are at fault and the management committee wishes to donate the sum to the club to wipe the debt.**

Answer 2

Cr Dan Bull, Mayor, thanked Mr Tonkin and acknowledged that the Councillors had heard his question.

Question 2A

**As a sub-question, who is the management committee, is it the Councillors?**

Answer 2A

Cr Dan Bull, Mayor, advised that this item came through the Audit & Risk Committee.

Question 3

**It seems that the Club has had 18 years of rent, from \$10 to \$15 a week free. Will the Councillors show guts and determination and ensure that the club will pay their fair share of the rate payers money owing?**

Answer 3

Cr Dan Bull, Mayor, thanked Mr Tonkin and acknowledged that the Councillors had heard his question.

Question 4

**Why is it that the person who prepared this item did not include important information to assist the Councillors with their decision? This item is devoid of a lot of information that any fair minded person would need to make an intelligent decision. All they did was just say we're wiping the debt. They didn't say whether the club was viable, they didn't put down a profit and loss report to say this club's got no money. Because when you look at the website, they charge people \$290. The rent is \$10 per week.**

Answer 4

Carissa Bywater, Director Finance and Corporate Services, advised she had noted Mr Tonkin's concerns. Part of the reason why this was recommended was because it was an administration error on the City's part, which is her responsibility, and she didn't feel it fair. The reason why it's recommended that it be written off is that past users of the facility have enjoyed the benefit of not paying this charge. She felt it was unfair of the City to impose that charge on current users and to seek to backdate that charge. That is the recommendation that's there for the Councillors' consideration.

**Harry Bouzidis, 21 Parkinson Street, Noranda**

Question 1

**I refer to the Annual General Meeting of Electors (AGM) last year, where I put forward a motion that Councillors not be permitted to use their title of Councillor or Mayor in any capacity other than for official City of Bayswater business. The recommendation by the Officer, which was accepted by Council, was that Council consider the use of the title of Councillor when the next review of the Code of Conduct is undertaken. Can you tell me whether the review has been undertaken?**

Answer 1

Andrew Brien, Chief Executive Officer, advised the review hasn't been undertaken as yet. At the moment the Policy Committee is going through all the administrative policies, and the City will incorporate it as part of that, but it is not forecast for the rest of this year. Next year it will be a priority issue for Council to consider.

Question 1A

**So just to clarify it in my mind, a ratepayer at the AGM passes a motion that was carried 18 to 0 and Council will take over a year to address it. Have I understood that right, because I don't think that's a timely manner?**

Answer 1A

Andrew Brien, Chief Executive Officer, advised that one of the issues at the moment is the review of the *Local Government Act 1995* which is currently underway, which will also impact on the review of the Code of Conduct for all Councillors across the whole of the State. Part of the consideration that he has given is whether or not an initial review is undertaken now, given that the legislation is also under review at this point in time. That is the reason he has pushed out a little bit at this point.

**Question 1B**

**Council has actually adopted the recommendation. I can't see how that can possibly be pushed back if Council has voted on this. Can someone explain that to me?**

Answer 1B

Cr Dan Bull, Mayor, advised that the CEO and the Administration have the conduct of when the policies come through. But the Councillors can ask whether that can be rejigged. Obviously the Councillors can't direct the staff to do so, but the CEO will be taking that on board this evening.

**Question 1C**

**Do I have an undertaking from you that this will this be done in a more timely manner that's acceptable to ratepayers?**

Answer 1C

Cr Dan Bull, Mayor, advised that he would put this on the agenda for his next meeting and briefing with the CEO and the Deputy Mayor on Tuesday morning.

Harvey Tonkin, [harveyt@iinet.net.au](mailto:harveyt@iinet.net.au)

**Question 1**

**I was looking through the website on the Governance section. What I would like to find out from the CEO is there's \$15,000 allocated to Councillors. Is there any specific criteria that relates to how that money is spent? Is it money that should be spent to help the Council, or is it money to help the Councillor?**

Answer 1

Andrew Brien, Chief Executive Officer, advised that it relates to the Councillors' attendance at training conferences, seminars and professional development. It was recently amended to \$15,000 for the term per Councillor. It is to do with their duties as a Councillor. However, there isn't any firm criteria around it apart from what was in that policy, and he could provide Mr Tonkin with a copy of that policy.

**Question 1A**

**If a Councillor exceeds that amount, what happens?**

Answer 1A

Andrew Brien, Chief Executive Officer, advised that if a Councillor exceeds the amount that is now allocated, then they pay the difference between it. Given that the previous policy was \$15,000 over two years, and it's now \$15,000 over four years, anything that was incurred prior to the amendment of the policy doesn't have to be repaid.

**Question 1B**

**When was the policy amended?**

Answer 1B

Andrew Brien, Chief Executive Officer, advised that the policy was amended one month ago.

**Public Question Time was closed at 7.18pm.**

**4. LEAVE OF ABSENCE**

**4.1 Leave of Absence (Previously Approved)**

Nil

**4.2 Application for Leave of Absence**

**COUNCIL RESOLUTION**

That Leave of Absence be granted as follows:

Cr Lorna Clarke from 31 May 2018 to 30 June 2018 inclusive;

Cr Filomena Piffaretti from 26 August 2018 to 31 August 2018 inclusive;

Cr Chris Cornish, Deputy Mayor on 26 June 2018; and

Cr Giorgia Johnson from 5 July 2018 to 15 July 2018 inclusive.

**CR BRENT FLEETON MOVED, CR SALLY PALMER SECONDED**

**CARRIED UNANIMOUSLY: 11/0**

*At 7:19pm, Mr George Rimpas, Acting Director Technical Services, left the meeting and returned at 7:21pm.*

**5. CONFIRMATION OF MINUTES**

**5.1 Ordinary Meeting: 24 APRIL 2018**

**COUNCIL RESOLUTION**

The Minutes of the Ordinary Meeting of Council held on 24 April 2018 which have been distributed, be confirmed as a true and correct record.

**CR ELLI PETERSEN-PIK MOVED, CR BRENT FLEETON SECONDED**

**CARRIED UNANIMOUSLY: 11/0**

**5.2 Planning and Development Services Committee Meeting: 10 April 2018**

**COUNCIL RESOLUTION**

That Council accepts the minutes of the Planning and Development Services Committee held on 10 April 2018 which have been distributed and acknowledges the decisions made at the Committee Meeting in accordance with section 5.17 of the *Local Government Act 1995*, and the Committees delegation of powers and duties.

**CR BRENT FLEETON MOVED, CR SALLY PALMER SECONDED**

**CARRIED UNANIMOUSLY: 11/0**



### 5.3 Community, Technical, Finance and Corporate Services Committee Meeting: 17 April 2018

#### **COUNCIL RESOLUTION**

That Council accepts the minutes of the Community, Technical, Finance and Corporate Services Committee held on 17 April 2018 which have been distributed and acknowledges the decisions made at the Committee Meeting in accordance with section 5.17 of the *Local Government Act 1995*, and the Committees delegation of powers and duties.

CR CHRIS CORNISH, DEPUTY MAYOR MOVED, CR SALLY PALMER SECONDED  
CARRIED UNANIMOUSLY: 11/0

## 6. DISCLOSURE OF INTEREST SUMMARY

### 6.1 Disclosures at Ordinary Council Meeting

In accordance with section 5.60A and 5.65 of the *Local Government Act 1995* the following disclosures of financial interest were made at the meeting:

Date	Name	Item No.	Item Name
22 May 2018	Cr Chris Cornish, Deputy Mayor	14.2	Cr Brent Fleeton - Banking - Hayne Royal Commission
22 May 2018	Cr Giorgia Johnson	10.3	Dog Exercise Area Review
22 May 2018	Cr Barry McKenna	14.2	Cr Brent Fleeton - Banking - Hayne Royal Commission
22 May 2018	Cr Giorgia Johnson	14.2	Cr Brent Fleeton - Banking - Hayne Royal Commission
22 May 2018	Cr Dan Bull, Mayor	10.1	Financial Reports for the Period Ended 30 April 2018

In accordance with section 5.61 of the *Local Government Act 1995* the following disclosures of indirect financial interest were made at the meeting:

Date	Name	Item No.	Item Name
22 May 2018	Cr Catherine Ehrhardt	14.2	Cr Brent Fleeton - Banking - Hayne Royal Commission

In accordance with section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of proximity interest were made at the meeting:

Date	Name	Item No.	Item Name
22 May 2018	Cr Stephanie Gray	10.3	Dog Exercise Area Review
22 May 2018	Cr Barry McKenna	10.3	Dog Exercise Area Review
22 May 2018	Cr Dan Bull, Mayor	10.3	Dog Exercise Area Review

In accordance with regulation 11 of the *Local Government (Rules of Conduct) Regulations 2007* the following disclosure of interests affecting impartiality (Elected Members) were made at the meeting:

Date	Name	Item No.	Item Name
22 May 2018	Cr Lorna Clarke	10.1	Financial Reports for the Period Ended 30 April 2018
22 May 2018	Cr Brent Fleeton	10.3	Dog Exercise Area Review
22 May 2018	Cr Catherine Ehrhardt	10.3	Dog Exercise Area Review
22 May 2018	Cr Sally Palmer	10.3	Dog Exercise Area Review
22 May 2018	Cr Lorna Clarke	10.3	Dog Exercise Area Review
22 May 2018	Cr Dan Bull, Mayor	14.2	Cr Brent Fleeton - Banking - Hayne Royal Commission
22 May 2018	Cr Lorna Clarke	14.2	Cr Brent Fleeton - Banking - Hayne Royal Commission

In accordance with regulation 34C of the *Local Government (Administration) Regulations 1996* and clause 5.5 of the City of Bayswater's Code of Ethics, the following disclosure of interests affecting impartiality (Officers) were made at the meeting:

Nil.

**At 7:22pm, Cr Chris Cornish, Deputy Mayor, left the meeting and returned at 7:23pm.**

#### **7. URGENT BUSINESS**

Nil.

#### **8. PETITIONS**

Nil.

#### **ORDER OF BUSINESS**

Items were dealt with in the following order: Items 10.1 and 10.3.

All remaining items were carried by en bloc resolution.

#### **9. PLANNING AND DEVELOPMENT SERVICES COMMITTEE REPORTS**

Nil.

**10. COMMUNITY, TECHNICAL, FINANCE AND CORPORATE SERVICES COMMITTEE REPORTS****10.1 Financial Reports for the Period Ended 30 April 2018****Reporting Branch: Financial Services****Responsible Directorate: Finance and Corporate Services****CR LORNA CLARKE DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Lorna Clarke declared an impartial interest in this item as she is a social member of Baysie and Bedford Bowls Clubs. Cr Lorna Clarke remained in the room during voting on this item.*

**CR DAN BULL, MAYOR DECLARED A FINANCIAL INTEREST**

*In accordance with section 5.60A of the Local Government Act 1995, Cr Dan Bull, Mayor declared a financial interest in this item as Bedford Bowling Club is in the report and he and his wife are sponsors of the club. At 7:26pm, Cr Dan Bull, Mayor withdrew from the meeting.*

The Deputy Chairperson, Cr Chris Cornish, Deputy Mayor, assumed the Chair.

**EXECUTIVE SUMMARY****Application:**

For Council to note the financial reports for the period ended 30 April 2018.

**Key Issues:**

- At its meeting on 28 June 2017, Council adopted the Annual Budget for the 2017-18 financial year. The figures in this report are compared to the adopted budget.
- The financial reports for the period ended 30 April 2018 comprise **Attachments 1-3.**

**BACKGROUND**

The *Local Government Act 1995* in conjunction with regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires a monthly Statement of Financial Activity to be presented to Council. This Statement is to include:

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the *Local Government Act 1995*;
- (b) Budget estimates to the end of the month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which these statements relate;
- (d) The material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) The net current assets at the end of the month to which the statement relates.

Regulation 34(5) determines the mechanism required to ascertain the definition of material variances which are required to be reported to Council as part of the monthly report. It also requires Council to adopt a 'percentage or value' for what it will consider to be material variances on an annual basis.

The variance adopted by the Council for the 2017-18 Budget is 10%.

## CONSULTATION

In accordance with section 6.2 of the *Local Government Act 1995*, the adopted budget was prepared having regard to the Community Strategic Plan, prepared under section 5.56 of the *Local Government Act 1995*, which was made available for public comment.

## ANALYSIS

The financial statements for the reporting period are submitted in the form of:

- Financial Activity Statement Report (**Attachment 1**);
- Reserve Fund Statement (**Attachment 2**); and
- Capital Works Statement (**Attachment 3**).

The Financial Activity Statement reports the financial position of the City to program level. It discloses the current liquidity position of the City after adjustment for non-cash items (depreciation, provisions, etc.).

The Detailed Statement of Financial Activity by Program including Nature or Type Classifications discloses reportable variances and defines the description and purpose of each financial activity.

All of the reserve accounts are cash-backed and supported by funds held in financial institutions as set out in the City's Investment Policy.

The projects summarised in the Capital Works Statement (**Attachment 3**) detail the capital expenditure for the period 1 July 2017 to 30 April 2018. A detailed overview of the status of these projects is the subject of a separate quarterly report to Council.

## OPTIONS

Not applicable.

## CONCLUSION

That Council notes the financial reports for the period ended 30 April 2018.

## FINANCIAL IMPLICATIONS

All amounts quoted in this report are exclusive of GST.

## STRATEGIC LINK

In accordance with the City of Bayswater's Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.

Aspiration: Open, accountable and responsive service.

Outcome L1: Accountable and good governance.

## COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare an annual financial report for the preceding year and such other financial reports as are prescribed. Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* as amended requires the local government to prepare each month a statement of financial activity reporting on the source and application of funds as set out in the annual budget.

## **VOTING REQUIREMENTS**

Simple Majority Required.

## **ATTACHMENTS**

1. Financial Activity Statement Report.
2. Reserve Fund.
3. Capital Works.

## **COUNCIL RESOLUTION** **(OFFICER'S RECOMMENDATION)**

That Council notes the financial reports for the period ended 30 April 2018, forming Attachments 1 - 3.

CR LORNA CLARKE MOVED, CR SALLY PALMER SECONDED

CARRIED UNANIMOUSLY: 10/0

**Attachment 1**

**City of Bayswater**  
**Financial Activity Statement**  
**For the period 1 July to 30 April 2018**

	2018 Revised Budget \$	2018 Year to Date Budget \$	2018 Year to Date Actual \$	2018 Year to Date Budget %
<b>Revenue</b>				
General Purpose Funding (Excl Rates)	4,081,125	2,812,755	2,580,937	91.76
Law, Order, Public Safety	316,800	264,000	261,809	99.17
Health	226,663	188,886	346,202	183.29
Education and Welfare	11,779,995	9,816,663	8,273,902	84.28
Housing	93,020	77,517	86,325	111.36
Community Amenities	12,009,288	11,819,289	11,978,328	101.35
Recreation and Culture	7,277,216	6,064,347	6,385,662	105.30
Transport	486,850	405,708	496,453	122.37
Economic Services	560,380	466,983	445,566	95.41
Other Property and Services	26,209	21,841	127,928	585.72
	<u>36,857,546</u>	<u>31,937,989</u>	<u>30,983,112</u>	<u>97.01</u>
<b>Expenses</b>				
Governance	(6,188,382)	(5,156,985)	(5,604,130)	108.67
General Purpose Funding	(847,418)	(706,182)	(616,200)	87.26
Law, Order, Public Safety	(2,928,152)	(2,440,127)	(2,380,538)	97.56
Health	(1,854,928)	(1,545,773)	(1,350,025)	87.34
Education and Welfare	(13,269,993)	(11,058,328)	(9,318,792)	84.27
Housing	(130,474)	(108,728)	(99,322)	91.35
Community Amenities	(14,409,525)	(12,007,938)	(9,940,637)	82.78
Recreation and Culture	(29,569,062)	(24,640,885)	(22,658,683)	91.96
Transport	(8,356,010)	(6,963,342)	(6,594,947)	94.71
Economic Services	(1,742,429)	(1,452,024)	(1,161,310)	79.98
Other Property and Services	(2,232,459)	(1,860,383)	(2,217,561)	119.20
	<u>(81,528,832)</u>	<u>(67,940,695)</u>	<u>(61,942,145)</u>	<u>91.17</u>
<b>Net Result Excluding Rates</b>	<u>(44,671,286)</u>	<u>(36,002,706)</u>	<u>(30,959,033)</u>	
<b>Adjustment for Cash Budget Requirements:</b>				
<b>Non-Cash Expenditure &amp; Revenue</b>				
(Profit)/Loss on Asset Disposal	383,533	319,611	-	
Depreciation & Amortisation on Assets	10,494,188	8,745,157	8,745,157	
Movement in Non-Current Assets	-	-	57,032	
Movement of Non-Current Liabilities	-	-	(11,800)	
Employee Entitlements Movement	(344,500)	(287,083)	24,999	
Aged Persons Liability Adjustment	-	-	(27,440)	
<b>Net Non-Cash Expenditure &amp; Revenue</b>	<u>10,533,221</u>	<u>8,777,685</u>	<u>8,787,948</u>	
<b>Capital Expenditure</b>				
Purchase Land and Buildings	(8,908,916)	(7,424,097)	(6,905,278)	
Purchase Plant and Equipment	(2,070,900)	(1,725,750)	(943,942)	
Purchase Furniture and Equipment	(971,871)	(809,893)	(822,530)	
Infrastructure Assets	(11,622,135)	(9,685,113)	(5,430,216)	
Repayment of Debentures	(5,977)	(4,981)	(5,977)	
<b>Net Capital Expenditure</b>	<u>(23,579,799)</u>	<u>(19,649,834)</u>	<u>(14,107,943)</u>	
<b>Capital Revenue</b>				
Proceeds from Disposal of Assets	622,300	518,583	443,009	
Self-Supporting Loan Principal Income	5,977	4,981	5,977	
Grants & Contributions for the Construction of Assets	4,349,950	3,624,958	2,076,997	
<b>Net Capital Revenue</b>	<u>4,978,227</u>	<u>4,148,522</u>	<u>2,525,983</u>	
<b>Transfers</b>				
Transfers to Reserves (Restricted Assets)	(1,126,338)	(938,615)	(932,389)	
Transfers from Reserves (Restricted Assets)	4,516,579	3,763,816	-	
<b>Net Transfers</b>	<u>3,390,241</u>	<u>2,825,201</u>	<u>(932,389)</u>	
Surplus/(Deficit) July 1 B/Fwd	6,079,131	6,079,131	8,546,133	
Surplus/(Deficit) June 30 C/Fwd	1,529,914	10,978,178	18,175,303	
<b>Amount Raised from Rates</b>	<u>(44,800,179)</u>	<u>(44,800,179)</u>	<u>(44,314,604)</u>	








**City of Bayswater**  
**Net Current Assets**  
**For the period 1 July to 30 April 2018**

	2017 Actual \$	2018 Actual \$
<b>Current Assets</b>		
Cash & Cash Equivalents	69,235,427	77,354,501
Prepayments	110,526	58,998
Trade and Other Receivables	3,681,864	4,897,877
GST Receivable	361,306	251,256
Inventory	98,771	104,864
	<u>73,487,894</u>	<u>82,667,496</u>
<b>Current Liabilities</b>		
Sundry Creditors	4,531,986	2,956,930
Accruals	922,827	772,539
Other Current Trade and Other Payables	24,389,413	24,389,413
Current Employee Benefits Provision	4,857,374	5,204,297
Current Loan Liability	5,977	0
	<u>34,707,577</u>	<u>33,323,179</u>
Net Current Assets	<u>38,780,317</u>	<u>49,344,317</u>
Less:		
Reserves - Restricted Cash	(44,417,329)	(45,349,718)
Cash Backed Employee Provisions	1,190,894	1,215,893
Aged Persons Homes - Restricted	12,992,251	12,964,811
Surplus/(Deficit)	<u>8,546,133</u>	<u>18,175,303</u>

Statement of Financial Activity By Program For the period ending 30 April 2018				
Program	YTD Budget Revenue	Revenue Actual	YTD Budget Expenditure	Actual Expenditure
<b>General Purpose Funding</b>				
Objective: To collect revenue to allow for the provision of services.				
Activities: Rates, general purpose government grants, and interest revenue.				
	\$47,612,934 ●	\$46,895,541	\$706,182 ●	\$616,200
Legal expenses and valuations are lower than expected due to timing.				
<b>Governance</b>				
Objective: To provide a decision making process for the efficient allocation of scarce resources.				
Activities: Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern specific council services.				
	\$0 ●	\$0	\$5,156,985 ●	\$5,604,130
Redundancy payments and election expenses higher than the allocation due to timing of payments. Timing of allocation of telephone costs, LSL and Annual Leave annual accrual and bank fees for rates payments are over budget due to timing of processing and is estimated to be within the annual budget provision.				
<b>Law, Order and Public Safety</b>				
Objective: To provide services to help ensure a safer and environmentally conscious community.				
Activities: Supervision and enforcement of various local laws relating to fire prevention, animal control and protection of the environment and other aspects of public safety including emergency services and community policing.				
	\$264,000 ●	\$261,809	\$2,440,127 ●	\$2,380,538
<b>Health</b>				
Objective: To provide services to achieve community and environmental health				
Activities: Maternal and infant health facilities, immunisation, inspection of food outlets, noise control and pest control services.				
	\$188,886 ●	\$346,202	\$1,545,773 ●	\$1,350,025
Income for eating house licences are higher than expected due to timing of raising of invoices. Fines and penalty income is higher than expect due to more successful prosecutions. Expenditure is under budget due to staff vacancies.				
<b>Education and Welfare</b>				
Objective: To provide services to children, youth, the elderly and disadvantaged persons				
Activities: Pre-school and other education services, child minding facilities, playgroups, senior citizens centres, meals on wheels, home care services and aged care facilities.				
	\$9,816,663 ●	\$8,273,902	\$11,058,328 ●	\$9,318,792
This revenue variance can be attributed to the timing difference of the receipts and payments of the Aged Persons Homes. Expenditure is under budget due to the timing of processing of depreciation for Aged Persons Homes and the timing of the management fee.				



<b>Statement of Financial Activity By Program</b> <b>For the period ending 30 April 2018</b>				
<i>Program</i>	<i>YTD Budget Revenue</i>	<i>Revenue Actual</i>	<i>YTD Budget Expenditure</i>	<i>Actual Expenditure</i>
<b>Housing</b>				
Objective: To provide and maintain community housing.				
Activities: Provision and maintenance of community housing.				
	\$77,517 ●	\$86,325	\$108,728 ●	\$99,322
Reimbursement from utilities is higher than expected due to timing of raising invoices.				
<b>Community Amenties</b>				
Objective: To provide services required by the community.				
Activities: Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes.				
	\$11,819,289 ●	\$11,978,328	\$12,007,938 ●	\$9,940,637
Expenditure is under budget due to timing of payment for waste disposal.				
<b>Recreation and Culture</b>				
Objective: To establish and effectively manage infrastructure and resources which will help the social wellbeing of the community.				
Activities: Maintenance of public halls, civic centre, aquatic centre, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, museum and other cultural facilities.				
	\$6,064,347 ●	\$6,385,662	\$24,640,885 ●	\$22,658,683
<b>Transport</b>				
Objective: To provide safe, effective and efficient transport services to the community.				
Activities: Construction (if not capitalised) and maintenance of roads, streets, footpaths, depots, cycleways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting, etc.				
	\$405,708 ●	\$496,453	\$6,963,342 ●	\$6,594,947
Budgeted parking revenue has not been achieved due to position vacancy.				
<b>Economic Services</b>				
Objective: To help promote the city and its economic wellbeing.				
Activities: Tourism and area promotion. Building control.				
	\$466,983 ●	\$445,566	\$1,452,024 ●	\$1,161,310
<b>Other Property and Services</b>				
Objective: To monitor and control Council's overheads operating accounts.				
Activities: Private works operation, costs not elsewhere classified.				
	\$21,841 ●	\$127,928	\$1,860,383 ●	\$2,217,561
Income is over budget due to fuel tax credit reimbursement and supervision fees. This expenditure variance can be attributed to public works overhead adjustments.				
<b>Total by program</b>	<b>\$76,738,168 ●</b>	<b>\$75,297,716</b>	<b>\$67,940,695 ●</b>	<b>\$61,942,145</b>

Statement of Financial Activity By Nature or Type For the period ending 30 April 2018		
<i>Nature or Type Classification</i>	<i>YTD Budget</i>	<i>Actual</i>
<b>Revenue</b>		
<b>Rates</b> All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates. Excludes administration fees, interest on instalments, interest on arrears, waste services.		
	\$44,800,179 	\$44,307,533
<b>Operating Grants, Subsidies and Contributions</b> Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.		
	\$11,042,143 	\$9,476,639
The Aged Person Homes Operating Subsidies are under budget due to timing of grants and subsidies received.		
<b>Non-Operating Grants, Subsidies and Contributions</b> Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.		
	\$3,624,958 	\$1,875,952
The variance is caused by the delay in receiving capital grants in Technical, Recreation and Security Services. Some grants are dependant on the completion of capital projects.		
<b>Fees and Charges</b> Revenue (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees.		
	\$19,430,799 	\$19,582,462
<b>Interest Earnings</b> Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.		
	\$1,985,910 	\$1,464,296
Interest is received on investment maturity.		
<b>Other Revenue</b> Other revenue, which cannot be classified under the above headings, includes Aged Persons bond retention income.		
	\$317,890 	\$466,787
<b>Total Revenue by Nature or Type</b>	<b>\$81,201,879 </b>	<b>\$77,173,669</b>

Statement of Financial Activity By Nature or Type For the period ending 30 April 2018		
<i>Nature or Type Classification</i>	<i>YTD Budget</i>	<i>Actual</i>
<b>Expenditure</b>		
<b>Employee Costs</b>		
All costs associated with the employment of persons such as salaries, wages, allowances, benefits such as vehicle and superannuation expenses, workers compensation insurance and training costs, conferences, safety expenses, medical examinations, fringe benefits tax etc.		
	\$29,042,972 ●	\$27,016,223
<b>Material and Contracts</b>		
All expenditure on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc.		
	\$26,433,741 ●	\$23,689,378
<b>Utilities (Gas, Electricity, Water, etc.)</b>		
Expenditures made to respective agencies for the provision of power, gas or water. Excludes expenditure incurred for the re-instatement of works associated with these agencies.		
	\$3,010,071 ●	\$1,867,683
Utilities under budget due to timing of payments.		
<b>Amortisation and Depreciation</b>		
Amortisation and depreciation of non-current assets including buildings, plant, furniture and infrastructure assets		
	\$8,745,157 ●	\$8,745,157
<b>Interest Expenses</b>		
Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and re-financing expenses.		
	\$2,262 ●	\$915
Interest expense under budget due to timing of loan payments.		
<b>Insurance</b>		
All insurance other than worker's compensation.		
	\$706,493 ●	\$622,789
<b>Total Expenditure by Nature or Type</b>	<b>\$67,940,696 ●</b>	<b>\$61,942,145</b>

**Attachment 2**

**City of Bayswater**  
**Reserve Fund Statement**  
**For the period 1 July to 30 April 2018**

	Budget \$	Actual \$
<b>(a) City Buildings &amp; Amenities</b>		
Opening Balance	1,996,065	1,996,735
Interest	52,896	41,915
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(130,677)	0
	1,918,284	2,038,650
<b>(b) Bore &amp; Reticulation</b>		
Opening Balance	625,531	625,918
Interest	16,577	13,139
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	642,108	639,057
<b>(c) Building Furniture &amp; Equipment</b>		
Opening Balance	636,503	636,367
Interest	16,867	13,358
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	653,370	649,725
<b>(d) Major Capital Works</b>		
Opening Balance	3,065,654	3,143,716
Interest	81,240	65,992
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(1,103,950)	0
	2,042,944	3,209,708
<b>(e) Plant &amp; Works Equipment</b>		
Opening Balance	191,714	191,797
Interest	5,080	4,026
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	196,794	195,823
<b>(f) Workers Compensation</b>		
Opening Balance	490,008	579,556
Interest	12,985	12,166
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	502,993	591,722

**City of Bayswater**  
**Reserve Fund Statement**  
**For the period 1 July to 30 April 2018**

	Budget \$	Actual \$
<b>(g) Long Service Leave &amp; Entitlements</b>		
Opening Balance	1,190,149	1,190,894
Interest	31,539	24,999
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>1,221,688</u>	<u>1,215,893</u>
<b>(h) Bayswater Aquatic Centre Replacements</b>		
Opening Balance	484,226	349,430
Interest	12,832	7,335
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(327,857)	0
	<u>169,201</u>	<u>356,765</u>
<b>(i) The Rise</b>		
Opening Balance	565,956	565,954
Interest	14,998	11,880
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>580,954</u>	<u>577,834</u>
<b>(j) Maylands Waterland</b>		
Opening Balance	56,596	56,596
Interest	1,500	1,188
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>58,096</u>	<u>57,784</u>
<b>(k) Civic Centre</b>		
Opening Balance	565,956	565,954
Interest	14,998	11,880
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>580,954</u>	<u>577,834</u>
<b>(l) Roads &amp; Drainage &amp; Traffic Management</b>		
Opening Balance	362,567	487,041
Interest	9,608	10,224
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>372,175</u>	<u>497,265</u>

**City of Bayswater**  
**Reserve Fund Statement**  
**For the period 1 July to 30 April 2018**

	Budget \$	Actual \$
<b>(m) Footpath/Cycleway</b>		
Opening Balance	315,956	312,734
Interest	8,373	6,565
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>324,329</u>	<u>319,299</u>
<b>(n) Playground &amp; Parks</b>		
Opening Balance	1,613,456	1,613,926
Interest	42,757	33,879
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>1,656,213</u>	<u>1,647,805</u>
<b>(o) Golf Courses</b>		
Opening Balance	624,914	1,086,204
Interest	16,560	22,801
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(480,000)	0
	<u>161,474</u>	<u>1,109,005</u>
<b>(p) Streetscapes</b>		
Opening Balance	669,550	669,492
Interest	17,743	14,054
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>687,293</u>	<u>683,546</u>
<b>(q) Information Technology</b>		
Opening Balance	190,129	190,314
Interest	5,038	3,995
Transfer from Municipal	112,555	0
Amount Used / Transfer from Reserve	0	0
	<u>307,722</u>	<u>194,309</u>
<b>(r) Eric Singleton Bird Sanctuary</b>		
Opening Balance	1,132,013	1,131,910
Interest	29,998	23,761
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>1,162,011</u>	<u>1,155,671</u>

**City of Bayswater**  
**Reserve Fund Statement**  
**For the period 1 July to 30 April 2018**

	Budget \$	Actual \$
<b>(s) Les Hansman Centre Development</b>		
Opening Balance	4,788,143	4,787,516
Interest	126,886	100,497
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>4,915,029</u>	<u>4,888,013</u>
<b>(t) Senior Citizens Building</b>		
Opening Balance	339,574	339,572
Interest	8,999	7,128
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>348,573</u>	<u>346,700</u>
<b>(u) Morley City Centre</b>		
Opening Balance	565,956	565,954
Interest	14,998	11,880
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>580,954</u>	<u>577,834</u>
<b>(v) Landfill Restoration</b>		
Opening Balance	498,351	551,927
Interest	13,206	11,586
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(150,000)	0
	<u>361,557</u>	<u>563,513</u>
<b>(w) Sustainable Environment</b>		
Opening Balance	565,956	565,954
Interest	14,998	11,880
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(404,000)	0
	<u>176,954</u>	<u>577,834</u>
<b>(x) Morley Sport &amp; Recreation Centre</b>		
Opening Balance	565,956	565,954
Interest	14,998	11,880
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>580,954</u>	<u>577,834</u>

**City of Bayswater**  
**Reserve Fund Statement**  
**For the period 1 July to 30 April 2018**

	Budget \$	Actual \$
<b>(y) Community Housing</b>		
Opening Balance	32,320	32,378
Interest	856	680
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>33,176</u>	<u>33,058</u>
<b>(z) General Waste Management</b>		
Opening Balance	26,317	26,273
Interest	697	552
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>27,014</u>	<u>26,825</u>
<b>(aa) River Restoration Reserve</b>		
Opening Balance	170,917	170,902
Interest	4,529	3,588
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(166,717)	0
	<u>8,729</u>	<u>174,490</u>
<b>(ab) Bayswater Bowling Club Capital Improvements</b>		
Opening Balance	10,000	0
Interest	265	0
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>10,265</u>	<u>0</u>
<b>(ac) Bayswater Tennis Club</b>		
Opening Balance	143,250	149,418
Interest	3,975	3,137
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(43,250)	0
	<u>103,975</u>	<u>152,555</u>
<b>(ad) Strategic Land Acquisition Reserve</b>		
Opening Balance	1,509,937	1,509,657
Interest	40,013	31,690
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(1,500,000)	0
	<u>49,950</u>	<u>1,541,347</u>



**City of Bayswater**  
**Reserve Fund Statement**  
**For the period 1 July to 30 April 2018**

	Budget \$	Actual \$
<b>Summary</b>		
Opening Balance	23,993,620	24,660,043
Interest	636,010	517,653
Transfer from Municipal	112,555	0
Amount Used / Transfer from Reserve	(4,306,451)	0
<b>Closing Balance (Excluding Aged Persons Homes)</b>	<b>20,435,734</b>	<b>25,177,696</b>
<b>Aged Persons Homes</b>		
<b>Aged Persons Homes - General Reserves</b>		
Opening Balance	15,578,935	17,272,240
Interest	327,851	362,571
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	(460,128)	0
	<u>15,446,658</u>	<u>17,634,811</u>
<b>Aged Persons Homes - Prudential Requirements</b>		
Opening Balance	2,490,000	2,485,046
Interest	49,922	52,165
Transfer from Municipal	0	0
Amount Used / Transfer from Reserve	0	0
	<u>2,539,922</u>	<u>2,537,211</u>
<b>Total Aged Persons Homes</b>	<u>17,986,580</u>	<u>20,172,022</u>
<b>Closing Balance (Including Aged Persons Homes)</b>	<b>38,422,313</b>	<b>45,349,718</b>

**Attachment 3****Capital Listing 2017-18 - as at 30 April 2018**

<i>Cap Ex</i>			<i>Revised Budget</i>	<i>Actual</i>	<i>Committed</i>	<i>Total</i>
<b>Division: 10 - Community Services</b>						
<b>Recreation Development</b>						
L12900	Active Reserve Floodlight Upgrade - Audit Outcome Pending	Recreation Development	83,859	77,599	0	77,599
N11400	Playground Replacements		50,000	1,245	0	1,245
N11600	Golf Course Perimeter Fencing		15,000	0	0	0
N11800	John D'Orazio Memorial		40,000	30,735	273	31,007
N13000	Emberson Reserve (South Sect) - Floodlighting		110,000	58,929	47,508	106,437
N40200	Bayswater Tennis Club - Design & Approvals		43,250	631	0	631
N41100	Emberson Reserve (North Sect)	Prev L12900 Active Resv Floodlight Upgrade	46,500	31,556	0	31,556
N41200	Frank Drago Reserve - Pitch Levelling and Fencing		30,000	7,334	0	7,334
N41300	Frank Drago Reserve - Main Pitch Lighting		50,000	0	0	0
P10000	Netball Court Fencing Upgrade leaf Protection		15,000	7,381	0	7,381
P10100	Shade Sail Houghton Park Playground		25,000	11,245	0	11,245
P10200	Drinks Fountains In Dog Parks		20,000	15,254	972	16,226
P10300	Elstead Reserve - Changeroom/Storage		62,000	81,085	0	81,085
P10400	Emberson Reserve - Lighting		46,500	40,746	5,387	46,133
P10500	Goal Store Compound		10,000	0	8,568	8,568
P10600	Shade Sail - Lightning Park		15,000	13,907	0	13,907
P14300	Tennis Court Lighting Replacement Hampton Square		40,000	0	0	0
P14400	Replacement Sports Lighting (corrosion)		45,000	54,680	0	54,680
P14500	External Surfacing Morley Eagles Clubroom		15,000	11,152	0	11,152
P14600	Shot Put Replacements		15,000	16,235	0	16,235
P14700	Noranda Athletics Floodlight Replacement		225,000	215,994	9,510	225,504
P14800	Playground Replacements		415,000	211,745	188,468	400,213
P14900	Basketball Goal Replacements		45,000	0	227	227
P15000	Court Surfacing - Various		50,000	0	0	0
P15100	Goal Post Replacements		16,000	11,759	4,329	16,088
P15200	Turf Tennis Posts		10,000	10,180	0	10,180
P15300	Long Jump Runway Replacements Noranda Athletics		22,000	21,858	0	21,858
P15400	Raise and Returf Inside Edge of Running Track Noranda		30,000	26,009	0	26,009
P15500	Cricket Practice Net Replacement		40,000	38,286	0	38,286
P15600	Securing Padlocks on Reserves		5,000	113	0	113
P31500	Outdoor Community Facility-Morley Living Streams Project	Obstacle course equipment, lighting and seating	0	67,076	19,949	87,025
			<b>1,635,109</b>	<b>1,062,733</b>	<b>285,192</b>	<b>1,347,925</b>
<b>The RISE</b>						
P15700	Table Trolleys	Replace existing trolleys that are an OHS risk and contribut	15,000	16,500	0	16,500
P15800	Paint internal walls	Painting of internal walls in public areas is required and h	30,000	0	0	0
P15900	New carpet in the function suite	Replace worn carpet in the function suite	25,000	18,159	6,841	25,000
P16000	Health and Fitness small equipment replacement	Replacement of small equipment required to facilitate progra	10,000	7,256	1,931	9,188
P16100	Community Hall Flooring Replacement	Replace worn and damaged flooring with a suitably impact abs	50,000	17,480	52,164	69,644
			<b>130,000</b>	<b>59,395</b>	<b>60,936</b>	<b>120,331</b>
<b>Bayswater Waves - Furniture &amp; Equipment</b>						
N14000	Electrical equipment upgrade and repair	Address PLC issues for all pools	160,600	28,000	126,000	155,000
N14100	Chemical storage shed	Construction of new chemical storage area	34,391	44,276	0	44,276
N14200	Outdoor and hydrotherapy area refurbishment	Works consistent with the first stage of the GHD engineering	840,454	1,024,608	0	1,024,608
P10700	Hand Dryers for Indoor Change Rooms	Install hand driers to reduce expenses in paper towel consum	25,000	23,257	0	23,257
P10800	Chlorine gas sensors	Additional chlorine gas sensors for plant rooms not currentl	25,000	0	0	0
P16200	Health and Fitness Small Equipment Replacement	Small item replacement to enhance programs delivered by the	10,000	0	750	750
P16300	Group Fitness Room Carpet Replacement	Replace worn and damaged carpet at the end of reasonable lif	18,000	16,726	0	16,726
P16400	Pump seal replacement	Replace seals on all pumps to ensure optimal functionality a	30,000	9,873	0	9,873
P16500	Hydrotherapy Pool and Spa Refurbishment	Refurbishment works consistent with the remainder of the fir	900,000	45,882	17,708	63,590

## Capital Listing 2017-18 - as at 30 April 2018

Cap Ex			Revised Budget	Actual	Committed	Total
P16600	Address Safety and aesthetic issues around the pool hall	Address issues of inconsistent presentation and inoperative	30,000	6,260	0	6,260
P16700	Ultrasonic depth sensors for balance tanks	Replace float valves that regularly fail with ultrasonic sen	16,000	0	0	0
P16800	Outdoor Pool Blankets	Replacement of the outdoor pool blankets to complete the sta	45,000	35,210	0	35,210
P16900	Chiller plant room extraction Fan	Extraction fan to address ventilation issues in the chiller	6,000	0	4,250	4,250
P17000	Replace pool cleaner	Replacement of automatic pool cleaner at end of economic lif	17,000	13,500	0	13,500
P17100	Replace carpet in mezzanine & staff room	Replace carpet to standard consistent with the main foyer	9,000	7,685	0	7,685
P17200	Gym strength equipment replacement	Replacement of ageing gym equipment that is reaching the end	88,000	76,881	0	76,881
P17300	Replace poolside lounge chairs	Replacement of ageing and damaged pool lounges	4,000	4,481	0	4,481
			<b>2,258,445</b>	<b>1,337,640</b>	<b>148,708</b>	<b>1,486,348</b>
<b>Bayswater Library Furniture &amp; Equipment</b>						
P17400	Bayswater Library - refurbishment.	Furniture and fittings requirements	20,000	4,744	23,643	28,387
			<b>20,000</b>	<b>4,744</b>	<b>23,643</b>	<b>28,387</b>
<b>Morley Library Furniture &amp; Equipment</b>						
N15000	Morley Library - Mobile pop-up furniture	Mobile pop-up furniture for Library Outreach Service	5,000	3,512	0	3,512
P10900	Library Management System Upgrade	Library Management System Upgrade	38,000	33,527	4,500	38,027
			<b>43,000</b>	<b>37,039</b>	<b>4,500</b>	<b>41,539</b>
<b>Security Services</b>						
M30700	Mobile Infringements	Hand held devices	0	15,300	0	15,300
N38600	Microchip scanners	Portable microchip scanners to allow enforcement of dog act	0	1,487	0	1,487
N38800	CCTV Bayswater Waves	Further CCTV coverage at Bayswater Waves	0	20,000	0	20,000
P12400	Noranda CCTV	Noranda Sporting Complex CCTV	147,023	79,972	64,227	144,199
P30700	Replacement tablets	Replacement tablets for vehicles	19,800	0	0	0
			<b>166,823</b>	<b>116,759</b>	<b>64,227</b>	<b>180,986</b>
<b>Maylands Waterland - Equipment</b>						
P30800	Maylands Waterland Redevelopment		200,000	6,430	7,420	13,850
			<b>200,000</b>	<b>6,430</b>	<b>7,420</b>	<b>13,850</b>
<b>Community Requests</b>						
P12500	Bayswater Lacrosse Club - Fence	Installation of divide fencing	6,000	6,000	0	6,000
P12600	Bayswater Lacrosse Club - Change rooms	Refurbishment of existing change rooms	5,100	5,100	0	5,100
P12700	Bedford Morley Cricket Club	Installation of turf match cricket wicket at Waltham Reserve	20,000	0	580	580
P12800	Casa Mia Montessori Playground Inc - Shade Sails	Replace and extend shade sails over playground	2,500	2,765	0	2,765
P12900	West Coast Model Rally Club Inc - Seating	Install additional seating to model race track	3,500	3,500	318	3,818
P13000	West Coast Model Rally Club Inc - Grandstand	Replace and extend grand stand for drivers on the off road t	37,000	0	0	0
P13100	Maylands Tennis Club - Automatic Gate Entry	Supply and install automatic gate entry for public tennis co	9,000	9,000	0	9,000
P13200	Maylands Tennis Club - Hard Courts	Resurface public pay and play hardcourts	15,000	15,000	0	15,000
P13300	Morley Eagle Baseball Club Inc - Paving	Install Paving to front of clubroom	23,900	24,342	0	24,342
P13400	Noranda Family Centre - Doors	Replace concertina doors between activity rooms	18,000	19,058	0	19,058
P13500	Noranda Netball Association - Fence	Install low level colour bond fencing around court perimeter	8,000	8,500	0	8,500
P13600	West Coast Model Rally Club Inc - Racing Track	Expansion and upgrade of the radio control racing track	5,000	5,000	500	5,500
P32000	Eight Avenue, Maylands - Seating		0	0	0	0
			<b>153,000</b>	<b>98,265</b>	<b>1,398</b>	<b>99,663</b>
<b>Division: 20 - Planning &amp; Development Services</b>						
<b>Building Asset Management</b>						
N41000	Solar Panels Mens Shed		0	11,855	0	11,855
			<b>0</b>	<b>11,855</b>	<b>0</b>	<b>11,855</b>
<b>Bayswater Waves Building Improvements</b>						
M14100	Waves Building Improvement	Replacement of floor tiles (stage 2 of 3)	30,000	11,500	22,011	33,511
N15500	Waves - Replace slide platform	Replace slide	0	5,255	0	5,255
N15600	Waves - Earthing pools	Provide earthing to pools	86,835	66,198	0	66,198
			<b>116,835</b>	<b>82,953</b>	<b>22,011</b>	<b>104,964</b>

# Capital Listing 2017-18 - as at 30 April 2018

Cap Ex			Revised Budget	Actual	Committed	Total
<b>Buildings</b>						
M17200	Claughton Reserve Public Toilets	Upgrade of internal fittings and fixtures	2,825	3,113	0	3,113
N16600	Bayswater Bowling Club	Upgrade switchboard and power supply	0	102	0	102
N19300	Halliday Park Lacrosse	Upgrade switchboard and power supply	0	22,657	0	22,657
N20000	Maylands Hall	Internal paint	20,000	9,985	4,860	14,845
N23200	Hinds Reserve	Toilet Facility Upgrade	0	680	0	680
N40500	Lightning Park	Relocation of Pumping Station	71,911	77,117	0	77,117
P17500	Bayswater Infant Health Clinic	Re lay uneven paving	5,000	0	1,913	1,913
P17600	Bayswater Library	Internal paint	58,000	0	29,475	29,475
P17700	Bayswater Library	Carpet replacement	45,000	750	40,553	41,303
P17800	Bayswater Library	Replacement of Auto doors	7,000	0	5,870	5,870
P17900	Bayswater Out of School care	Install compliant emergency exit doors	20,000	0	0	0
P18000	Bayswater Senior Citizen Centre	Toilet facility for disabled	100,000	22,840	0	22,840
P18100	Beaufort Hall public toilet	Upgrade	11,000	10,347	0	10,347
P18200	Bedford Bowling Club	Toilet upgrade (stage2)	55,000	42,661	0	42,661
P18300	Bedford Bowling Club	Replace air conditioners	10,000	13,025	0	13,025
P18400	Bedford Filipino Club	Main Hall floor cover	35,000	33,472	0	33,472
P18500	Bedford Filipino Club	Replace rotted door frames	10,000	890	859	1,749
P18600	Hampton Sq Bulgarian Club	Replace floor covering and lights	25,000	8,291	0	8,291
P18700	Clarkson Res Public toilets & Tennis Club	Connection to sewer	120,000	123,614	31,579	155,193
P18800	Maylands Sport and Recreation	External paint	15,000	13,250	0	13,250
P18900	Crimea Park Clubrooms	Internal paint	10,000	3,400	0	3,400
P19000	Crimea Park Public Toilet	Upgrade	6,000	4,240	0	4,240
P19100	Bayswater Croquet Club	Kitchen upgrade	12,000	18,671	0	18,671
P19200	De Lacy Reserve Clubrooms	Upgrade of toilets	6,000	0	0	0
P19300	Depot Workshop	Upgrade inspection pit	6,000	5,733	0	5,733
P19400	Depot Offices	Staff toilet upgrade	60,000	59,926	0	59,926
P19500	Deschamps Reserve Clubrooms	Replace external doors	4,000	4,170	0	4,170
P19600	Dick Lucas Park	Upgrade Gazebo	7,500	7,000	0	7,000
P19700	E B Brown Pavilion	Internal renovations	55,000	56,101	630	56,731
P19800	E B Brown Pavilion	External upgrade	37,000	40,627	2,400	43,027
P19900	Bayswater SES	Replace Air Cond	10,000	8,262	0	8,262
P20000	Ellis House	Replace veranda floor boards	20,000	18,970	0	18,970
P20100	Elstead Reserve	Roof replacement	12,000	11,586	0	11,586
P20200	Embleton Toy Library	Replacement of floor covering	10,000	9,088	0	9,088
P20300	Embleton Toy Library	Internal /external paint	10,000	12,140	0	12,140
P20400	Halliday Park Lacrosse Club	Replace window treatments	5,000	2,020	0	2,020
P20500	Hampton Infant Health Clinic	Upgrade kitchen and floor cover	14,000	10,603	1,343	11,946
P20600	Houghton Park Pavilion	Replace lights with LED	6,000	4,161	845	5,006
P20700	Les Hansman Community Centre	Roof cover replacement	40,000	36,146	0	36,146
P20800	Light Car Club	Internal/external paint	8,000	4,390	0	4,390
P20900	Light Car Club	Replace damaged floor	6,000	4,565	0	4,565
P21000	Lower Hillcrest Pavilion	Coat roof cover	20,000	14,072	0	14,072
P21100	Lower Hillcrest Public toilets	Internal paint and ventilation	4,000	2,013	0	2,013
P21200	Maylands Brickworks	Internal fencing off of drying shed	10,000	2,926	0	2,926
P21300	Maylands Old Police Station	Air conditioner replacement	25,000	14,310	0	14,310
P21400	Maylands Tennis Club	Upgrade of kitchen	25,000	20,088	229	20,317
P21500	MG Car Club	External repairs to brickwork	20,000	9,913	0	9,913
P21600	Model Railway Club	Replace Exit door locks	3,000	0	1,260	1,260
P21700	Model Railway Club	Internal Paint and LED lights	20,000	11,395	0	11,395
P21800	Morley Infant Health Clinic	Internal paint	4,000	3,390	0	3,390
P21900	Morley Senior Citizens Centre	Kitchen upgrade	35,000	2,400	32,600	35,000
P22000	Morley Senior Citizens Centre	Auto doors to entrance	10,000	10,327	0	10,327
P22100	Morley Training Centre	Replace floor covering/Air Cond	27,000	9,900	0	9,900
P22200	Pat O'Hara Rugby Club	Upgrade toilet (for disabled)	16,000	0	14,727	14,727
P22300	RA Cook Pavilion	External paint	15,000	9,520	0	9,520
P22400	Robert Thompson Reserve	Floor treatment	20,000	0	21,700	21,700
P22500	Riverside Gardens Gazebos x2	Repairs and repaint	10,000	647	7,600	8,247
P22600	Salisbury Street Childcare	Replacement of gutters	4,000	4,356	0	4,356
P22700	Silverwood Childcare	Replacement of patio/pergola	7,000	7,400	0	7,400
P22800	Silverwood Childcare	External paint	12,000	0	12,000	12,000
P22900	Upper Hillcrest Pavilion	Replacement of windows	20,000	10,345	0	10,345
P23000	Whatley Hall	Security screens	2,000	818	0	818
P23100	Wotton Reserve Clubrooms	Roof replacement	150,000	60,000	88,279	148,279
P23200	Wotton Reserve Clubrooms	Upgrade external doors/entrance	20,000	2,400	0	2,400
P23300	Bedford Filipino (Youth Club)	New sink and water connection	3,000	1,524	0	1,524
P23400	Maylands Sport and Recreation	Replacement of downpipes/drainage	20,000	16,176	7,297	23,473
P23500	Wotton Reserve	Power upgrade	35,000	0	20,627	20,627
P23600	Embleton Golf Course	Kitchen upgrade (Pro Shop)	37,000	47,388	298	47,686
P23700	Frank Drago Reserve	Repair water leak to grandstand	16,000	40	12,000	12,040
P23800	Bedford Bowling Club	Replace windows and treatments	40,000	17,906	0	17,906
P23900	Public Toilet Auto Doors	Staged Auto door installation	15,000	0	0	0
P24000	Bayswater ECHO	Air conditioner replacement	25,000	25,000	0	25,000
P24100	Morley Sport and Rec	Roof replacement (Stage 1)	80,000	67,974	0	67,974
P24200	Morley Sport and Rec	Replacement of operable wall	80,000	0	0	0
P24300	Bayswater Tennis Clubrooms	Redevelopment	1,350,000	521,412	888,065	1,409,476
P31600	Bayswater SES	Install Electric Motors on Roller Doors	0	14,991	0	14,991



# Capital Listing 2017-18 - as at 30 April 2018

Cap Ex			Revised Budget	Actual	Committed	Total
			3,135,236	1,613,225	1,227,008	2,840,233
<b>Major Strategic Projects</b>						
M19000	Town Planning Scheme Review	Local Planning Strategy	93,055	139,755	45,668	184,423
M19100	Morley Activity Centre - Streetscape Enhancement Plan	Detailed Plan (outsourced)	50,000	450	0	450
M19200	Maylands Town Centre	Car Parking Strategy	17,500	0	0	0
M31700	Bayswater Town Centre	Structure Plan	19,620	2,394	0	2,394
N23700	Significant Tree Register	Develop Register & compliance	25,000	0	0	0
P11000	Carters Land	Strategic Land Acquisition	2,000,000	3,513,499	0	3,513,499
			2,205,175	3,655,097	45,668	3,700,766
<b>Morley City Centre</b>						
L20100	Morley City Centre - Infrastructure Plan	Detailed Design and Approvals	8,800	11,878	(11,030)	848
			8,800	11,878	(11,030)	848
<b>Division: 30 - Technical Services</b>						
<b>Arterial Road Construction</b>						
P24400	Camboon Rd	Various R/B s	72,000	65,253	0	65,253
P24500	Grand Promenade	Brown Intersection	50,000	30,598	0	30,598
P24600	Russell St	Walter to KFC Driveway	60,512	44,621	12,346	56,967
			182,512	140,473	12,346	152,819
<b>Other Road Construction</b>						
M19500	McGann St ROW NO 1	Upgrade ROW	45,000	0	0	0
M19600	Shaftesbury Ave & Arundel St ROW No 47	Upgrade ROW	20,000	17,677	0	17,677
N24000	ROW No 98 - East St	East/Elizabeth/Central/Peninsular	67,935	68,124	0	68,124
N24100	ROW No 11-Frinton St	Frinton/Roberts/Neville/Milne	12,000	959	10,025	10,984
N24200	ROW No 12 - Williamson St	Williamson/Milne/Roberts/Frinton	15,000	14,279	0	14,279
N24300	ROW NO 41 - Hamilton st	Hamilton/Olfe/Station/Slade	24,000	2,018	520	2,538
P11100	DOT Bike Boulevard Stage 2 and 3	May/Edward/Catherine/Rudloc	1,100,000	108,661	1,364	110,025
P24700	Resurface ROWs	Various	48,000	2,109	0	2,109
P24800	Police Academy Cycleway	Resurface Swan Bank To Clarkson	80,000	50,591	10,015	60,605
			1,411,935	264,418	21,923	286,342
<b>Other Road Grants</b>						
M20100	Coode/Brown	Protected right turn	0	200	10,791	10,991
P24900	Brown Ave	Drake To Russell	242,289	240,815	3,320	244,135
P25000	Benara Rd East Bound	Holden To Crimea	59,282	58,628	0	58,628
P25100	Benara Rd West Bound	B/Dary To Beechboro Rd	181,741	185,002	12,315	197,316
P25200	Walter Rd	Beechboro To B/Dary	235,148	232,308	11,157	243,465
P25300	Beechboro Incana Black Spot	Black Spot Lighting	50,000	35,207	0	35,207
			768,460	752,159	37,583	789,742
<b>Base Grant Road Reconstruction</b>						
N26000	Wright St	Pickett to Depot	46,000	0	31,524	31,524
N26100	Hinds Reserve Access Rd	Access Rd	26,275	0	0	0
P25400	Lindsay Dye	Alfreda To McPherson	56,000	81,480	0	81,480
P25500	Hampton Square West	West Side	45,000	896	35,088	36,974
P25600	Hampton Square East	East Side	45,000	0	35,088	35,088
P25700	Mickleham Rd	Beechboro To Harvest	56,000	1,502	37,237	38,738
P25800	Drainage/ Kerbing Renewal	Various	96,000	58,102	27,838	85,940
P25900	Paterson St	Belham to Hester To Coode	47,000	39,347	0	39,347
P26000	Boronia Ct	Redgum To Culdesac	18,000	15,148	3,078	18,226
P26100	Mallee PL	Redgum To Culdesac	1,000	8,770	0	8,770
P26200	Redgum Way	Cassia To Bottlebrush	61,000	63,458	0	63,458
P26300	Silkyoak Pl	Redgum To Culdesac	7,000	2,267	3,825	6,092
P26400	Eugene Ct	Redgum To Culdesac	11,000	8,003	1,791	9,794
P26500	Cassia Way	Telstar To Redgum	70,000	73,129	0	73,129
P26600	Carparks	Carpark Resurfacing Program	48,000	0	0	0
P26700	Eighth Ave	Guildford To Whatley	83,000	60,211	6,454	66,665
P26800	Williamson Rd	Garraff To Milne	24,000	31,484	0	31,484
P26900	Camboon Rd	Widgee To Frinton	46,000	43,323	0	43,323
P27000	Replace B/Paved Entry's	Various	26,000	13,819	1,600	15,419
P27100	Roseberry St	Craven To culdesac	10,000	12,523	0	12,523
			822,275	513,451	183,524	696,974
<b>Roads to Recovery</b>						
P27200	Birkett St	Walter To Beaufort	142,000	142,053	0	142,053
P27300	Catherine St	The Strand To Roseberry	73,000	0	0	0
P27400	Holdhurst Way	Ardagh To Field	35,000	22,673	0	22,673
P27500	Bruce Rd	Robinson To Woking	39,000	31,905	0	31,905
P27600	Clarke Rd	Robinson To Fitzgerald	38,000	30,653	0	30,653
P27700	Bayswater Rd	Coode To Perth	65,000	33,104	0	33,104
P27800	Gumery Rd	Coode To Catherine	68,000	59,369	0	59,369
P27900	Rothbury Rd	Drake To Drynan	61,000	58,114	0	58,114
P28000	Clavering Rd	Beechboro To Raleigh	67,000	1,062	48,481	47,543
P28100	Luderman	Widgee To Camboon	98,109	109,274	0	109,274
P31400	Drummond Street	Beaufort Street To York Street	0	30,669	610	31,280
			686,109	518,876	47,091	565,967

## Capital Listing 2017-18 - as at 30 April 2018

<b>Cap Ex</b>			<b>Revised Budget</b>	<b>Actual</b>	<b>Committed</b>	<b>Total</b>
<b>Footpath/Slab Replacement Programme</b>						
P11200	New Footpath Construction	Various	553,950	402,452	56,547	458,999
			<b>553,950</b>	<b>402,452</b>	<b>56,547</b>	<b>458,999</b>
<b>Parks Development</b>						
N31300	Halliday Park	Replace Gazebo	15,000	450	17,734	18,184
N32900	Lightning Park	Additional grassing	0	3,843	0	3,843
P31900	Maylands Town Centre - Streetscape upgrades		0	0	0	0
			<b>15,000</b>	<b>4,293</b>	<b>17,734</b>	<b>22,027</b>
<b>Bore &amp; Reticulation Development</b>						
N33100	Peninsula Golf Course Irrigation replace (Year 1 of 2)	Replace dilapidated and unreliable irrigation system	1,080,000	10,273	22,269	32,542
N33400	Charles/Belgrave Res Irrigation	Replace dilapidated and unreliable irrigation system	25,000	808	18,182	18,989
N33500	Morley Drive West Median Irrigation	Replace dilapidated and unreliable irrigation system	109,138	103,821	0	103,821
N33600	Tom Cameron Res Irrigation	Replace dilapidated and unreliable irrigation system	18,133	698	7,118	7,817
N33800	Boxhill Res Irrigation	Replace dilapidated and unreliable irrigation system	7,273	312	0	312
N33900	Allan Hill Res Irrigation	Replace dilapidated and unreliable irrigation system	7,500	265	0	265
N34000	Birkett Res Irrigation	Replace dilapidated and unreliable irrigation system	10,000	824	0	824
N34100	McPherson Res Cubicle	Replace obsolete retic cubicle and electronics	0	4,940	0	4,940
N34400	Alf Brooks Res Cubicle	Replace obsolete retic cubicle and electronics	0	3,898	0	3,898
N34600	Logan Res Cubicle	Replace obsolete retic cubicle and electronics	0	4,540	0	4,540
P11300	Central Irrigation Expansion		50,000	25,319	29,052	54,371
P28200	Park Timber Structures Refurbish		50,000	32,170	23,222	55,392
P28300	Park Post and Rail Replace		87,600	61,711	10,511	72,222
P28400	Bore and pump Maintenance		150,000	143,680	4,907	148,586
P28500	Irrigation Control Cubicles Replace		55,000	48,226	5,385	53,610
P28600	Fence Replace & Extend Shearn Park		35,000	20,759	21,822	42,581
P28700	Park Entry Gates Replace		20,000	15,166	0	15,166
P28800	Park Seats Replace		20,000	15,249	0	15,249
P28900	Park Shelters Replace		48,000	34,004	9,600	43,604
P29000	Morley Drive - Reticulation		100,000	93,829	0	93,829
P31300	New Supply Bore Noranda Sports		50,000	1,428	20,115	21,543
			<b>1,922,644</b>	<b>621,921</b>	<b>172,182</b>	<b>794,103</b>
<b>Gardens &amp; Landscaping</b>						
N34900	Tree Planting	Various	61,393	80,896	3,028	83,925
P11500	Tree Planting	Various	200,000	363	0	363
P11600	Enhanced Tree Management		200,000	0	0	0
			<b>461,393</b>	<b>81,259</b>	<b>3,028</b>	<b>84,287</b>
<b>Environmental Development</b>						
K32100	Eric Singleton Bird Sanctuary	Wetland rehabilitation	80,000	24,744	10,376	35,120
M28200	Cloughton Reserve Toilet Block upgrade	Art Upgrade of Toilet Block	22,400	6,688	0	6,688
M28700	Russell Street Park	Temporary Park	49,279	48,726	0	48,726
N35700	Tree canopy data capture		30,000	0	30,000	30,000
N40900	Russell Street Park - Grant Funds	Jacobson Living Stream	90,338	12,869	18,141	31,010
P11700	Living Stream Morley City Centre	Create living stream, identified in Morley City Centre Maste	150,000	26,335	7,771	34,106
P11800	Building efficiency and water efficiency	Solar and water efficiency	50,000	8,509	23,091	31,600
P11900	Lightning Swamp Environmental Centre	Stage 1 of funding for environmental centre	50,000	0	0	0
P12000	Maylands Lakes Stage 1	Stage 1 of project	404,000	94,037	113,953	207,990
P12100	Civic Centre Verge Upgrade and Tree Planting	Verge makeover	40,000	26,160	1,364	27,524
P29100	Riverbank Restoration		317,017	4,793	7,085	11,878
P29200	Wetland Restoration Stage 1	Stage 1 restoration of Council owned land known as ESBS West	25,000	0	0	0
P29300	Hillcrest Bushland Cockatoo Habitat and Greening Project	Greening project	14,150	0	11,300	11,300
			<b>1,322,184</b>	<b>252,861</b>	<b>223,081</b>	<b>475,942</b>
<b>Traffic Management</b>						
N36500	Traffic Management General	Council	49,940	4,342	3,402	7,744
P29400	Traffic Management General	Council	50,000	0	0	0
P29500	Disability Access	DAIP	20,000	0	0	0
P29600	Traffic Management Paving	Various	25,000	4,740	14,532	19,272
			<b>144,940</b>	<b>9,082</b>	<b>17,934</b>	<b>27,016</b>
<b>Drainage Construction</b>						
P29700	Urban Water Sensitive Design	Various	90,000	13,624	11,818	25,442

## Capital Listing 2017-18 - as at 30 April 2018

<b>Cap Ex</b>			<b>Revised Budget</b>	<b>Actual</b>	<b>Committed</b>	<b>Total</b>
P29800	Drainage Grates	Various	40,000	37,021	0	37,021
			<b>130,000</b>	<b>50,645</b>	<b>11,818</b>	<b>62,463</b>
<b>Other Technical Services Capital</b>						
M32900	Urban Tree Planting Programme	Various	141,049	51,775	95,231	147,006
N37800	Enhanced Tree Management	Various	190,000	57,984	8,602	66,587
P11400	Depot Security		15,000	0	0	0
P12200	Crossovers	Various	620,000	405,080	22,873	427,953
P29900	Street Light Upgrade	Various	80,000	66,453	15,469	81,922
P30000	Paw Gates and Reserve Lighting	Various	15,000	23,796	980	24,776
P30100	Bus Shelters	Various/PTA	40,000	29,764	6,605	36,369
P30200	Street Sign upgrade Program	Last Year Of Program	90,000	73,595	0	73,595
P30300	Asset Management	Various	15,000	9,450	0	9,450
			<b>1,196,049</b>	<b>717,888</b>	<b>149,760</b>	<b>867,648</b>
<b>Golf Course Development</b>						
P30400	Golf Course Development	Various	100,000	9,014	45,740	54,754
			<b>100,000</b>	<b>9,014</b>	<b>45,740</b>	<b>54,754</b>
<b>Health Dept Capital</b>						
P12300	Landfill Restoration		150,000	9,725	9,300	19,025
P30500	Fence re-alignment for 271 Collier Road Bayswater		10,000	0	0	0
			<b>160,000</b>	<b>9,725</b>	<b>9,300</b>	<b>19,025</b>
<b>Plant &amp; Equipment</b>						
P30600	Plant & Fleet Replacement Prog	Plant and Fleet	2,070,900	943,942	407,618	1,351,560
			<b>2,070,900</b>	<b>943,942</b>	<b>407,618</b>	<b>1,351,560</b>
<b>Geographic Services</b>						
N39200	GIS - Earthmine Capture	Earthmine Capture	51,000	320	25,490	25,810
P30900	Spatial - Workstations	Upgrade 4 Spatial Core Workstations (Plant placement program)	16,000	16,636	0	16,636
P31000	Spatial - Storage Server	Upgrade Spatial Storage Server (Plant placement program)	25,000	0	0	0
P31100	Spatial - Field Capture	Upgrade Spatial Zeno field capture devices (Plant placement)	18,000	17,130	0	17,130
P31200	Communications Hut	Upgrade Hardware in Comm Huts (Rack, Switch, UPS)	6,500	5,200	0	5,200
			<b>116,500</b>	<b>39,286</b>	<b>25,490</b>	<b>64,776</b>
<b>Division: 40 - Finance and Corporate Services</b>						
<b>Information Services</b>						
N10100	PC replacement program	4 Year replacement program for workstations	0	281	0	281
P13700	Virtual Infrastructure Server Replacement Program	4 Year replacement program for servers	70,696	71,299	0	71,299
P13800	Network infrastructure	4 Year replacement program for network infrastructure	122,976	124,160	0	124,160
P13900	Virtual Infrastructure Storage Replacement Program	4 Year replacement program for storage	84,150	62,757	0	62,757
P14000	PC replacement program	4 Year replacement program for workstations	121,500	94,039	26,086	120,125
P14100	Equipment Renewals	Replacement schedule for laptops and printers	33,736	62,898	1,374	64,273
P14200	Communications Hut Fibre	Upgrade communications hut to fibre optics	3,500	3,182	0	3,182
			<b>436,548</b>	<b>418,616</b>	<b>27,460</b>	<b>446,077</b>
Aged Care			1,000,000	253,590	495,917	749,507
<b>Grand Total</b>			<b>23,573,822</b>	<b>14,101,966</b>	<b>3,845,757</b>	<b>17,947,723</b>

**10.2 Mertome Village Redevelopment - Further Proposal**

***Withdrawn - Negotiations between the City and Hall & Prior and Heathley in relation to the Further Proposal are ongoing. The amended Further Proposal will be the subject of a report to Council in June.***



**10.3 Dog Exercise Area Review**

Reporting Branch: Ranger and Safety Services  
Responsible Directorate: Community Services

**CR GIORGIA JOHNSON DECLARED A FINANCIAL INTEREST**

*In accordance with section 5.60A of the Local Government Act 1995, Cr Giorgia Johnson declared a financial interest in this item as she operates a business located in Riverside Gardens, which is one of the named reserves. At 7:27pm, Cr Giorgia Johnson withdrew from the meeting.*

**CR STEPHANIE GRAY DECLARED A PROXIMITY INTEREST**

*In accordance with section 5.60b of the Local Government Act 1995, Cr Stephanie Gray declared a proximity interest in this item as she owns property and lives on Strutt Way, which is specifically mentioned in this report as a potential specialist dog park. At 7:27pm, Cr Stephanie Gray withdrew from the meeting.*

**CR BARRY MCKENNA DECLARED A PROXIMITY INTEREST**

*In accordance with section 5.60b of the Local Government Act 1995, Cr Barry McKenna declared a proximity interest in this item as his property is in close proximity to McPherson Reserve. At 7:27pm, Cr Barry McKenna withdrew from the meeting.*

**CR DAN BULL, MAYOR DECLARED A PROXIMITY INTEREST**

*In accordance with section 5.60b of the Local Government Act 1995, Cr Dan Bull, Mayor declared a proximity interest in this item as he lives opposite Gobba Lake. Cr Dan Bull, Mayor, had withdrawn from the meeting at 7:26pm prior to voting on item 10.1, and remained out of the room during voting on this item.*

**CR BRENT FLEETON DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Brent Fleeton declared an impartial interest in this item as he owns a dog and exercises him in the district. Cr Brent Fleeton remained in the room during voting on this item.*

**CR CATHERINE EHRHARDT DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Catherine Ehrhardt declared an impartial interest in this item as her mother lives opposite an off leash dog park. Cr Catherine Ehrhardt remained in the room during voting on this item.*

**CR SALLY PALMER DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Sally Palmer declared an impartial interest in this item as she owns a dog and walks him in local parks. Cr Sally Palmer remained in the room during voting on this item.*

**CR LORNA CLARKE DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Lorna Clarke declared an impartial interest in this item as she owns a dog and uses dog parks. Cr Lorna Clarke remained in the room during voting on this item.*

**EXECUTIVE SUMMARY****Application:**

For Council to consider a review of dog exercise areas within the City of Bayswater.

**Key Issues:**

The key objectives of the Dog Exercise Area Review are to:

- Review existing and potential new dog exercise areas to accommodate increasing demand and improve public outcomes;
- Consider whether there is an appetite to make all parks dog exercise areas other than those identified for particular reasons such as wildlife reserves, high activity sporting nodes, family picnic and play areas;
- Consider the possible delivery of fenced dog agility/exercise areas; and
- The cost and other implications of any identified solutions.

**BACKGROUND**

The City's Corporate Business Plan 2017-2021 included an action to "Review the City's dog exercise areas."

The City of Bayswater currently has 5,479 dogs registered to local households. It is estimated that this may represent 50% of dogs resident in this locality as not all owners register dogs. At present there are 41 gazetted off leash dog exercise areas within the City.

Some of the issues which prompted a review of dog exercise areas include:

- Conflicts between animals and children in playgrounds/play spaces;
- Dogs off leash near cycle and walk paths;
- The need for clearer guidance and communication at dog exercise areas to guide dog owners regarding their responsibilities;
- Overcrowding at dog exercise areas because of the growth in population and dog numbers;
- Interactions between dogs and wildlife in some sensitive environmental areas;
- Sporting fixtures are sometimes played on reserves also used as dog exercise areas; and
- Some community groups are actively lobbying for additional fencing, facilities and specialist dog agility equipment at dog exercise areas.

Increased housing/population density being promoted by the state government will see the development of a significant number of new housing units within the City of Bayswater. It is reasonable to assume that this will also lead to a growth in the number of dogs within the City.

**CONSULTATION**

All city parks were visited by Rangers during the engagement period in February 2018 to administer a survey which was also available on line. 381 surveys were completed over a 4 week period, including 85% online, and 15% face to face in parks.

**ANALYSIS****Community Engagement**

As a result of the surveys administered, the following information was obtained:

- 80% of survey respondents were dog owners;
- 67.7% know where local dog exercise areas are;
- 57% believe that these are clearly recognisable;
- 52.8% of respondents had experienced issues with dogs being exercised in parks;
- Key issues were lack of owner control of dogs, owners not cleaning up after their dogs and lack of facilities at parks for dogs; and
- There was strong support for dogs being kept on leads during events, sporting events, near playgrounds and sensitive environmental areas.

As well as survey responses, the City also received letters and submissions from interested groups and individuals. In summary, the key issues raised are:

- The large number of dogs that are walked off leash on the shared cycle/pedestrian path;
- Lack of perceived enforcement by Rangers;
- Riverside Gardens - dogs off lead provide a perceived safety risk to bike riders, wildlife and people;
- Need for a greater focus on educating and issuing fines for off leash dogs;
- More painted signs on the actual paths in Maylands as in Riverside Gardens;
- Consideration of routing a bike path from Garrett Road to Tonkin Highway that completely separates riders from dogs off leash; and
- Education of dog owners.

#### Desk top review

Perth metropolitan local government animal or dog local laws specify dog exercise areas in one of two ways:

- all parks are designated off leash exercise areas except where specified; OR
- all parks are identified as on lead exercise areas except where specified.

Of the four neighbouring local governments to the City of Bayswater, two specify dog exercise areas and two allow all parks to be dog exercise areas except where specified. In addition, most local laws identify that in or near playgrounds, sports activities, events and carparks, dogs should be on lead. In some cases, wildlife areas are also identified as dog on lead areas.

In addition some local governments have introduced specialist dog parks.

#### Dog Act (WA) and Dog Local Law (2016)

The City of Bayswater Dog Local Law (2016) is scheduled for review in 2019/20 as part of the City's regular statutory processes. In the interim however clarity is required for all park users about dog owner responsibilities and the location of Dog Exercise Areas.

Under the Dog Act (WA) the City is able to give public notice of any changes to Dog Exercise Areas. It is recommended that the City of Bayswater gives local public notice that:

- All City of Bayswater parks are considered Dog Exercise Areas unless otherwise specified below:

- Bert Wright Park;
- Any park or reserve during community events and sporting activities;
- Maylands Peninsula (as per map in Attachment 5);
- A portion of Riverside Gardens (as per attached map Attachment 4); and
- Within 5 metres radius around playgrounds, lakes and carpark.
- The following specific public places and portions of public places are places where dogs are prohibited:
  - Lightening Swamp Bushland, other than on designated paths and with a leash securely fastened;
  - Eric Singleton Bird Sanctuary, other than on designated paths and with a leash securely fastened; and
  - Any park or reserve where fox trapping, nesting wildlife, weed eradication or other seasonal activities are taking place and are suitably signed during these activities.

Several areas have been singled out for attention. Riverside Gardens West contains significant picnic and play spaces and the area identified on the map included as Attachment 4 to the Review is proposed to be a dog on lead area only. The Maylands Peninsula in part has been identified as a proposed on lead area because of the conflicts experienced by cyclists and runners with dogs off lead and the fragile environment in parts of the Peninsula. In the map, included as Attachment 5 to the Review, a portion of the Peninsula between Maylands Waterland and Johnson Street has been identified including the river foreshore and lakes.

Bert Wright Park has also been identified due to the extensive play equipment installed and the proximity to the Bayswater Library and Seniors Centres. Once a dog on lead buffer is imposed 5m around the play areas and within the carpark there is little or no space left to exercise dogs off lead.

### Signage

Although the City has invested in park signage, in many locations a dog exercise area is not identified, or only identified at one boundary. Signage may or may not use symbols to assist in understanding and in many cases is faded, stained and partly or wholly illegible. Enforcement is largely focussed on responding to complaints or dog attacks with little capacity for proactive or education campaigns.

To combat these two challenges, the review report provides recommendations to adopt a more consistent signage approach and provide more information to dog owners about their responsibilities. In particular a process of colour coding parks is recommended to identify on and off lead areas, using reflective strips on bollards and other infrastructure to provide visual cues to dog owners and other park users. Large stickers are recommended for production with information about dog owner responsibilities for attachment to bins in parks at low cost.

The signage proposal included in the review also recommends staged replacement of existing park signage with low free standing signs at entrances to parks. The priorities for implementation of new signage include Riverside Gardens, Maylands Peninsula, conservation areas, major sporting venues and playgrounds.

### Enforcement and Education

It is strongly recommended as an outcome of this review that periodic enforcement and education campaigns are conducted by Ranger and Security Services. In addition, a door knock campaign could be run every two or three years to identify unregistered dogs and cats which will enable better long term animal control within the City of Bayswater.

### Specialist Dog Park

After considering the experiences of other local governments, and in an endeavour to provide safe places to exercise dogs with a range of needs, it is recommended that the City investigate the development of a specialist Dog Park. It is proposed that Ranger and Security Services develop costings and a design for a specialist dog park separated for large and small dogs at Strutt Way Reserve, Noranda to include fencing, dog agility equipment, water fountains and shade. This information is to be further reported to Council for consideration before budget is allocated for construction of these facilities in a future financial year.

This location was chosen as it provides existing parking, is not used for sporting fixtures, is easily accessible and provides an alternate location to Riverside Gardens for residents and visitors. An alternative location that could be considered is Rudloc Reserve, at the corner of Rudloc Street & Coode Street, Morley.

It should be noted, that where a specialist dog park is included at a reserve, it would typically only take up a portion of that reserve, leaving the remainder of the reserve for other activities.

### Summary

A total of 11 recommendations have been made in the Dog Exercise Review (**attachment 1**) and these are reflected in the recommendations to this report. The update of the City of Bayswater Dog Local Law will provide a range of new provisions which will allow Rangers to better promote and enforce responsible dog ownership. The implementation of new signage will assist in conveying these new provisions to the community with strong visual cues as to what is allowed in any given park.

### **OPTIONS**

The following options are available to Council:

OPTION	BENEFIT	RISK
1. <b><i>Adopt the proposed recommendations from the Dog Exercise Area Review</i></b> <b><i>Estimated Cost:</i></b>	<ul style="list-style-type: none"> <li>Improved clarity for all park users;</li> <li>Events, sport, wildlife protection, carparks and children's play and identified as dog on lead areas;</li> </ul>	<ul style="list-style-type: none"> <li>Promoting the changes to current conditions to ensure that park users understand the changes occurring.</li> </ul>
2. <b><i>Not adopt the proposed recommendations from the Dog Exercise Area Review</i></b> <b><i>Estimated Cost:</i></b>	<ul style="list-style-type: none"> <li>No changes required to current processes with no additional costs.</li> </ul>	<ul style="list-style-type: none"> <li>There will continue to be confusion about where and how dogs can be exercised in City parks;</li> <li>Conflict between different park users will not have been addressed</li> </ul>

### **CONCLUSION**

Option 1 is recommended as it provides greater clarity for all park users with regard to where dogs can be exercised and the responsibilities of owners in each location. Allowing all parks except where specified to be off lead Dog Exercise Areas will reduce the need for overall signage and allow for enforcement and education aligned with these changes.

Conducting a trial of a specialist dog park will provide a unique and enjoyable park option for those wanting to exercise their dog. This will also potentially draw some dog owners away from other dog exercise areas such as Riverside Gardens, potentially reducing conflicts in that area.

## FINANCIAL IMPLICATIONS

It is anticipated that the net financial impact of the review recommendations is an additional \$82,000 net cost over 3 years to the City. This is summarised in the table below:

Recommendation	Proposed Budget 2018/19	Proposed Budget 2019/20	Proposed Budget 2020/21	Comments
Update Dog Local Law - legal expenses	5,000			
Ranger enforcement campaigns x 2 annually		5,000	5,000	Employ casual rangers to assist in covering all areas.
Dog education programs x 2 annually	5,000	5,000	5,000	Employ casual rangers to assist in covering all areas.
Signage - staged implementation	10,000	30,000	10,000	
Costings and design for trial specialist dog park	2,000			
Doorknock campaign to identify unregistered animals every two years.		(20,000) Wages 20,000 Income		Should be cost neutral - income from infringements and registrations to cover the cost of casual staff.
<b>TOTAL</b>	<b>\$22,000</b>	<b>\$40,000</b>	<b>\$20,000</b>	

## STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Community

Aspiration: An active and engaged community.

Outcome C1: A strong sense of community through the provision of quality services and facilities

Strategy C1.1: Plan and provide a range of community facilities to meet current and future needs.

Action C1.1.5 Review the City's dog exercise areas.

## COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

City of Bayswater Dog Local Law (2016)

## VOTING REQUIREMENTS

Simple Majority

## ATTACHMENTS

1. Dog Exercise Area Review Report

**OFFICER'S RECOMMENDATION**

That Council:

1. Approves the local public notice for the intention to specify under section 31 (3A) of *The Dog Act 1976* that all City of Bayswater parks are considered Dog Exercise Areas unless otherwise specified below:
  - a) Bert Wright Park;
  - b) Specified areas of Maylands Peninsula as per attachment 5 of the Review;
  - c) Specified area of Riverside Gardens West as per attachment 4 of the Review;
  - d) Any park or reserve during a community event or sporting activity; and
  - e) Within 5 metres of any playground, lake or carpark;
2. Approves local public notice for the intention to specify under section 31 (2B) of the *Dog Law Act 1976*, that the following public places will be considered to be places where dogs are prohibited:
  - a) Lightening Swamp Bushland, other than on designated paths and with a leash securely fastened;
  - b) Eric Singleton Bird Sanctuary, other than on designated paths and with a leash securely fastened; and
  - c) Any park or reserve where fox trapping, nesting wildlife, weed eradication or other seasonal activities are taking place and are suitably signed during these activities.
3. Introduce new park signage to clarify dog owner responsibilities with priority for implementation being Riverside Gardens, conservation areas, major sporting venues and playgrounds;
4. Develop costings and a design for a specialist dog park separated for large and small dogs at Strutt Way Reserve, Noranda to include fencing, dog agility equipment, water fountains and shade;
5. Provide community education programs at parks and other public spaces including events, to improve local knowledge of where and when dogs can be exercised off lead, how to control dogs off lead, social etiquette at Dog Exercise Areas and key features of the WA Dog Act and City of Bayswater Dog Local Law;
6. Conduct at least two major Ranger enforcement campaigns a year in parks to issue cautions/infringements for dog offences and check registrations;
7. Conduct a door knock program to identify unregistered animals every three years;
8. Note that a review the Dog Local Law is proposed to be undertaken in 2019/20; and
9. Considers an allocation of \$20,000 in the 2018/19 operating budget for design and development of new park signage.

**MOTION****That Council:**

1. Approves the local public notice for the intention to specify under section 31 (3A) of *The Dog Act 1976* that the City of Bayswater will make no change to dog exercise areas within the City, unless otherwise specified below:
  - a) Bert Wright Park will no longer be a dog exercise area;
  - b) Specified area of Riverside Gardens West as per attachment 4 of the Review will no longer be a dog exercise area;
  - c) Riverside Gardens East to be considered as a new dog exercise area;
  - d) Any park or reserve during a community event or sporting activity will not be a dog exercise area;
  - e) Within 5 metres of any lake or carpark will not be a dog exercise area regardless of whether the park is a specified dog exercise area.
  - f) With respect to Bardon Park Maylands, the only area to be considered a dog exercise area will be the open grassed area in the Northern portion of Bardon Park, adjacent to Fourth Avenue East and Bardon Place.
  - g) Within 20 metres of any playground will not be a dog exercise area regardless of whether the park is a specified dog exercise area.
2. Approves local public notice for the intention to specify under section 31 (2B) of the *Dog Law Act 1976*, that the following public places will be considered to be places where dogs are prohibited:
  - a) Lightning Swamp Bushland, other than on designated paths and with a leash securely fastened;
  - b) Eric Singleton Bird Sanctuary, other than on designated paths and with a leash securely fastened; and
  - c) Any park or reserve where fox trapping, nesting wildlife, weed eradication or other seasonal activities are taking place and are suitably signed during these activities.
3. Introduce new park signage to clarify dog owner responsibilities with priority for implementation being Riverside Gardens, conservation areas, major sporting venues and playgrounds;
4. Develop costings and a design for a specialist dog park separated for large and small dogs at Strutt Way Reserve, Noranda to include fencing, dog agility equipment, water fountains and shade;
5. Provide community education programs at parks and other public spaces including events, to improve local knowledge of where and when dogs can be exercised off lead, how to control dogs off lead, social etiquette at Dog Exercise Areas and key features of the WA Dog Act and City of Bayswater Dog Local Law;
6. Conduct at least two major Ranger enforcement campaigns a year in parks to issue cautions/infringements for dog offences and check registrations;
7. Conduct a door knock program to identify unregistered animals every three years;
8. Note that a review the Dog Local Law is proposed to be undertaken in 2019/20; and
9. Considers an allocation of \$20,000 in the 2018/19 operating budget for design and development of new park signage.

**CR FILOMENA PIFFARETTI MOVED, CR ELLI PETERSEN-PIK SECONDED**

*At 7:49, Cr Brent Fleeton left the meeting and returned at 7:51pm.*



**AMENDMENT**

That clause 1. b) be amended as follows:

- b) Specified area of Riverside Gardens West as per attachment 4, west of a line directly south from the carpark to the river will no longer be a dog exercise area;

CR CHRIS CORNISH, DEPUTY MAYOR MOVED, CR CATHERINE EHRHARDT SECONDED  
CARRIED: 5/2  
The Amendment became part of the Substantive Motion.

*For: Cr Chris Cornish, Deputy Mayor, Cr Catherine Ehrhardt, Cr Sally Palmer,  
Cr Elli Petersen-Pik, Cr Lorna Clarke.*  
*Against: Cr Brent Fleeton and Cr Filomena Piffaretti.*

**AMENDMENT**

That clause 1. c) be removed as follows:

- c) Riverside Gardens East to be considered as a new dog exercise area;

CR SALLY PALMER MOVED, CR CATHERINE EHRHARDT SECONDED  
LOST: 3/4

*For: Cr Sally Palmer, Cr Catherine Ehrhardt, and Cr Filomena Piffaretti.*  
*Against: Cr Chris Cornish, Deputy Mayor, Cr Elli Petersen-Pik, Cr Lorna Clarke, and Cr Brent Fleeton.*

**MOTION**

That the item be deferred for further community consultation.

CR BRENT FLEETON MOVED, CR LORNA CLARKE SECONDED  
LOST: 2/5

*For: Cr Brent Fleeton and Cr Lorna Clarke.*  
*Against: Cr Chris Cornish, Deputy Mayor, Cr Elli Petersen-Pik, Cr Sally Palmer, Cr Catherine Ehrhardt, and Cr Filomena Piffaretti.*

**COUNCIL RESOLUTION**

That Council:

1. Approves the local public notice for the intention to specify under section 31 (3A) of *The Dog Act 1976* that the City of Bayswater will make no change to dog exercise areas within the City, unless otherwise specified below:
  - a) Bert Wright Park will no longer be a dog exercise area;
  - b) Specified area of Riverside Gardens West as per attachment 4, west of a line directly south from the carpark to the river will no longer be a dog exercise area;
  - c) Riverside Gardens East to be considered as a new dog exercise area;
  - d) Any park or reserve during a community event or sporting activity will not be a dog exercise area;
  - e) Within 5 metres of any lake or carpark will not be a dog exercise area regardless of whether the park is a specified dog exercise area.
  - f) With respect to Bardon Park Maylands, the only area to be considered a dog exercise area will be the open grassed area in the Northern portion of Bardon Park, adjacent to Fourth Avenue East and Bardon Place.
  - g) Within 20 metres of any playground will not be a dog exercise area regardless of whether the park is a specified dog exercise area.

2. Approves local public notice for the intention to specify under section 31 (2B) of the *Dog Law Act 1976*, that the following public places will be considered to be places where dogs are prohibited:
  - a) Lightening Swamp Bushland, other than on designated paths and with a leash securely fastened;
  - b) Eric Singleton Bird Sanctuary, other than on designated paths and with a leash securely fastened; and
  - c) Any park or reserve where fox trapping, nesting wildlife, weed eradication or other seasonal activities are taking place and are suitably signed during these activities.
3. Introduce new park signage to clarify dog owner responsibilities with priority for implementation being Riverside Gardens, conservation areas, major sporting venues and playgrounds;
4. Develop costings and a design for a specialist dog park separated for large and small dogs at Strutt Way Reserve, Noranda to include fencing, dog agility equipment, water fountains and shade;
5. Provide community education programs at parks and other public spaces including events, to improve local knowledge of where and when dogs can be exercised off lead, how to control dogs off lead, social etiquette at Dog Exercise Areas and key features of the WA Dog Act and City of Bayswater Dog Local Law;
6. Conduct at least two major Ranger enforcement campaigns a year in parks to issue cautions/infringements for dog offences and check registrations;
7. Conduct a door knock program to identify unregistered animals every three years;
8. Note that a review the Dog Local Law is proposed to be undertaken in 2019/20; and
9. Considers an allocation of \$20,000 in the 2018/19 operating budget for design and development of new park signage.

CR FILOMENA PIFFARETTI MOVED, CR ELLI PETERSEN-PIK SECONDED

CARRIED: 6/1

*For: Cr Chris Cornish, Deputy Mayor, Cr Filomena Piffaretti, Cr Sally Palmer, Cr Lorna Clarke, Cr Elli Petersen-Pik and Cr Catherine Ehrhardt.*

*Against: Cr Brent Fleeton*

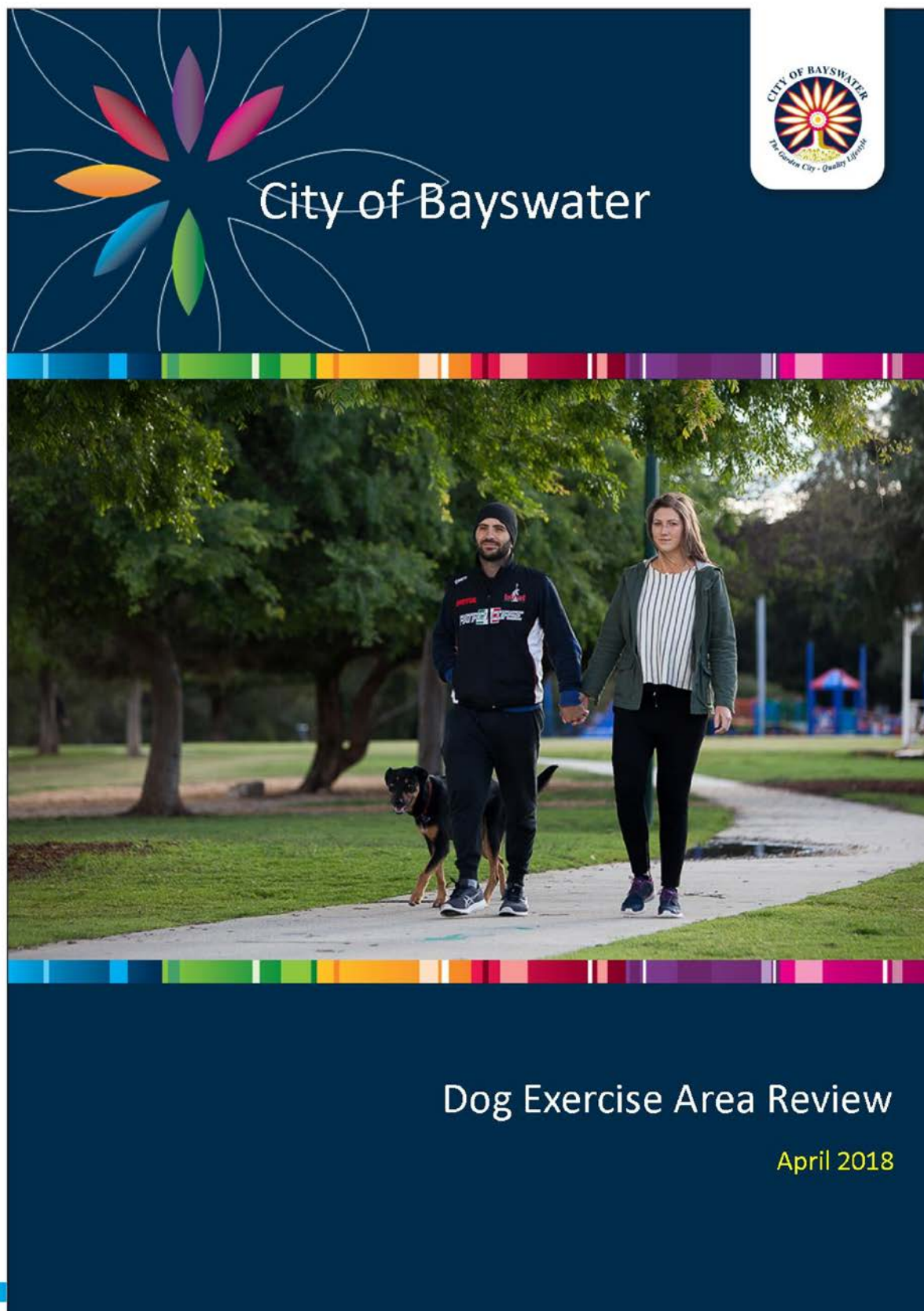
#### REASON FOR CHANGE

*Council changed the Officer's Recommendation as it was of the opinion that the current dog exercise areas within the City largely meet the needs of both dog owners and non-dog owners alike. However, Council chose to increase the dog exclusion area around playgrounds from the Officer's Recommendation of 5 metres to 20 metres, to protect children from the potential threat of aggressive dogs. Council also chose to alter the dog exercise area of Riverside Gardens West, so that the entire space of the beach will be available for dogs to swim as they were of the belief that the Officer's Recommendation, which designated half of the beach as on-lead and half off-lead would be confusing to dog owners and encourage non-compliance.*

*Cr Giorgia Johnson, Cr Stephanie Gray, Cr Barry McKenna and Cr Dan Bull, Mayor, returned to the meeting at 8:07pm. Cr Dan Bull, Mayor, resumed the Chair.*

*At 8:07pm, Cr Elli Petersen-Pik left the meeting and returned at 8:09pm.*

Attachment 1



## Dog Exercise Area Review

April 2018



## **EXECUTIVE SUMMARY**

### **1 Introduction**

- 1.1 Introduction
- 1.2 Vision
- 1.3 Objectives
- 1.4 Strategic Framework
- 1.5 Context

### **2 Sections**

- 2.1 Project methodology
- 2.2 Engagement approach
- 2.3 Desktop review of dog exercise areas
- 2.4 Comparisons with other local governments
- 2.5 What is working well?
- 2.6 What is required?
- 2.7 Signage proposal
- 2.8 Recommendations
- 2.9 Financial Implications

### **3 Implementation**

- 3.1 Implementation Process
- 3.2 Implementation Plan
- 3.3 Monitor and Review

## **Appendices**

- Appendix 1 - Dog Exercise Review Survey
- Appendix 2 - City of Bayswater Dog Local Law
- Appendix 3 - Other Local Governments
- Appendix 4 - Map of Riverside Gardens West
- Appendix 5 - Map of Maylands Peninsula





## Executive Summary

The City of Bayswater currently has 5,479 dogs registered to local households. It is estimated that this may represent only 50% of dogs resident in this locality as not all owners register dogs. At present there are 41 gazetted off leash dog exercise areas within the City. Increased housing/population density being promoted by the state government will see the development of a significant number of new housing units within the City of Bayswater. It is reasonable to assume that this will also lead to a growth in the number of dogs within the City.

The City's Corporate Business Plan 2017-2021 included an action to "Review the City's dog exercise areas." To respond to this challenge effectively it is important to understand what is currently available and being used; identify current and potential future issues; and propose strategic responses to these that will enable clarity of expectations for dog owners, other park users and the wider community.

Community engagement has revealed that although many people believe they know where dog exercise areas are, lack of signage and other information may confuse dog owners about their responsibilities and the boundaries of off lead areas. It is also acknowledged that there need to be safe places for children to play, wildlife to breed and small or shy dogs to exercise within the City of Bayswater. The importance of Riverside Gardens as a dog exercise area, not only to Bayswater residents, was also evident throughout this review.

After undertaking the review of dog exercise areas, the following recommendations are provided for consideration.

1. As per the Dog Act WA the City of Bayswater gives local public notice that:
  - 1.1. All City of Bayswater parks are considered Dog Exercise Areas unless otherwise specified below:
    - 1.1.1. Bert Wright Park;
    - 1.1.2. Any park or reserve during community events and sporting activities;
    - 1.1.3. Maylands Peninsula (as above);
    - 1.1.4. A portion of Riverside Gardens (as above); and
    - 1.1.5. Within 5 metres radius around playgrounds, lakes and car parks.
  - 1.2. The following specific public places and portions of public places are places where dogs are prohibited:
    - 1.2.1. Lightening Swamp Bushland, other than on designated paths and with a leash securely fastened
    - 1.2.2. Eric Singleton Bird Sanctuary, other than on designated paths and with a leash securely fastened
    - 1.2.3. Any park or reserve where fox trapping, nesting wildlife, weed eradication or other seasonal activities are taking place and are suitably signed during these activities.



2. Introduce new park signage to clarify dog owner responsibilities with priority for implementation being Riverside Gardens, conservation areas, major sporting venues and playgrounds;
3. Develop costings and a design for a specialist dog park separated for large and small dogs at Strutt Way Reserve, Noranda to include fencing, dog agility equipment, water fountains and shade;
4. Provide community education programs at parks and other public spaces including events, to improve local knowledge of where and when dogs can be exercised off lead, how to control dogs off lead, social etiquette at Dog Exercise Areas and key features of the WA Dog Act and City of Bayswater Dog Local Law;
5. Conduct at least two major Ranger enforcement campaigns a year in parks to issue cautions/infringements for dog offences and check registrations;
6. Conduct a door knock program to identify unregistered animals every three years;
7. Note that a review the Dog Local Law is proposed to be undertaken in 2019/20;
8. Consider for inclusion in operating budgets the amounts detailed in Section 2.9 of this report.

The *Summary of Proposals* table below lists the features of the recommended changes for consideration.

#### SUMMARY OF PROPOSALS

	NOW	PROPOSED
<b>Features</b>	Dog Exercise Areas are <b>gazetted</b> and all other parks are dog on lead areas.	<b>All parks</b> are Dog Exercise Areas and Dog on Lead and Dog Exclusion Zones are gazetted.
	Signage is inconsistently branded, and difficult to find/interpret.	New consistent signage will be installed to provide improved understanding of what is permitted and the roles of dog owners.
	Conflicts between dogs and cyclists, wildlife and playground users.	Improved clarity about where dogs must be on lead or excluded in these conflict spaces.
	Poor dog owner behaviour.	Education and enforcement campaigns designed to provide information and advice as well as issue infringements to reinforce appropriate behaviours.
	67% of those surveyed know where their local Dog Exercise Area is located.	Changes to the Dog Local Law proposed will mean that all parks are Dog Exercise Areas except where specified and signed.
<b>Strengths</b>	67% of those surveyed know where their local Dog Exercise Area is located.	Improved signage will clarify what is allowed in each park and fewer signs will be required to identify Dog Exercise Areas.

	NOW	PROPOSED
<b>Weaknesses</b>	More than 34% of those surveyed believe there should be more Dog Exercise Areas and a further 26% were not sure. Only 6% wanted fewer Dog Exercise Areas.	Changes to the Dog Exercise Areas proposed will mean that <i>all parks</i> are Dog Exercise Areas except where specified and signed.
	More than 52% of those surveyed have experienced issues with dogs off lead in parks. These include: <ul style="list-style-type: none"> <li>• Owners failing to control dogs off lead;</li> <li>• Failing to clean up after dogs;</li> <li>• Lack of facilities for dogs.</li> </ul>	Education and enforcement campaigns will provide information and advice as well as issue infringements to reinforce appropriate behaviours.  A specialist Dog Park is proposed, for investigation of design and costs, to provide additional facilities such as agility equipment, fencing and shade.
	Survey respondents were supportive of dogs being kept on lead at the following times/locations: <ul style="list-style-type: none"> <li>• During community events;</li> <li>• During sports activities;</li> <li>• In playgrounds;</li> <li>• In conservation and wildlife areas.</li> </ul>	The Dog Local Law is updated to provide information about Dog Exercise Areas, Dog on Lead and Dog Exclusion Zones and define situations where these zones are applied.



# 1. Introduction

## 1.1 Introduction

The City of Bayswater currently has 5,479 dogs registered to local households. It is estimated that this may represent 50% of dogs resident in this locality as not all owners register dogs. At present there are 41 gazetted off leash dog exercise areas within the City.

Some of the issues which prompted a review of dog exercise areas include:

- Conflicts between animals and children in playgrounds/playspaces;
- Dogs off leash near cycle and walk paths;
- The need for clearer guidance and communication at dog exercise areas to guide dog owners regarding their responsibilities;
- Overcrowding at dog exercise areas because of the growth in population and dog numbers;
- Interactions between dogs and wildlife in some sensitive environmental areas;
- Sporting fixtures are sometimes played on reserves also used as dog exercise areas; and
- Some community groups are actively lobbying for additional fencing, facilities and specialist dog agility equipment at dog exercise areas.

Increased housing/population density being promoted by the state government will see the development of a significant number of new housing units within the City of Bayswater. It is reasonable to assume that this will also lead to a growth in the number of dogs within the City.

To respond to these challenges effectively it was considered important to understand what is currently available and being used; identify current and potential future issues; and propose strategic responses to these that will enable clarity of expectations for dog owners, other park users and the wider community.

## 1.2 Vision

The Strategic Community Plan 2017-2027 provides the vision for all work undertaken within the City - "A place where community vision becomes reality". The City's Corporate Business Plan 2017-2021 included the action C1.1.5 to "Review the City's dog exercise areas."

## 1.3 Objectives

The purpose of the plan is to review existing and potential new dog exercise areas to accommodate increasing demand and improve public outcomes. Implementing the outcomes of the review is expected to deliver the following benefits:

- Better management of parks;
- Less conflict between different park user groups and residents; and
- Improved community development outcomes - fostering interaction between neighbours and park users.



The key objectives of the project are to:

- Identify the best strategic locations for dedicated dog exercise areas;
- Consider whether there is an appetite to make all parks dog exercise areas other than those identified for particular reasons such as wildlife reserves, high activity sporting nodes, family picnic and play areas;
- Consider the possible delivery of fenced dog agility/exercise areas; and
- The cost and other implications of any identified solutions.

#### 1.4 Strategic Framework

In accordance with the City of Bayswater's Strategic Community Plan 2017-2027, the following applies:

##### ***Our community***

*Aspiration: An active and engaged community.*

Outcome C1: A strong sense of community through the provision of quality services and facilities

Strategy C1.1: Plan and provide a range of community facilities to meet current and future needs.

Action C1.1.5 Review the City's dog exercise areas.

#### 1.5 Context

Most local governments in Western Australia provide dog exercise areas where dogs can be exercised off lead. It is important to understand some of the terminology associated with dog exercise areas.

What is a:

- Dog Exercise Area? Where a dog can be exercised off lead but within the owners control at all times, either by voice or hand control.
- Dog Exclusion Area? No dogs are allowed – on or off lead.
- Dog Park? Specialist area for dogs – may include dog agility courses, fencing, other facilities.

Many local governments allow dogs to be exercised off lead at all parks and public open space, except where identified in the gazetted Animal Local Law. Typically these specified spaces are major sports venues, sensitive environmental areas and picnic/play/tourism destinations. Many animal local laws also specify exclusion areas around playgrounds where dogs must be kept on a lead.

The City of Bayswater has adopted a different approach to dog exercise areas. Only gazetted/specified dog exercise areas are available for off lead activities and all other parks and public open space are restricted to either on lead or exclusion. This point of difference and assessing any appetite for change will be explored as part of this review,



## 2.1 Project methodology

The Project Plan for this review of community grants was approved by the project sponsor on 14 December 2017.

Key features of this plan included:

- Workshop with internal stakeholders;
- Desk top research into the experiences of other local governments in metropolitan Perth;
- Collection of historic data about City of Bayswater dog exercise areas;
- Training of staff to undertake in person surveys;
- Surveys in parks and wider community using iPads connected to Engage Bayswater;
- Structured focus group with interest group representatives;
- Draft signage proposal developed;
- Follow up internal stakeholder workshop;
- Workshop with Council to understand key concerns and priorities for change; and
- Draft budget submissions prepared.



## 2.2 Engagement Approach

An engagement plan was developed for this project which included:

- Survey - on line and in person at City parks;
- Focus Group - representatives of different interest groups invited to participate;
- City of Bayswater staff - preliminary workshop to identify issues; and
- City of Bayswater staff - follow up workshop to test the feasibility and reasonableness of recommendations and signage proposal.

The engagement process explored the following questions with regard to current dog exercise areas and future opportunities. A copy of the survey is included as **Attachment 1** to this report.

### EXTERNAL

- Has there been any experience of issues at dog exercise areas?
- What factors should the City take into account before making future decisions about areas where dogs should not be exercised off lead?
- Do people know where local dog exercise areas are located?
- Are there enough/too many dog exercise areas?
- Should the City deliver any specialist fenced dog agility/exercise areas?
- Is there an appetite to make all parks dog exercise areas other than those identified as wildlife reserves or high activity sporting nodes?

### INTERNAL

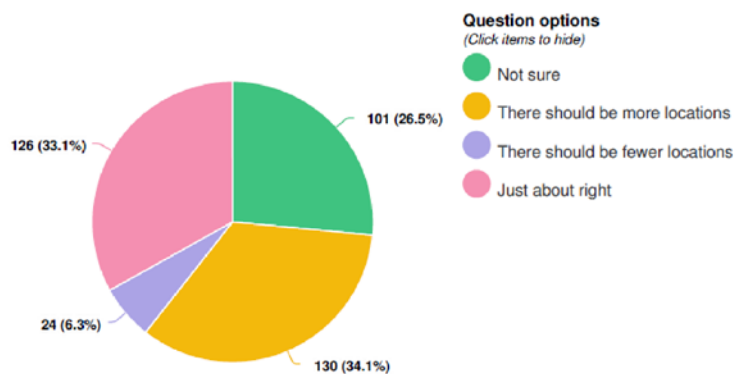
- What are the best strategic locations for dedicated dog exercise areas?
- Should the City deliver any specialist fenced dog agility/exercise areas?
- Is there an appetite to make all parks dog exercise areas other than those identified as wildlife reserves or high activity sporting nodes?
- Are there solutions that might meet the requirements of all or many interest groups?
- Is it possible to develop a set of guiding principles for future decision making?
- Are there any quick wins for early implementation?

Outcomes of engagement are discussed in the following pages.

### OUTCOMES - Survey

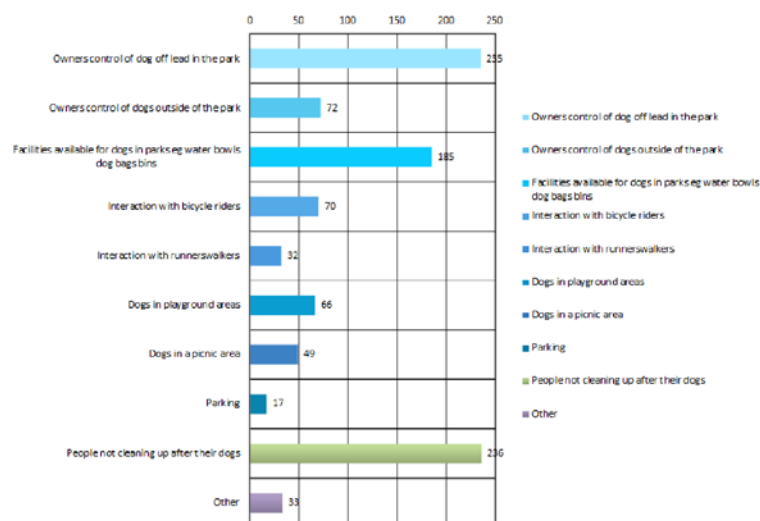
- 381 surveys were completed over 4 weeks:
  - 85% online;
  - 15% face to face in parks;
- All city parks were visited by Rangers with the survey during the engagement period;
- 80% of survey respondents were dog owners;
- 67.7% know where local dog exercise areas are;
- 57% believe that these are clearly recognisable;

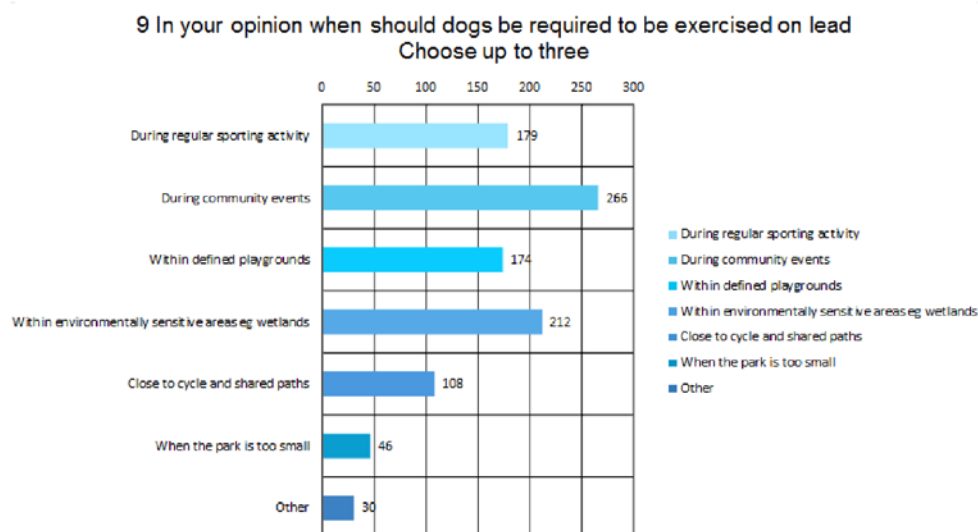
#### 5. How do you feel about the number of dog exercise areas in the City of Bayswater?



- 52.8% of respondents had experienced issues with dogs being exercised in parks;

#### 8 Which of the following issues are most important to you Please choose up to three





As well as survey responses, the City also received letters and submissions from interested groups and individuals. In summary, the key issues raised are:

- The large number of dogs that are walked off leash on the shared cycle/pedestrian path;
- Lack of perceived enforcement by Rangers;
- Riverside Gardens - dogs off lead provide a perceived safety risk to bike riders, wildlife and people;
- Need for a greater focus on educating and issuing fines for off leash dogs;
- More painted signs on the actual paths in Maylands as in Riverside Gardens;
- Consideration of routing a bike path from Garrett Road to Tonkin Highway that completely separates riders from dogs off leash;
- Education of dog owners;
- The importance of Riverside Gardens as a dog exercise area.

## OUTCOMES - Focus Group

### Dog Exercise Areas - all parks or only where specified

- Concerns about dogs off lead attacking wildlife;
- Some believed that all parks were already Dog Off Lead areas;
- **Animals and people need to feel safe;**
- **Clarity required for dog owners** about what effective control is required when off lead;
- Riverside Gardens - support for dogs to be able to enter the river;
- Dogs on sports fields haven't been a big problem - bigger issue with dog poo not being picked up and disposed of appropriately;
- Dogs off lead on paths are a problem, but difficult to enforce;
- No dogs off lead at **playgrounds and barbecue areas**;
- Picnic areas should be Dog on Lead areas except Riverside Gardens;
- Walking dogs on **shared paths** should be on lead;
- Dogs should be on lead at **community events**;
- Dogs should be on lead during **sports matches** but not during reserve maintenance; and
- **Maylands Peninsula and lakes** should not be off lead areas.

### Specialist Dog Parks

- Ensure **different areas for small and large dogs** to prevent attacks;
- Multi use space provided at an existing dog exercise area;
- Large dogs need larger fenced areas to run; and
- Consider the old tip site east of Riverside Gardens.

### Signage

- Current signage is **poor and sometimes in the wrong locations**;
- Keep it simple - use **colours** to denote on and off lead areas as well as words/symbols;
- Use of **symbols**, fewer words;
- Signs should be **lower** - not on high poles;
- Place signs at the entrance to parks and adjacent to car parks;
- Use of variable message signs to remind park users of obligations periodically; and
- Not too many signs.

### Dog Exclusion Zones

- Exclusion Zones are **impractical and difficult to enforce**;

### Other matters

- Conduct regular **door knock campaigns** to identify unregistered dogs, every 2 or 3 years, like Operation Dog Knock in City of Kalamunda;
- Western Australian Dog Act - should be reviewed to ensure appropriate dwelling size to contain two dogs, not just by right;



### OUTCOMES - Councillor Workshop

A presentation was provided to Councillors on Tuesday 6 March 2018. As a result of discussion arising from the presentation the following points were noted:

- Councillors were very supportive of proposals to **improve signage** where it did **not contribute to visual clutter** but was easy to understand and improved understanding about dog owner responsibilities.
- Support for **all parks as Dog Exercise Areas** as this would reduce the need for signage and improve capacity;
- The provision of a **specialist dog park was supported** in a location that is currently not well used for other activities.
- Generally there was support for dogs being kept **on leads near playgrounds and cycle paths**, as well as during sporting events but **not during reserve maintenance**.

### OUTCOMES - internal stakeholder workshop

#### Specialist Dog Park

- Recommended that this not be located at Riverside Gardens;
- Possible sites:
  - Rudloc Reserve;
  - Maxwell Reserve;
  - Arbinger Reserve; or
  - Strutt Reserve.
- City of Kwinana has a very good reference site that we could learn from with different spaces for small and large dogs;
- City of Swan park at Aveley is less effective; and
- Issues identified at City of Stirling dog park where there is no separation between small and large dogs.

#### Dog on lead areas

- Smoking is banned within 10m of a playground by law so it appears reasonable to require dogs to be kept on lead within 5m of a playground;
- There is an existing precedent in Maylands with regard to dogs around lakes - existing signage requires dogs to be on lead within 5m of the lake edge;
- 5m dog on lead areas should apply around carparks to ensure that dogs are controlled near vehicles; and
- If 5m dog on lead areas apply around playgrounds and carparks then Bert Wright Park would become completely an on lead area.

#### Dog Exclusion Zones

- Should wildlife areas such as Eric Singleton Bird Sanctuary be fenced?
- Should Golf Courses be dog exclusion areas/fenced?
- There is a need to consider temporary exclusion zones when fox trapping, wildlife nesting, weed treatments, planting or other seasonal activities are taking place.

#### Signage

- Consider the Community Friendly Park signage at Riverside Gardens as an example;
- Consider the on path signage at Riverside Gardens;
- Support for coloured bands on bollards and other infrastructure to denote on/off lead areas;
- Support for large format stickers on rubbish bins to inform dog owners about their obligations and responsibilities.



## 2.3 Desktop review of Dog Exercise Areas

An extensive review has been undertaken of the City of Bayswater Dog Local Law and the local laws and practices of other Perth metropolitan local governments. A summary of other local government approaches is included in section 2.4 and further detail including signage examples is provided at Attachment 3.

Currently the City of Bayswater Dog Local Law (2016) makes no reference to Dog Exercise Areas. This Local Law is attached to this review as Attachment 2. Previously Dog Exercise Areas and Dog Exclusion Zones had been incorporated in the Local Law as schedules; however the 2016 revised Local Law removed these schedules.

Parks identified as dog exercise areas are gazetted following a Council resolution but this information is only available on the City's website and not consolidated and contained within any official City publication.

Areas of conflict within the City have been investigated. Most dog attacks took place on streets and in private residences rather than in parks. In 2017 there were 126 dog attack reports in the City of Bayswater with the most attacks occurring in one park being nine at Riverside Gardens. This reflects the relatively high usage of this park for off lead exercise.

Riverside Gardens is a very unique venue as it provides not only playground and picnic spaces, shared paths as part of a very extensive local and regional path network, bird and wildlife sanctuaries but also a large dog exercise area with access to the river. This waterfront access is an attractor to dog owners across the metropolitan area as it provides the opportunity to exercise dogs in the water, but can bring the dogs into conflict with other users.

Signage at Dog Exercise Areas is limited, inadequate and/or missing, and inconsistently branded - examples are provided below. The style of signage needs to be refreshed and provide more advice to dog owners in friendly and approachable language as well as symbols. The boundaries of dog exercise areas are not clear and in many cases are not signed at all.







## 2.4 Comparison with other local governments

### Summary of themes

Most local government animal or dog local laws specify dog exercise areas in one of two ways:

- all parks are designated off leash exercise areas except where specified; OR
- all parks are identified as on lead exercise areas except where specified.

Of the four neighbouring local governments to the City of Bayswater, two specify dog exercise areas and two allow all parks to be dog exercise areas except where specified.

In addition, most local laws identify that in or near playgrounds, sports activities, events and carparks dogs should be on lead. In some cases, wildlife areas are also identified as dog on lead areas.

Most local governments also provide easy to read and understand information about how dogs need to be controlled on websites or Facebook pages. Typically these define what "under control" means and provide advice about dog owner responsibilities.

LOCAL GOVERNMENT	ALL PARKS OR AS SPECIFIED	LOCAL LAW includes Dog Exercise Areas	PLAY GROUNDS - dogs must be on lead	SPORTS & EVENTS - dogs must be on lead	OTHER
Bassendean	As specified	Yes	Yes	Yes	Carparks
Joondalup	All parks	Yes	No	No	
South Perth	As specified	No	Within 5m	Within 5m	
Stirling	All parks	No - policy	Within 5m	Within 5m	Carparks
Subiaco	As specified	Yes	20m	If signed	
Swan	All parks	Yes	Yes	If signed	Wildlife areas
Victoria Park	As specified	Yes	Yes	Yes	Carparks
Vincent	As specified	No	No	No	

### Specialist Dog Parks

A number of local governments have introduced specialist dog parks. The following reference sites were identified:

LOCAL GOVERNMENT	LOCATION OF DOG PARK	FEATURES
City of Stirling	Charles Riley Reserve, Trigg	Double gated, fenced, little shade. No separation of large and small dogs Recent media spotlight on attacks on small dogs in this space
City of Swan	Aveley	A small dog and a large dog exercise zone, with agility equipment, foot pedal operated water fountain, shade and seating.
City of Kwinana	Peace Park, Parmelia	Fully fenced with small and large dog areas, agility equipment, lovely bush setting, lots of shade, and seating available. Picnic areas and bbqs outside the fenced areas.

LOCAL GOVERNMENT	LOCATION OF DOG PARK	FEATURES
Department of Planning, Lands and Heritage	Whiteman Park	2.5 hectare Dog Park allows dogs to exercise off-lead. Completely fenced off and also contains an obstacle course designed especially in colours that the dogs can see! The Dog Park features double gated entry/exit points to allow the safe leashing/unleashing of your dog, lots of shade, multiple water points and over 500m of walk path within the enclosure. Small dogs under 10kg are also catered for, with a smaller, separate enclosure just for them. Open from 8.30am to 6.00pm daily, and is free to use.
City of Cockburn	Yarra Vista Dog Park Jandakot	The large fenced dog area features larger agility equipment and native vegetation that provides the area with a bush type feel and setting. If you aren't keen on your dog getting a bit dirty, Yarra Vista Park may not be for you as the ground is sandy and littered with dropped leaves and branches, but is perfect if you are looking for a more natural area to let your dog play and explore. Play equipment is provided outside the fenced dog areas.



## 2.5 What is working well?

### 1. Signage

The City of Bayswater has introduced some new styles of signage in recent years which have had a positive impact on behaviour and management of dogs off lead. In particular new path signage at Riverside Gardens introduced in collaboration with local environmental groups is easy to read for dog walkers and also provides information for pedestrians and cyclists.

Temporary portable signage for events has been developed and used prior to events to advise dog owners of restrictions. These are simple but effective and easy to use, providing clarity about the City's expectations.

### 2. Managing dog waste

The City currently provides bins and dog poo bags in most parks. This assists responsible owners to clean up after their pets. A trial is currently underway with bio-degradable bags to limit the environmental impact of these bags. Unfortunately, the presence of bins and bags at all parks reinforces the belief that all parks are off lead exercise areas.

### 3. Enforcement

Although mostly reactive to complaints and attacks the City's Rangers are considered to be thorough and provide consistent responses to these matters.



## 2.6 What is required?

### 1. Dog Act (WA) and Dog Local Law (2016)

The City of Bayswater Dog Local Law (2016) is scheduled for review in 2019/20 as part of the City's regular statutory processes. In the interim however clarity is required for all park users about dog owner responsibilities and the location of Dog Exercise Areas.

Under the Dog Act (WA) the City is able to give public notice of any changes to Dog Exercise Areas. It is recommended that the City of Bayswater gives local public notice that:

- All City of Bayswater parks are considered Dog Exercise Areas unless otherwise specified below:
  - Bert Wright Park;
  - Any park or reserve during community events and sporting activities;
  - Maylands Peninsula (as per map in **Attachment 5**);
  - A portion of Riverside Gardens (as per attached map **Attachment 4**); and
  - Within 5 metres radius around playgrounds, lakes and carparks.
- The following specific public places and portions of public places are places where dogs are prohibited:
  - Lightening Swamp Bushland, other than on designated paths and with a leash securely fastened
  - Eric Singleton Bird Sanctuary, other than on designated paths and with a leash securely fastened
  - Any park or reserve where fox trapping, nesting wildlife, weed eradication or other seasonal activities are taking place and are suitably signed during these activities.

Several areas have been singled out for specific attention. Riverside Gardens West contains significant picnic and play spaces and the area identified on the map is proposed to be a dog on lead area only. The Maylands Peninsula in part has been identified as a proposed on lead area because of conflicts experienced by cyclists and runners with dogs off lead and the fragile environment in parts of the Peninsula. Bert Wright Park has also been identified due to the extensive play equipment installed and the proximity to the Bayswater Library and Seniors Centres. Once a dog on lead buffer is imposed 5m around the play areas and within the carpark there is little or no space left to exercise dogs off lead.

### 2. Consistent signage

Although the City over many years has invested in park signage, in many locations a dog exercise area is not identified, or only identified at one boundary. Signage may or may not use symbols to assist in understanding and in many cases is faded, stained and partly or wholly illegible. More contemporary signage should be developed which is more consistent with current best practice. Examples of signage from other local governments are included in **attachment 3**.

In addition it has been noted that most signs are placed at around 2m from the ground. Dog owners are more likely to have their attention focussed on a point between 0.5m and 1.5m from the ground as they follow the progress of their dog and other activity in the surrounding environment. It is

recommended that new signs are constructed lower to the ground and include the use of symbols and colours to reflect the needs of different park users.

### **3. Education programs for dog owners**

Promoting changes to the Dog Local Law and providing information to residents about responsible dog ownership should be a priority outcome of this review. Ranger and Security Services are aware of the need to interact with dog owners in a positive way, with the potential to engage and provide education in shopping centres, parks and at City events.

### **4. Proactive enforcement**

Following on from promotion and education the City needs to demonstrate that it is willing to act on breaches of the Dog Local Law. Rangers and Security Services is aware that some dog owners do not act responsibly and that regular enforcement will encourage appropriate behaviours.

### **5. Playground exclusions**

Embed within the Dog Local Law a buffer zone around all playgrounds of at least 5m where dogs are required to be kept on lead. This is in keeping with best practice examples from other local governments. This will still allow families with children and dogs to visit parks, but dogs will not be able to be exercised off lead adjacent to the playgrounds.

### **6. Carparks exclusions**

People and dogs arriving at parks in vehicles or walking through carparks should be provided with a safe environment. Ensuring that carparks are dog on lead areas will mean that all users will be better able to safely navigate these spaces.

### **7. Community events and sporting activities**

Congestion at events and sports activities means that the potential for conflict between dogs and other users is increased. Also organised/scheduled activities should receive priority treatment. As a consequence, it is recommended that dog on lead areas apply during these activities.

### **8. Flora and Fauna**

The City has invested heavily in protecting our natural environment - planting native vegetation, removing weed infestations and protecting wildlife such as nesting turtles, birds and other small animals. It is counter intuitive to allow dogs to roam freely in sensitive areas with the possibility of damage to plants and animals. It is therefore recommended that consideration is given to permanent dog exclusion zones (other than on leash and on specified paths) apply in some areas identified by the City's Sustainable Environment team during the review Dog Local Law in 2019/20.

### **9. Conservation activities.**

In addition to the proposal above, temporary dog exclusion zones should apply when City activities might provide a threat to dogs and owners such as fox trapping, nesting wildlife, weed eradication or other seasonal activities. These will be identified by the work teams undertaking the work and appropriate signage and fencing (if required) provided during the dog exclusion period.

### **10. Specialist Dog Park**

After considering the experiences of other local governments, and in an endeavour to provide safe places to exercise dogs with a range of needs, it is recommended that the City investigate the development of a specialist Dog Park. It is proposed that Ranger and Security Services develop costings and a design for a specialist dog park separated for large and small dogs at Strutt Way Reserve, Noranda to include fencing, dog agility equipment, water fountains and shade. This



information should then be reported to Council for consideration before a budget is allocated and approval granted for construction of these facilities. Construction of this park should mark the commencement of a three year trial to monitor the use and implications of this park to inform any further developments of this type.

This location was chosen as it provides existing parking, is not used for sporting fixtures, is easily accessible and provides an alternate location to Riverside Gardens for residents and visitors. The reserve can also be accessed from Stirling Court. At present it is not used for competition sport however has large open expanses of grass and houses a basketball ring and concrete pad as well as playground equipment, public toilets and security floodlights. An alternative location that could be considered is Rudloc Reserve, at the corner of Rudloc Street & Coode Street, Morley



## 2.7 Signage Proposal

It is strongly recommended that the City introduce new parks signage, not just to alert dog owners to off lead exercise areas, but to clarify what is available at each location, responsibilities of dog owners and other park users as well as other useful information. Staging implementation of this new signage will allow the cost to be spread over several financial years and tackle high priority areas in the first instance.

Importantly there is an opportunity to use colour cues and symbols to increase identification of on and off lead areas. This enables those who do not read or have strong English language skills to better respond to different park environments. An education program is required to parallel the introduction of new signage.

In order to appropriately inform and educate park users, it is recommended that the installation of new signage and education campaigns follows formal adoption of the revised City of Bayswater Dog Local Law. As consequence it is unlikely that new signage will be installed prior to December 2018 and more than likely occur in early 2019. Education campaigns can take place in shopping centres and other community venues as well as parks, including City events.

### STAGE ONE - 2018/19 Financial Year \$15,000

- Develop new signage templates using the City's branding and colours;
- Apply reflective colour bands on bollards and other infrastructure to identify on and off lead areas;
- Develop and apply large format stickers on bins in parks about dog owner responsibilities using colours and symbols to reinforce reflective bands;
- Expand the use of stencilled signs on dual use paths and other major pedestrian routes;
- Develop new free standing sign templates for production and installation in Stage Two:
  - Not higher than 1.5m tall;
  - Adjacent to park entrances and carparks;
- Commence community education program.

### STAGE TWO - 2019/20 Financial Year \$30,000

- Install new free standing signage in all parks with the following priorities:
  - Riverside Gardens;
  - Maylands Peninsula;
  - Dog exclusion zones; and
  - Specified dog on lead zones;
- Gradually remove old/inconsistent signage to reduce conflicts/confusion; and
- Continue community education program.

### STAGE THREE - \$10,000 annually thereafter

- Continue installation of new free standing signs;
- Review and refresh stained, faded and damaged signage; and
- Provide signage in response to the development of new parks.



## 2.8 Recommendations

After undertaking the review of dog exercise areas, the following recommendations are provided for consideration.

1. As per the Dog Act WA the City of Bayswater gives local public notice that
  - 1.1. All City of Bayswater parks are considered Dog Exercise Areas unless otherwise specified below:
    - 1.1.1. Bert Wright Park;
    - 1.1.2. Any park or reserve during community events and sporting activities;
    - 1.1.3. Maylands Peninsula (as above);
    - 1.1.4. A portion of Riverside Gardens (as above); and
    - 1.1.5. Within 5 metres radius around playgrounds, lakes and carpark.
  - 1.2. The following specific public places and portions of public places are places where dogs are prohibited:
    - 1.2.1. Lightening Swamp Bushland, other than on designated paths and with a leash securely fastened;
    - 1.2.2. Eric Singleton Bird Sanctuary, other than on designated paths and with a leash securely fastened; and
    - 1.2.3. Any park or reserve where fox trapping, nesting wildlife, weed eradication or other seasonal activities are taking place and are suitably signed during these activities.
2. Introduce new park signage to clarify dog owner responsibilities with priority for implementation being Riverside Gardens, conservation areas, major sporting venues and playgrounds;
3. Develop costings and a design for a specialist dog park separated for large and small dogs at Strutt Way Reserve, Noranda to include fencing, dog agility equipment, water fountains and shade;
4. Provide community education programs at parks and other public spaces including events, to improve local knowledge of where and when dogs can be exercised off lead, how to control dogs off lead, social etiquette at Dog Exercise Areas and key features of the WA Dog Act and City of Bayswater Dog Local Law;
5. Conduct at least two major Ranger enforcement campaigns a year in parks to issue cautions/infringements for dog offences and check registrations;
6. Conduct a door knock program to identify unregistered animals every three years;
7. Note that a review the Dog Local Law is proposed to be undertaken in 2019/20;
8. Consider for inclusion in operating budgets the amounts detailed in Section 2.9 of this report.





## 2.9 Financial Implications

It is anticipated that the net financial impact of the review recommendations is an additional \$82,000 net cost over 3 years to the City. This is summarised in the table below:

Recommendation	Proposed Budget 2018/19	Proposed Budget 2019/20	Proposed Budget 2020/21	Comments
Update Dog Local Law - legal expenses	5,000			
Ranger enforcement campaigns x 2 annually		5,000	5,000	Employ casual rangers to assist in covering all areas.
Dog education programs x 2 annually	5,000	5,000	5,000	Employ casual rangers to assist in covering all areas.
Signage - staged implementation	10,000	30,000	10,000	
Costings and design for trial specialist dog park	2,000			
Door knock campaign to identify unregistered animals.		0 20,000 Wages -20000 Income		Should be cost neutral - income from infringements and registrations to cover the cost of casual staff.
<b>TOTAL</b>	<b>\$22,000</b>	<b>\$40000</b>	<b>\$20,000</b>	



### 3. Implementation

An implementation schedule is important to ensure that the recommendations from this review are delivered in an effective and timely manner and to provide clarity about expectations and assignment of responsibilities.

#### 3.1 Implementation Process

In order to appropriately inform and educate park users, it is recommended that the installation of new signage and education campaigns follows formal adoption of the revised City of Bayswater Dog Local Law. As consequence it is unlikely that new signage will be installed prior to December 2018 and more than likely occur in early 2019. Education campaigns can take place in shopping centres and other community venues as well as parks, including City events.

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#### 3.2 Implementation Plan

RECOMMENDATION	ACTION	RESPONSIBLE OFFICER	TIMEFRAMES FOR DELIVERY	NOTES
<b>COMMUNICATION</b>				
Give local public notice of changes to Dog Exercise Areas within the City of Bayswater	Prepare and advertise local notice	Manager Ranger and Security Services	July 2018	
Report back to Council on results of local public notice	Create Council Report	Manager Ranger and Security Services	August/September 2018	
Develop a Communication Plan with key messaging	Develop an initial 12 month communications plan regarding the changes to the Dog Local Law and Dog Exercise Areas	Senior Ranger Marketing and Communications Advisor	August 2018	
Prepare media releases and social media posts about Council's decision and key messages and feedback from the review.	Ensure media releases and draft social media posts are designed and include key messages for the introduction of new signs and activities.	Senior Ranger Marketing and Communications Advisor	September/October 2018	
Announce changes to the community and a summary of benefits of changes.	Changes are announced in accordance with the Communications Plan, utilising pre-planned media releases and social media posts following the adoption of the revised Dog Local Law	Senior Ranger Marketing and Communications Advisor	September/October 2018	
	Create Frequently Asked Questions for the City website, social media and customer service	Senior Ranger Marketing and Communications Advisor	December 2018	
	Implement changes in response to this process	Manager Ranger and Security Services		
<b>REVISE LOCAL LAW</b>				
Develop a revised City of Bayswater	Appoint legal advice review the Dog Local	Governance	2019/2020	

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RECOMMENDATION	ACTION	RESPONSIBLE OFFICER	TIMEFRAMES FOR DELIVERY	NOTES
Dog Local Law	Law in line with approved Council resolution			
<b>SIGNAGE</b>				
New signage developed	Develop design proposals for all signage requirements	Senior Ranger Marketing and Communications Advisor	August 2018	
	Reflective tape sourced and purchased	Senior Ranger	August 2018	
	Quotes obtained for production and installation of signage	Parks and Gardens	August 2018	
New signage installed	Identification of priorities for installation of new signage	Senior Ranger	September 2018	
	Staged roll out of new signage according to priority schedule	Parks and Gardens	February 2019	
<b>SPECIALIST DOG PARK</b>				
Develop design and costs for a specialist dog park including whole of life costs	Collate designs and feedback from other local governments	Senior Ranger	October 2018	
	Present draft costed options for Council consideration.	Manager Ranger and Security Services	November 2018	
	Test approved design with stakeholders including anticipated budget.	Senior Ranger and Community Engagement Advisor	November 2018	
	Seek quotes for construction and list for budget consideration	Senior Ranger	February 2019	
	Construct and monitor use for three years.	Senior Ranger	July 2019	
	Report back to Council on outcomes of the	Manager Ranger and		

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RECOMMENDATION	ACTION	RESPONSIBLE OFFICER	TIMEFRAMES FOR DELIVERY	NOTES
	trial	Security Services		
<b>EDUCATION AND ENFORCEMENT</b>				
Education Campaigns	Develop education topics and materials	Business Services Coordinator	January 2019	
	Identify and/or recruit appropriate staff to deliver education programs	Senior Ranger	January 2019	
	Identify venues and dates for implementation	Business Services Coordinator	January 2019	
	Liaise with City Events Team to deliver education components at City Events.	Business Services Coordinator	January 2019	
	Deliver education programs	Senior Ranger	June 2019	ongoing
Enforcement Campaigns	Identify priority areas for enforcement	Senior Ranger	March 2019	
	Identify and/or recruit appropriate staff to conduct enforcement activities	Senior Ranger	March 2019	
	Identify venues and dates for implementation	Senior Ranger	March 2019	
	Conduct enforcement campaigns	Senior Ranger	September 2019	ongoing
Operation Dog Knock	Recruit appropriate staff to conduct door knocks	Business Services Coordinator	June 2019	
	Provide training to all staff including customer service	Business Services Coordinator	July 2019	
	Develop FAQs	Business Services Coordinator	June 2019	
	Promote operation Dog Knock to the community	Business Services Coordinator Marketing and Communications	July 2019	
	Undertake door knock activities	Business Services	August 2019	

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RECOMMENDATION	ACTION	RESPONSIBLE OFFICER	TIMEFRAMES FOR DELIVERY	NOTES
		Coordinator		
<b>BUDGET SUBMISSIONS</b>				
List for consideration in the 2018/19 annual operational budget \$22,000		Manager Ranger and Security Services	April 2018	
List for consideration in the 2019/20 annual operational budget \$60,000	Include proposed income of \$20,000	Manager Ranger and Security Services	January 2019	
List for consideration in the 2020/21 annual operational budget \$20,000		Manager Ranger and Security Services	January 2020	
<b>MONITOR AND REVIEW</b>				
Further review of dog local law in 2021	Plan and conduct review	Manager Ranger and Security Services	August 2021	
Review signage and implement changes as required	Replace and refresh where required	Senior Ranger	Ongoing	

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### 3.3 Monitor and Review

Monitor and review activities have been included in the Implementation Plan. These are centred around a further review of the Dog Local Law in three years' time and monitoring the success and sustainability of the new signage. Further reports will be required to Council with regard to the adoption of the revised Dog Local Law and design proposals for the Specialist Dog Park providing Council with feedback as to progress with this project.

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- Attachment 1 - Dog Exercise Area Review Survey
- Attachment 2 - City of Bayswater Animal Local Law
- Attachment 3 - Other local governments
- Attachment 4 - Map of Riverside Gardens West
- Attachment 5 - Map of Maylands Peninsula



**ATTACHMENT 1 - DOG EXERCISE AREA REVIEW SURVEY**

**DOG EXERCISE AREAS SURVEY**



This survey is to gain a better understanding of the views of residents with regards to dog exercise areas. Information provided is confidential. The information collected through this survey will not be used to issue warnings or infringements or take any action against dog owners.

1. Do you own and/or exercise a dog in the City of Bayswater? YES/NO

1a. If you do exercise a dog, where do you take your dog for exercise off lead?

There may be more than one location - please list the top three.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. At which park are you completing this survey? YES/NO

2a. Name of park \_\_\_\_\_

3. Do you know where your local dog exercise areas are within the City of Bayswater?

YES/NO

4. Are the City's parks clearly recognisable as a dog exercise area in your opinion?

YES/NO

4a. If not, what can we do to improve this?

\_\_\_\_\_  
\_\_\_\_\_

5. How do you feel about the number of dog exercise areas in the City of Bayswater?

Not sure ☐

There should be more locations ☐

There should be fewer locations ☐

Just about right ☐

6. If you would like to see more or fewer locations, where would you like to see them established or removed?

\_\_\_\_\_  
\_\_\_\_\_

N/A ☐

7. Have you ever experienced issues with dogs being exercised in a park? YES/NO

8. Which of the following issues are most important to you? Please choose up to three.

- Owners control of dogs off lead in the park ☐
- Owner's control of dogs outside of the park ☐
- Facilities available for dogs in parks eg. water bowls, dog bags, bins ☐
- Interaction with bicycle riders ☐
- Interaction with runners/walkers ☐
- Dogs in playground areas ☐
- Dogs in a picnic area ☐
- Parking ☐
- People not cleaning up after their dogs ☐
- Other ☐

Please describe \_\_\_\_\_

9. In your opinion when should dogs be required to be exercised on lead? Choose your top three.

- During regular sporting activity ☐
- During community events ☐
- Within defined playgrounds ☐
- Within environmentally sensitive areas eg. wetlands ☐
- Close to cycle and shared paths ☐
- When the park is too small ☐
- Any other factors? Please describe. ☐

\_\_\_\_\_

\_\_\_\_\_

10. Is there anything else that you would like to share with us about dog exercise areas?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. If you would like to receive further updates on this project please provide your contact details

\_\_\_\_\_

**RETURN THIS SURVEY BY 28 FEBRUARY 2018 TO;**

- Any City of Bayswater library or The Civic Centre, 61 Broun Avenue, Morley.

**This survey is also available online at Engage Bayswater <http://engage.bayswater.wa.gov.au/>**

**ATTACHMENT 2 - CITY OF BAYSWATER DOGS LOCAL LAW**

Western Australia

*DOG ACT 1976*



**CITY OF BAYSWATER**

**DOGS LOCAL LAW  
2016**



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**DOG ACT 1976**

**CITY OF BAYSWATER**

**DOGS LOCAL LAW 2016**

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Bayswater resolved on *31 May 2016* to make the following local law.

**PART 1 - PRELIMINARY**

**1.1 Citation**

This local law may be cited as the *City of Bayswater Dogs Local Law 2016*.

**1.2 Commencement**

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

**1.3 Repeal**

The *City of Bayswater Dogs Local Law 2001* published in the *Government Gazette* on 3 January 2001 and as amended on 28 December 2001 is repealed.

All By-laws and amendments relating to the provisions of impounding dogs, to control the number of dogs that can be kept on premises and the manner of keeping dogs and to prescribe areas which dogs are prohibited and dog exercise areas made and Gazetted by the City of Stirling applying to the locality of Maylands are repealed.

**1.4 Application**

This local law applies throughout the district.

**1.5 Definitions**

In this local law unless the context otherwise requires -

**Act** means the *Dog Act 1976*;

**authorised person** means a person who is appointed under section 29 of the Act;

**CEO** means the Chief Executive Officer of the local government;

**dangerous dog** (e.g. has the meaning given to it under section 3 of the Act);

**district** (e.g. means the district of the local government);

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

**owner** has the meaning given to it under section 3 of the Act;

**occupier** has the meaning given to it under section 3 of the Act;

**person liable for the control of the dog** means each of the following —

- (a) the registered owner of the dog; or
- (b) the owner of the dog; or
- (c) the occupier of any premises where the dog is ordinarily kept or ordinarily permitted to live; or
- (d) a person who has the dog in his possession or under his control, but does not include —
- (e) a registered veterinary surgeon, or a person acting on his behalf, in the course of his professional practice; or
- (f) a police officer or other person acting under a statutory duty or in the administration of this Act;

**pound keeper** means a person authorised by the local government to perform all or any of the functions conferred on a "pound keeper" under this local law, this includes the local government's authorised Rangers and Security Officers.;

**Regulations** means the *Dog Regulations 2013*;

**Schedule** (e.g. means a Schedule in this local law);

**thoroughfare** has the meaning given to it in section 1.4 of the *Local Government Act 1995*; and

**town planning scheme** means a town planning scheme made by the local government under the *Planning and Development Act 2005* which applies throughout the whole or a part of the district.

## PART 2 - IMPOUNDING OF DOGS

### 2.1 Charges and costs

The following are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995* -

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

### 2.2 Attendance of pound keeper at pound

The pound keeper is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the CEO.

### 2.3 Release of impounded dog

- (1) A claim for the release of a dog seized and impounded is to be made to the pound keeper or in the absence of the pound keeper, to the CEO.
- (2) The pound keeper is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the pound keeper, satisfactory evidence -
  - (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
  - (b) that he or she is the person identified as the owner on a microchip implanted in the dog.

## PART 3 - REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

### 3.1 Dogs to be confined

- (1) An owner and/or occupier of premises on which a dog is kept or a person liable for control of the dog must -
  - (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
  - (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
  - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
  - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
  - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the owner or occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) Where an owner and/or occupier fails to comply with subclause (1), he or she commits an offence.
- (3) Notwithstanding subclause (1) and (2), the confinement of dangerous dogs is dealt with in the Act and Regulations.

### 3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been -
  - (a) licensed under Part 4 as an approved kennel establishment; or
  - (b) granted an exemption under section 26(3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act, 2 dogs over the age of 3 months and the young of those dogs under that age.

**PART 4 - APPROVED KENNEL ESTABLISHMENTS**

**4.1 Interpretation**

In this Part and in Schedule 2 -

*licence* means a licence to keep an approved kennel establishment on premises;

*licensee* means the holder of a licence;

*premises*, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and

*transferee* means a person who applies for the transfer of a licence to her or him under clause 4.14.

**4.2 Application for licence for approved kennel establishment**

An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with -

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 4.3;
- (c) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;
- (d) a written acknowledgment that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and
- (e) the fee for the application for a licence referred to in clause 4.10(1).

**4.3 Notice of proposed use**

- (1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged -
  - (a) once in a newspaper circulating in the district; and
  - (b) to the owners and occupiers of any premises adjoining the premises.
- (2) The notices in subclause (1) must specify that -
  - (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
  - (b) the application and plans and specifications may be inspected at the offices of the local government.
- (3) Where -
  - (a) the notices given under subclause (1) do not clearly identify the premises; or
  - (b) a notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of the local government, would fail to serve the purpose of notifying persons of the proposed use of the premises,

then the local government may refuse to determine the application for a licence until the notices or notice, as the case may be, is given in accordance with its directions.

#### 4.4 Exemption from notice requirements

Where an application for a licence is made in respect of premises on which an approved kennel establishment is either a -

- (a) permitted use; or
- (b) use which the local government may approve subject to compliance with specified notice requirements,

under a town planning scheme, then the requirements of clauses 4.2(b), 4.3 and 4.5(a) do not apply in respect of the application for a licence.

#### 4.5 When application can be determined

An application for a licence is not to be determined by the local government until -

- (a) the applicant has complied with clause 4.2;
- (b) the applicant submits proof that the notices referred to in clause 4.3(1) have been given in accordance with that clause; and
- (c) the local government has considered any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises.

#### 4.6 Determination of application

In determining an application for a licence, the local government is to have regard to –

- (a) the matters referred to in clause 4.7;
- (b) any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises;
- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- (d) the effect which the kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

#### 4.7 Where application cannot be approved

The local government cannot approve an application for a licence where -

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under a town planning scheme; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

#### 4.8 Conditions of approval

- (1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.
- (2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

#### 4.9 Compliance with conditions of approval

A licensee who does not comply with the conditions of a licence commits an offence.

**Penalty: \$5,000 and a daily penalty of \$100;**

#### 4.10 Fees

- (1) On lodging an application for a licence, the applicant is to pay a fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.
- (3) On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.
- (4) The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.16 - 6.19 of the *Local Government Act 1995*.

#### 4.11 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

#### 4.12 Period of licence

- (1) The period of effect of a licence is set out in section 27(5) of the Act.
- (2) A licence is to be renewed if the fee referred to in clause 4.10(2) is paid to the local government prior to the expiry of the licence.
- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

#### 4.13 Variation or cancellation of licence

- (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence –
  - (a) on the request of the licensee;
  - (b) following a breach of the Act, the Regulations or this local law; or
  - (c) if the licensee is not a fit and proper person.

**fit and proper person** - means a person who has been deemed to be not fit to care for animals by a reputable body such as the RSPCA, or a person who is deemed by an authorised officer, not to have the ability or adequate support to undertake obligations of the licence.

- (3) The date a licence is cancelled is to be, in the case of –
  - (a) paragraph (a) of subclause (2), the date requested by the licensee; or
  - (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.
- (4) If a licence is cancelled the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

#### 4.14 Transfer

- (1) An application for the transfer of a valid licence from the licensee to another person must be –
  - (a) made in the form determined by the local government;
  - (b) made by the transferee;
  - (c) made with the written consent of the licensee; and
  - (d) lodged with the local government together with –
    - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
    - (ii) the fee for the application for the transfer of a licence referred to in clause 4.10(3).
- (2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).
- (3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.
- (4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 4.15(b), the transferee becomes the licensee of the licence for the purposes of this local law.

#### 4.15 Notification

The local government is to give written notice to -

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- (c) a licensee of any variation made under clause 4.13(1);
- (d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (e) a licensee when her or his licence is renewed;
- (f) a licensee of the cancellation of a licence under clause 4.13(2)(a); and



- (g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 4.13(2), which notice is to be given in accordance with section 27(6) of the Act.

#### 4.16 Inspection of kennel

With the consent of the owner or occupier, an authorised person may inspect an approved kennel establishment at any time.

### PART 5 - MISCELLANEOUS

#### 5.1 Offence to excrete

- (1) A dog must not excrete on –
  - (a) any thoroughfare or other public place; or
  - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.

**Penalty: \$500.**

- (3) The person liable for the control of the dog does not commit an offence under subclause (2) if any excreta is removed immediately by that person.

### PART 6 - ENFORCEMENT

#### 6.1 Interpretation

In this Part -

*infringement* notice means the notice referred to in clause 6.3; and

*notice of withdrawal* means the notice referred to in clause 6.6(1).

#### 6.2 Modified penalties

- (1) The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if -
  - (a) the dog is not a dangerous dog; or
  - (b) the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.
- (3) The amount appearing in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

### 6.3 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form determined by the local government from time to time.

### 6.4 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

### 6.5 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

### 6.6 Withdrawal of infringement notice

- (1) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 8 of the First Schedule of the Regulations.
- (2) A person authorised to issue an infringement notice under clause 6.3 cannot sign or send a notice of withdrawal.
- (3) Only delegated officers under the City of Bayswater Sundry Debt Collection and Recovery Policy shall be authorised to sign or send a notice of withdrawal.

### 6.7 Service

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

**SCHEDULE 1**  
[clause 4.2]

**Application for a licence for an approved kennel establishment**

I/we (full name) .....

of (postal address) .....

(telephone number) .....

(facsimile number) .....

(E-mail address) .....

Apply for a licence for an approved kennel establishment at (address of premises) .....

.....

For (number and breed of dogs) .....

\* (insert name of person) ..... will be residing at the premises on and from (insert date) .....

\* (insert name of person) ..... will be residing (sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare) at ..... (insert address of residence) on and from ..... (insert date).

Attached are -

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) copy of notice of proposed use to appear in newspaper;
- (d) copy of notice of proposed use to be given to adjoining premises;
- (e) written evidence that a person will reside -
  - (i) at the premises; or
  - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

I confirm that I have read and agree to comply with the Code of Practice known as ....., in the keeping of dogs at the proposed kennel establishment.

Signature of applicant .....

Date .....

\* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months – section 27(5) of the Dog Act.

OFFICE USE ONLY

Application fee paid on [insert date].

**SCHEDULE 2**  
[clause 4.8(1)]

**Conditions of a licence for an approved kennel establishment**

An application for a licence for an approved kennel establishment may be approved subject to the following conditions -

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than -
  - (i) 25m from the front boundary of the premises and 5m from any other boundary of the premises;
  - (ii) 10m from any dwelling; and
  - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be –
  - (i) at least 100mm above the surface of the surrounding ground;
  - (ii) smooth so as to facilitate cleaning;
  - (iii) rigid;
  - (iv) durable;
  - (v) slip resistant;
  - (vi) resistant to corrosion;
  - (vii) non-toxic;
  - (viii) impervious;
  - (ix) free from cracks, crevices and other defects; and
  - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;

- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of -
  - (i) 2m; or
  - (ii) 4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside -
  - (i) at the premises; or
  - (iii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

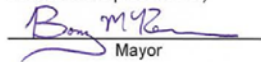
**SCHEDULE 3**  
[clause 6.2]

**Offences in respect of which modified penalty applies**

Offence	Nature of offence	Modified penalty \$	Dangerous Dog Modified Penalty \$
4.9	Failing to comply with the conditions of a licence	200	200
5.1(2)	Dog excreting in prohibited place	100	

Dated: 28 June 2016

The Common Seal of the)  
City of Bayswater was )  
affixed by authority of the)  
Council in the presence of)

  
Mayor

  
Chief Executive Officer



### **ATTACHMENT 3 - OTHER LOCAL GOVERNMENTS**

#### **City of Joondalup**

The City of Joondalup Animal Local Law provides the following clauses:

##### ***Dog Exercise Areas***

10 (1) *All public reserves vested in or under the care, control and management of the local government, excluding road and street reserves and the areas specified in the Second Schedule to this local law, are designated as dog exercise areas for the purposes of the Dog Act. The area designated by the Third Schedule to this local law as a horse exercise area, is subject to restrictions as a dog exercise area in accordance with clause 26(5) of this local law.*

(2) *A person may exercise a dog on the coastal dual use path that extends through the Foreshore Reserve 47831 and abutting reserves and road reserves, provided the dog remains under effective control on a leash at all times.*

##### ***Prohibited Places***

11 (1) *A person liable for the control of a dog shall prevent that dog from entering or being in or on any public building, shop or business premises, with the exception of a shop or business premises where dogs are sold.*

(2) *Subclause (1) does not apply to a person with a vision impairment or who is a trainer accompanied by a bona fide guide dog.*



The Joondalup website also provides the following advice:

*Your dog is not considered under effective control if they:*

- *Chase or disturb wildlife, other dogs or people*
- *Act in a threatening or aggressive manner*
- *Attack or injure another animal or person*
- *Is a considerable distance from their owner(s) preventing response to verbal commands.*

### City of South Perth

The City of South Perth does not include Dog Exercise Areas within its local law. Its website includes the following advice:

*Dogs are welcome at many different parks in the City of South Perth. Regular exercise helps dogs relieve boredom and may also reduce unwanted behaviour such as excessive barking.*

*The City of South Perth has plenty of designated dog exercise areas where your dog may roam off leash. Please keep the following in mind:*

- *Ensure that your dog is under supervision and effective control to prevent conflict with other dogs and people*
- *Carry a lead with you at all times*
- *Remove any excreta left by the dog*
- *Dogs must be on a lead within five metres of children's playgrounds*
- *Dogs must be on a lead within five metres of the edge of playing fields being used for organised sporting or other permitted activities.*

*Please also keep an eye out for signage on the City's ovals and reserves.*





### City of Stirling

The City of Stirling has a Dog Exercise Areas Policy to "provide a strategic, structure and integrated approach in planning and managing dog activities in the City's public open space". This policy identifies that all parks and reserves under the care, control and management of the City, except where specified, are Off-Leash Dog Exercise Areas. Prohibited Areas as defined in section 8 of the Dog Act 1976 are identified within the policy. The policy also includes the following information:



#### **"On – Leash" Dog Exercise Areas**

*Pursuant to section 31(1) of the Dog Act 1976, the following areas are established where a dog must be on a leash at all times;*

- a) An area within 5m of the edge of a playing field used for sporting or other activities, as permitted by the City, during the times of such use*
- b) An area within 5m of the edge of children's equipment or apparatus if it is not located within an area described as an area set aside by a wall, fence, sandpit or soft-fall surface, access way or right of way*
- c) A car-park, thoroughfare, access way or right of way*
- d) The Stirling Civic Gardens being Reserve Lot 16446 and bounded by the Mitchell Freeway, Cedric Street and Telford Crescent, Stirling*
- e) Albert James Reserve 76-82 Short Street, Joondanna*
- f) Herdsman Lake Regional Park generally bounded by Jon Sanders Drive, Pearson Street, Stephenson Avenue Road Reserve, Parkwater Gardens, Bishop Riley Way, The Foreshore, The Lane, Halcyon Way, Lakeside Road, the southern boundary of the suburb of Herdsman, Moondine Drive and the eastern boundary of the suburb of Herdsman*
- g) Scarborough Beach Reserve bounded by The Esplanade, Reserve Street, Brighton Road and the eastern boundary of Reserve 12992; and*
- h) Star Swamp Bushland Reserve bounded by Marmion Avenue, North Beach Road, Groat Street and Hope Street, North Beach and Watermans Bay.*

City of Subiaco

The City of Subiaco Dog Local Law currently specifies where dogs can be exercised off lead. It also includes the following clauses:

**Prohibited Places**

1. Within twenty (20) metres of a children's playground.
2. The above determination is subject to any written law and any law of the Commonwealth about assistance animals as defined in the Disability Discrimination Act 1992 (Commonwealth) section 9 (2).



**Restricted & Prohibited Places**

9. If a dog is in a public building, shop, business premise, theatre, picture garden, house of worship, or a construction site without the owner's or occupier's express consent, or on or within twenty (20) metres of a children's playground, every person liable for the control of the dog commits an offence.
10. Clause 9 does not apply to a bona fide guide dog accompanied by a visually impaired person or a person engaged in the training of guide dogs.

**Dog Exercise Areas**

11. The public places described in the Fifth Schedule being places under the care, control and management of the Council, are hereby specified as dog exercise areas for the purposes of Sections 31 and 32 of the Act.
12. (1) Subject to sub-clause (2) of this clause, the public places described in the Sixth Schedule, being places under the care, control and management of the Council, are hereby specified as dog exercise areas for the purposes of Sections 31 and 32 of the Act.
- (2) The specification of a public place described in Column 2 of the Sixth Schedule as a dog exercise area shall apply only during the times stated in Column 3 of the Sixth Schedule immediately opposite that public place.

City of Victoria Park



The Town of Victoria Park Dog Local Law specified Dog Exercise Areas and includes Part 5 - Dogs in Public Places.

**5.1 Places where Dogs are Prohibited Absolutely**

*(1) Dogs are prohibited absolutely from entering or being in any of the following places—*

- (a) where so indicated by a sign, a public building;*
- (b) a theatre or picture gardens;*
- (c) all premises or vehicles classified as food premises or food vehicles under the Health (Food Hygiene) Regulations 1993; and*
- (d) a public swimming pool.*

*(2) If a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at that time commits an offence.*

*Penalty: Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.*

City of Vincent

Signage is about to be updated. The following advice is an extract from the City of Vincent website:

*The City recognises the need to have public places where dogs can be walked and encourages all residents to get active and head onto the streets and to the parks and reserves for some exercise. However, for the comfort and safety of all of the community it is important to remember that **dogs must be held on a leash by a person capable of controlling the dog in any public place** within the boundaries of the City of Vincent, except in the following **approved dog exercise areas**. (Dogs are only allowed off leash in these areas if the reserve is not being used for an approved activity, e.g. cricket or football matches.)*

*Please note that dogs are not permitted off lead in any street (this includes a verge area), or in any place without the property owner's permission.*

**Things to remember:**

- When there is an approved activity booked, dogs must be kept on a lead whilst nearby (minimum 5m distance)
- Please clean up after your dog. On top of looking and smelling bad and being awful to clean out of your shoes (or even worse your toes) dog waste can be home to intestinal worms and other nasties that can then transfer to humans and cause sickness, especially in little ones. The City provides bags and bins for your convenience.
- If your dog is not a greyhound (unless certified) and is off leash, it must be supervised by someone who is capable of controlling it, is within reasonable proximity and is carrying a lead.
- Your dog must be wearing its registration tag.
- When heading to or from the park your dog must be on the lead. When getting your dog out of the car, keep it on the lead until you're reached the exercise area before letting your dog off its lead.
- Keep in mind that these parks are for everyone, not just for dog owners. Your dog should not rush up, jump at, or show any sign of aggression towards anyone. It should also return to you when you call it. Dog attacks aren't just classified as dog bites - someone may feel attacked by your dog because they've felt afraid.
- You must carry a lead with you and the dog must be under effective control at all times. A dog will be deemed not under control if it chases or worries any person, their pet or wildlife.





ATTACHMENT 4 - MAP OF RIVERSIDE GARDENS WEST



Area where dogs will need to remain on leash



Area where dogs can be exercised off leash, under control

ATTACHMENT 5 - MAP OF MAYLANDS PENINSULA



Area where dogs will need to remain on leash

**11. OFFICER REPORTS****11.1 Proposed Temporary Closure of Whatley Crescent- FAL Project**

**Location:** 5A and 5B Whatley Crescent, Bayswater  
**Applicant:** Salini Impregilo  
**Owner:** Public Transport Authority  
**Reporting Branch:** Engineering Services  
**Responsible Directorate:** Technical Services

**EXECUTIVE SUMMARY****Application:**

For Council to consider a request for temporary closure of a section of Whatley Crescent adjacent to 5A and 5B Whatley Crescent, near Newton Street, Bayswater.

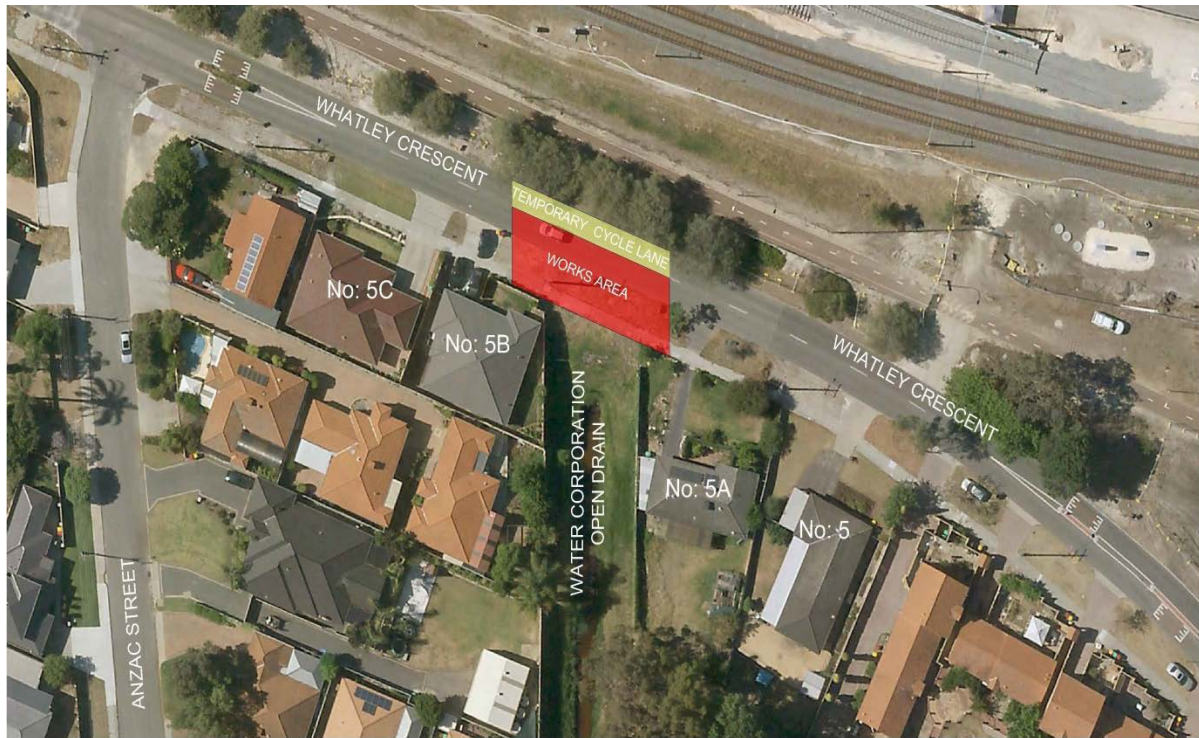
**Key Issues:**

- The applicant is requesting temporary closure of a section of Whatley Crescent adjacent to 5A and 5B Whatley Crescent, Bayswater to facilitate construction works for the Forrestfield Airport Link (FAL).
- Servicing and access is required for the adjoining properties.
- In accordance with the relevant provisions of the *Local Government Act 1995*, the proposal is longer than 28 days, it is required to be advertised and any submissions received considered.

**BACKGROUND**

The City has received a request from Salini Impregilo, who is the principal contractor for the FAL project, on behalf of the Public Transport Authority (PTA), for the temporary closure of a section of Whatley Crescent adjacent to No. 5A and 5B Whatley Crescent, Bayswater.

The closure is required to allow for the realignment of the Water Corporation Main Drain as part of the realignment to the rail tracks affecting the main drain that travels underneath the rail tracks from Railway Parade to Whatley Crescent.



The applicant has estimated the period of the required closure to be approximately two months. The applicant is concerned that the extent of the works will compromise public safety for users of the road, therefore has requested the temporary closure.

Whatley Crescent is a 7.2m wide paved road with footpaths on the southern side. The volume of traffic is 1,200 vehicles per day and is considered low.

The applicant requires to initiate the temporary closure on the 14 June 2018 to tie in with scheduled rail closures to facilitate the works.

The applicant is proposing to only close the road to vehicle traffic, however, still allow pedestrians and cyclists.

## CONSULTATION

To temporarily close a road for a period exceeding 28 days, the City will be required to undertake a formal notification process in accordance with the requirements of section 3.50 of the *Local Government Act 1995*. The consultation results will then need to be considered by Council prior to the proposed commencement date of the closure being 14 June 2018.

To facilitate this timeframe, it is proposed to undertake the notification period as soon as possible and consider any submission received at the Planning and Development Services Committee Meeting on 12 June 2018.

## ANALYSIS

City officers have been concerned with potential impacts associated with the request to temporarily close the road and have worked with the applicant to try and identify alternate options, however, due to safety design issues and the proximity between barriers and vehicle traffic, the road will need to be closed.

As an alternative, the applicant has indicated that they could complete the works within 28 days, however, this would require night works, which would also be disruptive to residents in the vicinity.



The legislative requirement for the closure of a thoroughfare for a period longer than 28 days requires notification to affected parties to be undertaken and any submissions received considered.

The applicant is requesting an approximate two month temporary closure from 14 June 2018.

## OPTIONS

The following options are available to Council:

OPTION		BENEFIT	RISK
1.	Support the applicant's request and commence the notification process for the temporary partial closure of Whatley Crescent for a period of two months.  <i>Estimated Cost: Advertising costs.</i>	<ul style="list-style-type: none"> <li>Meets applicant's desired outcome.</li> <li>Allows works to be done during the day.</li> <li>Works will be completed in a timely manner.</li> </ul>	<ul style="list-style-type: none"> <li>Potentially sets a precedent for allowing long term closure for other developments.</li> <li>Potential dissatisfaction from objectors.</li> <li>Diversion of traffic to other roads.</li> </ul>
2.	Not approve the proposed advertising of the temporary part closure of Whatley Crescent.  <i>Estimated Cost: Nil.</i>	<ul style="list-style-type: none"> <li>Satisfaction of objectors.</li> <li>Sets clear direction for future closure applications.</li> <li>No diversion of traffic to other roads.</li> </ul>	<ul style="list-style-type: none"> <li>Dissatisfaction from the applicant.</li> <li>Need for night works and associated inconvenience to residents.</li> </ul>

## CONCLUSION

The proposed part closure of Whatley Crescent for a period of two months will assist the FAL project construction timeline and therefore, Option 1 is recommended.

The applicant has offered no alternative options.

## FINANCIAL IMPLICATIONS

The associated advertising costs can be accommodated within the current 2018-19 budget.

## STRATEGIC LINK

In accordance with the City of Bayswater's Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment  
 Aspiration: A quality and connected built environment.  
 Outcome B3: Quality built environment.

## COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Section 3.50 of the *Local Government Act 1995*, states in part as follows:

### "3.50. Closing certain thoroughfares to vehicles

...

(1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.

...

- (4) *Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, 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."*

## **VOTING REQUIREMENTS**

Simple Majority Required.

## **ATTACHMENTS**

Not applicable.

## **COUNCIL RESOLUTION**

### **(OFFICER'S RECOMMENDATION)**

That Council in accordance with the relevant provisions of the *Local Government Act 1995*:

1. Supports the applicant's request for advertising of the temporary part closure of Whatley Crescent (adjacent to 5A and 5B Whatley Crescent, Bayswater) for a period of two months commencing 14 June 2018 and commence the required notification process.
2. Considers any submissions received from the notification process at the Planning and Development Services Committee Meeting of 12 June 2018.

**CR CATHERINE EHRHARDT MOVED, CR SALLY PALMER SECONDED**

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION: 11/0**

**12. REPORTS FOR NOTING/INFORMATION**

Nil.

**13. MANAGEMENT/ADVISORY COMMITTEES****13.1 Appointment of Internal Auditor**

**Reporting Branch:** Corporate Services  
**Responsible Directorate:** Finance and Corporate Services  
**Refer:** Item 13.3.1 A&RMC: 28.03.2017  
Item 8.6 A&RMC: 05.12.2017

**Confidential Attachments** - in accordance with Section 5.23(2)(b) of the *Local Government Act 1995* - 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

**EXECUTIVE SUMMARY****Application:**

To provide a recommendation to Council for appointment of a contract internal auditor.

**Key Issues:**

This report provides an overview of quotations received from suitably-qualified and experienced audit firms to carry out the first phase of the internal audit program.

**BACKGROUND**

The Auditor General is progressively assuming the responsibility of auditing local governments as their respective audit agreements expire. It is anticipated that this will result in some shift in focus, particularly in the area of performance auditing which is a new category that will examine the economy, efficiency and effectiveness of programs and organisations, including compliance with legislative provisions and internal policies. In anticipation of that, an internal audit program was proposed at the Audit and Risk Management Committee, and Council resolved to consider funding in the 2017-18 budget with a further report to be provided to the Audit and Risk Management Committee once the scope had been determined.

A further report was provided to the Audit and Risk Management Committee at its meeting of 28 March 2017, with a proposed program for internal audits from 2017-18 through to 2019-20 covering the following themes:

2017-18	2018-19	2019-2020
<ul style="list-style-type: none"><li>Corporate record keeping</li><li>Performance reporting</li></ul>	<ul style="list-style-type: none"><li>Cyber security</li><li>Fraud &amp; Misconduct</li></ul>	<ul style="list-style-type: none"><li>Procurement and tendering</li><li>Financial sustainability</li></ul>

The report suggested that two of each of the topics could be realistically managed within the budget limits for 2017-18, and the Audit and Risk Management Committee endorsed the internal audit program for the three-year period.

**CONSULTATION**

The Department of Local Government, Sport and Cultural Industries has confirmed that internal audits will remain the responsibility of the respective local governments.

## ANALYSIS

Quotations were sought accordingly through the WALGA-preferred supplier panel for internal auditors, and three submissions have been received. Several other audit firms expressed interest but were unable to respond due to other client commitments. The following evaluation criteria were included in the submission request:

- Organisational capability and experience of key personnel - 30%
- Methodology, including number of hours to be allocated - 20%
- Client references - 10%
- Fees (fixed price plus hourly rates for additional work) - 40%

As per the function of the City's Audit and Risk Management Management Committee to 'provide guidance and assistance in the development of a process for selecting and appointing an auditor', the three submissions are summarised below. The detailed evaluation worksheets are attached (**Attachment 1**):

Audit Firm	Fee (Net of GST)	Expected number of hours to be allocated to the internal audit program	Comments
Butler Setterini	\$8,690	55 hours	<ul style="list-style-type: none"> <li>• Mid-tier accounting firm with a separate audit and assurance division. Team has twenty years' experience in local government internal audits. Current clients include City of Vincent.</li> </ul>
Moore Stephens	\$22,000	120 hours	<ul style="list-style-type: none"> <li>• Local government internal audit clients include Town of Bassendean and Cities of Cockburn, Joondalup, Vincent and Melville.</li> <li>• 39 financial reviews of local governments.</li> <li>• Approved for inclusion on State Government (Department of Treasury and Finance) panel for financial audits.</li> </ul>
Paxon Group	\$8,800	80 hours	<ul style="list-style-type: none"> <li>• National firm with presence in Melbourne, Sydney and Perth.</li> <li>• Approved for inclusion on State Government (Department of Treasury and Finance) panel for internal audits and probity audits, as well as the WALGA internal auditor panel. Local government internal audits include the Cities of Swan, Joondalup, Fremantle, South Perth, Cockburn and Wanneroo, Town of Cambridge and</li> </ul>

			the EMRC.
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The three quotations are within budget. The three audit firms are on the WALGA panel for internal auditors. Paxon Group and Moore Stephens are also on the state government panel (common use agreement) for audit services. All three audit firms have completed internal audit assignments for local governments. A requirement of the quotation process was that the estimated number of hours be included for the assignment, and Moore Stephens has allocated 120 hours, however its quotation price is also the highest at \$22,000.

Paxon Group has allowed for 80 hours of work for a fixed price of \$8,800, and Butler Setterini has quoted \$8,690 for 55 hours of work.

Each audit firm also provided a schedule of fees to accommodate any additional work that may be required, and has indicated which auditors will be allocated to the project.

## OPTIONS

The following options are available to Council:

OPTION		BENEFIT	RISK
1.	Award the contract to Paxon Group on the basis of best overall value.	Price quote of \$8,800 is similar to lowest quote but allocated hours are higher. At an equivalent number of hours to Moore Stephens, the price would still be significantly less than Moore Stephens.	None identified. Paxon Group has extensive experience in local government audits.
2.	Award the contract to Moore Stephens on the basis of highest number of hours to be allocated to the assignment.	Within budget limit (\$25,000)	Cost is highest and there would be limited opportunity to fund additional work.

## CONCLUSION

Option 1 is recommended to award the contract to Paxon Group as it represents an optimal overall outcome on the basis of price and experience.

## FINANCIAL IMPLICATIONS

\$25,000 has been allocated in the 2017-18 budget for internal audit.

## STRATEGIC LINK

In accordance with the City of Bayswater's Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.  
 Aspiration: Open, accountable and responsive service.  
 Outcome L1: Accountable and good governance.

## COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

The *Local Government Act 1995* refers to the appointment of auditors:

### 7.3. Appointment of auditors

- (1) *A local government is to, from time whenever such an appointment is necessary or expedient, appoint\* a person, on the recommendation of the audit committee, to be its auditor.*

*\* Absolute majority required.*

The *Local Government (Audit) Regulations 1996* refer to the functions of the Audit Committee in the appointment of auditors:

**16. Audit Committee, functions of**

- (a) *an audit committee is to provide guidance and assistance to the local government -*
  - (i) *as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and*
  - (ii) *as to the development of a process to be used to select and appoint a person to be an auditor; and*
- (b) *may provide guidance and assistance to the local government as to —*
  - (i) *matters to be audited; and*
  - (ii) *the scope of audits; and*
  - (iii) *its functions under Part 6 of the Act; and*
  - (iv) *the carrying out of its functions relating to other audits and other matters related to financial management; and*
- (c) *is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —*
  - (i) *report to the council the results of that review; and*
  - (ii) *give a copy of the CEO's report to the council.*

**VOTING REQUIREMENTS**

Simple Majority Required.

**ATTACHMENTS**

1. Evaluation worksheets

**COUNCIL RESOLUTION**

**(MANAGEMENT COMMITTEE/OFFICER'S RECOMMENDATION)**

**That the Audit and Risk Management Committee recommend that:**

1. **The internal audit engagement be awarded to Paxon Group.**
2. **A report with the findings of the internal audit be presented by the Chief Executive Officer to the Audit and Risk Management Committee when finalised.**

**CR CATHERINE EHRHARDT MOVED, CR SALLY PALMER SECONDED**

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION: 11/0**

**13.2 Debtors Write-Off****Reporting Branch: Financial Services****Responsible Directorate: Finance and Corporate Services**

***Confidential Attachments*** - in accordance with Section 5.23(2)(b) of the *Local Government Act 1995* - the personal affairs of any person

**EXECUTIVE SUMMARY****Application:**

For Council to consider writing off bad debts in accordance with section 6.12(1) of the *Local Government Act 1995* (the Act).

**Key Issues:**

This report provides an overview of bad debts which require Council authorisation to write off and also those that have been written off under delegated authority under either the Sundry Debt Collection and Recovery Policy or the Management Practice 10/2015 - Parking Infringement Debt Management. These write-offs are shown at **Confidential Attachments 1 to 4**.

**BACKGROUND**

Australian Accounting Standards and the provisions of the Act and Financial Management Regulations require, inter alia, ongoing assessment of the likelihood that debts recognised in the organisation's accounts will be collected.

A Sundry Debt Collection and Recovery Policy was introduced in 2014 and sundry debtors are managed accordingly. While all reasonable efforts are made to recover aged debts, there are also some which, for practical purposes, will have to be written off.

These can be monies due for user charges, infringements, fees and other services rendered, and 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 Act allows for debts to be written off by Council, and the Sundry Debt and Recovery Policy gives delegated authority to the Chief Executive Officer to write off any uncollectable bad debts under \$500 per account, and advise Council accordingly.

Any amount in excess of \$500 requires approval from Council to write off.

**CONSULTATION**

Not applicable.

**ANALYSIS****Sundry Debtors**

Generally, after the expiry of Council's standard 30-day trading terms, there are a number of steps undertaken to collect debts, including:

- issuing reminder letters after 30 days;
- follow-up phone calls;
- final demand letters;
- negotiation of payment options; and
- if economically feasible, referral to a debt collection agency.

Despite these steps, there comes a point where it is not practical or cost-effective to pursue recovery further.

On this basis, and following a documented recovery process, a number of debts greater than 150 days have been reviewed and written off under delegated authority in accordance with Council's Sundry Debt Collection and Recovery Policy. In summary, these write-offs are debts totalling \$1,023.54 (**Attachment 1**).

#### Recreation Facilities

The bad debts have been accrued from failed direct debit health club membership transactions even though a systematic and structured process was followed with multiple and varied recovery attempts.

In most cases, these direct debits are the result of the customers not following the cancellation procedure as set out in the membership terms and conditions. For instance, the customers made arrangements with their banks to cancel the direct debit but failed to contact the facility. A small percentage of debts were accrued from people who permanently returned to their own countries without notifying the facility. As a result, the debts were raised but no payments were made.

Following a documented recovery process, a number of debts accrued have been reviewed and require approval to be written off under delegated authority, in accordance with Council's Sundry Debt Collection and Recovery Policy. In summary, these write-offs are debts for the period October to December 2017 totalling \$2,051.60 (**Attachment 2**).

#### Infringements

The write-off list (**Attachment 3**) shows charges raised after October 2014 (at this time the accrual basis of accounting was adopted - distinct from past practice of recognising revenue only when payment was received) for infringements issued 26 November 2014 to 24 January 2018 and an amount of \$8,180.75 has been accrued in the financial statements which will impact on the 30 June 2018 operating result.

The list of accounts as outlined in **Attachment 4** identifies the unpaid Infringement Notices which have exceeded the time limit that the Infringement Notice can be referred to FER. (The time limit for referral of unpaid parking infringements to FER under the *City's Parking and Parking Facilities Local Law 2015* is 2 years; all other infringements are 1 year). The amount of \$25,771.50 has not been recognised as revenue in the financial statements and therefore will not impact on the 30 June 2018 operating result.

#### Summary

Sundry debtors	1,023.54
Recreation facility debtors	2,051.60
Infringement debtors raised after 1 October 2014	<u>8,180.75</u>
<b>Total amount write-off affecting Statement of Comprehensive Income</b>	<b><u>\$11,255.89</u></b>
 Infringement debtors raised before 1 October 2014	 \$25,771.50
<b>Total amount write-off without affecting Statement of Comprehensive Income</b>	<b><u>\$25,771.50</u></b>
 <b>Total write-off and reversal</b>	 <b><u>\$37,027.39</u></b>

#### **OPTIONS**

Not applicable.



**CONCLUSION**

It is recommended that Council notes an amount of \$11,255.89 of bad debts (comprising \$1,023.54 sundry debtors; \$2,051.60 recreation facilities; \$8,180.75 infringements) has been written off with a further amount of \$25,771.50 infringement charges to be reversed under delegated authority.

**FINANCIAL IMPLICATIONS**

Adjustments for bad debts as outlined in this report will be reflected in the end-of-year operating result. The ongoing review of the City's revenue collection and debt recovery practices is an important feature of risk management and strengthening corporate governance.

**STRATEGIC LINK**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.  
Aspiration: Open, accountable and responsive service.  
Outcome L1: Accountable and good governance.

**COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

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."

**VOTING REQUIREMENTS**

Simple Majority Required.

**ATTACHMENTS**

For debts under \$500.00 and greater than 150 days (**Confidential**):

1. Sundry Debtor List.
2. Recreation Facility Debtor List.
3. Infringement Debtor List - For charges raised after October 2014.
4. Infringement Debtor List - For charges raised before October 2014.

**COUNCIL RESOLUTION****MANAGEMENT COMMITTEE/OFFICER'S RECOMMENDATION**

That Council:

1. Notes that an amount of \$11,255.89 of bad debts has been written off and an amount of \$25,771.50 infringement charges has been reversed under delegated authority.
2. Notes the options available to address the ongoing process for following up outstanding debts to minimise the need to write them off.

**CR BARRY MCKENNA MOVED, CR BRENT FLEETON SECONDED**

**CARRIED UNANIMOUSLY: 11/0**

**13.3 Maylands Tennis Club**

**Location:** 38 Clarkson Road, Maylands  
**Reporting Branch:** Financial Services  
**Responsible Directorate:** Finance and Corporate Services

**EXECUTIVE SUMMARY****Application:**

For Council to consider writing off monies with respect to Maylands Tennis Club in accordance with section 6.12(1) of the *Local Government Act 1995*.

**Key Issues:**

This report provides the account status of the Maylands Tennis Club following a recent review of the City's internal controls with respect to accounts receivable.

**BACKGROUND**

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.

In 1999 the Maylands Tennis Club entered into a lease agreement with the City, which included a rent portion of \$509 per annum being payable, subject to CPI adjustment. Recently it has been identified that the rent portion of this lease agreement, since inception, has never been applied.

The rent portion for 2017-18 has since been raised and recognised as income.

**CONSULTATION**

Not applicable.

**ANALYSIS**

The amount outstanding, on rectification of this account, is \$11,848.98. It follows a review of the City's processes with respect to accounts receivable, and internal controls have since been established to mitigate the risk of future recurrence.

Internal controls established to mitigate risk of reoccurrence include:

- conduct of an internal audit on rent and utility charges to ensure lease holders are being charged as per their individual agreement;
- a comparison of like lease agreements being undertaken when renewing leases to verify key terms; and
- development of an internal report to compare and contrast annual charges raised during the year for community leases.

However, this action does not remedy the current situation whereby the Maylands Tennis Club has an amount outstanding equal to \$11,848.98 (***Attachment 1***). Given this situation has arisen from no fault of the Maylands Tennis Club, it is recommended that, as a gesture of goodwill, the amount due for the period 1999-2017 be written off.

**OPTIONS**

The following options are available to Council:

OPTION	BENEFIT	RISK
1. Write off the rent payable by Maylands Tennis Club for the period 1999-2017, totalling \$11,848.98, noting that the non-payment of this was due to an administrative oversight to levy the rental charge and was no fault of the Club.  <b>Estimated Cost:</b> \$11,848.98	<ul style="list-style-type: none"> <li>This action will not financially disadvantage the Maylands Tennis Club for essentially an administrative oversight by the City.</li> </ul>	<ul style="list-style-type: none"> <li>The City forgoes revenue it is entitled to levy intended to partially recover the costs of service provision.</li> </ul>
2. The Maylands Tennis Club be required to pay the outstanding amount of \$11,848.98 for the lease period 1999 to 2017.  <b>Estimated Cost:</b> <i>Nil.</i>	<ul style="list-style-type: none"> <li>The City is able to recover the cumulative costs of service provision.</li> </ul>	<ul style="list-style-type: none"> <li>The Club is not able to pay this amount from its current funds or it is incurred at the expense of other planned project initiatives.</li> </ul>

## CONCLUSION

Option 1 is recommended to write off \$11,848.98 for the portion of rent payable for Maylands Tennis Club for 1999-2017.

## FINANCIAL IMPLICATIONS

An adjustment of \$11,848.98 will be made and therefore reflected in the end-of-year operating result. The ongoing review of the City's revenue collection and debt recovery practices is an important feature of risk management and strengthening corporate governance.

## STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.

Aspiration: Open, accountable and responsive service.

Outcome L1: Accountable and good governance.

## COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

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."

## VOTING REQUIREMENTS

Simple Majority Required.

## ATTACHMENTS

- Income Not Recognised

## OFFICER'S RECOMMENDATION

That Council approve the write-off of the rent payable by Maylands Tennis Club for the period 1999-2017, totalling \$11,848.98, noting that the non-payment of this was due to an administrative failure to levy the rental charge and was no fault of the Club.

**COUNCIL RESOLUTION**  
**(MANAGEMENT COMMITTEE RECOMMENDATION)**

That Council donates \$11,848.98 to the Maylands Tennis Club and effects this transfer to the debtor account for payment of rent for the period 1999-2017, noting that this donation is provided to recognise an administration failure to levy the rental charge.

CR CATHERINE EHRHARDT MOVED, CR SALLY PALMER SECONDED  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION: 11/0

**Attachment 1****Income Not Recognised**

		Annual Rent
Lease	June	Adjusted with
Period	to May	June CPI as per
1999/2000	Jul-99	\$509.00
2000/2001	Jul-00	\$522.14
2001/2002	Jul-01	\$551.54
2002/2003	Jul-02	\$564.65
2003/2004	Jul-03	\$576.16
2004/2005	Jul-04	\$590.87
2005/2006	Jul-05	\$612.28
2006/2007	Jul-06	\$639.85
2007/2008	Jul-07	\$659.29
2008/2009	Jun-08	\$687.64
2009/2010	Jun-09	\$697.09
2010/2011	Jun-10	\$720.43
2011/2012	Jun-11	\$741.43
2012/2013	Jun-12	\$745.88
2013/2014	Jun-13	\$751.85
2014/2015	Jun-14	\$756.36
2015/2016	Jun-15	\$759.86
2016/2017	Jun-16	\$762.65
		<b>\$11,848.98</b>

**13.4 Aboriginal Advisory Committee - Project Timeline**

**Reporting Branch:** Community Services  
**Responsible Directorate:** Community Services  
**Refer:** Item 11.3: OCM 23.08.2016  
Item 9.1.2: CTCSC 19.04.2017  
Item 10.1: SCM 31.10.2017  
Item 11.1: OCM 30.01.2018

**EXECUTIVE SUMMARY****Application:**

For Council to note the project timeline to develop the City's first Reconciliation Action Plan (RAP) in liaison with the City of Bayswater's Aboriginal Advisory Committee (AAC).

**Key Issues:**

- The City of Bayswater is commencing the development of a Reflect RAP, which will be 12 months in duration.
- The Reconciliation Action Plan project timeline is presented for noting, to ensure all of the tasks set out by Reconciliation Australia are completed and to deliver the successful completion of the RAP within a 12 month time frame.
- The City has never completed a RAP before and as such, this timeline will be subject to change to ensure a meaningful RAP is developed.

**BACKGROUND**

At the Ordinary Council Meeting held 23 August 2016, it was resolved:

*"That Council consider the inclusion of the following action in the development of the 2017-2021 Corporate Business Plan and the 2017/18 budget:  
Council establishes an Aboriginal Advisory Committee or appropriate group to develop a Reconciliation Plan."*

At the Community, Technical, Finance and Corporate Services Committee held 19 April 2017, Council approved the terms of reference for the AAC, considered an allocation of \$50,000 in the 2017/18 budget and requested that officers seek expressions of interest for community members to join the Committee.

Council members were appointed to the AAC at the Special Council Meeting held 30 October 2017. Following advertising, community members were appointed by Council resolution at the Ordinary Council Meeting on 30 January 2018.

Members of the Aboriginal Advisory Committee met informally on 28 February 2018, during that meeting, members discussed personal availabilities to attend further meetings. Based on this information meeting dates were set bi-monthly during 2018, on Wednesday afternoons from 4:30pm to 6:00pm, amounting to 5 meetings this calendar year. These meetings will be dedicated to reaching the milestones set out for the development of the Reflect RAP.

At their first meeting, the members of the AAC were also introduced to the Reflect style of RAP, which the AAC will be developing. Reconciliation Australia offers four different styles of RAP templates. The stage 1 (Reflect) RAP template is appropriate for the City to use to develop its inaugural RAP as it focuses on building the internal and external relationships which will be necessary to undertake subsequent RAPs in the future. According to Reconciliation Australia:

*"A Reflect RAP clearly sets out the steps you should take to prepare your Organisation for reconciliation initiatives in successive RAPs. Committing to a Reflect RAP allows your organisation to spend time scoping and developing relationships with Aboriginal and Torres Strait Islander stakeholders, deciding on your vision for reconciliation and exploring your sphere of influence, before committing to specific actions or initiatives. This process will help to produce future RAPs that are meaningful, mutually beneficial and sustainable."*

## CONSULTATION

Reconciliation Australia has provided the City with guidance on the Reflect RAP process and provided the Template of actions which have made up the framework of the City's Reflect RAP project timeline.

A separate report has been provided to Council in this agenda to note the Reflect RAP Community Engagement Plan, which includes the timeframes associated with the City's external engagement process.

The Reflect RAP is focussed on internal engagement and reflecting on what the City currently does in relation to reconciliation with Aboriginal and Torres Strait Islander people through its programs, services and projects. Internal engagement is therefore just as critical as external engagement.

## ANALYSIS

The Reflect RAP has a 12 month duration, which commences when the RAP is formally endorsed by Reconciliation Australia. The Reflect RAP template can be viewed in Attachment 1.

Officers have developed a Reflect RAP project timeline (attachment 2) which will enable the AAC to complete milestone tasks from the Reflect RAP template in a timely fashion. It is intended that the City develops its draft Reflect RAP by September 2018, at which time it will be endorsed by Council and later reviewed by Reconciliation Australia (by early December 2018). The feedback received from Reconciliation Australia will be brought back to the AAC and Council with a view of having Council approve the final draft between December 2018 and March 2019.

The Reflect RAP project timeline allows for the successful completion of the RAP within a 12 month period, with the commencement date being 30 January 2018, when Council endorsed the ACC memberships.

It should also be noted that the timeframes listed on the Reflect RAP project timeline may be subject to change, in particular as the City is unaware of how long Reconciliation Australia may require reviewing the City's draft Reflect RAP from September 2018.

## OPTIONS

The following options are available to Council:

OPTION	BENEFIT	RISK
1. <b><i>Note the project timeline for the development of the Reflect RAP by the AAC</i></b>  <b><i>Estimated Cost: Nil</i></b>	<ul style="list-style-type: none"> <li>Assist AAC members to complete the RAP within an anticipated 12 month timeframe</li> <li>Provide surety that all actions within the Reflect RAP template are completed in the necessary order.</li> </ul>	<ul style="list-style-type: none"> <li>Nil</li> </ul>

## CONCLUSION

Option 1 is recommended to allow for the successful completion of the City of Bayswater's inaugural Reflect RAP within the assigned 12 month period, as listed in attachment 2 of this report.

## FINANCIAL IMPLICATIONS

Nil.

## STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Community

Aspiration: An active and engaged community.

Outcome C2.1: Ensure the City's services and facilities are accessible and inclusive.

Outcome C2.1.1: Develop and implement a Reconciliation Action Plan with support from an Aboriginal Advisory Committee

## COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Nil.

## FEEDBACK FROM ADVISORY COMMITTEE

- The Manager of Community Services provided further information to the Committee about the City's 2018 NAIDOC Week Celebration partnership with the Town of Bassendean.
- Cr Palmer noted that the East Metropolitan Regional Council (EMRC) will also be developing a RAP and she is looking to have some involvement with their committee.
- Ms Jan Wheare asked if activities could be considered during Reconciliation Week, which is from 27 May - 3 June 2018. The Strategic Planning Projects Manager mentioned this might be a good time to promote the engagement for the RAP.
- The Strategic Planning Projects Manager asked the Committee for feedback regarding the most appropriate places to have meaningful conversations about reconciliation with community members. Many examples were received and recorded by the City from members.

## VOTING REQUIREMENTS

Simple Majority

## ATTACHMENTS

1. Community Engagement Plan

## COUNCIL RESOLUTION

### (ADVISORY COMMITTEE/OFFICER'S RECOMMENDATION)

That Council notes the Community Engagement Plan as set out in attachment 1 for the development of the City's Reflect Reconciliation Action Plan.

CR CATHERINE EHRHARDT MOVED, CR SALLY PALMER SECONDED

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION: 11/0



**Attachment 1****REFLECT****Reconciliation Action Plan (RAP) template****Reflect RAP:**

A Reflect RAP has a 12-month duration, which commences when the RAP is formally endorsed by Reconciliation Australia.

**Template layout:**

This RAP template sets out your organisation's commitment to reconciliation under the headings of relationships, respect and opportunities.

**Action column:** Broad action that includes the objective your organisation will focus on achieving. Try to use plain language and avoid organisation specific jargon or acronyms.

**Deliverable column:** Deliverables should be activities/initiatives that will achieve the objective in the action column. Deliverables should be written as a prospective activity.

**Responsibility column:** Responsibility of commitments within the RAP should be distributed across the organisation, to promote shared ownership of the RAP. Ensure the responsibility is all relevant areas of your organisation have actions specific to their knowledge area. Responsibilities should be allocated to specific employees, to increase accountability.

**Timeline column:** Specific dates should be allocated to each deliverable throughout the RAP life. Please use a month(s)/year(s) format (e.g. July 2017). If the action is ongoing, include the date that you will review the action for effectiveness or when you expect to have achieved milestones.

**Minimum requirements:**

The actions included in this template, as well as those deliverables listed under 'required', are minimum elements and must be included in your RAP in order for it to be endorsed by Reconciliation Australia. Organisations are encouraged to include additional actions/deliverables relevant to your core business and sphere of influence.

**RAP review process:**

**Please ensure that first draft is submitted to Reconciliation Australia for review, at least 4 months prior to the expected endorsement date.**

Once you have completed your first draft RAP, please submit it for review to Reconciliation Australia in Microsoft Word format. You can submit the first draft by completing the form on our RAP Online Hub or submit directly to your RAP Officer. The RAP Officer will then work in partnership with you to develop and review the RAP in readiness for formal endorsement by Reconciliation Australia.

The review process involves about **four to five** rounds of feedback from Reconciliation Australia before a RAP is ready for endorsement. The RAP review process can take three to six months, from when we receive your first draft. Although these timeframes may vary.

**Formal endorsement by Reconciliation Australia:**

There are two stages of RAP endorsement.

**1. Conditional Endorsement**

When the RAP has been finalised and is ready for endorsement, it will be sent to the RAP Manager at Reconciliation Australia for approval. Once the content has been approved, the RAP will be conditionally endorsed.

**2. Final Endorsement**

When the RAP is ready to be published (internally or externally), the RAP is to be submitted to Reconciliation Australia for a final review before it can be published. The RAP will be reviewed to ensure the document contains the endorsed content and the RAP logo is displayed correctly.

Once the RAP has been formally endorsed by Reconciliation Australia, the content should not be altered throughout the duration of the RAP, unless approved by Reconciliation Australia.

**Important NOTE:**

*The RAP program is a unique and highly valued service of Reconciliation Australia. Reconciliation Australia has worked extensively with its partners to develop and build the RAP program. To maintain the integrity of our programs, the Reconciliation Australia logo is Trade Marked through IP Australia. We are proud to share our Trade Marked logo with organisations that have worked with us to develop a RAP that meets our requirements and quality assurance processes. Organisations that choose not to be a part of the RAP program should not use the words 'Reconciliation Action Plan', 'RAP', or the Reconciliation Australia Logo on websites or documents, as to publicly 'pass off' as being part of the program.*

**[Organisation Name]**

**Reflect Reconciliation Action Plan [month, 20\_\_] – [month, 20\_\_]**

**Our business**

Address the following questions using paragraphs to describe your business:

- What is your core business?
- How many people does your organisation employ?
- How many Aboriginal and Torres Strait Islander staff does your organisation currently employ?
- What is our organisation's geographic reach (is our organisation state-focused or national)?
- How many office locations does your organisation have?

**Our RAP**

Address the following questions using paragraphs.

- Why is your organisation developing a RAP?
- What is your organisation's reconciliation journey to date?
- Who champions your RAP internally?
- Who was involved in the development of your RAP?

**Our partnerships/current activities**

Describe any partnerships or current reconciliation activities you have in place:

- Community partnerships
- Internal activities/initiatives

Relationships			
Action	Deliverable	Timeline	Responsibility
1. Establish a RAP Working Group	<ul style="list-style-type: none"> <li>Form a RAP Working Group that is operational to support the implementation of our RAP, comprising of Aboriginal and Torres Strait Islander peoples and decision-making staff from across our organisation.</li> </ul>	[Month, year]	[Job title]
2. Build internal and external relationships	<ul style="list-style-type: none"> <li>Develop a list of Aboriginal and Torres Strait Islander peoples, communities and organisations within our local area or sphere of influence that we could approach to connect with on our reconciliation journey.</li> <li>Develop a list of RAP organisations and other like-minded organisations that we could approach to connect with on our reconciliation journey.</li> </ul>		
3. Participate in and celebrate National Reconciliation Week (NRW)	<ul style="list-style-type: none"> <li>Encourage our staff to attend a NRW event.</li> <li>Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff.</li> <li>Ensure our RAP Working Group participates in an external event to recognise and celebrate NRW.</li> </ul>	27 May-3 June	
4. Raise internal awareness of our RAP	<ul style="list-style-type: none"> <li>Develop and implement a plan to raise awareness amongst all staff across the organisation about our RAP commitments.</li> <li>Develop and implement a plan to engage and inform key internal stakeholders of their responsibilities within our RAP.</li> </ul>		
5. <i>Include other unique relationships actions and targets related to our core business and vision for reconciliation.</i>	<p><i>Suggestions:</i></p> <ul style="list-style-type: none"> <li><i>Build partnerships with Aboriginal and Torres Strait Islander peoples and organisations.</i></li> <li><i>Engage our senior leaders in the delivery of RAP outcomes.</i></li> <li><i>Raise external awareness of our RAP.</i></li> <li><i>Raise awareness of/explore opportunities to support the Recognise campaign.</i></li> <li><i>Support our state/territory based reconciliation council.</i></li> </ul>		

Respect			
Action	Deliverable	Timeline	Responsibility
6. Investigate Aboriginal and Torres Strait Islander cultural learning and development	<ul style="list-style-type: none"> <li>Develop a business case for increasing awareness of Aboriginal and Torres Strait Islander cultures, histories and achievements within our organisation.</li> <li>Capture data and measure our staff's current level of knowledge and understanding of Aboriginal and Torres Strait Islander cultures, histories and achievements.</li> <li>Conduct a review of cultural awareness training needs within our organisation.</li> </ul>		
7. Participate in and celebrate NAIDOC Week	<ul style="list-style-type: none"> <li>Raise awareness and share information amongst our staff of the meaning of NAIDOC Week which includes information about the local Aboriginal and Torres Strait Islander peoples and communities.</li> <li>Introduce our staff to NAIDOC Week by promoting community events in our local area.</li> <li>Ensure our RAP Working Group participates in an external NAIDOC Week event.</li> </ul>	First week in July	
8. Raise internal understanding of Aboriginal and Torres Strait Islander cultural protocols	<ul style="list-style-type: none"> <li>Explore who the Traditional Owners are of the lands and waters in our local area.</li> <li>Scope and develop a list of local Traditional Owners of the lands and waters within our organisations sphere of influence.</li> <li>Develop and implement a plan to raise awareness and understanding of the meaning and significance behind Acknowledgement of Country and Welcome to Country protocols (including any local cultural protocols).</li> </ul>		
9. <i>Include other unique respect actions related to our core business and vision for reconciliation.</i>	<p><i>Suggestions:</i></p> <ul style="list-style-type: none"> <li><i>Celebrate/recognise Aboriginal and Torres Strait Islander dates of significance.</i></li> <li><i>Investigate cultural immersion programs.</i></li> <li><i>Communicate and encourage staff to use Reconciliation Australia's Share Our Pride online tool to all staff.</i></li> </ul>		

Opportunities			
Action	Deliverable	Timeline	Responsibility
10. Investigate Aboriginal and Torres Strait Islander employment	<ul style="list-style-type: none"> <li>Develop a business case for Aboriginal and Torres Strait Islander employment within our organisation.</li> <li>Identify current Aboriginal and Torres Strait Islander staff to inform future employment and development opportunities.</li> </ul>		
11. Investigate Aboriginal and Torres Strait Islander supplier diversity	<ul style="list-style-type: none"> <li>Develop an understanding of the mutual benefits of procurement from Aboriginal and Torres Strait Islander owned businesses.</li> <li>Develop a business case for procurement from Aboriginal and Torres Strait Islander owned businesses.</li> </ul>		
12. <i>Include other unique opportunities actions related to our core business and vision for reconciliation.</i>	<p><i>Suggestions:</i></p> <ul style="list-style-type: none"> <li><i>Investigate an internal Aboriginal and Torres Strait Islander professional mentoring network.</i></li> <li><i>Investigate Aboriginal and Torres Strait Islander employment pathways (e.g. traineeships or internships).</i></li> <li><i>Investigate opportunities to increase pro bono activities.</i></li> <li><i>Support scholarships for Aboriginal and Torres Strait Islander students.</i></li> <li><i>Support Aboriginal and Torres Strait Islander leadership.</i></li> <li><i>Investigate opportunities to become a member of Supply Nation.</i></li> </ul>		

Governance and Tracking Progress			
Action	Deliverable	Timeline	Responsibility
13. Build support for the RAP	<ul style="list-style-type: none"> <li>Define resource needs for RAP development and implementation.</li> <li>Define systems and capability needs to track, measure and report on RAP activities.</li> <li>Complete the annual RAP Impact Measurement Questionnaire and submit to Reconciliation Australia.</li> </ul>	30 September,	
14. Review and Refresh RAP	<ul style="list-style-type: none"> <li>Liaise with Reconciliation Australia to develop a new RAP based on learnings, challenges and achievements.</li> <li>Submit draft RAP to Reconciliation Australia for review</li> <li>Submit draft RAP to Reconciliation Australia for formal endorsement.</li> </ul>	[three months prior to RAP expiry date]	

**Contact details** *Include contact details (job title, phone and email) for public enquiries about our RAP.*

Name:  
Position:  
Phone:  
Email:

**13.5 Report from the Policy Review and Development Committee Agenda May 2018**

**Reporting Branch:** Governance  
**Responsible Directorate:** Executive Services  
**Refer:** OCM 25 July 2017 OCM 12 Sept 2017 OCM 1 Dec 2017 OCM 20 Feb 2018 OCM 27 March 2018

**EXECUTIVE SUMMARY****Application:**

To advise Council of the recommendations of the third meeting of the Policy Review and Development Committee (Committee) held on 16 May 2018

**Key Issues:**

The Committee's terms of reference are:

- To review all existing City of Bayswater policies (excluding planning policies) within a two year period, in line with the Local Government Election Cycle and facilitate the development of new policies for the consideration by Council as required.
- To make recommendations to Council on matters related to policy, policy review and policy development.
- To explore opportunities that promote policy development in all areas that are within the Council's jurisdiction.
- To allow any draft policy developed and fully considered by another Committee of Council to be referred directly to Council for consideration.
- To provide City of Bayswater Councillors with assistance and support to develop new policies.
- To consider, as required, key planning policy issues that arise (current planning policies will not form part of the 2 year review program).

**BACKGROUND**

The intention in establishing the Committee was to ensure that all policies are reviewed in a structured and timely manner, that Council policies are in line with current strategic directions, to help prevent notices of motion in relation to policy development and to ensure ongoing compliance with legislation and best practice standards. It is intended that the Committee will be used as an opportunity for committee members and other Councillors to identify issues for possible policy development. Policy recommendations and issues identified by staff will also be raised at the Committee.

**ANALYSIS**

At its most recent meeting the Committee considered the following-

**1. Community Funding Policy and Community Funding Policy Framework**

The proposed Community Funding Policy is intended to inform the future provision of funding support to the community. Council's adopted Corporate Business Plan 2015-2019 included an action to develop a Community Grants Program - commencing in the 2017-2018 year. This action was carried over in the new Corporate Business Plan 2017-2021.

At the Committee meeting on 19 April 2017 Council resolved to approve an allocation of \$20,000 project funding in the 2017-18 budget to develop Community Grants Program guidelines that are aligned to the aspirations of the Strategic Community Plan. At the Community, Corporate, Finance and Technical Services Committee Meeting on 13 February 2018 Council endorsed recommendations associated with a review of community grants and funding initiatives. Included in those resolutions were:



1. *Endorses the development of an overarching community grants policy to centralise information and processes about how the City of Bayswater provides funding to the community. ...*

6. *Supports the development of a decision making framework which aligns with Council's strategic community plan decision making criteria and program specific criteria to guide approval of community grants applications.*

**Community Grants Policy:** This proposed policy is a new umbrella policy designed to reflect all policies that currently deal with different aspects of funding to the community across all areas of the City's business. This policy should provide one source of information which will improve community access and understanding. Previous policies which can now be revoked are

- Donations Policy
- Major Town Centre Events Policy
- Grant Funding for Environmental Groups - Administration Costs
- City of Bayswater Heritage Fund Policy;
- Scholarship Local Sport Representation Policy
- Scholarship Program Including Education Music Sport and Visual Arts Policy
- Scholarships Dance Policy

**Decision Making Framework:** The proposed decision making framework is a matrix) which lists essential and desirable criteria for the consideration and approval of grants using the Council's own decision making criteria, within the categories agreed by Council (Strategic Direction, Community Views, Equity, Risks and Cost).

This framework provides confidence to staff assessing applications and enables decisions to be made within existing delegated authorities and purchasing limits in faster timeframes. This will enable eligible individuals and organisations to receive decisions and funding within shorter turnaround times. The recommended process takes a risk management approach to the allocation of relatively small amounts of funding and is consistent with the way grant funding is managed in most other local governments. For example, at the City of Belmont all grant funding decisions are made the Senior Management Group, and in the City of Fremantle all Directors can approve grants up to \$25,000 and Managers up to \$20,000.

For example, the current threshold for approval of donations by the Director Finance and Corporate Services is \$200 with all requests in excess of this being reported to Council for decision. This process can delay decisions by up to six weeks, in order to meet agenda deadlines and await the outcomes of meetings, depending on when the request is received. The current purchasing authority for the Director Finance and Corporate Services is \$150,000 which allows procurement decisions for any other compliant purchases within that threshold.

Under the decision making framework proposed, any requests that comply with the essential requirements for a grant or donation, within the purchasing authority of the Director or Manager responsible for managing a funding stream, can be approved immediately. Funds are then made available to the applicant upon entering into a simple contract which outlines responsibilities and acquittal obligations. This reduction in red tape and processing time ensures better outcomes for the applicant and a transparent decision making process. Where a request is considered sensitive or beyond the capacity of the Director to assess, it will be reported to Council for a decision.

This approach has been particularly effective in assessing Community Capital Requests from sporting clubs and was supported by Council in 2016 for applications in the 2017/18 budget cycle. Officers received and assessed applications for funding, recommendations were made within the allocated budget and the outcomes included in Council's budget deliberations. There

appears to have been a high level of confidence in this approach and has helped to drive the development of a similar process for other grant funding streams.

It is proposed that a monthly schedule is provided to Council advising of any grant funding allocated. As a result of the introduction of improved applications and simple contracts with grant recipients the City will be able to increasingly promote the success and benefits of grant funding outcomes within the community.

The following amendments were made to the draft policy after discussions at the 1 May 2018 Councillor Workshop and review by the Committee:

- Any request for grant funding over \$5000 should be referred to Council for consideration.
- A monthly grant funding information report should be provided to Council for noting.

## **2. Fee Waivers, Concessions and Definitions for Fees and Charges Policy**

Under the LG Act a local government may waive fees or grant concessions in relation to any amount of money which is owed to the local government (excluding rates and service charges). This power has been delegated to the CEO, who may authorise a waiver or grant a concession to a maximum value of \$500. This power has been further sub-delegated to managers who waive fees as part of their day to day role.

The proposed draft policy is intended to replace the City's existing policies which relate to the waiver of fees. Generally these policies only relate to community groups and schools. The City currently has five policies which deal with the granting of fee waivers or concessions for community groups and schools or the guidance on who is eligible for a reduce rate set under the fees and charges schedule.

- [Community Bus Hire Policy](#)
- [Eligibility for a Rebate on Reserve Hire Fees for Junior Clubs Policy](#)
- [School Use of Council Facilities Policy](#)
- [Concessional Passes and Donations of Free Passes to Council Facilities Policy](#)
- [Bayswater Waves Maylands Waterland The RISE Privilege Card Policy](#)

Any reduced rate set in the schedule of fees and charges is not a waiver for the purposes of the *Local Government Act 1995* (LG Act), and does not need to be repeated in a policy or recorded as part of the annual financial statement. The City's Fees and Charges schedules 2017/18 and 2018/19 have set rates for reserve hire for junior clubs and schools (free for those operating in the City and 50% of the standard rate for all others). As a result there does not need to be a policy directing officer's to waiver fees in these circumstances, as currently set out in the 'Rebate on Reserve Hire Fees for Junior Clubs Policy.' The new policy document also offers guidance for the application of terms used in the City's fee schedule.

It is intended that the new policy comes into effect on 1 July 2018 in line with the date that the 2018-19 Fees and Charges Schedule comes into effect. During this transition period the current policies will continue to apply.

The Committee endorsed the officer's recommendations without any changes to the draft policy.

## **3. CCTV Management Policy**

The City of Bayswater currently has a CCTV Management Policy first adopted on 8 December 2009. The majority of the current policy reads as a management practice setting out the process for installation, access to and monitoring of CCTV within the City. However it contains a strategic policy statement that the City seeks to protect people and assets within the City in the most effective manner possible. The amended policy no longer outlines the internal processes regarding the installation, use and access of CCTV systems. It intends to outline the City's

position in providing a CCTV system that assists with decreasing crime and antisocial behaviour, protecting community assets and improving the detection of crime and conviction of offenders.

The Committee endorsed the officer's recommendations without any changes to the draft policy.

#### 4. Information and Communication Technology (ICT) Policies

Council's Information Services Plan 2017-2021 identifies strategic criteria and actions prioritised to deliver improvements and protect the City's ICT assets. Included within this Plan are the following actions:

- Prepare a document repository of all required policies, processes and procedures and plan to develop any that are missing.
- Classify city information as internal/external use and establish a policy for publication.
- Review security policy and access threats in line with changes in infrastructure, application environment, hosting arrangements and information classification.
- Ensure response policy and action plan is in place to mitigate against potential security threats and respond quickly to potential incidents.
- Develop an Information Management strategy and information management policy to ensure appropriate access and robust security around the production, use and storage of City information.

Given these policy related actions, it was agreed that a more cohesive policy framework was required. The following three policies have been developed by staff-

- **Cyber Security Policy:** to clarify the City of Bayswater's position on the protection of intangible ICT assets from attack by parties external to the City of Bayswater and maintain the integrity and confidentiality of data.
- **Business Continuity Policy:** to clarify the City of Bayswater's position on ensuring continuity of business in the event of failure or loss of primary ICT infrastructure.
- **Use of City Information Resources Policy:** to clarify the City of Bayswater's position on the proper usage of all information and communications technology (ICT) resources, including any electronic data transfer using the City's ICT resources.

Management procedures containing procedural guidance to affected users are in development to support these policy positions.

Following review by the Committee:

- The Business Continuity Policy was renamed the ICT Business Continuity Policy.
- A reference to the Code of Ethics for City Employees was included under the list of related legislation and other references in the Use of City Information Resources Policy.

#### 4. Privacy Policy

Local governments have access to significant amounts of personal information belonging to residents, including rates and valuations data. This personal information is both sensitive and has commercial value. Some privacy principles are provided for documents requested under the *Freedom of Information Act 1992*. However, currently there is no clear guidance for staff on appropriate access to personal information. The *Commonwealth Privacy Act 1988* and the Australian Privacy Principles, which apply to federal government departments and large corporations, do not apply to local governments or state governments. It is therefore considered desirable for the City to adopt a privacy policy based on these principles.

The Committee endorsed the officer's recommendations without any changes to the draft policy.

#### 5. Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy

It was previously agreed by the Committee that as part of the review of the 'Elected members Conference, Seminars Attendance and Authorised Travel Policy' a similar policy be developed requiring public disclosure of the costs for senior staff to attend training and conferences. A draft policy was developed by staff and endorsed by the Committee without any changes.

## **6. Delegate's Report Policy**

Council currently nominates delegates to represent the City on a number of external committees. It was proposed that the Committee endorse a policy requiring that delegates representing Council at committees of other organisations provide reports to Council on the deliberations of the committee. It is noted that in some circumstances a delegate may owe a duty of fidelity, loyalty or confidentiality to the external organisation to which they have been appointed. The intention is that the reports presented to Council should be a summary of the meeting only and not contain information which would be a breach of such obligations. The intention behind this proposed policy is to ensure an open and accountable decision making process and to ensure that corporate knowledge is capture and shared.

The Committee endorsed the officer's recommendations without any changes to the draft policy.

## **OPTIONS**

The following options are available to Council:

- Support the proposed policies as recommended; or
- Support the proposed policies with amendments.

## **CONSULTATION**

Relevant internal stakeholders have been consulted.

## **FINANCIAL IMPLICATIONS**

No financial implications have been identified as a direct result of this report

## **STRATEGIC LINK**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance  
Aspiration: Open, accountable and responsive service  
Outcome L1: Accountable and good governance  
Outcome L3: Strong stewardship and leadership

## **COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

Under section 5.2 of the LG Act the Council of a local government is to ensure that there is an appropriate structure for administering the local government.

Under section 5.8 a local government may establish committees of three or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Under subsection 5.9(2)(b) a committee may comprise Council members and employees.

Section 5.17 of the LG Act places limits on the delegation of powers and duties to committees comprising Council members and employees.

Under subsection 27(2)(b) of the LG Act Council's role includes determining the local government's policies.

Under subsection 5.41(d) of the LG Act the CEO's functions include managing the day to day operations of the local government.

## **VOTING REQUIREMENTS**

Simple Majority

## **ATTACHMENTS**

1. Draft Community Grants Policy
2. Community Grants Decision Making Framework
3. Draft Waivers, Concessions and Definitions for Fees and Charges Policy
4. Draft CCTV Management Policy
5. Draft Cyber Security Policy
6. Draft Business Continuity Policy
7. Draft Use of City Information Resources Policy
8. Draft Privacy Policy
9. Draft Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy
10. Draft Delegate's Report Policy

## **COUNCIL RESOLUTION**

### **(COMMITTEE'S RECOMMENDATIONS)**

That Council:

1. **Adopts the proposed Community Grants Policy at Attachment 1 and revokes the following policies:**
  - **Donations Policy**
  - **Major Town Centre Events Policy**
  - **Grant Funding for Environmental Groups**
  - **City of Bayswater Heritage Fund Policy**
  - **Scholarship Local Sport Representation Policy**
  - **Scholarship Program Including Education Music Sport and Visual Arts Policy**
  - **Scholarships Dance Policy**
2. **Endorses the Community Grants Decision Making Framework at Attachment 2**
3. **Notes that Directors and Managers may make community funding contribution decisions under existing delegations, capped at \$5000 in line with the new Community Grants Policy**
4. **Notes that a monthly information report on community funding will be provided to Council for noting**

5. **Adopts the Waivers, Concessions and Definitions for Fees and Charges Policy at Attachment 3 and revokes the following policies (with the revocation effective as of 1 July 2018):**
  - **Community Bus Hire Policy**
  - **Eligibility for a Rebate on Reserve Hire Fees for Junior Clubs Policy**
  - **School Use of Council Facilities Policy**
  - **Concessional Passes and Donations of Free Passes to Council Facilities Policy**
  - **Bayswater Waves Maylands Waterland the RISE Privilege Card Policy**
6. **Replaces the City's current CCTV Management Policy with the new policy at Attachment 4**
7. **Adopts the Cyber Security Policy at Attachment 5**
8. **Adopts the ICT Business Continuity Policy at Attachment 6**
9. **Adopts the Use of City Information Resources Policy at Attachment 7**
10. **Adopts the Privacy Policy at Attachment 8**
11. **Adopts the Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy Attachment 9**
12. **Adopts the Council Delegate's Report Policy at Attachment 10**

**CR CATHERINE EHRHARDT MOVED, CR SALLY PALMER SECONDED**

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION: 11/0**

**Attachment 1**

**COUNCIL POLICY: COMMUNITY GRANTS**

**POLICY OWNER:** Director Finance and Corporate Services

**POLICY STATEMENT:** This policy states the Council's position on providing financial support to not-for-profit community groups within the context of the Strategic Community Plan.



**POLICY DETAILS**

To provide opportunities to partner with the community to deliver positive community outcomes which are consistent with, and complement, the City's strategic vision to ensure:

1. Grants are provided to respond to social disadvantage, protection of the natural or built environment, partnerships, community development and capacity building.
2. Grant funding is provided consistent with Council's decision-making criteria of
  - a. Strategic Direction - responds to the adopted Strategic Community Plan;
  - b. Community Views - takes into account feedback received from the community with regard to desirable outcomes or gaps in provision;
  - c. Equity - responds to the diverse needs and geographic interests of City of Bayswater residents;
  - d. Risks - takes into account the risks of supporting or not supporting proposed activities; and
  - e. Costs - the availability of City funds and other funding sources.
3. Decision making is accountable and transparent to the community.
4. Opportunities to apply/participate in grant funding are promoted widely within the City.
5. Authority will be provided to approved officers to support requests for funding within agreed decision making criteria to enable quick responses and effective implementation of funded activities.
6. Any request for grant funding over \$5000 should be referred to Council for consideration.
7. A monthly grant funding information report should be provided to Council for noting.
8. The City may develop appropriate management practices and guidelines to implement this policy.

**DEFINITIONS:**

**"Strategic Community Plan"** means the ten year plan adopted by the City of Bayswater as part of the Integrated Planning and Reporting Framework which sets out strategies, aspirations and outcomes required to deliver the City's vision.

**"Grant"** means money provided by the City to eligible organisations in order to deliver a service, activity or event that provides benefits to residents of the City of Bayswater.

**"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.

**RELATED LEGISLATION AND OTHER REFERENCES***Local Government Act 1995*

Management Practices will be developed as required.

<b>Adopted by Council:</b>	Pending
<b>Reviewed</b>	Nil
<b>Strategic Link</b>	Governance and Leadership



Attachment 2

Decision Making Framework for Community Grants Funding streams																	
PROJECT DESCRIPTION							ESSENTIAL CRITERIA			COUNCIL DECISION MAKING CRITERIA						SCORE	RECOMMENDATION
APPLICANT	ADDRESS	PROJECT DESCRIPTION	TARGET AUDIENCE	PARTNERS INVOLVED IN THE PROJECT	TOTAL PROJECT VALUE	CITY CONTRIBUTION REQUESTED	OTHER CONTRIBUTIONS	LINK TO CITY STRATEGIC COMMUNITY PLAN	PREVIOUS CITY FUNDING ALLOCATION IN CURRENT FINANCIAL YEAR	ANY OUTSTANDING CITY FUNDING ACQUITTALS?	FINANCIAL VIABILITY	BENEFITS TO CITY RESIDENTS	POSSIBLE RISKS AND MITIGATED	EQUALITY - CAN PEOPLE WITH DIFFERENT ABILITIES/BACKGROUNDS PARTICIPATE?	PREVIOUS FUNDING RECEIVED	PRIORITY RATING	RECOMMENDED OUTCOME BASED ON MATRIX EVALUATION
			Age, location, interest groups		\$	\$	\$	Outcome and Strategy	YES/NO	YES/NO	High (3), Medium (2), Low (1)	High (3), Medium (2), Low (1)	High (3), Medium (2), Low (1)	High (3), Medium (2), Low (1)	\$	High (3), Medium (2), Low (1)	
<p><b>RULES FOR ELIGIBILITY</b></p> <p>1. Must have acquitted all previous City of Bayswater grant funding.</p> <p>2. Cannot have received any other City of Bayswater grant funding in the current financial year in any funding stream.</p> <p>3. Must have contributed at least 50% of the project cost from non City of Bayswater sources, including partner and in-kind contributions.</p> <p>4. Must benefit City of Bayswater residents - not only club/organisation members.</p> <p>5. Must link to Outcomes and Strategies identified in the City of Bayswater Strategic Community Plan.</p> <p>6. Must identify how the project builds capacity within the community - not dependent on ongoing City funding in future years.</p> <p>7. Must consider equity of access for people with different cultural backgrounds and physical capacity to participate.</p> <p>8. Is there anything that would prevent the applicant from completing an acquittal of funds within 3 months of the end of the project?</p> <p>9. Any requests for City services will be valued and this amount reduced from the grant allocated.</p> <p>10 Donations to individuals will not require matching funding</p>																	

**Attachment 3**

**COUNCIL POLICY: WAIVERS, CONCESSIONS AND DEFINITIONS FOR FEES AND CHARGES**

**POLICY OWNER: MANAGER FINANCIAL SERVICES**

**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.

**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:

- 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.
- The City may waive fees, 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.
- The City may waive fees, through the issue of free or discounted passes, as part of a membership drive to promote the City's recreational facilities.
- The City may waive 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.
- In waiving 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 privilege card and privilege card rates under the City's fees and charges schedule a person must be over thirteen years old and a resident of the City. Privilege card rates also apply to the card holder's dependent family members. In determining if a person is eligible the City may require two forms of photographic identification. The privilege card may be revoked if the person is no longer a resident of the City of Bayswater or the card has been misuse by another customer.
- 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 WVA 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.

#### DEFINITIONS

"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.

#### TRANSITION

This policy comes into effect on 1 July 2018. The following policies will continue to apply until this date-

- Community Bus Hire Policy
- Eligibility for a Rebate on Reserve Hire Fees for Junior Clubs Policy
- School Use of Council Facilities Policy
- Concessional Passes and Donations of Free Passes to Council Facilities Policy
- Bayswater Waves Maylands Waterland and the RISE Privilege Card Policy

#### RELATED LEGISLATION AND OTHER REFERENCES

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

*Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2008 rule 5.7*

*City of Bayswater Fees and Charges Schedule*

Adopted by Council:	Pending
Reviewed	Nil
Strategic Link	Governance and Leadership and Our Community

## Attachment 4

**COUNCIL POLICY: CCTV MANAGEMENT****POLICY OWNER: CHIEF EXECUTIVE OFFICER****POLICY STATEMENT:**

This policy outlines the City of Bayswater's position in providing a Closed Circuit Television (CCTV) system that assists in decreasing crime and anti-social behaviour, protecting community assets and improving the detection of crime and conviction of offenders.

**POLICY DETAILS:**

The City has a key role in supporting our community to feel safe and secure.

The City will deploy, operate and manage its CCTV systems in accordance with the City's CCTV Strategy. The purpose of the CCTV strategy is to:

- Provide a clear vision and framework for how CCTV can best be used to enhance the safety and security of our community;
- Position the City for future technological advances;
- Ensure adherence to relevant legislation, standards and guidelines;
- Provide for collaborative opportunities with key stakeholders.

The City may develop such internal processes and management practices as it considers appropriate to implement this policy and to give effect to, and ensure consistency with, the relevant provisions of related Legislation.

**DEFINITIONS:**

"CCTV" means any combination of cameras, lenses video/digital recorders and/or accessories installed for the purpose of monitoring and recording visual activity.

**RELATED LEGISLATION AND OTHER REFERENCES:**

*Local Government Act (1995)*

*Criminal Code Act Compilation Act 1913*

*Criminal Procedures Act (2004) WA*

*State Records Act (2000) WA*

*Surveillance Devices Act (1988) WA*

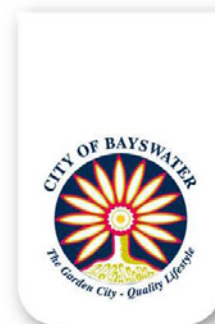
*Security and Related Activities (Control) Act (1996) WA*

*Freedom of Information Act (1992) WA*

Memorandum of Understanding – Western Australia Police and City of Bayswater – 10/05/2016

CCTV Strategy 2018 -2022

Community Safety and Crime Prevention Plan



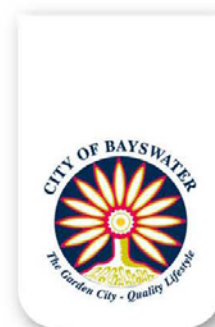
<b>Adopted by Council</b>	8 December 2009
<b>Reviewed</b>	Nil
<b>Strategic Link</b>	Our Community and Leadership and Governance

**Attachment 5**

**COUNCIL POLICY: CYBER SECURITY**

**POLICY OWNER:** Manager Information Services

**POLICY STATEMENT:** To protect the City of Bayswater's (the City) ICT assets and ensure cyber security best practice standards.



**POLICY DETAILS**

In order to protect intangible ICT assets from attack by parties external to the City and maintain the integrity and confidentiality of the data the City adopts the following policy.

The City will:

1. Implement controls over systems and processes to prevent unauthorised access to City data and ICT assets;
2. Undertake regular audits and testing in order to prevent and remedy:
  - a. Illegal access by unauthorised parties;
  - b. Appropriation of City owned and held data;
  - c. Disruption of the City's normal business activities;
3. Proactively modify and update systems to respond to changing risks and threats to data integrity;
4. Monitor and report on suspected and attempted breaches and remedies applied;
5. Source insurance cover to protect against any threats.
6. Develop Management Practices as required providing procedural guidance to Council and officers about how to implement this policy in the workplace.

**DEFINITIONS:**

**"ICT Resources"** means electronic data exchange, via internal and external data networks, internet access, E-mail and any other electronic data transfer using City equipment and services.

**"Intangible ICT Asset"** means the City's intellectual property, typically data which is owned or held by the City and may have a value to others.

**RELATED LEGISLATION AND OTHER REFERENCES**

- ISO 27001 Specification for Information Security Management System

<b>Adopted by Council:</b>	Pending
<b>Reviewed</b>	Nil
<b>Strategic Link</b>	Governance and Leadership

**Attachment 6**

**COUNCIL POLICY: ICT BUSINESS CONTINUITY**

**POLICY OWNER:** Manager Information Services

**POLICY STATEMENT:** To ensure continuity of business in the event of failure or loss of primary ICT infrastructure.

**POLICY DETAILS:**

In order to ensure that the City of Bayswater's (the City) information and digital services are always available to all stakeholders, the City adopts the following policy:

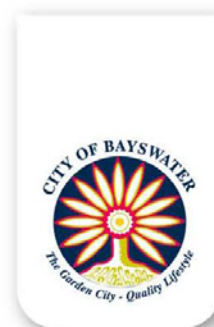
1. The City's Disaster Recovery Plan provides for changing ICT environments and requirements for city business continuity and is updated annually;
2. City data is protected by back up procedures and regular reviews of redundancies, storage infrastructure and the changing value of information over time;
3. IT specific risk assessment criteria and mitigation strategies are applied to all corporate projects and business as usual activities.
4. Management Practices will be developed as required to provide procedural guidance to Council and officers about how to implement this policy in the workplace.

**DEFINITIONS:**

**"ICT infrastructure"** means physical infrastructure to deliver information and communication of data to City stakeholders, both internal and external - includes servers, connections to mobile devices, cable, towers, remote storage and computers.

**RELATED LEGISLATION AND OTHER REFERENCES**

Nil



<b>Adopted by Council:</b>	Pending
<b>Reviewed</b>	Nil
<b>Strategic Link</b>	Governance and Leadership



## Attachment 7

**COUNCIL POLICY: USE OF CITY INFORMATION RESOURCES****POLICY OWNER:** Manager Information Services

**POLICY STATEMENT:** To ensure proper usage of all information and communications technology (ICT) resources, including any electronic data transfer using the City of Bayswater's (the City) ICT resources.

**POLICY DETAILS**

In order to protect the integrity of the City's data and ICT facilities, the City adopts the following policy:

1. The use of ICT resources should be consistent with the City's business operations.
2. Persons are accountable for their use of the City's ICT facilities.
3. The network, and its connections to other networks, is to be used only in a manner that is consistent with these purposes and within the spirit of this Policy.
4. This includes, but is not limited to:
  - a. Access to information that relates to the City's functions, objectives and mission.
  - b. Access to information that relates to authorised professional employee development.
  - c. Business communications with external parties and organisations that relate to the City's functions, objectives and mission.
  - d. Conducting research that relates to the City's functions, objectives and mission.
  - e. Compliance reporting (e.g. finance)
  - f. Maintaining relevant professional business relationships with other organisations, groups and colleagues.
5. Limited personal use is permitted but must not interfere with the City's business operations.
6. Improper use of the City's ICT facilities will be addressed in accordance with this policy and may lead to disciplinary action, criminal prosecution, or both.

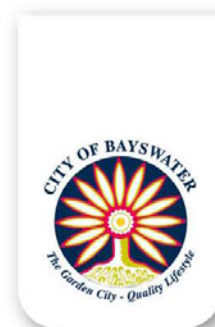
**DEFINITIONS:**

**"ICT Resources"** means electronic data exchange, via internal and external data networks, internet access, E-mail and any other electronic data transfer using City of Bayswater equipment and services.

**RELATED LEGISLATION AND OTHER REFERENCES**

- *State Records Act 2000*
- *Freedom of Information Act 1992*
- *City of Bayswater - Code of Ethics for Employees*

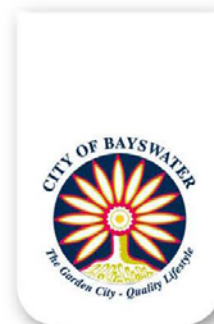
<b>Adopted by Council:</b>	Pending
<b>Reviewed</b>	Nil
<b>Strategic Link</b>	Governance and Leadership



**Attachment 8****COUNCIL POLICY: PRIVACY**

**POLICY OWNER:** Director Finance and Corporate Services

**POLICY STATEMENT:** To ensure that any third party personal information held by the City of Bayswater (the City) is handled appropriately and that best practice privacy principles are maintained.

**POLICY DETAILS**

- Personal data will only be collected for purposes that directly relate to the City carrying out its functions of a local government.
- The City will take all reasonable steps to safeguard personal data from unauthorised access or misuse.
- Personal data will only be used for the purpose for which it was collected.
- Personal data collected by the City will not be disclosed to a third party (other than the individual concerned) unless:
  - The disclosure is a public interest disclosure or it is information which the public has a right to access under relevant legislation; or
  - the disclosure is required or authorised by or under any other law; or
  - the individual concerned has consented to the disclosure; or
  - the disclosure is necessary to prevent or lessen a serious and imminent threat to the individual concerned or another person.

**DEFINITIONS**

**"Personal information"** means information or an opinion, whether true or not, whose identity is apparent or can reasonably be ascertained from the information or opinion.

**RELATED LEGISLATION AND OTHER REFERENCES**

- *Local Government Act 1995* s.5.94, s.5.95 and s. 5.96
- *Freedom of Information Act 1992*
- *Public Interest Disclosure Act 2003*

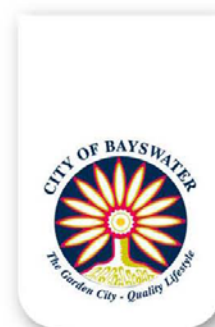
<b>Adopted by Council:</b>	Pending
<b>Reviewed</b>	Nil
<b>Strategic Link</b>	Governance and Leadership



## Attachment 9

## COUNCIL POLICY: SENIOR AND EXECUTIVE STAFF ATTENDANCE AT CONFERENCES, SEMINARS AND TRAINING

**POLICY OWNER:** Chief Executive Officer



**POLICY STATEMENT:** Council supports the attendance of City of Bayswater (the City) staff at conferences, seminars and training to assist them in fulfilling their role and further developing their skill set or where attendance will benefit the Bayswater district community.

### POLICY DETAILS

Attendance should be undertaken in a transparent manner and in line with budget allocations.

The City will fund attendance by executive officers at interstate conferences. The City will not fund attendance at overseas conferences, other than New Zealand.

Senior Executive Staff must report, where there is a cost to the City, any intrastate or national travel or travel to New Zealand, and disclose attendance at conferences and training which take place locally. The report must include the name and position title and be published monthly.

Managers must report, where there is a cost to the City, any intrastate or national travel or travel to New Zealand, and disclose attendance at conferences and training which take place locally. The report will be by position title only and is to be published monthly.

### DEFINITIONS

Events covered by this policy include: conferences, seminars, training courses, professional development, industry forums, workshops, presentations, awards, business breakfasts/luncheons/dinners - where there is a cost to the City.

Training which forms part of an officer's condition of employment or where the funding is included in the contract of employment will be exempt from this policy. Continuing Professional Development and professional networking events required as a condition of employment will also be exempt.

### RELATED LEGISLATION AND OTHER REFERENCES

Nil

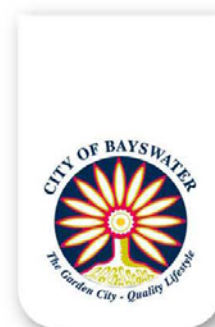
<b>Adopted by Council:</b>	Pending
<b>Reviewed</b>	Nil
<b>Strategic Link</b>	Governance and Leadership

**Attachment 10**

**COUNCIL POLICY: COUNCIL DELEGATE REPORTS**

**POLICY OWNER:** Chief Executive Officer

**POLICY STATEMENT:** To ensure an open and accountable decision making process, delegates representing Council at committees of other organisations shall provide reports to Council on the deliberations of the committee to which the delegate is appointed.



**POLICY DETAILS**

- Delegates are to provide a written report to Council on the deliberations and outcomes of the committee meeting.
- The report to Council should include a statement of what occurred at the meeting and the outcomes.
- Where two or more delegates attend the same external committee meeting as representatives of Council only one report needs to be submitted to Council.
- Where practicable, reports are to be presented to the first ordinary meeting of Council following the committee meeting.
- In some circumstances a delegate may owe a duty of fidelity, loyalty or confidentiality to the external organisation to which they have been appointed, as such reports back to Council should be a summary only and not contain information which would be a breach of such obligations.

**DEFINITIONS**

**"Delegate"** means an elected member or a member of staff appointed to a committee of another organisation by Council as a representative of Council.

**RELATED LEGISLATION AND OTHER REFERENCES**

Nil

<b>Adopted by Council:</b>	Pending
<b>Reviewed</b>	
<b>Strategic Link</b>	Governance and Leadership

**COUNCIL RESOLUTION - EN BLOC RESOLUTION**

To approve (en bloc) the Committee/Officer's Recommendations to Council Items 11.1, 13.1, 13.3, 13.4 and 13.5.

CR CATHERINE EHRHARDT MOVED, CR SALLY PALMER SECONDED

CARRIED UNANIMOUSLY: 11/0

**14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****14.1 Cr Ehrhardt - Economic Development Plan**

In accordance with clause 4.5(1) of the City of Bayswater's *Standing Orders Local Law 2013*, Cr Catherine Ehrhardt raised the following motion:

**"That Council:**

- 1. *Reviews the draft Economic Development Plan (December 2012 to June 2014) at a future Councillor Workshop and consider adding appropriate actions of the Plan to the Economic/Business Framework (May 2017).***
- 2. *Considers the employment of an Economic Development Officer as part of the 2018/19 Budget process.***

**MATERIAL FACTS**

In accordance with clause 4.5(7) of the City of Bayswater *Standing Orders Local Law 2013*, the Chief Executive Officer may provide relevant and material facts and circumstances relating to the notice of motion on such matters as policy, budget and law relevant to the notice of motion.

At its Ordinary meeting held on 11 December 2012, Council endorsed the Economic Development Program - December 2012 to June 2014 (**Attachment 1**).

Council considered a report on the introduction of place management to the City at its Ordinary meeting held 31 May 2016 and resolved as follows:

**"That Council:**

- 1. *Supports the introduction of two Place Manager positions to provide place management at the town centres within the City of Bayswater, and these positions to replace the current Economic Development Officer position (Model 1).***
- 2. *Considers a further allocation of \$86,000 for the additional place management position as part of the 2016-17 budget process."***

The Council resolution was implemented in January 2017 with the permanent Economic Development Officer position replaced by two Place Manager positions.

At the Planning and Development Services Committee Meeting held on 16 May 2017, Council adopted the Economic/Business Framework (May 2017). Section 7 of the Framework contains actions for implementation from 2017 to 2022 (**Attachment 2**).

This Notice of Motion was presented to Council on 24 April 2018, where Council resolved to defer to the next Ordinary Meeting of Council.

**OFFICER COMMENT**

Following the adoption of the Economic Development Program, the City commenced implementation in December 2012. By early 2014, 13 of the 17 actions had been completed or had been commenced and were ongoing. The four actions that had not been completed or commenced were:

- Produce quarterly newsletter;
- Develop marking and branding strategy for business centres;
- Prepare business attraction prospectus; and
- Finalise the City of Bayswater Economic Development Strategy.

From January 2017, with the replacement of Economic Development Officer position with two Place Managers for the City's four town centres, some of the ongoing actions in the Program have not continued and have been replaced by alternative actions that activate the town centres and support the businesses in those town centres.

As noted in the report to Council of 31 May 2016 on the introduction of a place management approach, "...the Place Manager's focus is solely on the town centres and other industrial and employment centres such as the Bayswater/Ashfield Industrial Area are not included". It is considered that there are some actions in the Economic Development Program and the Economic/Business Framework (for the Bayswater Industrial Area) that could require, or would benefit from, the employment of an Economic Development Officer such as undertaking the walkability and landscaping plan and the creation of a database of local businesses.

**LEGAL IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme:	The Local Economy
Aspiration:	A business and employment destination.
Outcome E1:	Form partnerships to facilitate business training and support.
Outcome E3:	Attractive to new services, businesses and investment.

**FINANCIAL IMPLICATIONS**

Preparation of the relevant information for a Councillor Workshop can be undertaken within existing resources.

The City's Workforce Plan 2017-27 and Long Term Financial Plan do not include provision for an Economic Development Officer position. The cost per annum of this additional position would be approximately \$110,000 (including overheads).

**VOTING REQUIREMENTS**

Simple Majority required.

**ATTACHMENTS**

1. Draft Economic Development Program - December 2012 to June 2014

2. City of Bayswater Economic/Business Framework (May 2017)

**COUNCIL RESOLUTION**

**That Council:**

1. Reviews the draft Economic Development Plan (December 2012 to June 2014) at a future Councillor Workshop and consider adding appropriate actions of the Plan to the Economic/Business Framework (May 2017).
2. Discusses the employment of an Economic Development Officer at the same workshop.

**CR CATHERINE EHRHARDT MOVED, CR SALLY PALMER SECONDED**

**CARRIED UNANIMOUSLY: 11/0**

**Attachment 1****Draft Economic Development Program - December 2012 to June 2014**

<b>THEMES</b>	<b>ACTIONS</b>	<b>PRIORITY</b>	<b>TIMEFRAMES</b>
<b>Communication and Events</b>	<b>Produce quarterly newsletter -</b> <ul style="list-style-type: none"> <li>• Council agreement on business newsletter and editorial policy;</li> <li>• Develop newsletter format and style;</li> <li>• Collate articles; and</li> <li>• Publish newsletter.</li> </ul>	1	First issue February 2013
	<b>Business page on City of Bayswater website -</b> <ul style="list-style-type: none"> <li>• Research successful economic development websites;</li> <li>• Draft website content;</li> <li>• Include on-line business directory; and</li> <li>• Web update goes live.</li> </ul>	2	June 2013
	<b>Develop street festival approach -</b> <ul style="list-style-type: none"> <li>• Communicate potential street festival opportunities to Council; and</li> <li>• Provide support to event providers.</li> </ul>	1	February 2013
<b>Partnerships and Networking</b>	<b>Liaison with local business -</b> <ul style="list-style-type: none"> <li>• Regularly engage with local business; and</li> <li>• Attend all business networks and report to Council monthly on business issues and opportunities.</li> </ul>	1	December 2012
	<b>Develop local business directory -</b> <ul style="list-style-type: none"> <li>• Establish local business database; and</li> <li>• Print and distribute database.</li> </ul>	3	June 2013
	<b>Conduct bi-annual business forums -</b> <ul style="list-style-type: none"> <li>• Organise forums on topics points of interest for business.</li> </ul>	2	February 2013
	<b>Develop key networks within economic development sector -</b> <ul style="list-style-type: none"> <li>• Attend EMRC's Economic Development Officers Group;</li> <li>• Attend all relevant economic development events and meetings; and</li> <li>• Develop relationships with leading business brokers, development industry, financiers and real estate agents.</li> </ul>	2	Ongoing Monthly report to Council

THEMES	ACTIONS	PRIORITY	TIMEFRAMES
<b>Business Attraction and Investment</b>	<b>Draft economic profile -</b> <ul style="list-style-type: none"> <li>• Collate demographic data;</li> <li>• Collate business profile data; and</li> <li>• Draft and produce document.</li> </ul>	2	June 2013
	<b>Develop marketing and branding strategy for business centres</b> <ul style="list-style-type: none"> <li>• Hold workshop with Council on proposed approach.</li> </ul>	4	December 2013
	<b>Provide a vacant land/lease opportunities information to business -</b> <ul style="list-style-type: none"> <li>• Investigate collation and management options; and</li> <li>• Promote service to potential business.</li> </ul>	4	December 2013
	<b>Prepare business attraction prospectus -</b> <ul style="list-style-type: none"> <li>• Develop prospectus format and style;</li> <li>• Collate all information; and</li> <li>• Draft and produce prospectus.</li> </ul>	3	September 2013
<b>Infrastructure Development</b>	<b>Advocate and lobby for increase infrastructure provision -</b> <ul style="list-style-type: none"> <li>• Identify lobbying opportunities with infrastructure providers; and</li> <li>• Coordinate meetings with providers, Mayor and Chief Executive Officer.</li> </ul>	3	Ongoing Monthly report to Council
	<b>Hold annual infrastructure briefing with government infrastructure providers -</b> <ul style="list-style-type: none"> <li>• Develop key theme for infrastructure briefing;</li> <li>• Invite key strategic infrastructure contacts to attend; and</li> <li>• Conduct and review briefing.</li> </ul>	4	April 2014
<b>Strategic Direction</b>	<b>Finalise City of Bayswater Economic Development Strategy -</b> <ul style="list-style-type: none"> <li>• Commence in July 2013;</li> <li>• Conduct local business engagement;</li> <li>• Finalise draft plan; and</li> <li>• Seek Council endorsement.</li> </ul>	3	October 2013
	<b>Provide policy and strategic advice on business matters -</b> <ul style="list-style-type: none"> <li>• Ongoing advice in all strategic matters</li> </ul>	3	Ongoing

THEMES	ACTIONS	PRIORITY	TIMEFRAMES
Land Asset Management	<b>Develop Land Asset Management Plan -</b> <ul style="list-style-type: none"> <li>• Review land asset inventory;</li> <li>• Conduct evaluations of all surplus land;</li> <li>• Council endorsement of Land Asset Management Plan; and</li> <li>• Council endorsement of priority sales of surplus land or purchase of strategic land opportunities.</li> </ul>	1	February 2013
	<b>Assist Director Planning and Development Services to manage the sale of Brabham Land -</b> <ul style="list-style-type: none"> <li>• Tender of sale agent;</li> <li>• Report to Council of successful tender;</li> <li>• Marketing the sale;</li> <li>• Sale by public auction; and</li> <li>• Report to Council on contract of sale.</li> </ul>	1	February 2013



**Attachment 2**

## CITY OF BAYSWATER ECONOMIC/BUSINESS FRAMEWORK (MAY 2017)

**7.1 City-wide**

The priorities and incentives that apply to businesses throughout the City are detailed in the table that follows.

<b>Actions</b>	<b>Delivery Method</b>	<b>Estimated Resourcing and Timing</b>
7.1.1 Continue to lobby for the immediate delivery of NBN bringing to the attention of <i>nbn co</i> that many businesses in the area cannot access broadband.	Co-delivery by the City, EMRC, and business groups	<b>Year One</b> <ul style="list-style-type: none"> <li>• Within existing resourcing.</li> <li>• Include CEBA in the network of lobbying.</li> </ul>
7.1.2 Expand the City's existing procurement policy to improve the capacity of local business to be awarded works and services contracts. Improve the feedback loop at all stages to build business capacity.	Co-delivery by the City and business groups	<b>Year One</b> <ul style="list-style-type: none"> <li>• Within existing resourcing.</li> <li>• CEBA to assist with business engagement.</li> </ul>
7.1.3 Continue to reduce barriers for business to operate (red-tape).	Direct City delivery	<b>Year One</b> <ul style="list-style-type: none"> <li>• Within existing resourcing.</li> <li>• Business groups to assist with business engagement.</li> </ul>

## CITY OF BAYSWATER ECONOMIC/BUSINESS FRAMEWORK (MAY 2017)



## 7.2 Bayswater Industrial Area

Respondents ask that the City undertake enforcement on businesses that are working outside their premises (on verges) as well as storing cars, sea containers on verges, or failing to screen their activities in line with their approvals.

Some places report no broadband services and this is a deal breaker for setting up and maintaining a business in the area. An upgrade to sewerage will permit development where septic may restrict development potential.

Thereafter, businesses ask that verges and streetscaping be improved and walkability especially from the rail station be considered.

Recommended actions:

Actions	Delivery Method	Estimated Resourcing and Timing
<b>Improve cleanliness</b> 7.2.1 Undertake ongoing compliance that delivers immediate and ongoing improvement to the cleanliness of the area focussing on verges, verge improvement and the removal of junk on public and private property.	Direct City delivery	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Proactive activity of City's compliance officer (current resourcing is reactive only).</li> <li>1 FTE ongoing (currently proposed in draft Work Force plan for 2018-2019).</li> </ul>
7.2.2 Communicate the benefits the existing verge policy and its benefit to the overall precinct.	Co-delivery by the City and business or other groups	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Prepare communication and publicity strategy and implement.</li> <li>0.1 FTE for three-months.</li> <li>Include CEBA in the communication channels.</li> </ul>
7.2.3 Improve verges and open space to provide more visual amenity shade, and footpaths.	Direct City delivery	<b>Year 5+</b> <ul style="list-style-type: none"> <li>\$30,000 for a walkability and landscaping plan.</li> <li>0.2 FTE for six-months to manage preparation of the plan.</li> <li>Future capital costs and resourcing required for implementation (to be determined in landscaping plan).</li> </ul>
<b>Using local businesses as a priority</b> 7.2.4 Create and maintain an updatable (internal) database of all businesses in the area.	Direct City delivery	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Input into the City's Stakeholder Management Software.</li> <li>0.5 FTE for six-months.</li> </ul>

## CITY OF BAYSWATER ECONOMIC/BUSINESS FRAMEWORK (MAY 2017)



### 7.3 Bayswater Town Centre

Respondents ask for improved carparking management including adding more customer bays, reviewing carbay time limits, better ranger attendance, management of private/public bay conflicts and the provision of all day staff parking.

They also ask for a better retail / 'shopping centre' vision that includes great customer attraction, precinct marketing and increasing foot traffic.

They also ask that traffic management is improved, particularly to decrease through traffic, traffic congestion and noise.

Recommended actions:

Actions	Delivery Method	Estimated Resourcing and Timing
<b>Improve parking management</b> 7.3.1 Measure and assess all town centre parking options and deliver an action plan that improves availability and turnover rates for staff and customers in public and private bays.	Direct City delivery	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>\$40,000 for a parking management plan for the Bayswater town centre will be required.</li> <li>Additional resources to implement actions (to be determined in parking plan).</li> </ul>
<b>Decrease traffic congestion and impacts</b> 7.3.2 Create a traffic management strategy for the Bayswater town centre that seeks to decrease through-traffic, traffic noise and traffic speeds including liaising with Main Roads to reduce speed limits and redirect trucks via Garratt Road.	Co-delivery by the City and business or other groups	<b>Year 1</b> <ul style="list-style-type: none"> <li>City's draft 2017-2018 budget proposes \$40,000 to complete a streetscape concept plan(s).</li> <li>There is a Notice of Motion to be considered at the 23 May 2017 Council meeting seeking a similar outcome.</li> <li>City's draft long term financial plan proposes \$1.74 million over the next six years for road and streetscape development in the Bayswater town centre.</li> </ul>
<b>Precinct marketing</b> 7.3.3 Create a Bayswater town centre marketing plan that itemises the qualities of the precinct and transmits them to the public.	Co-delivery by the City and business or other groups	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Place Manager to facilitate and monitor.</li> <li>\$6,000/annum for marketing.</li> </ul>
<b>Increase customer attraction and foot traffic</b> 7.3.4 Assess and improve walkability infrastructure, throughout and	Direct City delivery	<b>Year 1</b> <ul style="list-style-type: none"> <li>City's draft 2017-2018 budget</li> </ul>

CITY OF BAYSWATER ECONOMIC/BUSINESS FRAMEWORK (MAY 2017)



to/from the town centre with a view to create improvements in accessibility, connectivity, safety, comfort and attractiveness.		<p>proposes \$40,000 to complete a streetscape concept plan(s).</p> <ul style="list-style-type: none"> <li>City's draft long term financial plan proposes \$1.74 million over the next seven years for road and streetscape development in the Bayswater town centre.</li> </ul>
7.3.5 Create an updatable database of all land, premises, landowners and occupiers in the town centre to record vacancy rates and a plot the business mix with a view to minimising vacancies and attracting businesses that create customer traffic and support the vision of the town centre.	Direct City delivery	<p><b>Years 2-5</b></p> <ul style="list-style-type: none"> <li>Place Manager to facilitate and monitor.</li> </ul>
7.3.6 Commence a permanent people counting program that accurately records foot traffic at key locations in the town.	Direct City delivery	<p><b>Year 5+</b></p> <ul style="list-style-type: none"> <li>External supplier managed by Place Managers.</li> <li>One location costs \$3,400 to supply and install plus \$1,500 per annum for program delivery.</li> </ul>
<p><b>Improve shopfront activation</b></p> <p>7.3.7 Develop a shopfront design and maintenance standard (including signage) and communicate them effectively. Possible future grant program to incentivise redevelopment can be considered.</p>	Co-delivery by the City and business or other groups	<p><b>Years 2-5</b></p> <ul style="list-style-type: none"> <li>Action is also a priority identified in the Bayswater Activation Plan (to be considered at the 16 May 2017 Planning and Development Services Committee meeting).</li> <li>Place Manager to project manage.</li> <li>\$10,000 for an architect to create design standard.</li> <li>Business groups assist with consultation and to disseminate final outcomes.</li> </ul>

## CITY OF BAYSWATER ECONOMIC/BUSINESS FRAMEWORK (MAY 2017)



## 7.4 Maylands Town Centre

Respondents cite a drop in foot traffic over the last four years and an increase in anti-social behaviour that keeping customers away. They would like immediate and constant improvement to remedy these two items.

Respondents ask for improved carparking management including better carparking signage and access, and quicker compliance.

Shopfront improvements was also a priority and would they would like the City's support in exacting better performance for occupiers and landlords to create high value shopfronts that create and retain foot traffic.

Recommended actions:

Actions	Delivery Method	Estimated Resourcing and Timing
<b>Minimise anti-social behaviour</b> 7.4.1 Commence communications with Police, PTA's Railway Patrol and local social services providers to create a coalition that minimises anti-social behaviour in the Maylands town centre area.	Co-delivery by the Police, City and business or other groups	<b>Year 1</b> <ul style="list-style-type: none"> <li>Within existing resourcing.</li> </ul>
7.4.2 Implement the activation component of the 'Crime Prevention Through Environmental Design Audit Maylands Business Precinct' (January 2017) report.	Co-delivery by the City and business or other groups	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Action is also a priority identified in the Maylands Activation Plan (to be considered at the 16 May 2017 Planning and Development Services Committee meeting).</li> <li>Place Managers and other City officers in consultation with business groups.</li> <li>Future costs and resourcing required for implementation (to be determined in future activation plans).</li> </ul>
<b>Increase customer attraction and foot traffic</b> 7.4.3 Assess and improve walkability infrastructure, throughout and to/from the town centre with a view to create improvements in accessibility, connectivity, safety, comfort and attractiveness.	Direct City delivery	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Draft long term financial plan proposes \$100,000 to complete a streetscape concept plan(s) for the Maylands town centre.</li> <li>Future capital costs and resourcing required for implementation (to be determined in concept plan).</li> </ul>

CITY OF BAYSWATER ECONOMIC/BUSINESS FRAMEWORK (MAY 2017)



7.4.4 Create an updatable database of all land, premises, landowners and occupiers in the town centre to record vacancy rates and a plot the business mix with a view to minimising vacancies and attracting businesses that create customer traffic and support the vision of the town centre.	Co-delivery by the City and business groups	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Place Manager to facilitate and monitor.</li> </ul>
7.4.5 Commence a permanent people counting program that accurately records foot traffic at key locations.	Direct City delivery	<b>Year 5+</b> <ul style="list-style-type: none"> <li>External supplier managed by Place Managers.</li> <li>One location costs \$5,800 (wide footpaths may require daisy-chaining two counters) plus \$1,500 per annum for program delivery.</li> </ul>
<b>Commence precinct marketing</b> 7.4.6 Create a Maylands town centre marketing plan that itemises the qualities of the precinct and transmits them to the public.	Co-delivery by the City and business groups	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Place Manager to facilitate and monitor.</li> <li>\$6,000/annum for marketing.</li> </ul>
<b>Improve shopfront activation</b> 7.4.7 Develop a shopfront design and maintenance standard (including signage) and communicate them effectively. Possible future grant program to incentivise redevelopment can be considered.	Co-delivery by the City and business groups	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Action is also a priority identified in the Bayswater Activation Plan (to be considered at the 16 May 2017 Planning and Development Services Committee meeting).</li> <li>Place Manager to project manage.</li> <li>\$10,000 for an architect to create design standard.</li> <li>Business groups assist with consultation and to disseminate final outcomes.</li> </ul>

## 7.5 Morley City Centre

Morley comprises a focal town centre (Progress/Bishop Street/Walter Road West), a major regional shopping centre (Galleria) and a showroom/industrial precinct (Russell Street and surrounds).

Respondents from the town centre want improvement in their pedestrian realm in order to make the area more accessibly, safe, comfortable and interesting.



CITY OF BAYSWATER ECONOMIC/BUSINESS FRAMEWORK (MAY 2017)



The showroom respondents want traffic and carparking planning including clarity and enforcement on private/public carbay use. Respondents also ask for communication over the vision of the area as its unclear whether showroom uses will be supported in the future. There is also concern over the loss of independent businesses due to the influence of the Galleria shopping centre.

Recommended actions:

Actions	Delivery Method	Estimated Resourcing and Timing
<b>Improve pedestrian amenity</b> 7.5.1 Implement the recommendations in the Morley Activity Centre Structure Plan, in particular improving pedestrian amenity throughout all areas of the precinct including greenery, shade, accessibility, safety, comfort and attractiveness.	Direct City delivery	<b>Year 1</b> <ul style="list-style-type: none"> <li>Action is also a priority identified in the Morley Activation Plan (to be considered at the 16 May 2017 Planning and Development Services Committee meeting).</li> <li>City's draft 2017-18 budget proposes \$40,000 to complete a streetscape concept plan(s).</li> <li>City's draft long term financial plan proposes \$1.71 million over the next seven years in road and streetscape improvements.</li> </ul>
<b>Develop local area stakeholder groups and relationships</b> 7.5.2 Meet individually and in groups all businesses within the Morley town centre with a view to prepare businesses to participate in further place management programs.	Co-delivery by the City and business or other groups	<b>Year 1</b> <ul style="list-style-type: none"> <li>Action is also a priority identified in the Morley Activation Plan (to be considered at the 16 May 2017 Planning and Development Services Committee meeting).</li> <li>Place Manager to lead.</li> <li>Within existing resourcing.</li> </ul>
7.5.3 Create an updatable database of all land, premises, landowners and occupiers in the town centre to record vacancy rates and a plot the business mix with a view to minimising vacancies and attracting businesses that create customer traffic and support the vision of the town centre.	Co-delivery by the City and business groups	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Place Manager to facilitate and monitor.</li> </ul>

CITY OF BAYSWATER ECONOMIC/BUSINESS FRAMEWORK (MAY 2017)



## 7.6 Noranda Town Centre

There were only two survey responses for within the Noranda town centre and therefore it was difficult to generate actions for this town centre. Further, the town centre is dominated by the single owner/manager, being the shopping centre.

Actions	Delivery Method	Estimated Resourcing and Timing
<b>Improve pedestrian amenity</b> 7.6.1 Work with the owner of the Noranda Palms Shopping Centre to improve walkability between the major entrances of the centre, through their carparks and to/from other anchors within the town centre.	Co-delivery by the City and business or other groups	<b>Years 2-5</b> <ul style="list-style-type: none"> <li>Place Manager and other City officers in consultation with the shopping centre.</li> <li>Future capital costs and resourcing required for implementation of the components on the City's land (to be determined through future plan).</li> </ul>



**14.2 Cr Brent Fleeton - Banking - Hayne Royal Commission****CR CHRIS CORNISH, DEPUTY MAYOR DECLARED A FINANCIAL INTEREST**

*In accordance with section 5.60A of the Local Government Act 1995, Cr Chris Cornish, Deputy Mayor declared a financial interest in this item as he is a Financial Planner and the banking Royal Commission has spent a full week on Financial Planners and associated companies. At 8:16pm, Cr Chris Cornish, Deputy Mayor withdrew from the meeting.*

**CR BARRY MCKENNA DECLARED A FINANCIAL INTEREST**

*In accordance with section 5.60A of the Local Government Act 1995, Cr Barry McKenna declared a financial interest in this item as he is Chairman of Bayswater Community Financial Services and money from the City's Budget is invested in Bendigo Bank. At 8:16pm, Cr Barry McKenna withdrew from the meeting.*

**CR GIORGIA JOHNSON DECLARED A FINANCIAL INTEREST**

*In accordance with section 5.60A of the Local Government Act 1995, Cr Giorgia Johnson declared a financial interest in this item as her daughter owns shares in Bayswater Community Bank. At 8:16pm, Cr Giorgia Johnson withdrew from the meeting.*

**CR CATHERINE EHRHARDT DECLARED AN INDIRECT FINANCIAL INTEREST**

*In accordance with section 5.61 of the Local Government Act 1995, Cr Catherine Ehrhardt declared an indirect financial interest in this item as she currently has shares of Bayswater Community Financial Services. At 8:16pm, Cr Catherine Ehrhardt withdrew from the meeting.*

**CR DAN BULL, MAYOR DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Dan Bull, Mayor declared an impartial interest in this item as he used to work for ANZ and NAB Banks. Cr Dan Bull, Mayor remained in the room during voting on this item.*

**CR LORNA CLARKE DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Lorna Clarke declared an impartial interest in this item as she works as an Insolvency Lawyer, so some clients interact with the banks. Cr Lorna Clarke remained in the room during voting on this item.*

In accordance with clause 4.5(1) of the City of Bayswater's *Standing Orders Local Law 2013*, Cr Brent Fleeton raised the following motion:

***"That Council require the City to monitor the outcomes of the Hayne Royal Commission and, once completed, provide a report to the Policy Committee on the implications of changing the Investment Policy to move away from financial institutions that have been found to have acted inappropriately".***

**MATERIAL FACTS**

City of Bayswater's Investment Policy sets out the requirement for the management of the City's cash and investment portfolio. It requires that all investment activities be exercised with the care, diligence and skill of a prudent person, and not for speculative purposes. It prescribes both Approved Investments and Prohibited Investments. A copy of this Policy can be found on the City's website at <http://www.bayswater.wa.gov.au/cproot/6091/2/Investment-Policy-27062017.pdf>.

The Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry was established on 14 December 2017 by the Governor-General of the Commonwealth of Australia. On 14 December 2017, the Hon Kenneth Hayne AC QC was appointed Royal Commissioner into Misconduct in the Banking, Superannuation and Financial Services Industry.

In accordance with clause 4.5(7) of the City of Bayswater *Standing Orders Local Law 2013*, the Chief Executive Officer may provide relevant and material facts and circumstances relating to the notice of motion on such matters as policy, budget and law relevant to the notice of motion.

### **OFFICER COMMENT**

The City does not have funds invested directly in financial institutions that, at the time of writing this report, have been found by the Hayne Royal Commission to have acted inappropriately.

The City will continue to monitor the findings of the Hayne Royal Commission to ensure funds are invested appropriately as per the City's Investment Policy. Final findings from this royal commission will be reported to the Policy Committee in the context of the Investment Policy.

### **LEGAL IMPLICATIONS**

All investments are to comply with the following:

- *Local Government Act 1995* – Section 6.14;
- *Trustees Act 1962* – Part III Investments;
- *Local Government (Financial Management) Regulations 1996* – Regulations 19, 19C, 28 and 49; and
- *Australian Accounting Standards*.

### **POLICY IMPLICATIONS**

Investment Policy applies.

### **STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater's Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance.

Aspiration: Open, accountable and responsive service.

Outcome L1: Accountable and good governance.

### **FINANCIAL IMPLICATIONS**

This Notice of Motion does not, at this stage, impose any changes to the Investment Policy.

### **VOTING REQUIREMENTS**

Simple Majority Required.

### **COUNCIL RESOLUTION**

**That Council require the City to monitor the outcomes of the Hayne Royal Commission and, once completed, provide a report to the Policy Committee on the implications of changing the Investment Policy to move away from financial institutions that have been found to have acted inappropriately**

**CR BRENT FLEETON MOVED, CR LORNA CLARKE SECONDED**

**CARRIED UNANIMOUSLY: 7/0**

***Cr Chris Cornish, Deputy Mayor, Cr Barry McKenna, Cr Giorgia Johnson, and Cr Catherine Ehrhardt returned to the meeting at 8:22pm.***

**14.3 Cr Petersen-Pik - Possible Lease of Lot 102, 207 Guildford Road Maylands**

***Cr Elli Petersen-Pik advised the meeting that, in light of promising discussions the City was having with Coles, he no longer wished to move the following motion:***

In accordance with clause 4.5(1) of the City of Bayswater's *Standing Orders Local Law 2013*, Cr Elli Petersen-Pik raised the following motion:

***"That Council requests the Chief Executive Officer to write to the owner of Lot 102, 207 Guildford Road, Maylands to enquire whether the owner would be interested in collaborating with the City in activating this key site within the Maylands Activity Centre for community purposes by leasing the land for a peppercorn rent to the City in the near future."***

**MATERIAL FACTS**

In accordance with clause 4.5(7) of the City of Bayswater *Standing Orders Local Law 2013*, the Chief Executive Officer may provide relevant and material facts and circumstances relating to the notice of motion on such matters as policy, budget and law relevant to the notice of motion.

The subject site at Lot 102, 207 Guildford Road Maylands is a notable vacant site within the Maylands town centre.

Activation of key vacant sites is an action to be implemented in the adopted Maylands Town Centre Place Activation Plan and there have been community requests for temporary activities on the subject site in the past.

During March and April 2018 students studying Urban Regeneration at Curtin University used the subject site as a practical example of placemaking considerations. The students' project focused on possible temporary uses on the subject site to assist in the activation of the property.

**OFFICER COMMENT**

There has been some initial discussions with representatives of the land owner and they may be open to a peppercorn lease to the City until the long term future of the site is determined. If the City did lease the site, it would enable the City or the community to undertake some temporary activation of the site until it is redeveloped.

**LEGAL IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment  
Aspiration: A quality and connected built environment.  
Outcome B2: A connected community with sustainable and well maintained transport.

Theme: The Local Economy  
Aspiration: A business and employment destination.  
Outcome E2: Active and engaging town and city centres.

### **FINANCIAL IMPLICATIONS**

The letter can be undertaken within existing resources. There are currently no funds in the City's budget City's or Long Term Financial Plan for temporary activation of the site.

### **VOTING REQUIREMENTS**

Simple Majority required.

**15. NOTICE OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING IF GIVEN DURING THE MEETING****15.1 CR CATHERINE EHRHARDT - Title**

In accordance with clause 4.5(1) of the *City of Bayswater Standing Orders Local Law 2013*, Cr Catherine Ehrhardt, raised the following motion:

***"That Council considers the inclusion of the following works at Bardon Park in the 2018/19 Budget, and these works to be funded from the Cash-in-Lieu for Public Open Space Trust Fund:***

- 1. An access ramp for persons with a disability and stairs from the upper level carpark and playground to the lower level playground and toilets;***
- 2. A wheelchair accessible swing in the upper level playground; and***
- 3. A long slide built into the hill from the upper level playground down the slope."***

**16. MAYORS REPORT****CITY OF BAYSWATER DANCE FESTIVAL CLOSING CEREMONY - SATURDAY, 28 APRIL 2018**

- It was an honour to attend the closing ceremony of the City of Bayswater's Dance Festival, which featured an array of talented performers.
- Thank you to the Festival Coordinator, Sherry Woolford, and to Linda Tilley and the rest of the team from the YMCA at the Morley Sport and Recreation Centre, for their efforts in putting the Festival together.

**OFFICIAL OPENING OF RUSSELL STREET POP-UP PARK - MONDAY, 30 APRIL 2018**

- I also had the honour of opening the new Russell Street Park, which features a ninja warrior style obstacle course - the first of its kind in WA, accompanied by Deputy Mayor Chris Cornish, Councillor Sally Palmer, and Councillor Giorgia Johnson.
- The transformation of this previously fenced-off site was made possible through a partnership between the City and the Water Corporation, and funding from Lotterywest and the Department of Biodiversity, Attractions and Conservation.
- It will be really exciting to see how the site transforms even further over the coming months, with the addition of bike racks and signage, plantings during the winter months, and a community art project in partnership with local artist, Pippa McManus, and John Forrest Secondary College.

**HAMPTON SENIOR HIGH SCHOOL ANZAC SERVICE - TUESDAY, 1 MAY 2018**

- I would like to thank the Deputy Mayor Chris Cornish, for representing the City at Hampton Senior High School's ANZAC Service.
- Councillor Cornish delivered the Councillor's Address and laid a wreath during the Service.

**VISIT TO BAYSWATER SES TRAINING NIGHT - WEDNESDAY, 2 MAY 2018**

- I had the privilege of attending one of Bayswater State Emergency Service's training nights earlier this month.
- It was a fantastic opportunity to view the Bayswater Unit and their new trucks, and to meet some of the members who volunteer their time to provide this crucial service to the local community.

**NORANDA BUSH DANCE - SATURDAY, 5 MAY 2018**

- It was so fantastic to see Robert Thompson Reserve come alive earlier this month for the inaugural Noranda Bush Dance. It was also great to see Councillors Filomena Piffaretti, Stephanie Gray, and Sally Palmer hitting the dance floor!
- Thank you to the Noranda Vibes Town Team, who were the driving force behind this inaugural event.

**WALK WITH FRIENDS OF GOBBA LAKE GROUP - THURSDAY, 10 MAY 2018**

- It was wonderful to join members of the Friends of Gobba Lake group for a talk and walk around the lake.
- Thank you to the City's Manager Sustainability and Environment, Jeremy Maher, and Natural Area Management Officer, Alex Devine, for leading this outing, which was an opportunity for all involved to consider future priorities for Gobba Lake.

**SECOND EAST METRO MAYORS & CEOS MEET & GREET - MONDAY, 14 MAY 2018**

- The City's CEO, Andrew Brien and I recently attended the second Meet and Greet session for the East Metro Mayors and CEOs.
- The discussions at this session included the EMRC Smart Cities application, and other general issues affecting the East Metro region.

**MEETING WITH MLAS TO DISCUSS UPGRADE TO WALTER ROAD & WELLINGTON ROAD INTERSECTION - TUESDAY, 15 MAY 2018**

- The Member for Morley, Amber-Jade Sanderson MLA recently announced that the State Government will contribute one million dollars towards a project to improve the intersection of Wellington Road and Walter Road West in Morley.
- In the wake of this announcement, the City's CEO, Andrew Brien, Director Technical Services, Doug Pearson, Deputy Mayor Chris Cornish, and I went to Parliament House to meet with the State Members for Morley, Maylands and Mount Lawley, together with the Transport Minister's Senior Policy Advisor and a Main Roads representative, to work through the options to improve the intersection.

**WA SYMPHONIC WIND ENSEMBLE MAY CONCERT - SATURDAY, 19 MAY 2018**

- I was delighted to attend the WA Symphonic Wind Ensemble's May Concert last Saturday, together with Councillor Barry McKenna.
- The evening featured some excellent playing from the Ensemble, and I was honoured to present the annual Peter Hanson Award for the band Member who has shown outstanding commitment as a player, committee member and caring, hardworking person.

**MORNING TEA TO CELEBRATE COMPLETION OF BAYSWATER PRIMARY SCHOOL MURAL - SUNDAY, 20 MAY 2018**

- I was thrilled to be at Bayswater Primary School last Sunday at their morning tea which recognised the completion of a very eye-catching mural in the school grounds.
- This mural was delivered through the City's very successful community arts grant programme and was a culmination of a year-long effort undertaken by teachers, students and parents.

**MAYLANDS STREET FESTIVAL OPENING CEREMONY - SUNDAY, 20 MAY 2018**

- It was brilliant to see so many people attending the Maylands Street Festival, and have the opportunity to say a few words at the opening ceremony, accompanied by Councillors Catherine Ehrhardt, Elli Petersen-Pik, Lorna Clarke, Stephanie Gray, and Filomena Piffaretti.
- Maylands Street Festival aimed to be one of Perth's most accessible street festivals, thanks to the assistance of disability service provider, Cahoots.
- I would also like to thank the volunteers from Local Arts and Community Events (LACE), and the Maylands Historical and Peninsula Association, for all the hard work they put into making this festival a reality.

**STARTING OVER SUPPORT ASSOCIATION HIGH TEA - SUNDAY, 20 MAY 2018**

- I attended Bayswater Senior Citizens Centre last Sunday for a high tea which raised funds for the Starting Over Support charity, which is dedicated to supporting families and individuals who are escaping crisis situations.

**CHURCHES TOGETHER EVENT - SUNDAY, 20 MAY 2018**

- I would like to thank the Deputy Mayor Chris Cornish, for speaking at the annual Churches Together Event in my absence, and to Councillors Stephanie Gray, Sally Palmer and Filomena Piffaretti, for also attending the event.
- The event recognised and celebrated the faith community's unity and working together for a common purpose for the sake of our communities.

**CITY OF BAYSWATER COMMUNITY GRANTS PROGRAM LAUNCH - MONDAY, 21 MAY 2018**

- It was great to be part of the City's launch of its Community Grants Program yesterday afternoon, along with Councillors Catherine Ehrhardt and Giorgia Johnson.
- The new Grants Program aims to make it easier for community groups and recreational clubs to access funding, through a streamlined and centralised set up.

**MORLEY ROTARY CLUB MEETING TALK - MONDAY, 21 MAY 2018**

- Yesterday evening I, along with Councillor Barry McKenna, had the pleasure of attending a meeting held by the Morley Rotary Club, which is now in its 54<sup>th</sup> year of service.
- I would like to thank the Morley Rotary Club for giving me the opportunity to speak about the City's Morley Activity Centre Structure Plan, as well as its Age Friendly Strategy, and current programs and initiatives, during the meeting.
- I would also like to congratulate Lynda Blackie, who is the co-ordinator at the Bayswater Senior Citizens Centre, who was recognised by Morley Rotary for her hard work and dedication and received a Pride of Work award on the night.



**17. COUNCIL DELEGATES REPORTS****17.1 Council Delegates Report – Cr Filomena Piffaretti – 2018 Australian Mayoral Aviation Council Annual Conference and AGM****REPORT:**

Councillor Filomena Piffaretti represented the City at the 2018 Australian Mayoral Aviation Council Annual Conference and AGM held in Perth, Western Australia on Thursday, 3 May and Friday, 4 May 2018.

**COMMENTS:**

As the City of Bayswater delegate on the Perth Airports Municipalities Group, I was invited to attend the 2018 Australian Mayoral Aviation Council (AMAC) Annual Conference and AGM. This conference was attended by Mayors and Councillors from across Australia and we were privileged to have aviation's most preeminent experts present to us including world renowned aviation commentator, Geoffrey Thomas, Perth Airport CEO, Mr Kevin Brown and Aircraft Noise Ombudsman, Ms Narelle Bell. The cost of this conference was \$1,780.00.

Issues that were discussed that may be of interest to Council:

- Noise concerns will rise due to high level development in close proximity to the airport;
- Noise is subjective – how can we apply objective criteria to a subjective experience;
- Local governments have an interest in how this tension is handled by all players in aviation;
- Local governments should not under estimate the value in providing information about aircraft noise to residents – discussed details of case in Swan Valley region;
- Increase of new aircraft will hopefully minimise noise complaints. A new 787 creates noise equivalent of a street intersection with a noise footprint confined to the airport boundary;
- Perth Airport flight path challenges due to being surrounded by Military Air Space;
- Perth Airport has recently been rated the number one airport in Australia;
- Community consultation is beginning on plans for the new runway at Perth Airport;
- Importance of planning for the future – the new runway will be located in land that was gazetted for those purposes in 1955;
- The security environment in Australian aviation has had an increased focus since the unsuccessful July 2017 incident in Sydney;
- Sustainability goals are being achieved through improved technology, flight path designs, aircraft designs and construction;
- Local government's role in drone regulation and compliance;
- Air taxis are coming!

This conference also provided member councils from across Australia the opportunity to participate in the Australian Mayoral Aviation Council's AGM. The minutes for the AGM included:

- Confirmation of minutes from previous AGM;
- Business arising from the 2017 AGM;
- President's report;
- Election of Executive Committee – Mayor Phil Marks, City of Belmont was elected as the Western Australian representative on AMAC;
- Executive Director's report :
  - Members provided a copy of AMAC's submission on National Airports Safeguarding Framework Guideline Managing risk in public safety zones at runway ends.
  - Members provided with list of aviation related Commonwealth Legislation currently being reviewed.
- Membership report;

- Venue for next Annual Conference – Melbourne, 2 & 3 May 2019.

**ATTACHMENTS:**

1. 2018 Australian Mayoral Aviation Council Annual Conference Program and Speakers' Biographies

**VOTING REQUIREMENTS**

Simple Majority Vote

**RECOMMENDATION:**

The report from Cr Filomena Piffaretti on the 2018 Australian Mayoral Aviation Council Annual Conference and AGM held in Perth, Western Australia on Thursday, 3 May and Friday, 4 May 2018 be received and noted.

**CR FILOMENA PIFFARETTI MOVED, CR BRENT FLEETON SECONDED**

**CARRIED UNANIMOUSLY: 11/0**

**18. AFFIXING OF COMMON SEAL****18.1 Ratification for Affixing of the Common Seal**

Ratification is sought for affixing of the common seal to the following documents:

Document Details	No. of Documents	Council Resolution
Withdrawal of caveat - Property No. 5187	1	N/A
Notification Under Section 70A - For Subdivision Clearance, 72 Railway Parade, Bayswater	1	N/A

**CR ELLI PETERSEN-PIK MOVED, CR LORNA CLARKE SECONDED**  
**CARRIED UNANIMOUSLY: 11/0**

**18.2 Approval for Affixing of the Common Seal**

Approval is sought for affixing of the common seal to the following documents:

Nil.

## **COUNCIL RESOLUTION**

That the meeting be closed to the public and the doors closed to discuss items 13.2 and 19.2.1.

**CR BARRY MCKENNA MOVED, CR STEPHANIE GRAY SECONDED**

**CARRIED: 10/1**

**For:** *Cr Dan Bull, Mayor, Cr Chris Cornish, Deputy Mayor, Cr Filomena Piffaretti, Cr Stephanie Gray, Cr Sally Palmer, Cr Brent Fleeton, Cr Lorna Clarke, Cr Barry McKenna, Cr Giorgia Johnson, Cr Elli Petersen-Pik and.*

**Against:** *Cr Catherine Ehrhardt*

*At 8:33pm, the doors were closed to the public and those present in the public gallery left the meeting.*

### **19. DISCUSSION OF MATTERS BEHIND CLOSED DOORS**

#### **19.1 Planning and Development Services Committee**

Nil.

#### **19.2 Community, Technical, Finance & Corporate Services Committee**

#### **13.2 Debtors Write-Off**

Item 13.2 was discussed behind closed doors

#### **19.2.1 Waste Collection Tender No. 1-2018**

<b>Reporting Branch:</b>	<b>Environmental Health</b>
<b>Responsible Directorate:</b>	<b>Technical Services</b>
<b>Refer:</b>	<b>Item 15.3.1: OCM 24.03.15</b>
	<b>Item 16.3.1: OCM 25.08.15</b>
	<b>Item 11.1: OCM 28.03.17</b>

### **REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- c) 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;
- (e) a matter that if disclosed, would reveal -
  - (i) a trade secret;
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person,

where a trade secret or information is held by, or is about, a person other than the local government.

## **VOTING REQUIREMENTS**

Simple Majority Required.

### **COUNCIL RESOLUTION**

#### **(OFFICER'S RECOMMENDATION)**

That Council:

1. **Awards Tender No. 1-2018 to Cleanaway for Waste Collection and additional services for the Period 1 July 2018 to 30 June 2023 with a further five year extension at Council's discretion, subject to further negotiations with Cleanaway regarding the contract terms and conditions.**
2. **Approves the City negotiating a short term green waste agreement with the Eastern Metropolitan Regional Council until the Contractor's nominated site is operational.**
3. **Approves the City entering into an agreement for the processing of recyclables, green waste and bulk hard waste at the Contractor's nominated sites.**

**CR CHRIS CORNISH, DEPUTY MAYOR MOVED, CR BRENT FLEETON SECONDED  
CARRIED UNANIMOUSLY: 11/0**

## **19.3 Reports of Management/Advisory Committees**

Nil.

### **COUNCIL RESOLUTION**

**That the meeting be re-opened to the public and the doors re-opened.**

**CR ELLI PETERSEN-PIK MOVED, CR FILOMENA PIFFARETTI SECONDED  
CARRIED UNANIMOUSLY: 11/0**

*At 9:03pm, the doors were re-opened to the public and any members of the public gallery were invited to return to the meeting.*

## **20. CLOSURE**

There being no further business to discuss, the Chairperson, Cr Dan Bull, Mayor, declared the meeting closed at 9:03pm.