

Agenda

ORDINARY COUNCIL MEETING

8 December 2020

Notice of Meeting

The next Ordinary meeting of Council will take place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Tuesday 8 December 2020 commencing at **6:30pm**.

Yours sincerely



ANDREW BRIEN
CHIEF EXECUTIVE OFFICER

27 November 2020



Meeting Procedures

1. All Council meetings are open to the public, except for matters dealt with under 'Confidential Items'.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a City Staff Member.
3. Members of the public may ask a question during 'Public Question Time'.
4. Meeting procedures are in accordance with the City's Standing Orders Local Law 2018.
5. To facilitate smooth running of the meeting, silence is to be observed in the public gallery at all times, except for 'Public Question Time'.
6. This meeting will be audio recorded in accordance with the resolution of Council of 17 May 2016.
7. Persons are not permitted to record (visual or audio) at the Council meeting without prior approval of the Council.
8. In the event of an emergency, please follow the instructions of City of Bayswater Staff.

City of Bayswater

61 Broun Avenue
Morley WA 6062

Postal Address:
PO Box 467
Morley WA 6943

www.bayswater.wa.gov.au

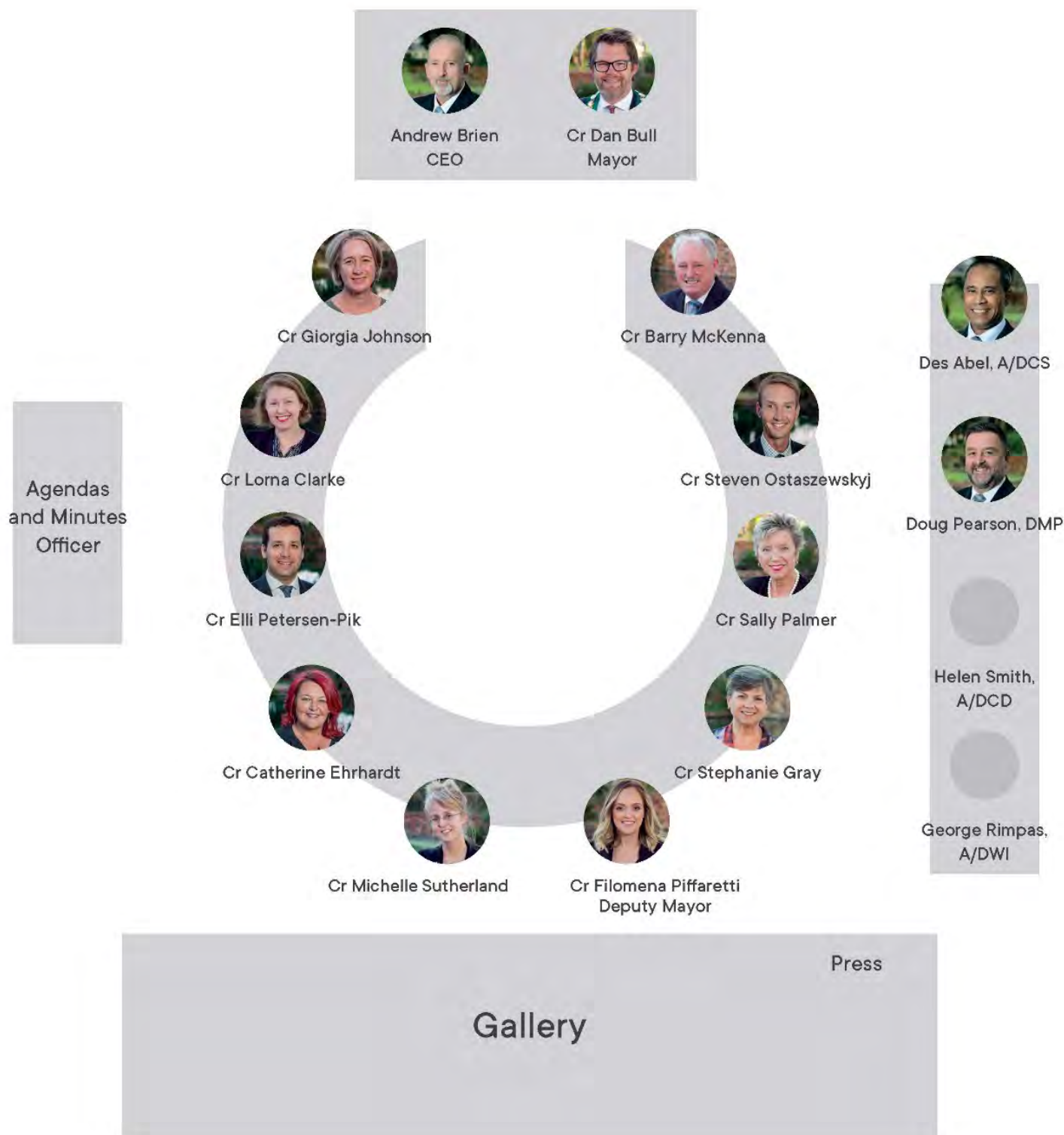
Telephone: 08 9272 0622
FAX: 08 9272 0665

Email: mail@bayswater.wa.gov.au



Council Chambers

Seating Plan



Nature of Council's Role in Decision Making

Advocacy: When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

Executive/Strategic: The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Legislative: Includes adopting local law, town planning schemes and policies.

Review: When Council reviews decisions made by officers

Quasi-Judicial: When Council determines an application/matter that directly affects a persons rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.

Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits/licenses (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

City of Bayswater Standing Orders Local Law 2018

6.9 Deputations

- (1) Any person or group wishing to be received as a deputation by the Council or a Committee open to the public is to either –
 - (a) apply, before the meeting, to the CEO for approval; or
 - (b) with the approval of the Presiding Member, at the meeting.
- (2) Upon receipt of a request for a deputation the CEO must refer the request to the relevant decision making forum, either Council or a Committee, to decide by simple majority whether or not to receive the deputation.
- (3) Deputations in relation to a decision which requires absolute or special majority should be made to Council, in all other circumstances Deputations should be referred to the forum making the final decision on the matter.
- (4) Unless Council or the Committee meeting resolves otherwise, a deputation invited to attend the meeting is not to address the meeting for a period exceeding 5 minutes.
- (5) Unless given leave by the Presiding Member, only two members of the deputation may address the meeting, although others may respond to specific questions from Members.
- (6) For the purposes of this clause, unless Council or the Committee resolves otherwise, a deputation is taken to comprise all those people either in favour of, or opposed to, the matter which is the subject of the deputation.
- (7) Unless Council or the Committee resolves otherwise, any matter which is the subject of a deputation to the Council or a Committee open to the public is not to be decided by Council or the Committee until the deputation has completed its presentation.
- (8) The Presiding Member may require deputations to leave the meeting while other deputations are being heard in relation to that matter.

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AGENDA

1. OFFICIAL OPENING

2. ACKNOWLEDGEMENT OF COUNTRY

In accordance with the City of Bayswater's Reflect Reconciliation Action Plan November 2019-November 2020, the Presiding Member will deliver the Acknowledgement of Country.

Noongar Language

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

English Language Interpretation

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

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

4. ATTENDANCE

Members

West Ward

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

Central Ward

Cr Steven Ostaszewskyj
Cr Sally Palmer

North Ward

Cr Stephanie Gray
Cr Filomena Piffaretti, Deputy Mayor
Cr Michelle Sutherland

South Ward

Cr Catherine Ehrhardt
Cr Elli Petersen-Pik

Officers

Mr Andrew Brien	Chief Executive Officer
Mr Doug Pearson	Director Major Projects
Ms Helen Smith	A/Director Community and Development
Mr Des Abel	ADirector Corporate and Strategy

Ms Cassandra Flanigan
Ms Jelena Misic Hughes

Executive Support/Research Officer
Mayor and Council Support Officer

Observers

Press -
Public -

Leave of Absence

Cr Barry McKenna
Cr Steven Ostaszewskyj

4.1 Apologies

Nil

4.2 Approved Leave of Absence

Councillor	Date of Leave	Approved by Council
Cr Barry McKenna	1 to 11 December 2020	Special Council Meeting 10 November 2020
Cr Catherine Ehrhardt	21 December to 11 January 2021	Special Council Meeting 10 November 2020
Cr Elli Petersen-Pik	3 to 7 December 2020, 23 December to 7 January 2021, 19 to 24 January 2021	Ordinary Council Meeting 24 November 2020
Cr Steven Ostaszewskyj	7 to 11 December 2020	Ordinary Council Meeting 24 November 2020

4.3 Applications for Leave of Absence

5. DISCLOSURE OF INTEREST SUMMARY

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

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

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

6. PUBLIC QUESTION TIME

In accordance with the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the *City of Bayswater Standing Orders Local Law 2018* the following procedures relate to public question time:

1. A member of the public who raises a question during question time, is to state his or her name and address.
2. Each member of the public with a question is entitled to ask up to 3 questions.
3. The minimum time to be allocated for public question time is 15 minutes.

4. Questions from the public must relate to a matter affecting the local government. Questions relating to matters of business listed on the agenda will be considered in the first instance, followed by questions relating to Council business not listed on the agenda.
5. A summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.
6. Where a question is taken on notice at the meeting, a summary of the response to the question will be provided in writing to the member of public and included in the agenda for the following meeting.

6.1 Responses to Public Questions Taken on Notice at the Ordinary Council Meeting of 24 November 2020

Mr Harvey Tonkin – harveyt@iinet.net.au

Item 10.6.1.2 – Development of a Skate and BMX Strategy

Question 1

The particular areas that the Council is looking at, they're looking at developing a BMX facility at possibly Deschamp Reserve or Riverside Gardens. Is it possible for someone to tell me which part of Deschamp Reserve is Deschamp Reserve firstly? So, it consists of three parks, my understanding – water compensation owned by the Water Authority, the Council owns a small plot and the school owns a larger plot. So, I'd just like to know what, because this has been in for six years, this Deschamp Reserve, I wanted to find out what the intention was?

Answer 1

Mr Jon Vines, Manager Project Services advised that his understanding was that all of those three areas that Mr Tonkin highlighted are known as Deschamp Reserve, and it's yet to be determined, if there's any progression in relation to Deschamp Reserve or the sites that Mr Tonkin highlighted in relation to a skate place being developed, where specifically on those reserves any development might take place.

Question 2

Okay, can I sidestep? I've asked the Ranger Services because you have dog on lead, dog off lead areas and no one's been able to give me 100 per cent definition of those three particular areas. They can give me 50 per cent – the actual reserve that I mentioned, you can have dog off lead except within 20 metres. The school oval – the Council doesn't own, they have no control over and they have not given me a definition with regard to the drainage sump which is owned by the Water Authority, I understand. So, if the Ranger Services don't know, I don't know what department this gentleman is from. Can I seek clarification on the dog on and dog off lead areas? I've been after it for a few years.

Answer 2

Deschamp Reserve is a designated Dog Off Lead area however, it a requirement for dogs to be on lead within 20m of a playground and 5m of a carpark. This includes the drainage area that is vested to the City of Bayswater and identified as a component of Deschamp Reserve. Deschamp Reserve borders the Department of Education and the City has no jurisdiction in regards to this area including the oval area.

6.2 Public Question Time

7. CONFIRMATION OF MINUTES**7.1 Ordinary Meeting: 24 November 2020**

The Minutes of the Ordinary Council Meeting held on 24 November 2020 which have been distributed, be confirmed as a true and correct record.

Moved:

Seconded:

8. PRESENTATIONS**8.1 Petitions**

Nil.

8.2 Presentations

Nil.

8.3 Deputations

Deputations are to be heard at the Agenda Briefing Forum at **6:30pm** on **Tuesday 1 December 2020**, in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley.

8.4 Delegates Reports

Nil.

9. METHOD OF DEALING WITH AGENDA BUSINESS

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

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

- (a) that requires a 75% majority or a special majority;
- (b) in which an interest has been disclosed;
- (c) that has been the subject of a petition or deputation;
- (d) that is a matter on which a Member wishes to make a statement; or
- (e) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

10. REPORTS

10.1 Chief Executive Officer Reports

Nil.

10.2 Corporate and Strategy Directorate Reports**10.2.1 Financial Reports for the Period ended 30 November 2020**

Responsible Branch:	Financial Services	
Responsible Directorate:	Corporate and Strategy	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. Monthly Financial Statements (with supporting information). 2. Cash Backed Reserve Report Reserve Fund. 3. Capital Acquisitions & Non-Operating Grants Report. 4. Economic Stimulus Projects as at 30 November 2020	

Under Separate Cover

10.2.2 Investment Report for the Period Ended 30 November 2020

Responsible Branch:	Financial Services	
Responsible Directorate:	Corporate and Strategy	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. Investment Summary as at 30 November 2020	

Under Separate Cover

10.2.3 List of Payments for the Month of November 2020

Responsible Branch:	Financial Services	
Responsible Directorate:	Corporate and Strategy	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	<ol style="list-style-type: none">1. Schedule of Accounts - Municipal Fund2. Schedule of Accounts – Trust Fund3. Schedule of Accounts - Aged Persons Homes Account4. Summary of Corporate Credit Card Expenses5. Electronic Fund Transfers	

Under Separate Cover

10.2.4 Donations Granted Under Delegated Authority for the Month of November 2020

Responsible Branch:	Financial Services	
Responsible Directorate:	Corporate and Strategy	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. List of donations granted under delegated authority during November 2020.	

Under Separate Cover

10.2.5 Draft Strategic Community Plan 2020-2030 - Advertising for Public Comment

Responsible Branch:	Governance and Organisational Strategy	
Responsible Directorate:	Corporate and Strategy	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. Draft Strategic Community Plan 2021-2031	
Refer:	Item 10.2.7: OCM 19.11.2019 Item 10.2.2: OCM 09.04.2019	

SUMMARY

The purpose of this report is to seek approval from Council to progress to the next stage of community engagement for the current review of the Strategic Community Plan (SCP).

OFFICER'S RECOMMENDATION**That Council:**

1. Approves the draft Strategic Community Plan, as included in Attachment 1 to this report, to be advertised for public comment.
2. Notes that specific promotional activities targeted at business will be undertaken as part of the public comment period.

BACKGROUND

Section 5.56 (1) of the *Local Government Act 1995* requires all local governments to plan for the future. This plan for the future is provided by the Integrated Planning and Reporting Framework (IPRF). The SCP is the Council's principal ten-year strategy document from the IPRF suite that reflects community vision and goals through engagement.

The SCP requires a major review every four years. The City last completed a major review in 2016-17 and a minor review in 2018-19. On 9 April 2019 Council resolved:

"That Council:

1. *Adopts the minor review of the Strategic Community Plan 2017-2027 as summarised in the attached Roadmap for building a better Bayswater.*
2. *Notifies, and provides a copy of the Roadmap for building a better Bayswater to the Department of Local Government, Sport and Cultural Industries."*

Following the last minor review, the City's Integrated Planning and Reporting Framework was investigated more broadly. One change that emerged from that investigation was to move the 2 year review cycle forward by 1 year.

On 19 November 2019, Council resolved (in part):

"That Council:

1. *Approves a major review of the Strategic Community Plan to be conducted during the 2019-20 financial year."*

This resolution brought forward the major review of the SCP which enables the City to better align reviews of the SCP to Council election cycles. Aligning the reviews with the Council election cycle allows returning and new elected members to confirm the community's aspirations for the City earlier in their term. This, in turn, aids decision making and gives more time to fulfil the community's

vision during each election term. Subsequently, a major review of the SCP commenced in early 2020.

A Strategic Planning workshop was held with Councillors in the last weekend of January 2020. As an outcome of this workshop, there were a number of community priority strategies and projects identified by Councillors. This strategic direction from Councillors has been utilised alongside community engagement results in the development of the SCP.

The current review of the SCP was originally planned to finish in June 2020, however the process was delayed due to the COVID-19 pandemic. The state of emergency and subsequent restrictions delayed the project and extended the second stage of engagement longer than it was initially planned.

Two briefings were provided for Elected Members on 29 September 2020 and 3 November 2020 on the progress to date in the SCP review. The sessions enabled Councillors an opportunity to provide comments on the document. Further feedback was also received from a number of Councillors following the briefings. Information about changes implemented following this feedback is provided in the comment section of this report.

EXTERNAL CONSULTATION

The City's SCP major review engagement plan asked the community to 'Shape the future of Baysie' by participating in a major visioning exercise to help the City to create a renewed SCP.

The engagement was split into two phases. Phase one asked, *What does being part of the Bayswater community mean to you?* Followed by *What would you like us to do over the next ten years to improve the City of Bayswater?* The answers received helped the City to better understand what the community love about living in the City, as well as what progress the community would like to see and what opportunities they want created.

Phase One received 444 comments provided in the following ways:

- Hardcopy and online postcards;
- An online ideas board. All ideas were visible to *Engage Bayswater* website visitors and people could 'like' and comment on ideas, providing the City with essential insight;
- Instagram;
- The opportunity to participate was promoted by City officers at various locations and community events, including:
 - Three community events (Noranda Twilight Markets, Bayswater Growers Market and Bedford movie night);
 - Coventry Village; and
 - Targeted workshops at City schools (St Columbus Primary School and John Forrest Senior High School); and
- Feedback cards were also available at the three City libraries.

The end of the initial Phase One engagement visioning exercise coincided with the beginning of restrictions imposed due to the global COVID-19 pandemic. This caused an unplanned delay of approximately two months between the first and second phases of engagement. Notwithstanding this, the City decided to continue the project and innovate to ensure the community could provide feedback and participate.

Results of phase one engagement informed how the phase two engagement was structured. As initially intended, Phase Two of the SCP engagement was to be a much deeper, qualitative conversation with the community to recognise and ascertain their aspirations, goals and priorities for the City. This phase had direct participation from 88 participants. Engagement activities included:

- A comprehensive “Conversation Kit” that encouraged residents to contribute as a household. This was intended to provide something for households isolating during the COVID-19 pandemic to do together, providing family connection and an opportunity for positive forward thinking in uncertain, changing times. The Conversation Kit was available to be completed online or in hard copy and had detailed easy to follow instructions on how to provide quality feedback;
- Five online face-to-face workshops – a first for the City, were held via Zoom. One was targeted at the City’s Youth Advisory Council, with others open to the wider community; and
- An in person workshop with the City’s Age Friendly Ambassadors (following relaxation of social distancing restrictions).

In addition to the engagement above, a large number of people visited the City’s engagement page for the SCP major review. Below are participation statistics from Engage Bayswater for the first two phases of engagement:

- 2,800 total page visits;
- 162 engaged participants;
- 692 informed visitors (viewed or downloaded at least one document/image etc);
- 1,900 aware visitors (visited at least one page);
- 133 downloads of the current SCP;
- 152 downloads of the printable conversation kit document (Phase Two); and
- 65 downloads of the conversation kit, intro only document (Phase Two).

The next phase of engagement is intended to include public comments on the draft SCP document, with comments intended to refine the vision, goals, strategies and other wording in the document. This stage is considered important as the draft document provides more context and allows the City to identify if the overall context of the document is understood and if the intended messages are conveyed. This public comment period will be for approximately two weeks during February 2021.

Following final adoption of the SCP, the Act requires the City to advertise the final SCP for informing purposes and to make the document available for public inspection.

OFFICER'S COMMENTS

Engagement results from Phase One and Phase Two were interpreted and then cross referenced with the outcomes of Councillors strategic planning days held on 31 January 2020 and 1 February 2020. Goals and strategies were drafted that met the aspirations of what was gathered from the community and community priority strategies and projects identified by Councillors.

Following the first two phases of engagement, extensive internal engagement took place where executive staff, managers and specialist officers assisted in interpreting the engagement and translating this into meaningful and professionally worded goals and strategies. This stage provided essential detail to ensure that what the community was asking for, was translated into the SCP in a clear and professional manner.

Following the Councillor Briefings held on 29 September 2020 and 3 November 2020, feedback has been incorporated into the draft SCP as outlined below.

A number of comments considered to be of a relatively minor nature were made, such as changing pictures, wording changes and layout suggestions. These suggestions were all considered with relation to the document as a whole and how it will look when it is printed. The majority of these have been incorporated.

Some Elected Members raised concerns that economic development may be underrepresented in the draft SCP, based upon their understanding of current community sentiment and priorities. Economic development is woven into the Goals under Vibrancy on Page 24 and community engagement on this topic has been more clearly reflected. In addition, Strategies 12 and 13 on Page 25 are also specifically targeted at economic development. Comments will be monitored during this last stage of engagement and wording of the goals and strategies will be further considered if identified during the community comment period.

As much of the work being done on economic growth is operational, there will also be new extensive sections in the Corporate Business Plan (to be adopted later), outlining work the City is undertaking on economic development. For example, this will include information on COVID-19 recovery initiatives and work being done to maximise economic benefits from State projects.

Feedback was received from Elected Members about the use of the term 'vibrancy', with no clear consensus reached. It is recommended that the term is used during the public comment period, with any feedback received used to determine whether a change is required.

Also related to goals and strategies within the document, it was raised that the wording of the strategies was inconsistent with some reading as strategies and some as actions. Wording of the strategies has been revised with the aim of being more consistent.

The map highlighting City infrastructure and future projects is intended to provide a visual representation of the changes that will be occurring to the City infrastructure over the life of the plan. Feedback was received about key City facilities to be added and considerations relating to visual accessibility were provided. Some community facilities such as the Bayswater Community Centre and Morley Community Centre were added, and the size of some reference numbers on the map were increased to make them easier to read.

Next Steps

Following approval of the draft SCP for public comment, people who provided their details while contributing will receive a copy of the draft SCP and advised ways to provide further feedback. In addition, an open and widely advertised public comment period is planned for February 2021, to allow the community to comment in various ways including in person, via hard copy, online and via email.

Simultaneously to the above, targeted promotion of the public comment period will be conducted for businesses throughout the City. This promotion is likely to include activities such as engagement through Place Managers, contact through business groups and associations and direct email through available lists. The additional targeted business approach is intended to provide additional confidence to Council that the feedback from the business community in the City has been considered.

The comments received from this final stage of engagement will be interpreted and incorporated into the SCP and a report to adopt the final SCP 2021-2031 is intended for the March 2021 Ordinary Council Meeting. Once adopted by Council, there is a statutory requirement for the document to be publicly advertised.

LEGISLATIVE COMPLIANCE

- *Local Government Act 1995, S5.56; and*
- *Local Government (Administration) Regulations 1996, Regulation 19C, and 19D.*

In addition to the above regulatory requirements, the Department of Local Government, Sport and Cultural Industries has published advisory standards, including:

- Integrated Planning and Reporting – Advisory Standard
- Integrated Planning and Reporting – Framework and Guidelines

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council: <ol style="list-style-type: none"> Approves the draft Strategic Community Plan 2021-2031, as included in <u>Attachment 1</u> to this report, to be advertised for public comment. Notes that specific promotional activities targeted at business will be undertaken as part of the public comment period. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	This option provides a third stage of community engagement as outlined in the original project plan. It will provide a final opportunity for community members to comment on the draft plan before Council's consideration of adoption. It was noted that some Councillors were concerned that businesses may not have had an adequate opportunity to provide comment, this option therefore allows for additional promotional activities to be targeted at businesses.	

Option 2	That Council approves the draft Strategic Community Plan 2021-2031, as included in <u>Attachment 1</u> to this report, to be advertised for public comment.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	If Council feels that current engagement has been broad enough to provide the opportunity for businesses to participate, this option will provide a more balanced approach where the final community comment stage is open to all equally, without any targeted promotion. However, there is a risk of dissatisfaction from the business community.	

Option 3	That Council: 1. Approves the draft Strategic Community Plan 2021-2031, as included in <u>Attachment 1</u> to this report, to be advertised for public comment, with modifications as determined by Council. 2. Notes that specific promotional activities targeted at business will be undertaken as part of the public comment period.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Dependent on modifications determined by Council.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	The Act requires the SCP is to be developed through community engagement. Should Council make modifications to the SCP that are not in line with community engagement results, several risks would be present. There could be community dissatisfaction with the engagement process, the Department and/or auditors may question why the change was made and how it related back to engagement and it could result in changes to service delivery that are otherwise unplanned and unbudgeted. The risks are also dependent on the modifications determined by Council.	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1: Advertising for community comment

Asset Category: N/A

Source of Funds: Municipal

LTFP Impacts: Not itemised in the LTFP.

Notes: The minimal costs of an online community comment period are allowed for within the current operating budget.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$500	-	-	-	-	-	\$1,000

STRATEGIC IMPLICATIONS

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

Theme: Leadership and Governance

Aspiration: Open, accountable and responsive service.

Outcome L1: Accountability and good governance.

CONCLUSION

The SCP is required to be developed through consultation with the community, to determine the community vision, goals and priorities. Two phases of engagement have been carried out and the engagement results are reflected in the draft SCP. Although not required by the Act, it is seen as a good engagement practice to advertise a new or revised strategy for public comment before final adoption to ensure the strategy reflects engagement results.

It was noted that some Councillors had concerns that businesses may not have had an adequate opportunity to provide comment, therefore it is recommended the community comment stage

includes promotional activities specifically for the business community to ensure they have had adequate opportunity to participate.

Attachment 1



Acknowledgement of Country

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

*The City of Bayswater acknowledges the Traditional Custodians of the
land, the Whadjuk people of the Noongar Nation, and pays its respects
to elders past, present and emerging.*

Accessibility

This publication is available in alternative formats, including hard copy
in large print or standard print, electronic format, audio, and Braille.

This publication can be found on the City's website and can be made available
in languages other than English upon request.

可根据要求以其他格式和语言提供此信息。

Queste informazioni sono disponibili in altri formati
e lingue su richiesta.

Chúng tôi có thể cung cấp thông tin này bằng những dạng và
ngôn ngữ khác khi được yêu cầu.

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CITY OF BAYSWATER RECONCILIATION ACTION PLAN

Council adopted the City's inaugural 'Reflect' reconciliation Action Plan in September 2019.

We are now developing our 'Innovate Reconciliation Action Plan 2021- 2023' in consultation with our community to continue to support the national reconciliation movement and contribute to advancing the five elements of reconciliation:

- Race relations
- Equality
- Institutional integrity
- Historical acceptance
- Unity.

Our reconciliation journey over the next ten years will see us progress our Reconciliation Action Plans from Reflect to Innovate, then into Stretch and Elevate.



OUR THANKS TO YOU ALL

This Strategic Community Plan would not have been possible without the invaluable contribution of our community.

We thank you for the passion you feel for this beautiful City and for the compassion you feel for each other. Ours is a community with heart and that has never been more evident than now.

We thank you for the time invested in creating your vision for the future. Your contributions were considered, sincere, heartfelt and inspiring.

We thank you for trusting us to bring your vision to life; and we thank you for working with us to strengthen the bonds of our community.

This document reflects you. It describes what you value, what you want to achieve and how you want to live. Most importantly, it ensures it is your voice that truly shapes our City.

Thank you.

MAYOR'S MESSAGE

Welcome to the City of Bayswater
Strategic Community Plan 2021 - 2031.

Our Strategic Community Plan is the most important piece of documentation we have. It represents a true collaboration between community and Council and guides every action we take.

Most importantly, it ensures the decisions made reflect the wishes of those who live here. It helps us understand what is important to you, how you want the City to look and what you want us to achieve.

As part of the process, we worked closely with you - our community - to learn how you want to shape the City. Through a series of engagement activities and visioning exercises, we were able to identify themes and list the priorities you hold.

In these pages, you will see your aspirations for our community's future reflected in the themes and strategies we have created. These will help us protect our environment, encourage strong and inclusive communities, support vibrant town centres, and make the City a connected, accessible and welcoming destination in the heart of the inner east.

I want to emphasise our commitment - that of my fellow councillors and myself - to achieving the vision laid out by our community. It is our job and our privilege to act on your behalf, champion your views and work closely with you as we move into the future.

Your collective voice is guiding us to be 'An inclusive community building a sustainable and thriving City.'

We are inspired by this - and we will achieve it together.

Mayor Cr Dan Bull



YOUR COLLECTIVE
VOICE IS GUIDING
US TO BE
'AN INCLUSIVE
COMMUNITY
BUILDING A
SUSTAINABLE AND
THRIVING CITY.'

ELECTED MEMBERS



West Ward



Mayor
Cr Dan Bull
Term expires 2023
dan.bull
@bayswater.wa.gov.au



Cr Lorna Clarke
Term expires 2021
lorna.clarke
@bayswater.wa.gov.au



Cr Giorgia Johnson
Term expires 2021
giorgia.johnson
@bayswater.wa.gov.au

North Ward



Deputy Mayor
Cr Filomena Piffaretti
Term expires 2021
filomena.piffaretti
@bayswater.wa.gov.au



Cr Stephanie Gray
Term expires 2021
stephanie.gray
@bayswater.wa.gov.au



Cr Michelle Sutherland
Term expires 2023
michelle.sutherland
@bayswater.wa.gov.au

Central Ward



Cr Barry McKenna
Freeman of the City
Term expires 2021
barry.mckenna
@bayswater.wa.gov.au



Cr Sally Palmer
Term expires 2023
sally.palmer
@bayswater.wa.gov.au



Cr Steven Ostaszewskyj
Term expires 2023
steven.ostaszewskyj
@bayswater.wa.gov.au

South Ward

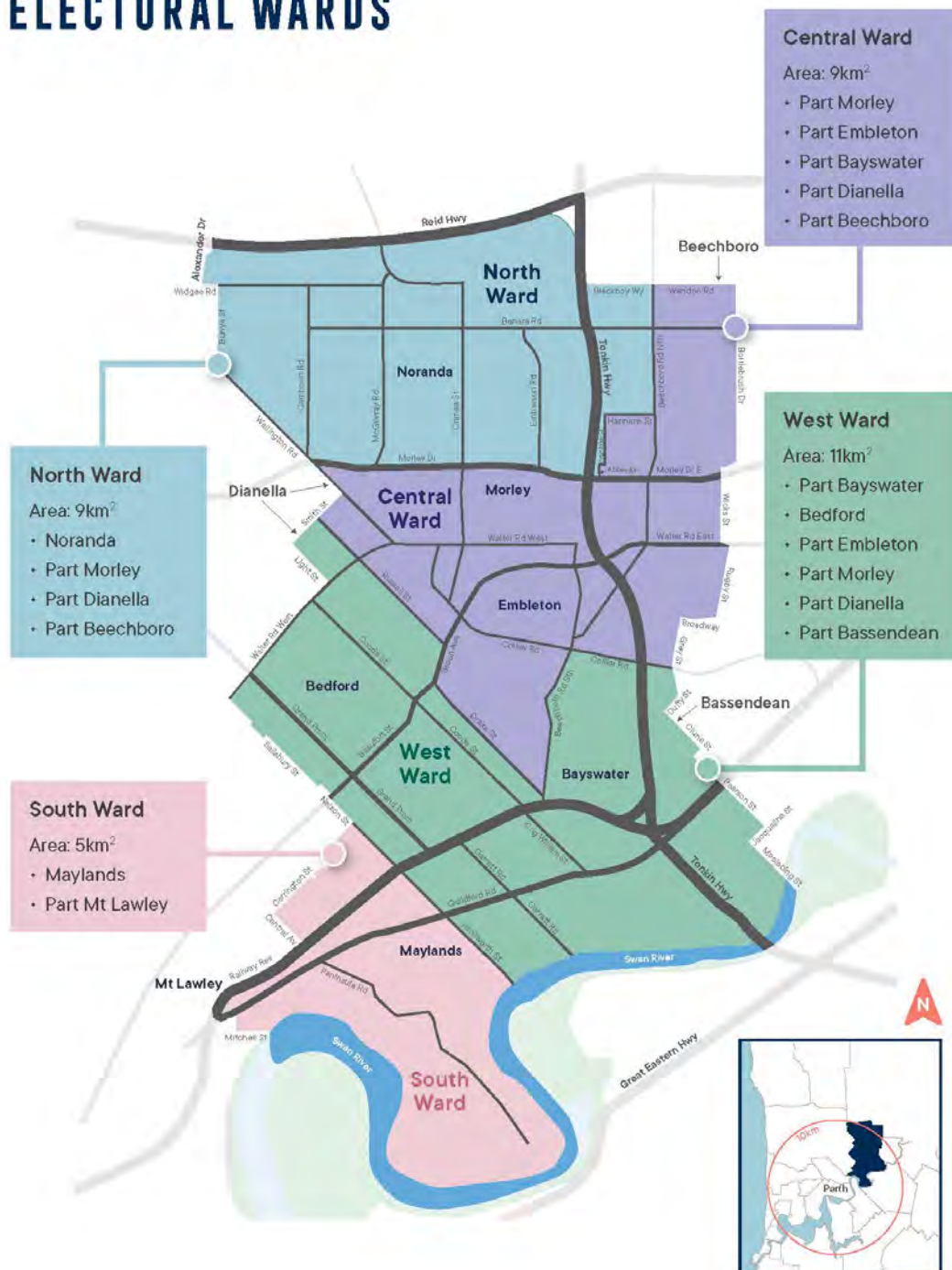


Cr Catherine Ehrhardt
Term expires 2023
catherine.ehrhardt
@bayswater.wa.gov.au



Cr Elli Petersen-Pik
Term expires 2021
elli.petersen-pik
@bayswater.wa.gov.au

ELECTORAL WARDS



INTEGRATED PLANNING AND REPORTING

Integrated planning and reporting gives local governments a framework for establishing the priorities and aspirations of their community, and linking this to financial capacity and practical service delivery.

This framework is required by all local government authorities to ensure the objectives delivered are based on a community-established vision for the future.

The City's integrated planning and reporting process includes the development of a:

- Strategic Community Plan that clearly links the community's aspirations and vision with Council's strategies.
- Corporate Business Plan that integrates resourcing plans and specific Council plans with the Strategic Community Plan.

The City has a number of supporting strategies and plans that, among other things, document its financial, asset, and workforce considerations. These ensure we can achieve the priorities identified in the Strategic Community Plan.

A full list of these is available in our Corporate Business Plan or on our website bayswater.wa.gov.au.



THE STRATEGIC COMMUNITY PLAN WILL
CLEARLY LINK THE COMMUNITY'S ASPIRATIONS
AND VISION WITH THE COUNCIL'S STRATEGIES.







THIS IS YOUR HOME

The City of Bayswater is home to a culturally diverse and vibrant community set against the backdrop of four thriving town centres, over 380 hectares of green open space and a 10 kilometre stretch of the Swan River.

Just 8 kilometres from the Perth CBD, the City is governed by a progressive Council who listen to its community. We place importance on sustainability and the environment, improving the amenity of town centres, engaging with the community, and creating the opportunity for people to make the most of living in this inner city location.

The City has built a reputation on providing services our community value. We operate three libraries, two community centres, have three recreation centres and support over 200 local sporting clubs. We maintain 177 parks, ovals and open spaces, 123 playgrounds, and manage a local road network that spans 360 kilometres.

THIS IS YOUR
NEIGHBOURHOOD AND
YOUR COMMUNITY.

THE CITY OF BAYSWATER
IS YOUR HOME.



Our community is multicultural and inclusive. Our population is incredibly diverse and nearly half of us were born overseas. We are the third most culturally and linguistically diverse local government area in Western Australia; and we proudly celebrate all who call the City home.

More than a third of our households include a person living with a disability, and this is a driving force for making our City more accessible for all.

Over the next ten years, we expect to see our community grow to more than 72,000 people. If we look even further ahead, our community will likely reach 100,000 people by 2050. This will bring with it more diversity, more opportunities and more development.

This development will include both urban infill, with the State Government setting us a target of creating a minimum of 15,800 new dwellings by 2050; as well as infrastructure works. This will increase the number of businesses and local employment, giving us even more opportunity to not just live, shop and socialise locally, but to work here as well.

As a community, we are particularly passionate about the environment; and we have made a name for ourselves with a number of industry leading and award winning projects. We dedicate time and resources to addressing water quality, protecting our wetlands and planting trees to address our declining tree canopy.

With the help of our community, we are steadily increasing our tree canopy. We plant approximately 50,000 native seedlings and more than 2,000 semi mature trees annually; and through our partnership with Environment House, we provide thousands of native shrubs for our residents to plant at home.

The new Food Organics Garden Organics (FOGO) waste management system will launch in early 2021 and will build on our existing three-bin system by including food scraps, pet waste and some paper in your green-top bin. We are serious about reducing waste and educating our residents with at home and in school programs.

We respect and value the important role older members of our community play, and we work with the City's youth to keep them engaged and encourage



their participation in decision-making processes. We make it a priority to ensure the people who live here have every opportunity to make their voice heard.

We are a community who cares. We look after each other and volunteer our time to help others. City volunteers alone provide over 6,000 hours of time annually to support our community programs. We value the contribution of our volunteers and provide grants to support community-led initiatives and not-for-profit organisations.

We host events to bring people together, including Carols by Candlelight, Jazz in the Park, and the Noranda Markets. With approximately 20,000 people attending these events annually, they are a big part of our identity as a community that likes to celebrate together and connect with one another.

We are rapidly gaining a reputation as a foodie mecca with a plethora of small bars, cafes and restaurants. These complement Coventry Village, a growers market and a number of specialist grocers, wine shops and delis.

We boast more than 142 cafés, restaurants and bars; and look forward to welcoming even more as infrastructure is built to support the development of the Bayswater train station. This station is set to become one of the busiest in Perth, and the surrounding area will benefit from a revitalised and pedestrian friendly retail strip with dining options and office space.

Creativity is a way of life in our City and many artists choose to make their home here. Maylands is renowned as an artistic hotspot and by supporting the local arts community, we have seen public art pop up across the suburbs, creating a vibrant and engaging canvas for our City. From the art walk through the Progress Street precinct in Morley, to the art trail and street games in Maylands, our artistic heart is on display for all.

**This is your neighbourhood and your community.
The City of Bayswater is your home.**

YOUR CITY AT A GLANCE



COMMUNITY



Your City

Spread across 10 suburbs just 8 kilometres from the Perth CBD, we have four town centres and 380 hectares of green open space.



Family friendly

Families make up 73% of our total population; and half of our community is aged between 25 and 60 years old.



Inclusive neighbourhoods

Our population is diverse and nearly half of us (46%) were born overseas. We are the third most culturally and linguistically diverse local government area in Western Australia.



Growing population

In 2016, the City had 66,050 community members. Over the next 10 years, our community is predicted to reach 72,000.



Community focused

16.5% of our community volunteer and give more than 6,000 hours of their time to Council run programs each year.



Increasingly connected and accessible

Construction of train stations in Bayswater, Morley and Noranda as part of the Metronet project will make the City even more accessible.

ENVIRONMENT AND LIVEABILITY



A sustainable future

By 2031, the City's corporate operations will use 100% renewable energy. Our goal is to be carbon neutral by 2040.



Canopy commitment

With approximately 50,000 trees and shrubs planted each year, we are working hard to increase our tree canopy.



Ecological significance

We have a number of ecologically valuable landmarks, including Eric Singleton Bird Sanctuary, and Lightning Swamp - one of the best areas of remnant bushland in the metropolitan area.



Preservation and protection

Wetland rehabilitation, the creation of living streams and stormwater management are high on our list of priorities.



Waste reduction is a way of life

The FOGO system will be introduced early in 2021 and our home composting and school recycling programs are going strong.



Environmental champions

Our dedicated residents attend community-planting days and plant tens of thousands of trees and shrubs to support biodiversity and reduce the urban heat island effect.

VIBRANCY



We love the great outdoors

86% of residential properties are within 300 metres of public open space and the City maintains 177 parks, ovals and open spaces.



Celebrate together

Almost 20,000 community members come together annually to celebrate events and festivals.



Artistic and talented

Creativity is a way of life. From the artistic hub of Maylands to the art trail of murals in Morley, our City is rich with artistic talent.



Booming local economy

With over 23,000 local jobs, small and medium businesses help build the character of our City.



Active and social

We are a connected community with three libraries, three recreation centres, two community centres and in excess of 200 community and sporting clubs.



Foodie mecca

Lonely Planet has listed Maylands as one of the coolest neighbourhoods in Australia because of its eclectic mix of bars, restaurants and cafes.

CITY INFRASTRUCTURE AND FUTURE PROJECTS

Existing infrastructure

Recreation

- 1 Noranda Sporting Complex
- 2 Morley Sport and Recreation Centre
- 3 Bayswater Waves
- 4 Embleton Golf Course
- 5 The RISE
- 6 Maylands Peninsula Golf Course
- 7 Bayswater Community Centre
- 8 Morley Community Centre

Major shopping centres

- 9 Hawaiian's Noranda
- 10 Beechboro Central Shopping Centre
- 11 Coventry Village
- 12 Galleria Shopping Centre

Libraries

- 13 Morley Library
- 14 Bayswater Library
- 15 Maylands Library

Train stations

- 16 Mt Lawley Train Station
- 17 Maylands Train Station
- 18 Meltham Train Station
- 19 Bayswater Train Station

Transport links

- Perth - Midland train line

Planned projects

Future Projects

- A Noranda Train Station*
- B Morley Sport and Recreation Centre upgrade
- C Galleria Shopping Centre redevelopment
- D Morley Train Station*
- E Bayswater Waves staged redevelopment
- F John Forrest Secondary College redevelopment*
- G Bayswater Station and precinct redevelopment*
- H Meltham and surrounds precinct revitalisation
- I Tonkin Highway widening*
- J Proposed Brickworks redevelopment
- K Maylands Waterlands redevelopment

*Indicates State Government project

Transport links

- Forrestfield-Airport Link
- Morley - Ellenbrook train line



Strategic Community Plan
2021 - 2031

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SHAPING BAYSIE

DEVELOPING A STRATEGIC COMMUNITY PLAN TOGETHER

The Strategic Community Plan is the City of Bayswater's most important planning document.

This year, we asked our community to 'shape the future of Baysie' by participating in a major visioning exercise to help us create our new Strategic Community Plan.

The document captures the City's vision, priorities and aspirations for the next ten years, as outlined by the community. The plan is required under the *Local Government Act 1995* and is reviewed every four years to ensure it still meets the community's needs.

A Strategic Community Plan is not something we can create in isolation. It tells the story of a community from their point of view – and it is important they guide this document.

Our community embraced the opportunity to be involved and were an intrinsic part of the process. Their input formed the single most significant contribution to the strategic direction of the City.

During the initial stage of consultation, we asked community members questions to help us gain an insight into their priorities and aspirations. These questions were as broad as "What does being part of the Bayswater community mean to you?" and as specific as "What would you like us to do over the next ten years to improve the City of Bayswater?"

The answers we received helped us better understand what our community love about living in the City, as well as what progress they would like to see and what opportunities they want created.

We collected feedback through a number of channels to give people as many opportunities to be involved as possible. This feedback was collected via the City's Engage Bayswater portal, Instagram, pop-ups at community events and prominent locations across the City, and via comment cards placed at local libraries.

Ideas were also workshopped with the City's Youth Advisory Council and at local schools; and the City's Age Friendly Ambassadors were involved during a later stage of consultation.

The City received feedback that fell under three broad themes:



Within each of these themes, a number of goals were identified.

The next phase of consultation involved asking the community to identify and prioritise strategies to respond to the themes and goals. Significantly, this phase coincided with the outbreak of the global pandemic, COVID-19.

The restrictions put in place to protect our community from the virus meant we had to adapt our engagement activities to be effective in a more remote environment. Even though we were socially distanced, it was important for our community to stay connected and participate. Consequently, we developed a 'Shape Baysie conversation kit'. This enabled people to complete this stage of consultation at home or online.



Workshops were initially held online using Zoom, but as Western Australia moved into its recovery phase and restrictions were eased, we were able to host them in person.

During this phase, a deeper level of engagement was achieved and we were able to identify even more priority areas. Leadership and Governance emerged as an overarching theme, with the City's commitment to communicating clearly, providing good customer service, meaningful engagement, and planning and delivering projects in a sustainable way being identified by the community as fundamental to its operations.

We were also able to draw from recent community engagement initiatives including the Participatory Budgeting project, and the Environment and Liveability Framework to gain further insight from the community.

It was important the Strategic Community Plan considered the changes taking place across the metropolitan area that would have a significant impact on the local area, and the community's response to these.

A number of State government road and rail projects are in the planning stage, with new train stations scheduled for construction in Bayswater, Morley and Noranda as part of the Metronet project.

The State government continues to focus on increasing density around transport nodes and activity centres, with new dwellings resulting in an increased number of people moving to the City of Bayswater to live.

Main Roads have also planned improvements to the Tonkin Highway corridor in an effort to reduce travel times and improve the connectivity of the State's road network.

The community overwhelmingly indicated they felt positive about the opportunities these changes presented and were keen for the City to embrace them. This sentiment is reflected in the plan's goals and strategies, and the City will continue to advocate on behalf of its community to ensure decisions made at a State level consider the local context.

Community feedback from all stages of the engagement process was considered and culminated in a new vision for the City. This vision drew from the collective voice of those who live in the City and establishes a clear direction for us all.

We are:

'An inclusive community building a sustainable and thriving City.'

The draft Strategic Community Plan was advertised for public comment during the final stage of consultation, and it was circulated to everyone who participated so they could see how their feedback will be used to 'Shape Baysie'. (Draft to be approved by Council prior to advertising.)

The plan captures the priority areas the City will focus on over the next ten years, and will inform the decisions made by elected members. It will be used by the City's administration as the blueprint for the work they undertake on behalf of the community.

What we have achieved is a Strategic Community Plan created by the community, for the community – and we could not be more proud.

Strategic Community Plan
2021 – 2031

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OUR VISION

AN INCLUSIVE COMMUNITY BUILDING
A SUSTAINABLE AND THRIVING CITY.

By 2031, the City of Bayswater will be a thriving, sustainable and sought-after location for residents and businesses.

With carefully planned developments to preserve the heritage and character of the area, we will have successfully increased density and created local jobs.

Our vibrant and pedestrian friendly town centres are connected with sound public transport options, cycleways and shaded footpaths. We have created truly inclusive neighbourhoods where people of all ages and abilities can gather, experience and live.

Our suburbs are unified by a strong sense of community that celebrates our multicultural society, rich in artistic talent. Our town centres are brimming with activity, filled with people enjoying street art, attending festivals or making the most of the many bars, restaurants and cafes. The area is teeming with quality outdoor spaces, encouraging us to make the most of this garden city oasis.

The City will be renowned for environmental sustainability and preservation. Development is no longer separate from green strategies - they work in harmony to build our climate change resilience, while protecting our biodiversity. Links between the natural and built environment are clear and indivisible.

The City of Bayswater is a destination. It is not an area people pass through - it is somewhere people want to live, visit, linger and enjoy.

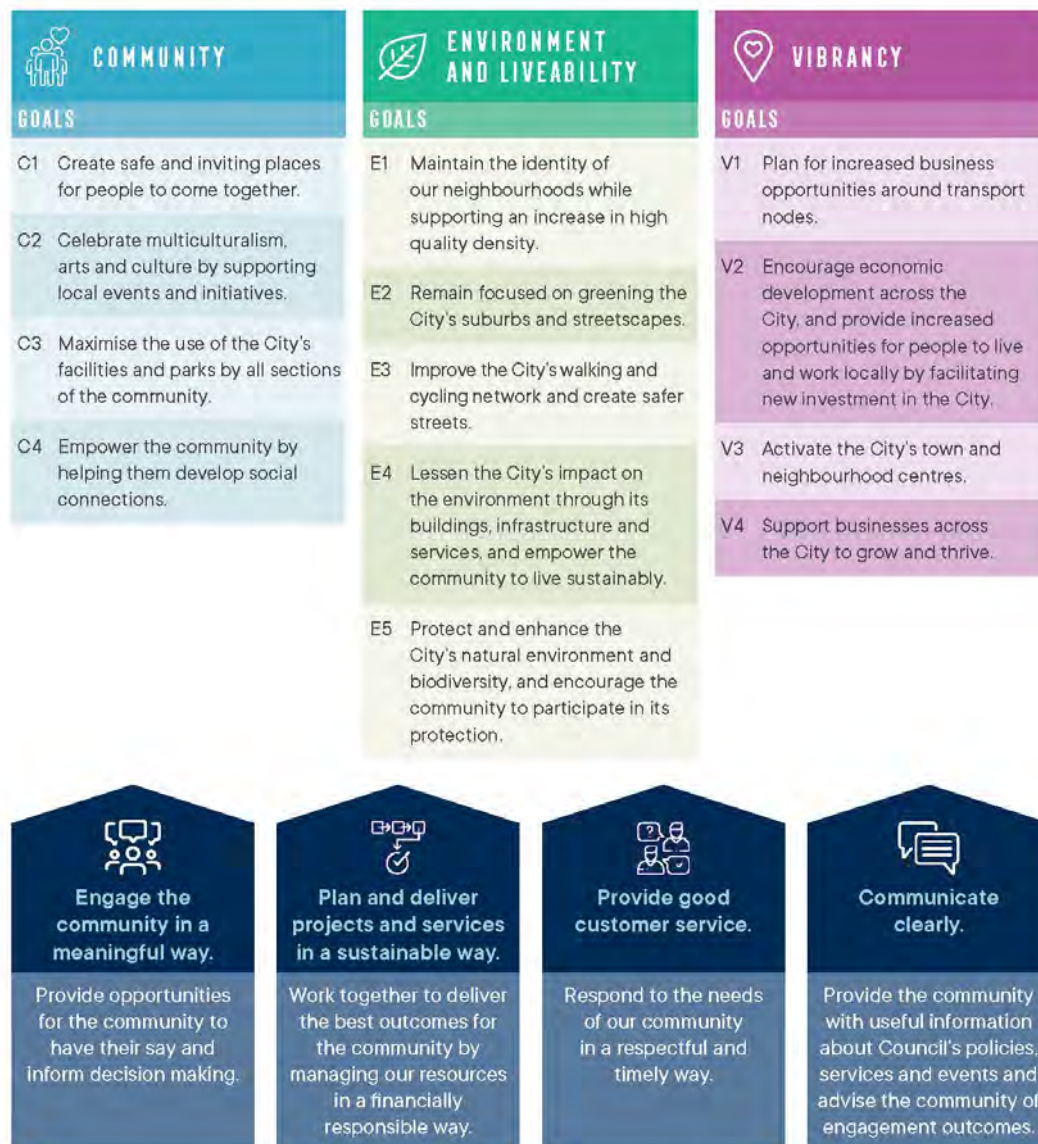




THEMES AND GOALS

Community input was grouped under the themes of community, environment and liveability, and vibrancy. Under each theme, a number of goals were identified.

Leadership and governance emerged as an overarching theme which outlines the City's commitment to open communication, meaningful engagement, customer service and delivering projects in a sustainable way.



LEADERSHIP AND GOVERNANCE

STRATEGIES

The strategies collectively contribute to achieving the goals identified under the themes of community, environment and liveability, and vibrancy.

- S1** Become more pedestrian friendly with accessibility for all.
- S2** Facilitate welcoming, engaging and multicultural events; and support community groups.
- S3** Create local spaces to bring people together, with a focus on each suburb.
- S4** Maximise the use of existing facilities and provide multi-age and multicultural recreational opportunities for our diverse population.
- S5** Integrated planning for parks that takes safety, lighting and multi-generational use into consideration.
- S6** Focus on safety and security.
- S7** Support culture and the arts with events using local spaces.
- S8** Plan infrastructure to support commercial and industrial growth, and improve amenity.
- S9** Encourage sustainability and sustainable lifestyles with a focus on waste, carbon reduction, education and the maintenance of assets.
- S10** Green our suburbs and restore the natural environment and biodiversity, while balancing density and built form.
- S11** Support affordable housing and address homelessness.
- S12** Plan for multi-purpose/mixed use development around public transport links (including day time and night time use), and leverage opportunities created by the new links to and from the airport.
- S13** Support economic growth and investment, and encourage commercial precinct and town centre activation.
- S14** Strengthen social interaction, connectedness and build the capacity of the community.
- S15** Make the most of the river and accessibility to the river.
- S16** Support technological advancements that improve the experience of the community.




These strategies are not ranked in order of performance or priority.

SUCCESS MEASURES

Accountability is one of the City's core values. The measures below measure how successful we are in achieving our community's vision for the future.

PERFORMANCE MEASURES

To track our progress, we have developed a number of performance measures:

 COMMUNITY	 ENVIRONMENT AND LIVEABILITY	 VIBRANCY
The overall community satisfaction with the City as a place to live.	The community satisfaction with streetscapes and building design and scale.	The number of businesses operating in the City and the number of employment opportunities.
The community satisfaction with facilities and services for older adults.	The community satisfaction with footpaths and cycleways.	The average commuting distance to work.
The provision of an annual grant program to support community groups to lead community events and initiatives.	The amount of general waste to landfill (number of tonnes per year).	The community satisfaction with the City's vibrant and active town centres.
The number of City-led community programs connecting people to opportunities to participate.	The percentage of renewable energy used for corporate operations.	The number of events and initiatives focused on town centres.
The number of hours the City's volunteers contribute.	The undertaking of projects that support river and foreshore health.	
The number of people attending City-led events.	The number of plants planted in natural areas (bushlands, wetlands, river foreshore).	
The number of visits to City-run recreation centres and libraries.		
The delivery of coordinated public/play space development.		

For more information, please refer to the City's website
bayswater.wa.gov.au



TRACKING THE CITY'S PROGRESS

The City will clearly report the progress made towards achieving the vision and goals of the community.

Formal reporting

This includes:

- Audit and Risk Management Committee – reports are provided to the committee, updating them on the progress being made.
- Annual Report – a yearly public report of operations and performance.

Community reporting

This includes:

- The City's website.
- Periodic updates in the *Bayswater Beat* community newsletter.

HOW THE CITY MANAGES RISK

Strategic Risk Management

Events sometimes arise that impact the City's ability to achieve the goals and strategies outlined in the Strategic Community Plan.

The City has an integrated risk management framework, based on best practice standards, to manage risks and ensure the quality of the City's services to the community are not adversely affected.

The City adopts a three lines of defence model in order to receive assurance on risk from all sources, both internal and external.

In practice, this means operational management is responsible for risks that occur in the City's project areas; strategic oversight of risk and compliance occurs at the Committee and Council level; and independent external assurance is provided by the City's internal audit function.

SERVICES WE PROVIDE

The City's reputation is built on providing the services our community values.

Aged persons accommodation

Manage the operation of three retirement villages and two residential care facilities.



Aquatic facilities

Managing and maintaining Bayswater Waves and Maylands Waterland.

Building approvals and works

Building applications, swimming pool inspections and the administration of building works.



Communication and community engagement

Communication and promotion of the many services, projects and initiatives delivered by the City, as well as creating opportunities for the community to have a say.



Community development

Disability access and inclusion, volunteers, youth services, community training, community bus hire, the City's Reconciliation Action Plan, podiatry services, and two community centres for older adults.



Community events

Events and occasions to enrich the lives of residents and visitors to the City.



Community facilities

Spaces for recreation, community groups, clubs and associations, including the Men's Shed, Morley Training Centre, Bayswater and Morley Community Centres and The RISE.

Community grants

The City provides grants to environmental, sporting and community groups.

Customer service

Providing service to customers who visit or contact the City.



Environmental management

Water quality monitoring, community education, events and workshops, riverbank restoration and support for local environmental groups.

Governance and strategy

Managing the City's finances, performance monitoring, governance, occupational health and safety, compliance and accountability, audit, local government elections, information management, HR, IT, risk, and rates services.



Heritage

Care for heritage sites within the City.



Libraries

Operating the City's three library branches, a pop-up library, 24/7 access to e-resources, and the library website.



Parks and recreational facilities

Looking after 177 parks, ovals and open spaces, and 123 playgrounds.



Place management

The City will continue to fund the activation of its four major town centres with public art, street furniture, festivals, historical walks and streetscape improvements.



Planning

Planning applications, development compliance, town centre activation, lease administration, and the development of the City's urban strategic plans.



Public health

Inspections of food premises, water quality testing at public pools, noise control, pest control, emergency management, immunisation clinics and the provision of buildings for child health clinics.



Rangers and security

Ranger patrols, animal control, operating the pound, fire break inspections, and the 24/7 security patrol service.



Roads, footpaths and verges

Maintain 360 kilometres of local roads, footpaths, drains, medians, verges and roundabouts across the City, as well as street cleaning, street lighting, street signs, and the City's graffiti program.



Sporting facilities

The City supports over 120 local sporting clubs by providing clubrooms and facilities.



Waste and recycling services

Regular bin collection, transfer station operations, waste initiatives, bulk bins and tip passes, white goods pick-ups, waste drop-off points, and waste education programs.





GET IN TOUCH WITH US

City of Bayswater Civic Centre

61 Broun Avenue, Morley

Opening Hours: 8.30am – 4.30pm (Monday to Friday)

PO Box 467 Morley WA 6943

Phone: (08) 9272 0622 | Email: mail@bayswater.wa.gov.au

Web: bayswater.wa.gov.au

Bayswater Library

25 King William Street, Bayswater

Phone: (08) 9272 0951 | Email: baylibrary@bayswater.wa.gov.au

Maylands Library

The RISE

28 Eighth Avenue, Maylands

Phone: (08) 9208 2450 | Email: maylibrary@bayswater.wa.gov.au

Morley Library

240 Walter Road West, Morley

Phone: (08) 9272 0980 | Email: morleylibrary@bayswater.wa.gov.au

Bayswater Waves

Cnr Broun Avenue & Priestley Street, Embleton

Phone: (08) 9276 6538 | Email: waves@bayswater.wa.gov.au

Web: bayswaterrecreation.com.au/waves

The RISE

28 Eighth Avenue, Maylands

Phone: (08) 9208 2400 | Email: rise@bayswater.wa.gov.au

Web: bayswaterrecreation.com.au/rise

Bayswater Community Centre

25 King William Street, Bayswater

Phone: (08) 9271 5198

Morley Community Centre

6A Blades Close, Morley

Phone: (08) 9276 6108

**City of
Bayswater**


61 Broun Avenue, Morley WA 6062

Civic Centre Opening Hours: 8.30am - 4.30pm (Monday to Friday)

Mailing address: PO Box 467 Morley WA 6943

P: 9272 0622 | F: 9272 0665 | TTY: 9371 8493

mail@bayswater.wa.gov.au | bayswater.wa.gov.au

 facebook.com/bayswatercity  instagram.com/cityofbayswater



This report is available in
alternative formats upon request.

Printed on 100% recycled paper.
Certified carbon neutral.

10.2.6 Review of Delegated Authority for Committees

Responsible Branch:	Governance and Organisational Strategy	
Responsible Directorate:	Corporate and Strategy	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	<i>ABSOLUTE MAJORITY REQUIRED</i>	
Attachments:	1. Register of Delegations to Committees 2. Terms of Reference – Reconciliation Advisory Committee 3. Terms of Reference – COVID-19 Advisory Committee	
Refer:	Item 13.1: OCM 24.03.2020 Item 8.1: SCM 18.03.2020 Item 10.2.19: OCM 29.10.2019	

SUMMARY

This report allows Council to undertake a review of delegations provided to committees, which is required annually in the *Local Government Act 1995* (the Act).

OFFICER'S RECOMMENDATION

That Council approves the delegations to committees as contained in the Register of Delegations to Committees included in Attachment 1 to this report.

BACKGROUND

In accordance with section 5.16 of the Act, a local government can delegate certain functions of Council to a committee. Section 5.18 of the Act requires that at least once every financial year, a local government is to review the register of delegations provided to committees.

This is the first time the City has conducted an annual review of delegations, as prior to October 2019, no delegations were provided to committees by Council.

The City currently has the following committees that have delegations:

- COVID-19 Advisory Committee; and
- Reconciliation Advisory Committee.

The City also has the following committees that do not have any delegations:

- Aged Care Divestment Committee;
- Aged Care Governance Committee;
- Audit and Risk Management Committee;
- Budget Review and Expenditure Committee;
- Chief Executive Officer Review Committee;
- Community Access and Inclusion Advisory Committee;
- Heritage Advisory Committee;
- Local Homelessness Advisory Committee; and
- Policy Review and Development Committee.

EXTERNAL CONSULTATION

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

OFFICER'S COMMENTS

The City has two committees with delegated authority as outlined below:

Reconciliation Advisory Committee

Council at its Ordinary Council Meeting (OCM) held 29 October 2019 established the Reconciliation Advisory Committee to advise and assist in the development, implementation and monitoring of a Reconciliation Action Plan (RAP) for the City of Bayswater.

The aim of the committee is to help the workplace to facilitate understanding, strengthen relationships and trust with Aboriginal and Torres Strait Islander People, promote meaningful engagement, increase equality and develop sustainable employment and business opportunities.

In order to provide delegation to the Reconciliation Advisory Committee, at the OCM on 29 October 2019 Council resolved (in part) as follows:

- “5. Delegates authority to the Reconciliation Advisory Committee to make decisions regarding the implementation of the actions contained within the City’s Reconciliation Action Plan documentation and as included in the approved City’s annual budget.”*

A copy of the terms of reference for the Reconciliation Advisory Committee is included as **Attachment 2** to this report. As the terms of reference have not changed for the committee, and the committee is conducting the same functions as was originally intended, it is considered that the delegation is still relevant and appropriate.

COVID-19 Advisory Committee

At the Special Council Meeting of 18 March 2020, Council resolved to establish the COVID-19 Advisory Committee, with a terms of reference to be presented to Council at a future meeting.

At the OCM following formation of the COVID-19 Committee, Council approved terms of reference for the committee and approved delegation for the committee. At the OCM on 24 March 2020, Council resolved (in part) as follows:

- “2. Delegates authority to the COVID-19 Advisory Committee to make decisions regarding urgent measures that would usually require Council direction in relation to the COVID-19 Coronavirus pandemic.”*

The COVID-19 Advisory Committee met regularly between March 2020 and July 2020 and has met less frequently since then as the COVID-19 pandemic has stabilised in Western Australia. Although no future dates are currently set for the committee, the committee is still established and may have reason to meet again in the future. As the committee is still intended to provide its original function as determined by the terms of reference (**Attachment 3**), it is considered that the delegation is still relevant and appropriate.

LEGISLATIVE COMPLIANCE

Sections 5.16 and 5.18 of the *Local Government Act 1995*.

Section 5.46 of the *Local Government Act 1995* requires the CEO and any employees with delegations to keep a record each time they use a delegation; this requirement does not apply to a committee with delegation. Notwithstanding this, minutes are recorded for committee meetings and are made publicly available within 7 days following each meeting.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council approves the delegations to committees as contained in the Register of Delegations to Committees included in <u>Attachment 1</u> to this report.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	This option meets the legislative requirements to review the delegated authority for committees in accordance with the <i>Local Government Act 1995</i> . It also maintains the current delegations to committees, as they are still relevant to the committees.	

Option 2	That Council approves the delegations to committees as contained in the Register of Delegations to Committees included in <u>Attachment 1</u> to this report, with modifications as determined by Council.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Risks dependent on modifications determined by Council.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	Council may wish to make modifications to the delegations to committees by removing current delegations or adding new delegations to committees. If Council determines to make any change to delegations for a committee then an absolute majority decision of Council is required. The risks of this option are dependent on the modifications determined by Council.	

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

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

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

CONCLUSION

It is recommended that Council approves the Register of Delegations to Committees as included as Attachment 1 to this report. The current delegations have been established recently and are still considered relevant to the respective committee. Approving the Register of Delegations to Committees will meet the City's legislative requirements in undertaking an annual review of committee delegations.

Attachment 1

City of Bayswater – Register of Delegations to Committees

This register is maintained in accordance with section 5.18 of the *Local Government Act 1995*.
November 2020

Committee Name	Delegation	Date Delegation Created	Last Date Reviewed
Reconciliation Advisory Committee	<i>Delegates authority to the Reconciliation Advisory Committee to make decisions regarding the implementation of the actions contained within the City's Reconciliation Action Plan documentation and as included in the approved City's annual budget.</i>	29 October 2019	N/A
COVID-19 Advisory Committee	<i>Delegates authority to the COVID-19 Advisory Committee to make decisions regarding urgent measures that would usually require Council direction in relation to the COVID-19 Coronavirus pandemic.</i>	24 March 2020	N/A

Attachment 2

TERMS OF REFERENCE Reconciliation Advisory Committee	
Meeting occurrence:	As required
Day of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	City of Bayswater, Civic Centre, 61 Brun Avenue, Morley WA 6062
Liaison Officer:	Director Community and Development or nominated officer
Purpose of Committee:	<ul style="list-style-type: none"> The Reconciliation Advisory Committee advises and assists in the development, implementation and monitoring of a Reconciliation Action Plan (RAP) for the City of Bayswater, with the aim to help the workplace to facilitate understanding, strengthen relationships and trust with Aboriginal and Torres Strait Islander People; promote meaningful engagement, increase equality and develop sustainable employment and business opportunities The Aboriginal Advisory Committee may also provide advice and make recommendations to the City of Bayswater on matters other than the RAP that affect Aboriginal and Torres Strait Islander people within the City of Bayswater, where the City can have a direct influence.
Role of Representatives	<p>The roles and responsibilities of the City of Bayswater representatives on this Committee are:</p> <ul style="list-style-type: none"> Member in own right; and Spokesperson for City of Bayswater
Elected Members:	Three Elected Council Members. All other Councillors are deputies.
Non-Council Members:	<p>Up to five community members who satisfy one or more of the following criteria:</p> <ul style="list-style-type: none"> Aboriginal and Torres Strait Islander community members to make up at least 60% of non-Council membership. Individuals who work with or for the Aboriginal and Torres Strait Islander community on a professional level. Any community member who lives or works within the City of Bayswater or is regularly engaged with the Bayswater community, who is interested in reconciliation and its potential to influence the culture of the organisation.
Non-Voting Members:	<ul style="list-style-type: none"> Director Community and Development; Manager Community Development; and Other officers as required.
Terms of Membership:	<ul style="list-style-type: none"> Elected members - Two years commencing after each Ordinary Council election Non Council members - from the date of appointment by Council until October 2021
Delegated Authority:	The Reconciliation Advisory Committee has delegated authority, as approved by Council, to make decisions relating to the implementation of the actions contained within the City's RAP documentation and as included in the approved City annual budget
Sitting Fees:	Nil (included as part of the annual Sitting Fees paid to Councillors)

Attachment 3

Terms of Reference COVID-19 Advisory Committee	
Meeting occurrence:	As required
Day of Meeting:	As required
Time of Meeting:	As required
Location of Meeting:	City of Bayswater, Civic Centre, 61 Broun Avenue Morley WA 6062
Liaison Officer:	Chief Executive Officer
Purpose of Committee	To consider urgent measures that require Council direction in relation to the COVID-19 Coronavirus pandemic.
Role of Representatives	<p>The roles and responsibilities of the City of Bayswater representatives on this Committee are:</p> <ul style="list-style-type: none"> • Member in own right; and • Spokesperson for City of Bayswater.
Voting Members:	<ul style="list-style-type: none"> • Cr Dan Bull, Mayor; • Cr Filomena Piffaretti, Deputy Mayor; • Cr Catherine Ehrhardt; • Cr Sally Palmer; • Cr Steven Ostaszewskyj; and • Chief Executive Officer <p>The appointment of all Councillors who are not Member of this Committee as Deputy Members to the Committee. If a Member is unable to attend a meeting, the order of appointment of the Deputy at that meeting will be based on:</p> <p>(i) Councillor of the same Ward as the Member of the Committee; and</p> <p>(ii) Length of service.</p>
Non-Voting Members:	<ul style="list-style-type: none"> • Director Community and Development • Director Works and Infrastructure • Director Corporate and Strategy
Terms of Membership:	The term of the Committee is from the date the Committee was established until COVID-19 Coronavirus is not a direct threat to the City of Bayswater community.
Delegated Authority:	In accordance with section 5.23(1)(b) of the <i>Local Government Act 1995</i> the COVID-19 Advisory Committee has delegated authority, as approved by Council, to make decisions regarding urgent measures that would usually require Council direction in relation to the COVID-19 Coronavirus pandemic.
Sitting Fees:	Nil (included as part of the annual Sitting Fees paid to Councillors).

10.2.7 Committee Meeting Dates 2021

Responsible Branch:	Governance and Organisational Strategy	
Responsible Directorate:	Corporate and Strategy	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	Nil.	
Refer:	Item 10.2.1: OCM 28.01.2020	

SUMMARY

Council is required to advertise on the City's website the date, time and place of any committee meetings that are open to the public which will be held during the 2021 calendar year.

OFFICER'S RECOMMENDATION**That Council:**

- Approves the 2021 Schedule for Committee Meetings Open to the Public, as contained in this report.**
- Notes the 2021 Schedule for Committee Meetings Open to the Public will be placed on the City's website in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.**

BACKGROUND

The *Local Government Regulations Amendment Regulations (No. 2) 2020* recently came into effect, simplifying this process. Prior to the regulation coming into effect, a local government was required to provide public notice of meeting dates where committees were open to the public.

In accordance with the requirements of the *Local Government (Administration) Regulations 1996*, it is necessary for Council to advertise details of any committee meetings that are open to the public, prior to the end of the calendar year, for the following calendar year.

A committee meeting must be open to the public if Council has provided a delegation to the committee. A committee that does not have delegated authority can also be open to the public at Council's discretion. The City currently has two committees that are open to the public, due to having delegated authority; they are the COVID-19 Committee and Reconciliation Advisory Committee.

The Audit and Risk Management Committee Meetings are open to the public as a result of a Council decision. At the 28 January 2020 Ordinary Council Meeting, Council resolved the following (in part):

"That Council resolves to make the Audit and Risk Management Committee open to the public, subject to section 5.23(2)(a) – (h) of the Local Government Act 1995."

The City has in place a Caretaker Election Period Policy. This policy states that no Ordinary Council Meeting (OCM) will be held during a Caretaker Election Period. Although the policy is silent on committee meetings, best practice would be to also not hold them during the Caretaker Election Period. A Local Government Election is scheduled for 16 October 2021.

EXTERNAL CONSULTATION

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

OFFICER'S COMMENTS

This report covers scheduling of both the COVID-19 Committee and the Reconciliation Advisory Committee as these meetings have delegation and are subsequently open to the public. It also covers the Audit and Risk Management Committee as Council resolved on the 28 January 2020 to open the Audit and Risk Management Committee Meetings to the public.

Meetings for the Reconciliation Advisory Committee during 2020 were typically held quarterly on a Wednesday, commencing at 5:30pm. The same meeting cycle is proposed in the below schedule for 2021.

During 2020, COVID-19 Committee Meetings were held as and when required. As the COVID-19 pandemic commenced, the Committee met regularly. As the COVID-19 pandemic stabilised, the Committee met less frequently. It is proposed in this schedule that no COVID-19 Committee Meeting be scheduled for 2021 at this point in time.

The Audit and Risk Management Committee meets quarterly, generally at the end of each quarter so as to receive reports on the previous quarter. Meetings have typically been held on a Tuesday evening on a week where there is no OCM. This report recommends that this meeting cycle remains in place for 2021.

The table below schedules dates for each of the committee meetings that are open to the public.

2021 Schedule for Committee Meetings Open to the Public

Date	Time	Committee
Tuesday 9 February 2021	6:00pm	Audit and Risk Management Committee
Wednesday 3 March 2021	5:30pm	Reconciliation Advisory Committee
Tuesday 11 May 2021	6:00pm	Audit and Risk Management Committee
Wednesday 2 June 2021	5:30pm	Reconciliation Advisory Committee
Tuesday 3 August 2021	6:00pm	Audit and Risk Management Committee
Wednesday 1 September 2021	5:30pm	Reconciliation Advisory Committee
Tuesday 9 November 2021	6:00pm	Audit and Risk Management Committee
Wednesday 1 December 2021	5:30pm	Reconciliation Advisory Committee
COVID-19 Committee	It is not currently anticipated that a further meeting of the COVID-19 Committee will need to be scheduled. If a future meeting is scheduled, this will be advertised on the City's website.	
Place of Committee Meetings	All committee meetings will be held at the following place unless specified otherwise: City of Bayswater Civic Centre 61 Broun Avenue Morley WA	

Advertising of the above committee meeting dates on the City's website does not prevent Council or the committee from making a decision to change the date, time or place. If it is determined in the future that a change is required, this information needs to be advertised on the City's website.

Current practice of Council is to hold an OCM on the last Tuesday of each month, with the exception of December, where the meeting is held earlier in the month. An agenda briefing session is currently held on the Tuesday before each OCM. The above dates take this into consideration by placing committee meeting dates on different evenings.

As a result of the 2021 Local Government Election, the City's Caretaker Election Period Policy will also apply. The caretaker practices will apply from the close of nominations, being 37 days prior to the Election Day in accordance with section 4.49(a) of the *Local Government Act 1995*, until 6pm on Election Day. As a result, the Caretaker Election Period will commence on Friday, 10 September 2021. No committee meetings in this schedule have been proposed during the Caretaker Election Period in 2021.

The 2021 school holiday periods are as follows:

- 18 December 2020 to 31 January 2021 (inclusive);
- 2 April to 18 April 2021 (inclusive);
- 3 to 18 July 2021 (inclusive); and
- 25 September to 10 October (inclusive).

None of the above committee meeting dates coincide with school holiday periods.

LEGISLATIVE COMPLIANCE

The Schedule of Committee Meetings Open to the Public for 2021 complies with the *Local Government (Administration) Regulations 1996 (Regulation 12)*.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council: <ol style="list-style-type: none"> Approves the 2021 Schedule for Committee Meetings Open to the Public, as contained in this report. Notes the 2021 Schedule for Committee Meetings Open to the Public will be placed on the City's website in accordance with Regulation 12 of the <i>Local Government (Administration) Regulations 1996</i>. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	Approving the 2021 Schedule for Committee Meetings Open to the Public presents very low risk to the City as it will enable the City to meet legislative requirements by advertising the dates on the City's website prior to 31 December 2020. Approving the dates now does not prevent Council from changing a date in the future by advertising the new date on the City's website.	

Option 2	That Council: <ol style="list-style-type: none"> Approves the 2021 Schedule for Committee Meetings Open to the Public, as contained in this report, with amendments as determined by Council. Notes the 2021 Schedule for Committee Meetings Open to the Public (amended) will be placed on the City's website in accordance with Regulation 12 of the <i>Local Government (Administration) Regulations 1996</i>. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	

Reputation	Low	Dependent on the modifications determined by Council.
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	This option meets the legislative requirements to set details for relevant committee meetings and advertise them on the City's website. Risks to service delivery and other factors are dependent on the modifications determined by Council.	

Option 3	That Council: <ol style="list-style-type: none"> Does not approve the 2021 Schedule for Committee Meetings Open to the Public, as contained in this report. Notes that meeting details for each committee open to the public for 2021 will be determined by the current Committee Presiding Member. Notes the 2021 Schedule for Committee Meetings Open to the Public (once determined) will be placed on the City's website in accordance with Regulation 12 of the <i>Local Government (Administration) Regulations 1996</i>. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
Conclusion	Dates for committee meetings are not required to be set by a motion of Council. Should Council prefer, the Chief Executive Officer can liaise with the presiding member for each committee to determine meeting dates for 2021. This will present moderate risk in terms of service delivery, stakeholder satisfaction and reputation as the process for determining dates is delayed and less transparent.	

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

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

Theme: Leadership and Governance.
 Aspiration: Open, accountable and responsive service.
 Outcome L2: Proactively communicates and consults.
 Outcome L3: Strong stewardship and leadership.

CONCLUSION

The 2021 Schedule for Committee Meetings Open to the Public has been developed based on the schedule for 2020 meetings and taking school holidays and the Caretaker Election Period into account.

Approving the 2021 Schedule for Committee Meetings Open to the Public is considered to present very low risk to the City as it will enable the City to meet legislative requirements by advertising the dates on the City's website prior to 31 December 2020. Approving the dates now does not prevent Council from changing a date in the future by advertising the new date on the City's website.

10.2.8 2019/20 Annual Financial Report

Responsible Branch:	Financial Services	
Responsible Directorate:	Corporate and Strategy	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	<i>ABSOLUTE MAJORITY REQUIRED</i>	
Attachments:	TBA	
Refer:	N/A	

Under Separate Cover

10.3 Works and Infrastructure Directorate Reports**10.3.1 Tender No. 11-2020 - Sports Floodlighting Installations and Removals**

Responsible Branch:	Project Services	
Responsible Directorate:	Works and Infrastructure	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	Confidential Attachment 1. Tender Evaluation	
Refer:	Item 10.3.2 OCM 03.09.19	

Confidential Attachment in accordance with Section 5.32(2) of the Local Government Act 1995 - 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.***

SUMMARY

For Council to consider awarding Tender No. 11-2020 - City of Bayswater Sports Floodlighting Installations and Removals at Pat O Hara Reserve, Morley, and Noranda Sporting Complex (Netball) in accordance with the tender specification.

Submissions in response to the request for Tender No. 11-2020 were received from the following Tenderers:

- Stiles Electrical Pty Ltd;
- Prestige Jointing and Electrical Pty Ltd;
- Tracc Civil Pty Ltd;
- Insight Electrical Technology; and
- Powerlux WA;

Some tenderers included pricing for alternative lamp options in addition to the specified type.

Work is proposed to commence in December 2020 and be completed by 31 March 2021.

OFFICER'S RECOMMENDATION

That Council awards Tender No. 11-2020 - City of Bayswater Sports Floodlighting Installations and Removals to Stiles Electrical Pty Ltd in accordance with their tender submission dated 24 November 2020 as follows:

- (i) Pat O Hara Reserve Metal Halide Luminaire Option; and**
- (ii) Noranda Sporting Complex (Netball) LED Luminaire Option.**

BACKGROUND

The Pat O'Hara Reserve Master Plan and feasibility study is a result of a request for Council consideration of a Strategic Review of Pat O'Hara Reserve and buildings, submitted by a collective of stakeholders in September 2016 comprising of:

- Perth Bayswater Rugby Union Club (PBRUC);
- East Perth District Basketball Association (EPDBA);
- 1st Morley Scout Group (MSG); and
- YMCA (Manager of Morley Sport and Recreation Centre).

At the Ordinary Council Meeting of 3 September 2019, Council considered the Pat O'Hara Reserve Masterplan final design and costings and resolved in part as follows:

"That Council:

- 2. Notes the Pat O'Hara Reserve Masterplan."*

As part of the Pat O'Hara Reserve Masterplan the main rugby pitch lighting is to be replaced to a minimum average of 200lux match lighting and the remaining pitch and training areas on the reserve to a minimum average of 100lux to meet the AS2560 for competitive match and training lighting standards.

The Noranda Netball Court lighting replacement is part of the court resurfacing and facility redevelopment to include sports lighting renewals to a minimum average of 200lux to meet the AS2560 for competitive match lighting (Netball).

Tender No. 11-2020 - City of Bayswater Sports Floodlighting Installations and Removals was advertised in the *West Australian* on Saturday, 7 November 2020, with submissions closing on 24 November 2020 resulting in five tender submissions being received with some tenderers including pricing for two alternative luminaires in some categories.

EXTERNAL CONSULTATION

Comprehensive engagement regarding the rugby lighting took place throughout the Pat O'Hara Reserve Master Plan process with the community surrounding the reserve and Perth Bayswater Rugby Club. The City has consulted both Noranda Netball Association and Netball WA regarding the Noranda Sporting Complex (Netball) lighting.

OFFICER'S COMMENTS

The tender detail allows for the awarding of both the Pat O'Hara Rugby and Netball lighting renewal to either one contractor for both sites or separate contractors per site as required. The tender also allowed for a Metal Halide or LED lamp option for each site.

LED lamps are now emerging as the preferred industry leading option as they provide instant illumination to the required lux level of brightness, whereas metal halide takes a period of time (up to five minutes) to come up to full lux brightness. LED is more energy efficient and has a longer lamp life. The trade-off is that LED is around 20% on average more expensive to install than metal halide.

In assessing the submissions, progressing the LED option appears advantageous for the Noranda Sporting Complex Netball site as the cost difference between LED and metal halide is +\$23,000 or 11%. The LED option is achievable within the project budget and is therefore recommended for this site.

The Pat O Hara Reserve LED option was +\$88,000 or 35% more expensive than the metal halide option. Progressing LED lighting at Pat O Hara Reserve is not achievable within the current budget and unlikely to present a saving over time to Council. Metal Halide is therefore, the recommended option at Pat O Hara Reserve. Should Council wish to progress the LED option, additional funding may be considered during budget review.

All submissions received were complete and conforming. All addressed the qualitative criteria and demonstrated the ability to provide the City with the desired outcome.

Qualitative Criteria

The qualitative criteria was as follows:

ITEM	WEIGHTING
(A) CONTRACTOR AND SUBCONTRACTOR PREVIOUS EXPERIENCE & CAPACITY	10%
(B) DETAILED LIGHTING DESIGN, COMPLIANCE AND CONSTRUCTION PROGRAM	20%
(C) WARRANTY(INCLUDING ITEMISED PARTS AND LABOUR) AS PER PROJECT SPECIFICATION	10%
TOTAL	40%

Quantitative Criteria

Tenderers were requested to submit a tendered sum for required resources and supplies to complete the scope of works:

ITEM	WEIGHTING
TENDERED SUM	60%

Assessment

A panel consisting of the Manager Project Services, Coordinator Project Services and Manager Strategic Projects, Finance and Corporate Services (Independent Process Auditor) was formed to assess the tenders in accordance with the qualitative criteria.

The evaluation scores for Pat O'Hara Reserve Sports Floodlighting Installation and Removal against the qualitative criteria are listed below:

TENDERER	CONTRACTOR AND SUBCONTRACTOR PREVIOUS EXPERIENCE & CAPACITY (10%)	DETAILED LIGHTING DESIGN, COMPLIANCE AND CONSTRUCTION (20%)	WARRANTY (INCLUDING ITEMISED PARTS AND LABOUR) (10%)	TENDERED SUM (60%)
STILES ELECTRICAL	10%	18%	9%	60.0%
POWERLUX WA	8%	16%	8%	52.1%
PRESTIGE ELECTRICAL	6%	12%	10%	44.3%
TRACC CIVIL	6%	12%	7%	45.5%
INSIGHT ELECTRICAL TECHNOLOGY	8%	18%	9%	35.1%

The evaluation scores for Noranda Netball Court Sports Floodlighting Installation against the qualitative criteria are listed below:

TENDERER	CONTRACTOR AND SUBCONTRACTOR PREVIOUS EXPERIENCE & CAPACITY (10%)	DETAILED LIGHTING DESIGN, COMPLIANCE AND CONSTRUCTION (20%)	WARRANTY (INCLUDING ITEMISED PARTS AND LABOUR) (10%)	TENDERED SUM (60%)
STILES ELECTRICAL	10%	16%	9%	53.1%
PRESTIGE ELECTRICAL (alternative unspecified lamp option)	6%	10%	10%	60.0%
PRESTIGE ELECTRICAL (specified lamp option)	6%	14%	9%	54.5%
POWERLUX WA (alternative unspecified lamp option)	8%	14%	8%	44.7%
INSIGHT ELECTRICAL TECHNOLOGY	8%	18%	9%	41.5%
POWERLUX WA (specified lamp option)	8%	16%	8%	39.3%
TRACC CIVIL	6%	12%	7%	42.8%

The City's intent is to award this contract to a contractor that offers the best overall outcome according to the qualitative criteria and price **Confidential Attachment 1** as demonstrated in the below aggregated evaluation table.

AGGREGATED EVALUATION TABLE (PAT O'HARA RESERVE)			
TENDERER	QUALITATIVE (40)	PRICE (60)	TOTAL SCORE (100)
STILES ELECTRICAL	37%	60.0%	97.0%
POWERLUX WA	32%	52.1%	84.1%
PRESTIGE ELECTRICAL	28%	44.3%	72.3%
TRACC CIVIL	25%	45.5%	70.5%
INSIGHT ELECTRICAL TECHNOLOGY	35%	35.1%	70.1%

AGGREGATED EVALUATION TABLE (NORANDA NETBALL COURTS)			
TENDERER	QUALITATIVE (40)	PRICE (60)	TOTAL SCORE (100)
STILES ELECTRICAL	35%	53.1%	88.1%
PRESTIGE ELECTRICAL (alternative unspecified lamp option)	26%	60.0%	86.0%
PRESTIGE ELECTRICAL (specified lamp option)	29%	54.5%	83.5%
POWERLUX WA (alternative unspecified lamp option)	30%	44.7%	74.7%
INSIGHT ELECTRICAL TECHNOLOGY	35%	41.5%	76.5%
POWERLUX WA (specified lamp option)	32%	39.3%	71.3%
TRACC CIVIL	25%	42.8%	67.8%

Following the evaluation panel assessment, tender clarifications were completed and referees were contacted for the preferred contractor.

Having conducted an appropriate assessment process, it is recommended that Stiles Electrical Pty Ltd be awarded Tender No. 11-2020 - City of Bayswater Sports Floodlighting Installations and Removals for both the Pat O Hara Reserve and Noranda Sporting Complex (Netball) components.

LEGISLATIVE COMPLIANCE

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

All tenderers have indicated that they do not have any conflicts of interest in the performance of their obligations under the contract.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council awards Tender No. 11-2020 - City of Bayswater Sports Floodlighting Installations and Removals to Stiles Electrical Pty Ltd in accordance with their tender submission dated 24 November 2020 as follows: <ul style="list-style-type: none"> (i) Pat O Hara Reserve Metal Halide Luminaire Option; and (ii) Noranda Sporting Complex (Netball) LED Luminaire Option. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	The tender submission from Stiles Electrical Pty Ltd has been evaluated as the highest ranked tender in accordance with the selection criteria and weightings as detailed in the tender specification. Stiles Electrical Pty Ltd has a history of similar successful industry related projects, has recommended a compliant product to deliver within the required timeframes and the estimated total cost of completing the works fits within the budget allocation.	

Option 2	That Council: <ol style="list-style-type: none"> 1. Awards Tender No. 11-2020 - City of Bayswater Sports Floodlighting Installations and Removals to Stiles Electrical Pty Ltd in accordance with their tender submission dated 24 November 2020 as follows: <ul style="list-style-type: none"> (i) Pat O Hara Reserve LED Luminaire Option; and (ii) Noranda Sporting Complex (Netball) LED Luminaire Option. 2. Allocates an additional \$88,000 in the 2020-21 Budget Review. <p style="text-align: right;"><i>ABSOLUTE MAJORITY REQUIRED</i></p>	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	The tender submission from Stiles Electrical Pty Ltd has been evaluated as the highest ranked tender in accordance with the selection criteria and weightings as detailed in the tender specification. Stiles Electrical Pty Ltd has a history of similar successful industry related projects, has recommended a compliant product to deliver within the required timeframes and the estimated total cost of completing the works will require an additional budget allocation.	

Option 3	That Council awards Tender No. 11-2020 - City of Bayswater Sports Floodlighting Removal and Installation for: <ol style="list-style-type: none"> 1. Pat O Hara Reserve, Morley, in accordance with the tender submission dated 24 November 2020 to an alternative tenderer as determined by Council; and 2. Noranda Sporting Complex (Netball) in accordance with the tender submission dated 24 November 2020 to an alternative tendered as determined by Council. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
Conclusion	This option is not aligned to the adopted risk appetite and may present a moderate financial and service delivery risk.	

Option 4	That Council does not award Tender No. 11-2020 - City of Bayswater Sports Floodlighting Removal and Installation	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	High
Financial Management	Low	High
Environmental Responsibility	Low	Low
Service Delivery	Low	High
Organisational Health and Safety	Low	Low
Conclusion	This option is not aligned to the adopted risk appetite and presents a high risk in terms of reputation and ongoing service delivery. Should sports lighting not be progressed evening training and match play would not be possible at Pat O Hara Reserve or Noranda Netball Courts.	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

An allocation of \$5.5M is included in the 2020-21 budget for Morley Sports and Recreation Centre Redevelopment which includes a contingency of \$250,000 for Rugby sports field lighting and \$1.4M for Noranda Netball Court Redevelopments, which includes a contingency of \$250,000 for floodlighting renewals. The awarding of the tenders falls within the available budget contingency.

Item 1: Sports Floodlighting Removal and Installation (Pat O Hara Reserve, Noranda Sporting Complex (Netball)).

Asset Category: Renewal

Source of Funds: Municipal

LTFP Impacts: The outcome of this project will achieve an objective of the long term financial plan.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	Confidential	N/A	N/A	N/A	20	\$100,000	\$5.5M and \$1.4M

In accordance with the City's assessment requirements for new contractors as presented at the Audit and Risk Management Committee meeting of 12 May 2020 (item 8.4) and adopted by Council at the OCM meeting of 23 June 2020 (item 10.5.1.4). A financial capacity assessment is being conducted for Stiles Electrical Pty Ltd. who are a WALGA preferred contractor and appointment is conditional upon a positive financial check outcome.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), 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.

CONCLUSION

The tender submission from Stiles Electrical Pty Ltd has been evaluated as the highest ranked tender in accordance with the selection criteria and weightings as detailed in the tender specification. Accordingly, it is recommended that Council accepts the submission from Stiles Electrical Pty Ltd and awards Tender 11-2020 City of Bayswater Sports Floodlighting Removal and Installation to Stiles Electrical Pty Ltd in accordance with their tender submission dated 24 November 2020.

10.4 Community and Development Directorate Reports**10.4.1 Waste Plan 2020**

Responsible Branch:	Environmental Health	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. Draft Waste Plan 2020	

SUMMARY

- The Department of Water and Environmental Regulation (DWER) requires all local governments and regional councils in the Perth/ Peel regions and major regional centres, to prepare a waste plan.
- The waste plan must be developed using a prescribed format to ensure consistency and alignment with the *State Waste Avoidance and Resource Recovery Strategy 2030*.
- The City submitted a draft waste plan to DWER for review and received very positive feedback.
- The City has made minor amendments to the draft waste plan in accordance with feedback received from DWER.
- The City's draft waste plan must be submitted to DWER for assessment and approval by 31 March 2021.

OFFICER'S RECOMMENDATION

That Council endorses the City of Bayswater draft Waste Plan 2020 as contained in Attachment 1.

BACKGROUND

In 2019 the State Government released the new *Waste Avoidance and Resource Recovery Strategy 2030* (Waste Strategy).

A headline strategy within this document is to *"implement local government waste plans, which align local government waste planning processes with the Waste Avoidance and Resource Recovery Strategy 2030."*

In accordance with this strategy, the Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) exercised his powers under section 40(4) of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act) to require certain local governments and regional councils to develop a waste plan.

All local governments and regional councils in the Perth and Peel regions and major regional centres are required to prepare a waste plan in a prescribed format, which outlines how waste services will be managed to achieve consistency with the Waste Strategy and protect public health and the environment.

The CEO of DWER issued two notices to relevant local governments and regional councils. The first notice, which was issued in November 2019, set out the requirements and timelines for waste plans and the CEO's powers in relation to these. The second notice which was issued in May 2020, revised the key deadlines for waste plans as a result of COVID-19.

Local Governments and regional councils were given the opportunity to submit a draft Waste Plan to DWER for review before 30 September 2020. However final waste plans, which have been endorsed by Council must be submitted to the CEO of DWER for approval before 31 March 2021.

There will be a requirement for local governments and regional councils to also report annually on their waste plans. The first annual report is due on 1 October 2022.

EXTERNAL CONSULTATION

The City worked with the Eastern Metropolitan Regional Council (EMRC) in relation to the development of the City's draft Waste Plan 2020 and has already sought initial feedback from DWER.

OFFICER'S COMMENTS

The City prepared a draft waste plan in the prescribed format and submitted this to DWER for comment prior to the 30 September 2020 deadline.

The City received the following feedback from DWER in relation to the submission of its draft waste plan:

"We really appreciate all the time and effort that has gone into preparing this document. It looks really good and addresses our information requirements really well. There are a few issues to resolve but these are quite minor and I don't anticipate that they will take too long to resolve".

The City has subsequently reviewed the feedback provided by DWER and has updated the draft waste plan accordingly.

The City's draft Waste Plan 2020 provides an overview of the City's current waste services and performance to-date. One of the most important aspects of the City's Waste Plan 2020, is listed under Part 2 – Implementation Plan.

The implementation plan outlines the actions which will be delivered by the City over the next 5 years to achieve the relevant targets and objectives of the State Waste Strategy.

These actions include:

- Introducing a 3 bin FOGO kerbside collection service.
- Undertaking a resident survey to help inform future waste initiatives provided at the Transfer Station at 271 Collier Road Bayswater.
- Undertaking a litter audit on major roads leading to the Transfer Station.
- Improving data collection for illegal dumping.
- Investigating the possibility of utilising recovered waste material generated through the Roads to Reuse scheme in civil engineering projects.
- Redesigning the Waste and Recycling guides to focus on FOGO.
- Undertaking community education and engagement initiatives.

Further detailed information regarding the above actions and the timeframes for delivery can be found in "Part 2 – Implementation Plan" of the City's Waste Plan 2020, in **Attachment 1**.

The City's draft Waste Plan 2020 has been developed utilising the prescribed format provided by DWER to ensure alignment with the new *Waste Avoidance and Resource Recovery Strategy 2030*. Initial feedback obtained from DWER has been incorporated into the document and it is therefore recommended that the plan be endorsed and submitted to DWER for approval to comply with the legislative requirements and timeframe.

LEGISLATIVE COMPLIANCE

In accordance with the Notice issued by the CEO of DWER under section 40(4) of the *Waste Avoidance and Resource Recovery Act 2007* the City is required to submit a draft waste plan for approval by no later than 31 March 2021.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council endorses the City of Bayswater draft Waste Plan 2020 as contained in Attachment 1.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	The risks associated with this option are considered to be low, as the City has already submitted a draft waste plan to the Department of Water and Environmental Regulation (DWER) for review. DWER advised that other than a few minor issues the draft waste plan was considered to address their information requirements really well.	

Option 2	That Council endorses the City of Bayswater draft Waste Plan 2020 as contained in <u>Attachment 1</u> with amendments.		
Risk Category		Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction		Moderate	Dependent on the amendments made by Council.
Reputation		Low	
Governance		Low	
Community and Stakeholder		Moderate	
Financial Management		Low	
Environmental Responsibility		Low	
Service Delivery		Low	
Organisational Health and Safety		Low	
Conclusion	The risks associated with this option are dependent on the amendments made by Council.		

Option 3	That Council does not endorse the City of Bayswater draft Waste Plan 2020 as contained in Attachment 1.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	High
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Moderate
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	There is a high governance risk in regards to legislative compliance, if a draft waste plan is not endorsed and submitted to DWER by the 31 March 2021 deadline. There are also moderate risks in relation to strategic direction, reputation, community and stakeholders and also environmental responsibility, as there is an expectation for the City to have a plan to further reduce the amount of waste being sent to landfill, which aligns with the State Waste Strategy.	

FINANCIAL IMPLICATIONS

The financial implications associated with the City's draft Waste Plan 2020 will be met by annual waste service charges.

STRATEGIC IMPLICATIONS

The City's draft Waste Plan 2020 provides an overview of the City's current waste services and actions that will be implemented over the coming years to further reduce the amount of waste being sent to landfill. This aligns with the State Waste Strategy and the *City of Bayswater Strategic Community Plan 2017-2027* strategy "to provide innovative waste and recycling services to reduce waste and empower the community to do the same".

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

Theme: Our Natural Environment.

Aspiration: A green and sustainable environment.

Outcome N2: A resilient community that responds to sustainability challenges.

CONCLUSION

The City's draft Waste Plan 2020 has been developed in accordance with the legislative requirements within the *Waste Avoidance and Resource Recovery Act 2007*.

The plan incorporates a list of actions which the City intends to implement over the next 5 years to align with the State Waste Strategy and further protect public health and the environment.

It is therefore recommended that Council endorse the plan, to enable it to be submitted to DWER for final assessment and approval, prior to 31 March 2021.

Attachment 1

Local government waste plan

City of Bayswater

Part 1 - services and performance

1.0 Introduction

Part 1 of the City of Bayswater waste plan establishes the city's waste profile and baseline information in relation to the objectives and targets set out in the Waste Avoidance and Resource Recovery Strategy 2030 (Waste Strategy):

Avoid - Western Australians generate less waste.

Recover - Western Australians recover more value and resources from waste.

Protect - Western Australians protect the environment by managing waste responsibly.

Where data was available, the Department of Water and Environmental Regulation (DWER) has pre-filled sections of Part 1. If any of the pre-filled information is incorrect, please amend accordingly and advise of the changes.

Please take the time to ensure that you complete each section, where relevant. In some tabs, you may need to scroll down to ensure that you have not missed any sections.

Part 1 - Services and performance

2.0 Integrated planning and reporting

All local governments plan for the future¹ through the development of strategic community plans and corporate business plans. Waste plans form part of local government integrated planning and reporting as an issue-specific informing strategy.

Table 1: Links between plan for the future and waste management *(Please complete the table, even if the answer is "waste isn't mentioned in our SCP or CB"*

Strategic Community Plan	
Title:	COB Strategic Community Plan 2017-2027
Came into force:	2017
Date of next review:	2021
Waste-related priorities:	Strategy N2.2: Provide Innovative waste and recycling services to reduce waste and empower the community to do the same.
Corporate Business Plan	
Title:	COB Corporate Business Plan 2017-2027
Came into force:	2017
Date of next review:	2021
Waste-related priorities:	Strategy N2.2: Provide Innovative waste and recycling services to reduce waste and empower the community to do the same. N2.2.1: Review waste collection practices and investigate and implement alternative waste treatment technologies

¹ 'Plan for the future' means a plan made under section 5.56 of the *Local Government Act 1995* and Division 1 and 3 of Part 5 of the Local Government (Administration) Regulations 1996.

Part 1 - Services and performance

3.0 Avoid

Avoidance of waste generation is the preferred waste management option in the waste hierarchy. This section looks at waste generation rates and the reduction required to contribute to the state's waste generation reduction targets - **2025:** Reduction in MSW generation per capita by 5%, **2030:** Reduction in MSW generation per capita by 10%.

Reviewing this data is a critical element of waste planning as it can show how waste generation has changed, identify potential reasons for changes and indicate areas to target in *Part 2 – Implementation plan* (Table 21).

Table 2: City of Bayswater population, households and waste generation compared with state averages and targets for 2025 and 2030

(Local government to review prefilled data)

	Actual				Targets	
	2014-15 (baseline)	2015-16	2016-17	2017-18	2024-25	2029-30
Population ⁽¹⁾	62,646	66,050	66,550	67,050	70,000	72,000
Households ⁽¹⁾	26,103	27,520	27,729	27,938	29,167	30,000
Total domestic waste generated ⁽²⁾	35,316	33,269	32,194	34,562		
Waste generation per capita/year (kg) ⁽²⁾	564	504	484	515	536	507

(1) Source (except 2014-15): Western Australia Tomorrow Population Report No. 11 <https://www.dplh.wa.gov.au/information-and-services/land-supply-and-demography/western-australia-tomorrow-population-forecasts>. Population for 2014-15 from 'Western Australia Tomorrow Population Report No. 10. Population for intercensal years extrapolated. Households estimated using 'Average people per households' from 2016 ABS Census Quickstats.

(2) Source: Local Government Census data - domestic waste

Additional comments *(local government to insert any additional comments that may be applicable)*

In 2016, the City's population increased to 66,050. The increase was partly attributed to a boundary re-alignment which occurred on 1 July 2016. The City's population figures post the 2016 ABS Census incorporate the expected growth rate. Updated figures will not become available until the 2021 ABS Census. The household figures have been calculated utilising the "average person per household", being 2.4, which was obtained from the ABS Census Quickstats.

Part 1 - Services and performance

4.0 Recover

Where waste generation is unavoidable, efforts should be made to maintain the circulation of materials within the economy. Table 3 gives the overall recovery rate for your local government compared to Waste Strategy targets and the state average. This is broken down into the proportion of the recovery which was materials recovery (reuse, reprocessing or recycling) or energy recovery. The Waste Strategy includes a target that from 2020, energy should only be recovered from residual waste (see *Guidance Document – Table 1*, for more information).

Table 3: City of Bayswater population, households and recovery rate compared with state averages and targets for 2020, 2025 and 2030

(LG to review the pre-filled data and amend/update if necessary. Add additional comments if necessary.)

	2014-15	2015-16	2016-17	2017-18	2020 target	2025 target	2030 target
Population ⁽¹⁾	62,646	66,050	66,550	67,050			
Households ⁽¹⁾	26,103	27,520	27,729	27,938			
Overall recovery (%) ⁽²⁾	36%	21%	26%	28%	65%	67%	70%
Materials recovery	36%	21%	25%	26%	>80%	>80%	>80%
Energy recovery	0%	0%	0%	0%	<20%	<20%	<20%
Perth metro average ⁽³⁾	36%	38%	40%	41%			

(1) Source (except 2014-15): Western Australia Tomorrow Population Report No. 11 <https://www.dplh.wa.gov.au/information-and-services/land-supply-and-demography/western-australia-tomorrow-population-forecasts>. Population for 2014-15 from Western Australia Tomorrow Population Report No. 10. Population for intercensal years extrapolated. Households estimated using 'Average people per households' from 2016 ABS Census Quickstats.

(2) Source: Local Government Census data - domestic

(3) Source: Waste Authority data fact sheets <http://www.wasteauthority.wa.gov.au/programs/data/data-fact-sheets/>

Additional comments (local government to insert any additional comments that may be applicable)

Part 1 - Services and performance

5.0 Protect

Objective 3 of the Waste Strategy is to protect the environment by managing waste responsibly, with targets for achieving better practice, reducing litter and illegal dumping. By 2030 all waste is managed by and/or disposed to better practice facilities, by 2030 move towards zero illegal dumping and zero littering.

5.1 Better practice

Adoption of better practice approaches to waste management is an important way in which local government can better protect the environment from the impacts of waste, and contribute to achievement of the targets under objective 3 of the Waste Strategy. See *Guidance Document - 5.0 Better practice, Table 4* for a summary of the Waste Authority's current and planned better practice guidelines.

Table 4: Better practice approaches and programs adopted by the City of Swan

(LG to complete the table)

Waste management activity/service	Waste Authority better practice guideline or program	Date of adoption/ implementation	Comment
Kerbside waste services (3-bin)	Better bins kerbside collection guidelines 2016	1998 (3 bin system) 2014/15 (new lids)	Funding obtained through Better Bins Program for new bin lids which comply with Australian Standards.
Kerbside waste services (FOGO)	Better bins kerbside collection guidelines	2020	Will align with updated guidelines on 3 bin FOGO collection systems
Behaviour Change Programs & Initiatives	Waste Sorted Communications Toolkit	2020/21	WALGA Bin Tagging Program and Garage Sale Trail

5.2 Litter

The data in Table 5 was reported by the your local government in the 2017-18 local government census. Additional information to be provided by the local government in Table 6 if available.

Table 5: 2017-18 Litter data (LG to review profile and complete the table)

	Response and comments
Litter hotspot used on a regular basis for littering in 17-18	Parks, reserves, various bus stops and areas surrounding fast food premises.
What are the main items littered at these hotspots?	Food wrappers, drink containers, cigarette butts.
Current measures aimed at contributing towards the zero littering target	Advice on City web page on measures that can be employed to combat littering and the contact details for the appropriate department to report it to
Estimated cost of cleanup (due to collection, disposal, education, infrastructure and enforcement)	~\$40,000 Includes servicing of public litter bins and all costs associated with clean-ups (i.e. salaries and overheads).

Source: Local government Census data 2017-18

Additional comments (Local government to insert any additional comments that may be applicable)

Table 6: Additional litter information (LG to complete the table where information is available)

Is littering increasing or decreasing in your local government authority?	Decreasing
How were the costs associated with cleaning up litter calculated? Employee time? Dollar value? Both?	Both
Does the city have a litter strategy? If not, what is the ETA for completing one?	Yes, the City aligns with the Keep Australia Beautiful WA guidelines and policies.
Have any of the city's compliance and waste education officers undergone training on litter prevention? If so, what training?	No formal training, however the City's Senior Ranger is a part of an inter-agency Litter Working Group.
What current policies and guidelines does your council enact to prevent litter? E.g. Event planning guidelines on the use of balloons in council facilities and the release of helium balloons; no cigarettes on the beach; no single use plastics at events.	Legislative provisions under the Local Laws and Policies are in place regarding the use of single use plastics and balloons.
How does your local government measure the effectiveness and impact of programs designed to reduce littering and illegal dumping?	The effectiveness is monitored by the number of littering and illegal dumping incidents and the annual costs associated with the clean-ups.
Which division/unit/section of your organisation is responsible for litter management/prevention? Waste services? Compliance (e.g. Rangers)? Infrastructure?	Rangers
How important is litter management to your organisation? (1 - Not at all important; 5 - Highly important).	Highly important

5.3 Illegal dumping

The data in Table 7 was reported by your local government in the 2017-18 local government census. Additional information to be provided by the local government in Table 8 if available.

Table 7: 2017-18 illegal dumping data (LG to review pre-filled data and complete the table)

	Response and Comments	
Cost of cleaning up illegally dumped waste during 2017-18	\$ 42,200	
Sites used on a regular basis for illegal dumping in 2017-18. Where possible, please provide site address/es	\$	Mainly in the industrial areas
What are the main items dumped at these sites?	General household rubbish and building materials (i.e. asbestos).	
Current measures aimed at contributing towards the zero illegal dumping target	Provision of additional services to residents such as: whitegood and mattress collections and provision of on-demand bulk bins. Monitoring known dumping locations	

Source: Local government Census data 2017-18

Additional comments (Local governments to insert any additional comments that may be applicable)

Customer Request Management System used to record reported incidents of illegal dumping and the associated actions undertaken to remove and dispose.

Table 9 indicates the type of detailed data local governments may collect to enable better targeted monitoring and enforcement of illegal dumping. Please provide this information here, if available.

Table 9: Detailed illegal dumping data collection by the City of Ego

(LG to complete the table if data available)

Date of data collection:

No data available

Waste Type	# of incidents	Total approximate Weight (tonnes)	Change from previous year	Regulatory notices issued
C&I				
C&D				
E-waste				
Household waste				
Mulch & green waste				
Scrap metal				
Soil & excavated material				
Hazardous/problem waste				
Other				
TOTAL				
Cleaned up by	% of total incidents		Cleanup costs (\$)	
Local government				
Land owner				
Offender				
TOTAL				

Table 8: Additional illegal dumping information (LG to complete the table where data is available)

Is illegal dumping increasing or decreasing in your local government authority?	Decreasing
How does your local government measure the effectiveness and impact of programs designed to reduce illegal dumping?	By monitoring the costs associated with undertaking clean-ups
Which division/unit/section of your organization is responsible for illegal dumping management/prevention? Waste services? Compliance (e.g. Rangers)? Infrastructure?	Rangers

Part 1 - Services and performance

6.0 Waste management tools

6.1 Waste services

Local government data relating to the waste collected, recovered and landfilled is presented in Table 10. It is important to review this data when developing Part 2 – Implementation Plan, as it can:

- provide an understanding of how different systems are performing (e.g. recovery levels)
- highlight the need for any new collection systems or infrastructure
- identify the timing and capacity of any new collection systems or facilities required to meet the changing needs of local governments.

In working towards alignment with the Waste Strategy, the local government should focus on the materials resources with the greatest potential to support the objectives and targets of the Waste Strategy.

NB: DWER is currently developing a range of better practice guidelines. Better practice rates will need to be updated as the guidelines are released.

Table 10: Significant sources and generation of waste in 2017/18 (LG to review pre-filled data and amend up data if necessary. Add additional comments if necessary)

Service/Sources		Tonnes collected	Tonnes recovered	Recovery rate	Better Practice rate	Target rate 2025	Target rate 2030
Kerbside	mixed waste	17,486	-	23%	%	55% major regional centres	60% major regional centres
	comingled recyclables	5,080	4,220				
	green waste	5,170	3,724				
	FOGO	-	-				
Vergeside	green waste	-	-	24%	%		
	hard waste	4,713	1,130				
Drop-off	mixed waste	-	-	#DIV/0!	%		
	dry recyclables	-	-				
	green waste	-	-				
	hard waste	-	-				
	hazardous waste	-	-				
Public place	mixed waste	2,113	-	0%	%	67% Perth and Peel	70% Perth and Peel
	comingled recyclables	-	-				
Special event	mixed waste	-	-	#DIV/0!	%		
	comingled recyclables	-	-				
Commercial	mixed waste	-	-	#DIV/0!	n/a		
	comingled recyclables	-	-				
	paper/cardboard	-	-				
Local government waste	Illegal dumping clean up	-	-	#DIV/0!	%		
	street sweepings	-	-				
	roadworks	-	-				
	other C&D activities	-	-				
	roadside pruning	-	-				
	other	-	-				
TOTAL		34,562	9,074	26%			

Source: Local Government Census Data 2017/18

Additional comments (local government to insert any additional comments that may be applicable)
A compositional audit of the City's general waste bins was undertaken by the EMRC in 2019/ 2020.

Table 11 provides space for the local government to include bin audit information for kerbside waste services, if available. Bin audits can help local governments understand the material composition in kerbside bins, highlight where additional efforts are required to increase performance and assist in planning for future service options such as FOGO collection. See Appendix for full breakdown of composition categories

Table 11: Comparison of audit data for kerbside waste services (Complete if data is available. Add additional comments if necessary)

General waste bin	
Yield per household (kg/hhl/week)	10.7
Per capita (kg/per capita/week)	
Audit year	2019
Composition	Total %
Recyclables (paper, cardboard, plastics, steel, aluminium, glass)	33.30%
Organics (organics, wood/timber, textiles, earth)	51.40%
Hazardous (medical, sanitary/ hygiene, nappies, chemicals, paint, batteries, fluorescent tubes, light bulbs, oil, building material)	4.48%
Other (electronic waste, miscellaneous)	10.80%

Recycling bin	
Yield per household (kg/hhl/week)	
Per capita (kg/per capita/week)	
Audit year	
Composition	Total %
Recyclables (paper, cardboard, plastics, steel, aluminium, glass)	
Organics (organics, wood/timber, textiles, earth)	
Hazardous (medical, sanitary/ hygiene, nappies, chemicals, paint, batteries, fluorescent tubes, light bulbs, oil, building material)	
Other (electronic waste, miscellaneous)	

Garden organics or FOGO bin	
Yield per household (kg/hhl/week)	
Per capita (kg/per capita/week)	
Audit year	
Composition	Total %
Recyclables (paper, cardboard, plastics, steel, aluminium, glass)	
Organics (organics, wood/timber, textiles, earth)	
Hazardous (medical, sanitary/ hygiene, nappies, chemicals, paint, batteries, fluorescent tubes, light bulbs, oil, building material)	
Other (electronic waste, miscellaneous)	

Part 1 - Services and performance

6.0 Waste management tools

6.2 Waste infrastructure

The number, type, capacity and location of key existing local government owned and/or operated waste and resource recovery infrastructure is required to understand the future need for different facility types. This section is not relevant to local governments that do not own/operate waste facilities.

Table 12: Current waste and resource recovery infrastructure operated by the local government. (LG to complete this table)

Facility name (and licence number if applicable)	Facility Type	Location	Managed by	Licence category and approved production or design capacity	Material type	Service/activity	Remaining Capacity (if applicable)	Anticipated Closure (year)
Bayswater Transfer Station L7102/1997/8	Transfer Station	271 Collier Road, Bayswater, WA 6053	Cleanaway	62 – 80,000 tonnes PA	Inert Fill	Drop-off Facility		2024
					Inert Waste Type 1	Drop-off Facility		
					Inert Waste Type 2	Drop-off Facility		
					Putrescible Waste	Drop-off Facility		
					Other waste that complies with Class II landfill acceptance criteria as defined in the 'Landfill Waste Classification and Waste Definitions 1996 (as amended)'	Drop-off Facility		
Other								

Table 13 provides space for local governments to provide information about planned waste and resource recovery infrastructure, if relevant.

Table 13: Planned waste and resource recovery infrastructure. (LG to complete this table)

Location	Managed by	Licence category and approved production or design capacity (if known)	Waste type	Service/activity	Estimated operation start date
N/A					

Additional comments (local government to insert any additional comments that may be applicable)

Part 1 - Services and performance

6.0 Waste management tools

6.3 Policy and procurement

6.3.1 Contracts

Information on your local government's existing waste contracts should be detailed in Table 14. When reviewing services, it is a good opportunity to evaluate how they are performing, opportunities for regional collaboration and to identify any opportunities for improvement, review or renegotiation.

Table 14: Existing waste management contracts (LG to complete the table)

Contractor	Services		Notes/comments
Cleanaway	Kerbside Household General Waste Collection	Stock and Inventory of general waste MGBs	The City's waste collection contract is from 2018 to 2023 with a 5 year extension option.
	Kerbside Household Recycling Collection	Stock and Inventory of green waste MGBs	
	Kerbside Green waste collection	Stock and Inventory of recycling MGBs	
	Bulk Bin Service (Green and General waste)	Verge side collections for White goods/mattresses	
	Processing of recyclables from the recycling MGBs		

6.3.2 Waste local laws and policies

Information on your local government's existing local laws, strategies or policies that may complement/support this waste plan and contribute to the Waste Strategy objectives should be detailed in Table 15.

Table 15: Existing waste-related local laws, strategies and policies (LG to complete the table)

Type of local law, strategy or policy	Name of local law, strategy or policy	Came into force	Comments
Waste Food and Refuse	Health Local Laws 2001	2001	Policy dictates the correct use and allowed waste types for kerbside bins and the prohibition of waste deposits anywhere except prescribed disposal sites. The City is currently working towards the development of new Waste Local Laws and it is anticipated that these will be implemented by the end of 2021.

6.3.3 Land use planning instruments

Information on your local government's existing local planning instruments which contribute to the management of waste should be detailed in Table 16.

Table 16: Existing waste-related land use planning instruments related to waste management (LG to complete the table)

Local Planning Strategy	TITLE:	City of Bayswater Local Planning Strategy	
	ENDORSED BY WAPC:	Awaiting approval	
	NEXT REVIEW DUE:	N/A (5 years after adoption)	
	Is waste considered and reflected in the Local Planning Strategy?	YES NO	Please provide details below:
	Does the Local Planning Strategy identify current and future waste facility sites?	YES NO	Please provide details below:
	Does the Local Planning Strategy identify buffers around existing and/or future sites to avoid land use conflict?	YES NO	Please provide details below: There are buffers in place which relate to the Bayswater industrial area.
Local Planning Scheme	TITLE:	Town Planning Scheme 24	
	GAZETTED:	26/11/2004	
	NEXT REVIEW DUE:	Currently under review	
	Are resource recovery facilities, waste disposal facility and waste storage facility defined as land uses (as per <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>) and included in the council Local Planning Scheme zoning table, with either a P/ID/IA/X permissibility?	YES NO	If NO please provide comments below: They are captured under noxious industries, which are a "d" use within the general industry zone.
	If these land uses are not defined and not in the zoning table, how does the Scheme deal with such land uses (i.e. is an alternative definition used to that in the <i>Regulations 2015</i> ? Or are these land uses zoned as "Use not listed")?	Please provide details below: As above.	
	Does the Local Planning Scheme identify statutory buffers as Special Control Areas for strategic waste infrastructure facilities to avoid encroachment by incompatible land uses?	YES NO	If NO please provide comments below:
Local planning policies	TITLE:	N/A	
	ADOPTED BY COUNCIL:	N/A	
	RELATIONSHIP TO WASTE STRATEGY OBJECTIVES:	N/A	
	Does the local government have any local policies which relate to the objectives of the Waste Strategy (reduce generation, increase recovery, protect the environment)?	YES NO	If YES please provide comments: As below.
Other	TITLE:	Position and Action Statement (PAAS) - Waste Management	
	ADOPTED BY COUNCIL:	19-Nov-19	
	RELATIONSHIP TO WASTE STRATEGY OBJECTIVES:	The City has a Position and Action Statement (PAAS) on waste management, which focuses on the adoption of a FOGO collection service and relates to the objectives within the State Waste Strategy 2030.	

6.3.4 Sustainable procurement

Local governments can be significant consumers whose purchasing decisions and procurement policies can have positive impacts. This section reviews activities relating to procurement of infrastructure, goods and services that avoid waste, promote resource recovery or encourage greater use of recyclable and recycled products. Information on existing sustainable procurement policies or practices that may contribute to the Waste Strategy objectives should be detailed in Table 17.

Table 17: Existing sustainable procurement policies and practices (LG to complete the table)

Sustainable procurement policy or practice	Date adopted by council	Actions implemented e.g. switching to recycled	Alignment with Waste Strategy targets, objectives or focus materials
N/A			

Additional comments *(local government to insert any additional comments that may be applicable)*

The City intends to investigate the possibility of utilising recovered waste material generated through the Roads to Reuse scheme in civil engineering projects and develop a management practice accordingly.

Part 1 - Services and performance

6.0 Waste management tools

6.4 Behaviour change programs and initiatives

Communication and engagement with waste generators and managers underpins many local government waste management activities, and are vital in driving behaviour change needed to achieve the objectives and targets of the Waste Strategy.

Behaviour change programs and initiatives refers to activities that increase awareness, skills and knowledge; provide consistent messaging; help people to use waste infrastructure; and encourage the adoption of specific, positive waste behaviours and attitudes.

Most local governments have existing behaviour change programs and initiatives and it is important to evaluate their effectiveness. This section includes an opportunity for a high level qualitative assessment process to understand what has worked and what has not. The results can be used to inform actions for *Part 2 – Implementation plan (Table 21)*.

Information on the local government's existing waste behaviour change programs or initiatives should be detailed in Table 18. This may include participation in Waste Authority funded programs, or programs/initiatives run by the local government.

Table 18: Behaviour change programs and initiatives, including Waste Authority programs and other local government initiatives (LG to complete the table)

Local government program/initiative	Description	Outcomes achieved as a result of the program (Qualitative/quantitative)	Evaluation method	What's worked/not worked	Suggested improvements
Reduction of Single Use Plastics	Four of the most highly utilised dog exercise parks within the City of Bayswater are now home to 100% biodegradable dog waste bags as part of the extension of an ongoing trial aimed at reducing the use of single use plastics throughout the City.	Quantitative	Compliance with Council Policy	Positive feedback from residents in relation to utilising biodegradable bags.	Intend to extend this to all reserves as part of the rollout of FOGO.
Strategic Planning (Community consultation)	Local community and businesses encouraged to participate in providing feedback to council regarding what's important to them, which in turn will be incorporated in the new 2020-2030 Strategic Community Plan	Qualitative	Community feedback/ views	The City is able to determine public perception on the waste services it provides. Recent community consultation has shown that residents highly value the City's waste	Potential to increase the number of participants in the survey.
Waste Recovery	The City of Bayswater intends to move to a Food Organics Garden Organics (FOGO) waste system starting late July 2020. Under the new system, food waste will be accepted along with garden waste in the green-top bin - educational advertising on City webpage	Quantitative	Post rollout audit	Working closely with the Town of Bassendean, EMRC, Cleanaway and the Waste Authority.	Ongoing communications with residents and key stakeholders.
Recycling within multi-unit developments	The City ran an education program within a large multi-unit development to reduce contamination and help divert waste from landfill. The program was run in conjunction with local community groups and representatives from the Council of Owners.	Quantitative	Pre and post audit	Simple messaging was used. There was cooperation from all parties involved. All understood the importance of diverting the waste and they worked together to achieve a common goal. By involving local community groups there was more buy-in from residents within the complex. The residents self-regulated issues around contamination.	Nil - will continue to rollout same format within other MUDs.

Home Composting Program	The City and Environment House conducted workshops and distributed compost bins to participants. The workshops covered the skills and knowledge people would need to set-up a worm farm, compost bin or bokashi system at home, and tips on how to reduce the amount of household waste going to landfill.	Quantitative	Pre and Post Survey - the success of the program will be measured by a reduction in kerbside bin weight, participant surveys and the number of businesses and households participating.	The City's intention is to make this a permanent community initiative, with workshops being held throughout the year. The aim is to engage with local groups, schools, residents and businesses and proactively address the issues of recycling, bin contamination, waste diversion and reduction and composting.	Development of online resources.
Battery/ Light globe collection	The City provides designated battery and light globe stations at various locations within the City of Bayswater. The program is run in conjunction with the EMRC and local primary schools.	Quantitative	Ongoing audit	Specially designed cabinets have been placed in shopping centres and Council owned buildings which is convenient for residents. Simple messaging is used. There is cooperation from all stakeholders involved.	Increased promotion.
Bin Tagging Program	The City intends to undertake bin tagging at 1000 properties. Bin tagging is a method of providing direct feedback on the content of waste, recycling and greenwaste/ organics bins to residents by placing a tag on each bin to indicate if the contents are appropriate. The tags provide specific feedback on the content of the bin as well as some general guidance on what can and can't be placed in the kerbside bin	Quantitative	Pre and post audit	On hold due to COVID-19. Expected to recommence from March/ April 2021	N/A
Waste Education	Undertake waste education at local schools.	Qualitative	Pre and post report and survey,	School visits on hold due to COVID-19. An online module has however been developed.	Emphasise waste education around FOGO to facilitate rollout.

Additional comments *(local government to insert any additional comments that may be applicable)*

6.5 Data

Table 19 provides an opportunity to assess existing waste data practices, identify strengths and gaps and consider the kinds of data activities which could be included in the *Part 2 – Implementation Plan* to improve the local government's waste data. It should be completed based on the data/information covered in *Part 1* of this document, as well as the individual experience of the officer/s responsible for collecting and using waste data.

Where 'no', please comment on:

- the kinds of data that is missing, where data gaps exist
- barriers to collecting or accessing adequate data
- the kinds of data collection, analysis or reporting practices that are not currently in place which would assist local government waste management functions.

Table 19: Assessment of waste data (LG to complete the table)

	Please ✓		Comment
	YES	NO	
Does the local government have access to adequate waste data to complete Part 1 of the waste plan?	YES		
Does the local government use waste data when undertaking planning activities for waste projects/programs?	YES		
Does the local government have access to adequate waste data for this purpose?	YES		
Does the local government use waste data when monitoring or assessing waste projects/programs?	YES		
Does the local government have access to adequate waste data for this purpose?	YES		
Does the local government use adequate waste data to measure progress toward the targets and objectives of the Waste Strategy?	YES		
Does the local government have access to adequate waste data for this purpose?	YES		
Does the local government have access to adequate waste data to fulfil annual data reporting obligations under the WARR Regulations? (previously undertaken through the Waste and Recycling Census)	YES		

Are there any types of waste data that the local government does not currently collect or have access to that would be helpful/useful?	YES		The City currently does not capture the breakdown of the dumped rubbish collected. This information would be useful in relation to targeted education campaigns and the implementation of new strategies to address the specific materials being dumped.
Are there any ways which local government waste data collection, storage or use could be improved?	YES		Ongoing training of relevant staff in relation to waste data collection and storage.
Is the data collected by the local government accurate? Are any new strategies needed to improve accuracy?	YES		Ongoing communication with the City's waste contractors to ensure accurate and relevant data is continuing to be obtained.
Does the pre-filled data provided in this template align with the data the local government has? i.e. is this pre-filled data accurate?	YES		
Any additional comments?			

Part 1 - Services and performance

7.0 Summary

The purpose of *Part 1* of the waste plan is to consolidate information about current waste management practices, to enable you to assess and identify:

- current waste management performance
- alignment between current waste management practices and the Waste Strategy
- strengths and successes, as well as gaps and opportunities for improvement.

Table 20 provides space to analyse the data and information presented in *Part 1*, and should be used to determine waste management priorities for the short, medium and long term, and translate these priorities into actions in *Part 2 – Implementation plan (Table 21)*.

Table 20: Assessment of current waste management performance and prioritisation of future actions (Completing this table is optional)

Waste management achievements (for example, performance/achievement against Waste Strategy targets or objectives or where particular waste management objectives have already been met)	The City currently has a 3 bin kerbside collection system consisting of 240L general waste, 240L recycling and 240L green waste bins. The lids of the bins currently comply with the Australian Standards. The conversion of the green waste bin to a FOGO bin will align with the Waste Authority's Better Practice FOGO kerbside collection.
Opportunities for improvement (for examples, where performance against Waste Strategy targets or objectives could be improved or where waste management objectives have not been met)	The City is continuing to investigate opportunities to reduce the amount of waste being sent to landfill. The City intends to look at ways to improve training and the recording of data relating to illegal dumping sites.
Priority areas for action in Part 2 – Implementation plan	Ongoing (activities currently under way and/or continuously undertaken) The City is committed to the rollout of a kerbside FOGO collection service by the end of March 2021 (this was originally scheduled for July 2020, however was delayed due to COVID-19). Redevelopment of new Waste & Recycling Guides which incorporate FOGO. Community education and engagement initiatives.
	Short term (within the next 1-2 years) Survey of residents regarding the waste services provided at the Bayswater Transfer Station. Litter audit of main road leading to Bayswater Transfer Station. Collection of data for illegal dumping.
	Medium term (within the next 3-5 years) Policy and procurement options for recycleable waste for civil works.
	Long term (more than five years) N/A. However will continue to investigate waste management initiatives in accordance with the City's Strategic Community Plan for future implementation.

Part 2 - Implementation plan

This implementation plan outlines the actions which your local government will take over the next 5+ years to contribute to the achievement of relevant Waste Strategy targets and objectives. It is where the priorities described in the summary (*Part 1 – 7.0 Summary, Table 20*) are translated into actions. Please refer to the *Guidance Document* under sections: **4.0 How to complete Part 2 – implementation plan**, **5.0 Better practice** and **6.0 Waste management tools**, when developing this implementation plan.

Table 21: Implementation plan

Waste Management Tool	Action (OR link to existing local government plan/document that details this activity)	Is the action new or existing?	Detailed actions/sub-actions (OR link to existing local government plan/document that details this activity)	Milestones (SMART - Specific, Measurable, Achievable, Relevant, Timed)	Target (SMART)	Timeframe for delivery (completion date)	Cost of implementation incorporated into annual budget and Corporate Business Plan? Y/N (if not, why?)	Aligns to Waste Strategy Objective/s			Responsibility for implementation (branch, team or officer title, not the names of individual officers)	Identified risks (Impact/consequences and mitigation strategies)
								Avoid	Recover	Protect		
1	Waste services	New	1. In conjunction with <i>Better Practice Guidance FOGO - Better Bins GO FOGO</i> develop a business case to identify preferred service options. 2. Collaborate with the EMRC to identify FOGO processing capacity and options. 3. Present a business case identifying preferred service and implementation timeline to council. 4. Engage with and educate local community on FOGO methodology and implementation timeline. 5. Roll out FOGO service. 6. Undertake monitoring and evaluation (Bin Tagging).	1. Better Practice Guidance reviewed and business case completed and preferred service process options established by December 2020. 2. Liaise with EMRC on capacity and options by November 2020. 3. Present a Business case to Council by end of November 2020. 4. Commence soft launch of FOGO communications by December 2020. 5. Rollout of FOGO service by end of March 2021 (subject to COVID-19). 6. Monitoring and evaluation to commence in March 2021.	For at least 80% of residents to have access to FOGO by the end of March 2021. (The remaining 20% which includes Multi Unit Developments that have a bulk waste system, will have FOGO rolled out during "phase 2". This will be on a case by case basis with each development and is expected to be undertaken before the end of the 2022/23 financial year).	End of March 2021	Yes		✓		Sustainability & Environment Branch	Risks: Community resistant to change/uncooperative, contamination, lack of effective communication, poor rollout service, FOGO plant commissioning pushed out. Mitigation: Ensure ongoing and effective communication with all stakeholders and engage community, careful planning with effective milestones, have options for people with special needs/ large families, bin audits/ tagging to reduce contamination levels.
2	Waste infrastructure	New	1. Investigate and review potential waste initiatives for the Transfer Station. 2. Develop a survey for residents to complete in relation to potential waste services that could be incorporated at the facility 3. Review feedback provided and liaise with the operator of the facility.	1. Review of waste initiatives completed by end of 2021. 2. Survey developed in early 2022. 3. Feedback considered and negotiated with operator by end of 2022.	By the end of 2022 the Transfer Station will have improved quality of service and waste recovery.	End 2022	Yes	✓	✓		Environmental Health Branch and Community Engagement Advisor	Risks: Survey results are not aligned with objectives. Mitigation: effectively engage with all stakeholder's and provide clear messaging around the facility and the importance of the proposed use.
3	Data	New	1. Undertake an audit on the amount and type of litter located along the main roads leading to Bayswater Transfer Station. 2. Using all media platforms (including posters at the transfer station) release/advertise the Unsecure Load Unsafe Road campaign from Keep Australia Beautiful. 3. Following the campaign undertake a second audit to ascertain its effectiveness.	1. Undertake 1st audit by November 2021. 2. Media release of Unsecure Load Unsafe Road campaign for 3 months following initial audit. 3. Undertake 2nd audit and report findings to stakeholders by late 2022.	By mid 2022 the City will be aware of the impact Collier Road Transfer Station has/had on the amount of litter deposited on roads leading to it.	Mid to late 2022	Yes	✓	✓	✓	Environmental Health Branch and Rangers & Security Branch	Risks: Inaccurate/ meaningless data and ineffective advertising/ community engagement. Mitigation: Ensure agreed action plan by stakeholders prior to audit, coordinate with the City's media department to allow the rollout of the campaign to have the maximum effect.
4	Data	New	1. Align the WALGA Model Process: Illegal Dumping to the present and future objectives of the City. 2. disseminate these principles and objectives of the WALGA Model to all stakeholders, specifically educating and training field officers and Rangers	1. Stakeholder engagement and review of the WALGA Illegal Dumping Model Process by April 2021. 2. Implement new objectives focussing on data capture and reporting by the end of 2021.	The WALGA guidance in conjunction with existing policies and procedures will improve customer service, internal and external communication and resource recovery. It will also increase the understanding of associated costs of managing and responding to illegally dumped waste. The trends identified through increased data capture will assist in developing business cases for action.	End 2021	Yes	✓	✓	✓	Parks and Gardens, Rangers and Security Branch and Environmental Health Branch	Risks: Inconsistent data capture due to lack of training or technology, Stakeholder inaction following the submission of field reports. Mitigation: Structured training for all field officers and investment in new technologies for data capture where appropriate,

7	Behaviour change programs and initiatives	Community Education and Engagement Initiatives	New	1. Review current and future initiatives, including Planet Ark's Clean Up Australia Day, Plastic Free July and Keep Australia Beautiful adopt a Spot Program. 2. Publicise and advocate initiatives using consistent messaging on City webpage in-line with Waste Strategy goals. 3. Engage with the EMRC for assistance in propagating the initiatives at planned community events. 4. Request feedback from residents participating in initiatives and publicise success stories on City webpage.	1. Existing and future initiatives established, and City web page updated accordingly. EMRC assistance sought for consistent messaging and representation at community events by September 2021. 2. Participating resident feedback request initiated and results published on City Webpage by December 2021.	By the end of 2021 the City will have contributed to positive resident participation in recycling and environmental protection initiatives in-line with Waste Strategy principles. The City aims to engage with more than 80% of residents.	End 2021	Yes	✓	✓	✓	Environmental Health Branch, Rangers & Security Branch, Community Engagement Advisor	Risks: Insufficient/ ineffective advertising or community engagement initiatives. Stakeholders unaware of current initiatives or grants available. Mitigation: ongoing dialogue with WALGA, Waste Authority and the EMRC to ensure contemporaneous initiatives, grants and information is available to the City for appropriate action, clear and meaningful messaging to actively encourage local community participation and feedback.
5	Policies and procurement	Investigate the possibility of utilising recovered waste material generated through the Roads to Reuse scheme in civil engineering projects	New	1. Stakeholder meeting with the Engineering Branch to advise them of the Roads to Reuse Scheme and to ascertain the engineering materials they require, and if the end product generated through the scheme is a viable option. 2. Determine whether there is alignment with the WARR Strategy circular economy principles. 3. Undertake small trial using recovered materials in civil works project and develop a report on completion. 4. Stakeholder meeting following the trial to review success/failures and the future adoption of the scheme in civil works activities.	1. Stakeholder meeting - January 2023. 2. Review of the end products and their suitability for use - February 2023. 3. Civil works trial utilising the recovered material April 2023. 4. Report generated and review meeting held - mid 2023.	By the end of 2023 the City will have piloted a new scheme using circular economy and sustainable procurement principles to establish if Road to Reuse materials are suitable for ongoing specific civil works activities.	End 2023	Yes	✓	✓		Engineering Works and Environmental Health Branch	Risks: Material is contaminated, unsuitable for use or the report following trial is inaccurate. Mitigation: Material is sourced only from Waste Authority approved suppliers with certified material analysis results, various suppliers and associated materials investigated to ensure suitability for specific activities, trial is closely project managed to ensure resultant data is accurate and meaningful.
6	Behaviour change programs and initiatives	Re-design the waste and recycling guides to focus on FOGO (rollout subject to COVID-19).	New	1. Hold a stakeholder meeting to discuss issues and topics to be added. 2. Produce a draft calendar and circulate to stakeholders for comment. 3. New content agreed by stakeholders. 4. Deliver new waste and recycling guide to community and uploaded to City webpage with appropriate messaging advertised to accompany it.	1. Stakeholder meeting to be held in April 2021. 2. Draft guide generated and circulated for comment before June 2021. 3. New guide delivered and uploaded to City webpage by end of July 2021	New waste and recycling guides, which incorporates FOGO is delivered to the community before July 2021.	Mid 2021	Yes	✓	✓	✓	Environmental Health, Engineering Services and PR	Risks: Incorrect information publicised in the new guides. Community unaware of new guides. Mitigation: Draft guide circulated to relevant internal and external stakeholders/consultants to ensure validity of information/messaging.

Bin Audit Composition Category Details

Recyclables				
Recyclables	Paper	Recyclable Paper	Newspaper	Newspapers, Newspaper like pamphlets,
			Glossy Paper	magazines (glossy) pamphlets, present wrapping paper,
			Office Paper	A4 document paper, writing pads, letters, stationery papers, Print / Writing Paper, envelopes
			Coloured Paper	Coloured Paper
		Non-Recyclable Paper	Composite Paper	Composite paper items where the weight of the paper is estimated to be greater the weight of the other materials, envelopes with transparent windows
			Contaminated Paper	Paper towel, Paper Napkins, Contaminated Paper - soiled not recyclable
			Other Paper	Non-Recyclable Paper, greaseproof paper, paper with wax coating, high wet strength papers, telephone books
	Cardboard	Recyclable Cardboard	Corrugated Cardboard	Corrugated cardboard boxes,
			Packaged Flat Cardboard	packing boxes etc, cereal boxes, business cards, folding cartons
			Liquid Paper Board Foil Lined and Other	UHT / Long life milk, Soy Milk Cartons, some fruit juice cartons, Carbon barriers, Milk Cartons, Cardboard with wax coating, paper/disposable cups including biodegradable cups
		Non-Recyclable Cardboard	Composite cardboard	Composite cardboard items where the weight of the cardboard is estimated to be greater the weight of the other materials, e.g. pringle boxes etc.
			Contaminated Cardboard	Contaminated Cardboard e.g. pizza boxes
			Other Cardboard	Non-Recyclable Cardboard
	Plastics	Recyclable Plastics	PET #1	Soft drink bottles, juice bottles, some food & mouthwash containers (e.g. jam & sauce bottles, peanut butter jars) including coloured PET
			HDPE#2	Milk and cream bottles, shampoo and cleaner bottles, HDPE bottles, including coloured HDPE
			PVC#3	Cordial and Juice bottles, blister packs, plumbing pipes and fittings, PVC labels
			LDPE#4	Ice cream container lids, cream bottle lids, squeeze bottles, lids, builder's black plastic, black mulch film, plant nursery bags
			Polypropylene#5	Ice cream containers, drinking straws, pot plant pots, some bottle caps, plastic garden settings, potato crisp bags, compost bins
Contaminants (Non-Recyclable) Contaminants				
Organic	Organic	Organic	Food Waste	Vegetable scraps, meat scraps, animal food, leftover food, Food particles, Bones
			Green Waste	Grass clippings, tree trimmings / pruning's, flowers, tree wood
			Packaged Food Waste	(Liquid containers - quarter full or more) and (Food Waste in containers or bags)
			Other Putrescible	Animal excrement, mixed compostable items
	Other Organics	Other Organics	Wood/Timber	Milled wood / timber, wooden skewers
	Textiles	Textiles	Textiles	(Natural/Synthetic - Apparel/Bedding etc.), (Leather and Rubber)
			Other Textiles	Shoes, handbags, millinery etc
	Earth	Earth	Soil/Dust 'n' Dirt and Inert and Broken Glass, Ash/Coal	Vacuum bag contents, soil, rocks, dirt, grit, mud, Broken Glass less than 50mm in size
Ceramics, Rocks/Stones, Bricks, Concrete			Bricks and stones, Cups, bowls, pottery items, concrete	
Hazardous	Medical	Medical Waste	Pharmaceuticals	Unused prescription medicine, vitamins and Minerals
			Medical Waste	Band aids, Bandages, Used surgical gloves, Surgical instruments, Medical aids/kits, Medical devices and radioactive materials, any solid waste generated from a diagnosis, treatment of humans or animals, /Medical Other
			Hypodermic Syringes	Hypodermic Syringes, Epi Pens
	Pathogenic Infectious	Pathogenic Infectious	Sanitary / Hygiene	used tissues (items with any bodily fluids), tampons/pads, cotton buds)
			Nappies	Adult and Child disposable nappies
	Hazardous	Hazardous	Chemicals	Bleach, Shampoo, Cleaning Products, (where the weight of the product is estimated to be greater than the weight of the container)
			Paint	Wet/Dry Paint
			Batteries Household	Batteries (Single Use and Rechargeable), Mobile phone battery
			Batteries Other	Vehicle Batteries e.g. Car/Boat, Industrial batteries e.g. Power Supply (UPS)
			Fluorescent Tubes/Light Bulbs	
			Oil Household, Motor & Other	
			Building Material	
			Hazardous Other	Uncategorized hazardous waste

		Non-Recyclable Plastics	Polystyrene #6	Yoghurt / sour cream containers, hot drink cups, take away containers, plastic cutlery, video/CD boxes, packaging foam, any foam
			Plastic#7 Other	Tupperware, Mixed unidentifiable plastics, all other resins and multi-blend plastic materials
			Plastic Bags	Plastics Shopping Bags, Plastic Produce/Food Bags, Resealable Plastic Bags, Bin liners, Garbage bin liners, Compostable Plastics Bags
			Plastic Film	Cling film
			Composite (Mostly Plastic)	Composite plastic items where the weight of the plastic is estimated to be greater than the other material items
	Glass	Recyclable Glass (CDS Glass)	Glass Bottles	Beer/Cider Mixed Drinks, Soft drink bottles, not broken glass
		Recyclable Glass	Glass Other	wine bottles, food and sauce jars,
		Non-Recyclable Glass	Miscellaneous/Other Glass	Plate glass (window and windscreen), broken light globes glass, glass particles, Black or ceramic lined glass, including broken glass that is recyclable more than 50mm in size
	Ferrous (Steel)	Steel	Steel Cans	Food cans, pet food cans, tins, empty paint tins,
			Steel Aerosols	Aerosol cans
			Composite Ferrous (Mostly Ferrous)	Composite ferrous items where the weight of the metal is estimated to be greater than the other material items
			Ferrous Other	Beer bottle tops, 100% ferrous items that are not cans / tins / packaging materials
	Non Ferrous (Aluminium)	Aluminium	Aluminium Cans	Beer and soft drink cans,
			Aluminium Aerosols	Aluminium aerosol cans
			Aluminium Foil	clean foil
			Composite Non-Ferrous (Mostly Non-Ferrous)	Composite non-ferrous metal items where the weight of the metal is estimated to be greater than the other material items
			Non-Ferrous Other	Copper / brass / bronze items, other metals (not ferrous / aluminium), Aluminium tamper proof seals
Other	Electronic Waste	Electronic Waste	Toner Cartridges	Toner Cartridges
			Computer Equipment	Computer Components, Peripheral Devices/Computer Printer or Photocopier/Printer
			Mobile Phones	Mobile phones
			Electrical Items	Electrical Products
	Miscellaneous	Miscellaneous	Miscellaneous (Specify)	Any items not applicable to other categories

GLOSSARY		
Avoidance	Avoidance refers to the prevention or reduction of waste generation and is the most preferred option in the waste hierarchy.	
Better practice	Better practice refers to practices and approaches that are considered by the Waste Authority to be outcomes-focussed, effective and high performing, which have been identified based on evidence and benchmarking against comparable jurisdictions	
Commercial and industrial waste (C&I)	Solid waste generated by the business sector, State and Federal Government entities, schools and tertiary institutions.	
Commercial waste services	• Refers to drop-off, kerbside, vergeside or other waste services provided by the local government to commercial premises.	
	• Discretionary service, not offered by all local governments	
Construction and demolition waste (C&D)	Solid waste produced by demolition and building activities, including road and rail construction and maintenance, and excavation of land associated with construction activities.	
Disposal	• Disposal refers to the discharge of waste into the environment, either into landfill or another disposal route.	
	• Disposal is the least preferred option in the waste hierarchy.	
Drop-off facilities and services	• Drop-off collections are where reportable waste is delivered to the waste depot (drop-off facility) by the residents of the local government i.e. self-hauled waste.	
	• Services are provided to collect waste or recyclable materials.	
	• May be temporary or permanent standalone drop-off points for one or more materials, or may form part of other waste facilities (such as landfills or transfer stations).	
	• Note: this does not include HHW drop-off points	
Energy recovery	The process of extracting energy from a waste stream through re-use, reprocessing, recycling or recovering energy from waste	
Household hazardous waste (HHW) facility	• Refers to facilities for the drop-off and storage of HHW	
	• Includes consideration of the drop-off and storage procedures and infrastructure, staffing and resourcing, layout, operation and management HHW facilities, etc.	
Illegal Dumping	Illegal dumping is the unauthorised discharging or abandonment of waste and is an offence under Section 49A of the <i>Environmental Protection Act 1986</i> .	
	Illegally dumped waste is generally considered to have the following attributes:	
	Volume	> 1 cubic metre
	Environmental impact	Contains items/substances that are potentially noxious or hazardous; potential for environmental harm if material leaks, spreads or degrades
	Type of waste	Commercial or industrial waste; larger-scale household waste
	Reason for offence	Premeditated decision; commercial benefit or avoidance of fee
	Mode of deposition	Deposited using a vehicle
Kerbside waste services	• A regular, containerised collection service (often a wheelie bin) where the waste or recycling is collected from outside a resident's dwelling.	
	• Can apply to either recycling or general waste (and in a few instances green waste).	

Landfill	<ul style="list-style-type: none"> Refers to inert or putrescible waste, registered or licenced landfills 	
	<ul style="list-style-type: none"> Activities related to the layout, operation, management and post closure of a landfill. 	
	<ul style="list-style-type: none"> Includes consideration of the technology and infrastructure on site, staffing and resourcing, and any other waste facilities or services at the landfill site (e.g. greenwaste or recycling drop off, mulching, tip shop, etc.) 	
Litter	Litter is defined in the <i>Litter Act 1979</i> as including:	
	<ul style="list-style-type: none"> all kinds of rubbish, refuse, junk, garbage or scrap; and 	
	<ul style="list-style-type: none"> any articles or material abandoned or unwanted by the owner or the person in possession thereof, 	
	but does not include dust, smoke or other like products emitted or produced during the normal operations of any mining, extractive, primary or manufacturing industry.	
	Litter is generally considered to have the following attributes:	
	Volume	< 1 cubic metre
	Environmental impact	Nil or minor actual or potential environmental impact
	Type of waste	Personal litter
Local government waste management	Reason for offence	Unpremeditated, convenient disposal
	Mode of deposition	Deposited by hand (includes dropping by hand from a vehicle)
Local government waste management	<ul style="list-style-type: none"> Refers to waste generated by a local government in performing its functions 	
	<ul style="list-style-type: none"> Includes materials such as construction and demolition waste from road and footpath building and maintenance; greenwaste from parks maintenance; waste generated at local government offices, depots, and facilities 	
Municipal solid waste (MSW)	Solid waste generated from domestic (residential) premises and local government activities	
Peel region	The Peel region is the area defined by the Peel Region Scheme.	
Perth metropolitan region	The Perth metropolitan region or the Perth region is the area defined by the Metropolitan Region Scheme.	
Public place services	Public place waste services refers to permanent bins provided by local government in public places to collect waste and/or recycling.	
Recovery	The process of extracting materials or energy from a waste stream through re-use, reprocessing, recycling or recovering energy from waste.	
Reuse	Reuse refers to using a material or item again.	
Reprocessing	Reprocessing refers to using an item or material that might otherwise become waste during the manufacturing or remanufacturing process.	
Recycling	The process by which waste is collected, sorted, processed (including through composting), and converted into raw materials to be used in the production of new products.	
Residual Waste	<ul style="list-style-type: none"> Waste that remains after the application of a better practice source separation process and recycling system, consistent with the waste hierarchy as described in section 5 of the WARR Act. 	
	<ul style="list-style-type: none"> Where better practice guidance is not available, an entity's material recovery performance will need to meet or exceed the relevant stream target (depending on its source - MSW, C&I or C&D) for the remaining non-recovered materials to be considered residual waste under this waste strategy. 	
Special event waste services	Special event waste management refers to temporary bins and/or waste collection services provided by local government to manage waste generated at events such as fireworks displays, music festivals, sports events, markets etc.	

Sustainable procurement	Sustainable procurement involves meeting a need for goods and services in a way that achieves value for money and generates benefits not only to the organisation, but also to society and the economy, while minimising damage to the environment.
Transfer station	<ul style="list-style-type: none"> • Refers to facilities which undertake large scale consolidation of waste or recyclable materials for transfer to another facility for processing or disposal • Activities related to the layout, operation and management of a transfer station • Includes consideration of the technology and infrastructure on site, staffing and resourcing, and any other waste facilities or services available at the site (e.g. greenwaste or recycling drop off, mulching, tip shop, etc.)
Vergeside waste services	<ul style="list-style-type: none"> • Vergeside collection services are bulk, infrequent (~every 4-6 month or on demand) services. • Material is collected from residential 'vergesides' either non-containerised or in a skip provided by the local government. Vergeside services may relate to green waste or hard waste • Includes waste and/or recyclable materials that may be mixed or separated and the source and can include green waste or hard waste.
Waste services	<p>Waste services are defined by the <i>Waste Avoidance and Resource Recovery Act 2007</i> as the:</p> <ul style="list-style-type: none"> • the collection, transport, storage, treatment, processing, sorting, recycling or disposal of waste; or • the provision of receptacles for the temporary deposit of waste; or • the provision and management of waste facilities, machinery for the disposal of waste and processes for dealing with waste.

10.4.2 Tender Assessment Report – RFT 02-2020 Preventative Maintenance and Repairs to Pool Plant at Bayswater Waves Aquatic Centre

Responsible Branch:	Recreation	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	Confidential Attachment 1. Tender Assessment Report	
Refer:	NA	

Confidential Attachment(s) – in accordance with Section 5.23(2) (e) of the Local Government Act 1995 – a matter 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.**

SUMMARY

- For Council to consider the awarding of Tender 02-2020 Preventative Maintenance and Repairs to Pool Plant at Bayswater Waves Aquatic Centre.
- Submissions in response to the request for Tender 02-2020 were received from:
 - Commercial Aquatics
 - Complete Aquatic Services
 - Trisley Hydraulic Services
 - Pool Pump Service Repairs

OFFICER'S RECOMMENDATION

That Council awards Tender 02-2020 for Preventative Maintenance and Repairs to Pool Plant at Bayswater Waves Aquatic Centre to Pool Pump Service Repairs in accordance with their tender submission dated 29 September 2020 for a period of five years with option to extend for a further 2 years.

BACKGROUND

Bayswater Waves has an ongoing requirement for the preventative maintenance and repairs to pool plant. The current Contractor agreement is due to expire at the end of December 2020. A tender process was entered into which included updating the scope of works to accommodate all contingencies, including unscheduled callouts.

Tender RFT 02-2020 was advertised on the 12 and 19 of September 2020 and closed at 4.00pm Monday, 28 September 2020.

EXTERNAL CONSULTATION

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

OFFICER'S COMMENTS

Four tender submissions were received and are listed below:

- Commercial Aquatics
- Complete Aquatic Services
- Trisley Hydraulic Services
- Pool Pump Service Repairs

The following selection criteria and weightings provided the framework for tender assessment:

Description of the Qualitative Criteria	Weighting
Capacity	20%
Demonstrated experience in completing similar aquatic facility work	10%
Demonstrated understanding of the required tasks	10%
Benefit to the local community	10%
Tender Price	50%

All four companies met the mandatory requirements and the detailed assessment of the tenders is shown in Attachment 1 to support the recommendation.

The final scores are summarised below:

AGGREGATED EVALUATION TABLE						
TENDERER	Capacity	Demonstrated experience	Demonstrated understanding	Benefit to Local Community	Tender price	TOTAL
Commercial Aquatics	17.3%	6.66%	8%	4%	33%	68.96%
Aquatic Services	17.3%	8.6%	6%	4%	50%	85.9%
Trisley Hydraulic	18.6%	6%	10%	4%	32%	70.6%
Pool Pump Service Repairs	14.6%	8.6%	10%	7.3%	47%	87.5%

Pool Pump Service Repairs provided the lowest hourly rates and comparative lump sum amount and received the highest overall score for the qualitative aspects, including expertise and response capability.

The evaluation panel recommends that Pool Pump Service Repairs be awarded the contract based on pricing, industry experience and response times. Due to the complex servicing and maintenance requirement of the plant the agreement term is set for 5 years with an additional option of 2 years at the discretion of the City.

LEGISLATIVE COMPLIANCE

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

All tenderers have indicated that they do not have any conflicts of interest in the performance of their obligations under the contract.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council awards Tender 02-2020 for Preventative Maintenance and Repairs to Pool Plant at Bayswater Waves Aquatic Centre to Pool Pump Service Repairs in accordance with their tender submission dated 29 September 2020 for a period of five years with option to extend for a further 2 years.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	The tender submission from Pool Pump Service Repairs has been evaluated as the highest ranked tender in accordance with the selection criteria and weightings as detailed in the tender specification.	

Option 2	That Council awards Tender 02-2020 for Preventative Maintenance and Repairs to Pool Plant at Bayswater Waves Aquatic Centre to an alternate tenderer in accordance with their tender submission.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	High
Governance	Low	High
Community and Stakeholder	Moderate	Low
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
Conclusion	This option presents a high reputation and governance risk as it does not comply with the tender assessment process and would therefore be difficult to justify. This option is not aligned to the adopted risk appetite and may present a moderate financial risk due to the increased costs of alternative submissions.	

Option 3	That Council does not award Tender 02-2020 for Preventative Maintenance and Repairs to Pool Plant at Bayswater Waves Aquatic Centre.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	High
Financial Management	Low	High
Environmental Responsibility	Low	Low
Service Delivery	Low	High
Organisational Health and Safety	Low	Low
Conclusion	This option is not aligned to the adopted risk appetite and presents a high community and stakeholder risk. There would be an increased occurrence of asset break-downs which will negatively impact ongoing service delivery. This option also presents a high financial risk with the life expectancies of plant and equipment assets being significantly reduced.	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Maintenance and repairs are provided for in the respective operating budgets for the Bayswater Waves Aquatic Centre. Significant system upgrades are funded as projects through the capital works budget.

In accordance with the City's assessment requirements for new contractors as presented at the Audit and Risk Management Committee meeting of 12 May 2020 (item 8.4) and adopted by Council at its Ordinary Council Meeting 23 June 2020 (Item 10.5.1.4), a financial capacity assessment was conducted for Pool Pump Service Repairs. The report did not indicate any concerns.

Item 1: Preventative Maintenance and Repairs to Pool Plant at Bayswater Waves Aquatic Centre

Asset Category: Other

Source of Funds: Municipal

LTFP Impacts: NA

Notes:

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	N/A	**Confidential	N/A	N/A	Various	*\$399,247	\$92,870

*** Funding is provided under the existing operating budget.*

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), 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.

CONCLUSION

The tender submission from Pool Pump Service Repairs has been evaluated as the highest ranked tender in accordance with the selection criteria and weightings as detailed in the tender specification. Accordingly, it is recommended that Council accepts the submission from Pool Pump Service Repairs and award Tender 02-2020 for the Preventative Maintenance and Repairs to Pool Plant at Bayswater Waves Aquatic Centre to Pool Pump Service Repairs in accordance with their tender submission dated 29 September 2020.

10.4.3 Request for Waiver of Fees

Responsible Branch:	Recreation	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	Nil	
Refer:	Item 13.3 OCM 07.04.2020 Item 10.4.3 OCM 21.07.2020	

SUMMARY

- Following the easing of restrictions related to the COVID-19 pandemic the City wrote to short term, seasonal and casual hirers of City facilities to ascertain the financial impact of the pandemic.
- The correspondence prompted three requests for waiver/reduction of facilities fees. These requests came from iCollege, the Noranda Tennis Club and the Bayswater Football Club.

OFFICER'S RECOMMENDATION**That Council:**

1. **Declines the request from iCollege to waive casual facility hire charges incurred during February and March 2020.**
2. **Declines the request from the Noranda Tennis Club to review and reduce the 2020/21 annual court hire fees by 50%.**
3. **Declines the request from the Bayswater Football club to reduce game fees by 50%.**
4. **Authorises the Chief Executive Officer to negotiate a payment plan for City of Bayswater fees and charges to relieve financial pressure for iCollege, the Noranda Tennis Club and the Bayswater Football Club.**

BACKGROUND

Council at its Ordinary Council Meeting held 7 April 2020 considered rental charges for community and commercial tenants, and resolved as follows:

"That Council, in response to the COVID-19 pandemic and the resulting financial impact on the City's community and commercial tenants:

1. *Waives the rental charges for six months (from April to September 2020) for all community leaseholders.*
2. *Waives the rental charges for six months (from April to September 2020) for commercial leases, except for telecommunications carriers and those at Bayswater Waves and The RISE."*

This resolution covered leases on clubrooms and some commercial tenants but did not cover sporting club seasonal and/or annual ground hire fees or casual room hire agreements as restrictions relating to the COVID pandemic did not allow these activities to take place. As restrictions eased, it was possible for these groups to recommence some operations, albeit in a restricted capacity. This led to a request from the Bayswater Lacrosse Club for financial assistance with ground hire fees.

Council, at its Ordinary Council Meeting held 22 July 2020, considered a request by the Bayswater Lacrosse Club to waive ground hire fees incurred for the winter season, and resolved the following:

“That Council:

1. *Declines the request from the Bayswater Lacrosse Club to waive ground hire fees until 18 October 2020.*
2. *Authorises the Chief Executive Officer to negotiate a payment plan for ground hire fees for the Bayswater Lacrosse Club.”*

EXTERNAL CONSULTATION

Sporting Clubs, groups and organisations were consulted in an attempt to gain a thorough understanding of the impacts of the COVID-19 pandemic.

OFFICER'S COMMENTS

As restrictions related to the COVID-19 pandemic were eased, and organisations returned to near-normal levels of activity, the City proactively wrote to all short term, seasonal and casual hirers of City facilities. This communication sought to ascertain the financial impacts of the COVID pandemic on hirers with feedback requested by 31 August 2020. The correspondence resulted in three requests for financial assistance detailed in this report. One of the requests was from a commercial operator and the other two were community sports organisations. Associated rental and ground fees remain outstanding pending Council resolution.

iCollege

iCollege are a commercial vocational training provider based at the RISE that cater predominantly to international students. Operations have been significantly impacted by travel restrictions that were put in place at the end of January 2020. The restrictions were implemented whilst many of iCollege students were on break overseas and were unable to return to their studies in Australia. iCollege moved quickly to develop online theory based training; however, they have advised that students have requested course fee waivers citing a lack of desired progression due to the absence of one on one classroom attention and the lengthy suspension of practical based training. As such, iCollege have advised that they have incurred venue hire charges for classes that were run below their intended capacity.

iCollege approached the City requesting financial assistance with venue hire charges incurred at The RISE during February and March 2020. The casual hire fees vary as room hire is based on operational need which varies from month to month. These are summarised in the table below:

Month	Casual Facility Hire Charges
February 2020	\$11,221.50
March 2020	\$10,858.50
Total	\$22,080.00

It is noted that lease fees for the iCollege administration office and café at the RISE were waived between April and September 2020. These fees are not included in the casual facility hire charges above.

As iCollege is a commercial entity and facilities were hired under a casual arrangement it is considered appropriate not to waive hire fees as the rooms were used. iCollege have since diversified their course offering to attract additional local students and continue to utilise rooms at the RISE.

Noranda Tennis Club

The Noranda Tennis club have advised that the COVID-19 pandemic has significantly impacted the ability to maintain their membership base. The club advises that membership has dropped by more than 50% with many aging club members deciding not to re-join, making it difficult to raise enough revenue to cover club expenses. The club has advised that the adverse financial situation has been compounded further by the costs incurred for sub-leasing the previously shared club rooms from the Noranda Netball Association. The club advises that annual costs incurred for sub-leasing two rooms from the current leaseholder has created additional financial burden. The Club further advises that courts at the Noranda Tennis club are fully maintained by volunteers with no assistance provided from the City for cleaning, weeding and damage. As such, they have requested the City reassess the remaining annual hire fee amount to provide a reduction that will assist them in their COVID-19 recovery.

Bayswater Football Club

The Bayswater Football Club have requested the City provide a reduction to their fixtured ground hire fees. The club incurs annual charges of \$550 per senior team. This fee helps to cover upkeep costs for the City reserve. In 2019, the club had nine home games and in 2020, this amount reduced to four home games. Due to this reduced fixture, the club has requested a 50% reduction to fixture fees.

The financial implications are detailed in the table below:

Organisation name	Annual hire / Fixture fees	COVID-19 approved fee reduction	Remaining annual hire / Fixture fees	Proposed 50% reduced fee
Noranda Tennis Club	\$2,600.00	\$550.00	\$2,050.00	\$1,025.00
Bayswater Football Club Fixture fees	\$1,650.00	\$0.00	\$1,650.00	\$825.00

Council has considered and declined previous requests acknowledging the effect that the pandemic has had on the community and has agreed to negotiate payment plans for fees and charges incurred. With current levels of restriction relating to the pandemic having eased significantly, it is recommended that a consistent treatment be applied as per the officer's recommendation.

LEGISLATIVE COMPLIANCE

Nil.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council:
	<ol style="list-style-type: none"> Declines the request from iCollege to waive casual facility hire charges incurred during February and March 2020. Declines the request from the Noranda Tennis Club to review and reduce the 2020/21 annual court hire fees by 50%. Declines the request from the Bayswater Football club to reduce game fees by 50%.

	4. Authorises the Chief Executive Officer to negotiate a payment plan for City of Bayswater fees and charges to relieve financial pressure for iCollege, the Noranda Tennis Club and the Bayswater Football Club.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	There are low to moderate risks associated with this option, as it will ensure accountable and good governance and show consistency with previous decisions. There is a moderate community and stakeholder risk associated with this option however it is considered manageable when compared to Options 2 & 3 and is within the City's risk tolerance. The City will continue to work with the organisations to negotiate payment agreements. This option is recommended.	

Option 2	That Council: <ol style="list-style-type: none"> Declines the request from iCollege to waive venue hire charges incurred during February and March 2020. Approves the request from the Noranda Tennis Club to reduce the annual court hire fees by 50% Approves the request from the Bayswater Football club to reduce fixture fees by 50%. Authorises the Chief Executive Officer to negotiate a payment plan for City of Bayswater fees and charges to relieve financial pressure for iCollege. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	There are risks associated with this option, as it is not consistent with previous decisions. This has potential to reignite previous, or encourage additional, requests for financial assistance that would create financial implications for the City.	

Option 3	That Council: <ol style="list-style-type: none"> Approves fee waiver requests from iCollege, the Noranda Tennis Club and the Bayswater Football Club. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	High
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	This option presents with moderate reputational risk to the City and is not aligned with Council's previous decision to decline a fee waiver request from the Bayswater Lacrosse Club.	

FINANCIAL IMPLICATIONS

The financial implications relating to the requested waiver/reduction of hire fees are detailed above.

STRATEGIC IMPLICATIONS

Proceeding with Option 1 will ensure accountable and good governance as it ensures full payment of the amount owed by all three organisations.

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), 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.

CONCLUSION

It is considered that the COVID-19 pandemic has significantly impacted many organisations within the City of Bayswater. Whilst waiving/reduction of fees for iCollege, the Noranda Tennis Club and the Bayswater Football Club is an option it is not consistent with previous Council decisions. With operating restrictions now significantly eased it is recommended that the requested fees are not waived/reduced, rather the City works with organisations to develop suitable payment plans.

10.4.4 Proposed Two Storey Grouped Dwelling - Lot 5, 5/11 Neville Street, Bayswater

Applicant/Proponent:	BGC Residential	
Owner:	Samuel Mancini	
Responsible Branch:	Development Approvals	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. Plans for Development 2. Alternative Dwelling Examples for Overshadowing Confidential Attachment 3. Submission Locality Plan	
Refer:	N/A	

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

SUMMARY

A planning application has been received for proposed two storey grouped dwelling at Lot 5, 5/11 Neville Street, Bayswater. The proposed development includes variations to the Residential Design Codes (R-Codes), including lot boundary setbacks, street setbacks, open space, visual privacy and boundary wall height and length; however the principal issue is the variation to the permitted amount of overshadowing. Given the overshadowing proposed does not meet the deemed-to-comply or design principles of the R-Codes, the applicant has requested that the Council determine the application. One objection was received from an adjoining property owner during the community consultation process.

OFFICER'S RECOMMENDATION

That Council grants planning approval for the proposed two storey grouped dwelling at Lot 5, 5/11 Neville Street, Bayswater in accordance with the planning application dated 4 May 2020 and plans dated 22 September 2020 (as contained in Attachment 1), subject to the following conditions:

- 1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.**
- 2. The approved parapet/boundary wall and footings abutting the northeastern and southwestern boundaries must be constructed wholly within the subject allotment. The external surface of the parapet/boundary wall shall be finished to a professional standard, to the satisfaction of the City of Bayswater.**
- 3. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater.**
- 4. The proposed driveways being constructed with brick paving or concrete to the satisfaction of the City of Bayswater.**
- 5. All vehicle crossings being upgraded, designed and constructed to the satisfaction of the City of Bayswater.**
- 6. A detailed landscape plan shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a Building Permit application. For the purpose of this condition, the plan shall be drawn with a view to reduce large areas of hard stand in passive areas and show the following:**

- (a) The species, size and number of new plants to be planted.
- (b) The location of any new lawn areas to be established.
- (c) Those areas to be reticulated or irrigated.
- (d) One standard tree and associated growth zone with a radius of 2.0m is to be provided within the lot in accordance with the *City's Trees on Private Land and Street Verges Policy* to the satisfaction of the City of Bayswater.

Landscaping and reticulation shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.

- 7. Any new front fencing is to comply with the requirements of the Residential Design Codes to the satisfaction of the City of Bayswater.
- 8. Revised plan(s) addressing the following matters shall be submitted to and approved by the City of Bayswater prior to the lodgement of a building permit application, and not result in any greater variation to the requirements of the Residential Design Codes and the City's policies:
 - (a) The Juliet balcony overlooking the cone of vision less than 7.5m to the southwest boundary to 4/11 Neville Street, Bayswater being screened with a permanent obscure material and be non-openable to a minimum of 1.6m above the respective finished floor level, in accordance with the Residential Design Codes.

Alternatively, prior to the submission of a building permit application, these revised plans are not required if the City receives written consent from the owners of 4/11 Neville Street, Bayswater stating no objection to the respective proposed privacy encroachment(s).

- 9. All street tree(s) within the verge adjoining the subject property are to be retained and shall have measures consistent with AS 4970-2009 undertaken to ensure their protection during construction of the subject development to the satisfaction of the City, including but not limited to the following:
 - (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
 - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
 - (c) All activities related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.
 - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
 - (e) The tree(s) shall be provided with supplemental water during any construction period falling over summer, with a minimum of 150 litres being provided per week.
 - (f) Should any works be required to be undertaken within the TPZ, approval must be given by the City prior to entering this zone. You may be required to seek

advice from an Arborist about the type of works being undertaken, this information is to be assessed by the City as part of the approvals to enter.

- (g) Any new crossover shall maintain a minimum clearance of 2.0m from the base of a street tree(s).
10. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

Advice Notes:

1. To activate the planning approval, the development subject of this approval must be substantially commenced within a period of four years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without further approval of the City having first been sought and obtained.
2. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.
4. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.

BACKGROUND

Application Number:	DA20-0208
Address:	Lot 5, 5/11 Neville Street, Bayswater
Town Planning Scheme Zoning:	Medium and High Density Residential R25
Use Class:	Grouped Dwelling - 'P'
Lot Area:	310m ²
Existing Land Use:	Vacant Lot
Surrounding Land Use:	Single Houses, Grouped Dwellings, Local Public Open Space
Proposed Development:	Two Storey Grouped Dwelling

A planning application has been received for proposed two storey grouped dwelling on a vacant lot at 5/11 Neville Street, Bayswater. The subject site is located at the rear (eastern end) of the original parent lot which was subdivided into six lots with access from a common property access way. The lot is 8.72m wide and has a north-western orientation, which has resulted in variations including but not limited to overshadowing.



EXTERNAL CONSULTATION

The City sought comment for the application from the owners and occupants of nearby affected properties for a period of 14 days. At the completion of the advertising period, one objection was received. One additional comment of support was provided from the north-eastern property. Details of the submission, applicant response and officer comments are stated below.

ISSUE	NATURE OF CONCERN	APPLICANT'S RESPONSE	OFFICER COMMENT
Overshadowing	Concern for any development, which does not comply with the R-Codes. Concern in relation to overshadowing and any impact on solar panels.	<p><i>"The reduced setbacks and overshadowing cast are an inevitable consequence of reasonable development of the lot.</i></p> <p><i>"There are two major openings to the living room at the rear of the dwelling whereby modelling confirms these windows would only be impacted at certain times of the day/year at a maximum at the winter solstice but are reduced for the remainder of the year."</i></p> <p><i>"These windows also contain major openings in the rear elevation. This is the primary outlook for the room and would not be impacted. The dwelling only overshadows the windows in winter months and the subject room is served by other major openings, which are not impacted by the development, and any impact to visual amenity or light is not unreasonable. The building bulk at the front of the property ensures the OLA is not subject to overshadowing other than during winter in morning and noon."</i></p> <p><i>"The 3D modelling confirms the impact is not unreasonable in terms of the impact on solar panels. The impact on the solar panels is at its maximum at the winter solstice with a maximum of 10%-30% of these panels impacted."</i></p>	Refer to the 'Officer's Comments' section of the report.

OFFICER'S COMMENTS

Key Scheme Provisions	Required	Provided	Assessment
Minimum Setbacks:			
Front	1.5m	2.1m (Porch)	Compliant
	2.5m	1.0m (Upper – Bed 2/3)	Variation
Side (North-east)	1.5m	Lower - 1.049m - 1.2m (Total Length)	Variation
	1.3m	Upper 2.1m (Bed 2 – Master)	Variation
Side (South-west)	1.6m	4.4m (Total Length)	Variation
	1.5m	Lower - 1m (Living/Dining)	Variation
		2.0m (Total Length)	Compliant
	1.2m	Upper – 1.3m (Bed 3 – IT Nook)	Compliant
	2.0m	1.3m (Ensuite)	Compliant
		2.0m (Total Length)	Compliant
Rear (East)	1.1m	4.6m-6.8m	Compliant
Boundary Wall:			
Maximum Wall Height -			
Side (North-east)	3.5m	3.8m (Living/Dining)	Variation
		3.7m (Bed 4)	Variation
(South-west)	3.5m	3.7m (Garage)	Variation
		3.2m (Laundry/Kitchen)	Compliant
Average Wall Height -			
Side (North-East)	3.0m	3.0m (Living/Dining)	Compliant
		3.0m (Bed 4)	Compliant
(South-west)	3.0m	2.9m (Garage)	Compliant
		3.2m (Laundry/Kitchen)	Variation

Maximum Wall Length - Side (North-east)	9.0m or 1/3 length (11.4m)	5.49m + 7.09m (12.58m)	Variation
Maximum Wall Length - Side (South-west)	9.0m or 1/3 length (10.63m)	8.08m + 8.4m (16.48m)	Variation
Maximum Building Height:			
Wall Height	6.0m	6.0m	Compliant
Roof Pitch Height	9.0m	6.9m	Compliant
Concealed Roof Height	7.0m	6.7m	Compliant
Minimum Open Space	50%	48.3%	Variation
Maximum Overshadowing of Adjoining Property	25%	37%	Variation
Visual Privacy	7.5m (Juliet Balcony)	1.6m (north) 4.6m (south)	Variation

Assessment of the proposal indicates that it meets the deemed-to-comply requirements of the Residential Design Codes (R-Codes) with the exception of minimum front boundary setback, lot boundary setbacks, open space, visual privacy, boundary wall height and length and maximum overshadowing of an adjoining property.

Given the design proposed and the subsequent overshadowing proposed by the application, a number of discussions and amendments to the design during the planning process have occurred.

Street Setback

The proposed upper floor street setback of the dwelling is 1.0m in lieu of 2.5m as per the requirements of the R-Codes. The section of the dwelling overhangs the garage and porch on the ground floor of the dwelling.

The proposed upper floor overhang includes two large window openings and flat roof that will limit the scale and impact of the dwelling when viewed from the adjoining properties along the access way. The portion of wall is proposed as a darker render colour to the ground floor which provides some interest to the design of the façade.

The setback of the upper floor is considered to contribute to the emerging streetscape pattern with the adjoining property at 4/11 Neville Street setback between 0.3m to 1.749m, whilst stepping back to 6/11 Neville Street, which has a setback of 5.5m.

The design incorporating the overhanging upper floor also assists to reduce the amount of overshadowing that would otherwise result from the upper floor being located further to the rear of the dwelling.

Based on the above, the variation is supported accordingly.

Lot Boundary Setbacks – North East

The proposed dwelling provides variations to lower floor setback of 1.049m in lieu of 1.5m and 1.3m in lieu of 2.1m to the upper floor. This portion of the dwelling abuts an existing boundary wall and roof on the adjoining property at 6/11 Neville Street and will have no impact to the adjoining property.

The remainder of the upper floor on the northeast side which includes the Juliet balcony, has a setback of 1.6m in lieu of 4.4m and as it only abuts the roof of the adjoining property will have no impact.

Given the above, the lot boundary setback variations along the northeast façade of the dwelling are supported.

Lot Boundary Setbacks – South West

The section of wall at the rear (living/dining) with a setback of 1.0m, presents a variation of 0.5m to the required 1.5m setback.

The proposed lower southwestern portion of wall of the dwelling includes two boundary walls, with the remaining lot boundary setback between 1.0m – 2.0m from the boundary.

This section of wall is adjacent to an existing side setback area of the adjoining property, however given the 1.0m setback proposed, the section of wall will still enable access to light and ventilation to the subject site and adjoining property alongside; this variation to the lot boundary setback is supported accordingly.

Boundary Wall Length and Height

The proposed development includes boundary walls on both side boundaries in lieu of one boundary. This variation is not unreasonable given the 8.72m width of the lot and in view of the adjoining dwellings also having boundary walls on two boundaries.

Boundary Wall Length and Height – North East

The proposed northeast boundary walls are 12.58m in lieu of 11.4m and a maximum wall height of 3.8m in lieu of 3.5m.

This proposed portion of wall abuts an existing boundary wall section of the north-eastern adjoining property and will have no impact to the adjoining property. The adjoining owner has provided comment of support to the variations proposed. On this basis, the variation is supported accordingly.

Boundary Wall Length and Height – South West

The laundry/kitchen boundary wall together with the garage portion of wall is 16.48m in lieu of 10.63m. The laundry/kitchen boundary wall has an average wall boundary height of 3.2m in lieu of the 3.0m. The proposed garage boundary wall has a maximum wall height of 3.7m in lieu of 3.5m.

The laundry/kitchen section of wall abuts the side setback area of the adjoining property and the proposed wall length of 8.4m is not considered unreasonable given the narrow nature of the lot. The garage boundary wall abuts the existing garage boundary wall on the adjoining property, and therefore the additional boundary wall height will have no impact.

On the above basis, the variations to the boundary wall length and average wall height is supported accordingly.

Overshadowing

The dwelling proposes a variation to the deemed to comply overshadowing requirements of the R-Codes, which is 25% or 82.75m² overshadowing of the adjoining property to the southeast. The proposed overshadowing of 37% presents a 43.26m² variation or 12% overshadowing variation to the R-Codes requirement to 4/11 Neville Street at 12pm at the winter solstice (21 June). The variation proposed also does not meet the design principles of the R-Codes which requires design

to take into account the potential to overshadow existing outdoor living areas, north facing major openings to habitable rooms and roof mounted solar collectors.

The impact of overshadowing to the adjoining property as shown by the shadow diagram is along the length of the northern elevation. These areas of the adjoining dwelling include habitable rooms with two large window openings and an outdoor living area to the rear of the property. In addition, there are solar panels located on the roof of the existing garage and the roof of the first storey at the rear of the dwelling.

Notwithstanding given the east-west orientation of the lots and the narrow (8.72m) width of the lots, any two-storey dwelling will provide a significant amount of overshadowing to the adjoining southwestern property along its northern façade. Whilst the development proposes variations to the boundary wall length and height along the southern boundary these items are considered minor and the impact of these to a compliant overshadowing would be largely ineffectual.

The applicant has provided the following justification for the overshadowing proposed by the development:

“The dwelling to the south includes major openings facing the application site and an outdoor living area at the rear of the property. While it is noted the proposal would have an impact on this property, the design has been amended to reduce the amount of building bulk adjacent to the major openings and outdoor living area. The two major openings and the garage would be subject to overshadowing. The two major openings to the rear of the dwelling which form part of the living room. Overshadowing modelling has been conducted which confirms these windows would only be impacted at certain times of the day/year.”

Time	Impact on two living room window - approx. proportion of windows overshadowed by subject development
June 21 – 10am	92%
June 21 – midday	85%
June 21 – 2pm	33%
September 21 – 10am	40%
September 21 – midday	2%
September 21 – 2pm	0%
December 21 – 10am	0%
December 21 – midday	0%
December 21 – 2pm	0%
March 21 – 10am	50%
March 21 – midday	5%
March 21 – 2pm	0%

“It should also be noted the room these windows serve also contain major openings in the rear elevation. This is the primary outlook for the room and it would not be impacted by the proposal. Given the proposed development would only overshadow the windows in winter months and the subject room is served by other major openings which are not impacted by the development it is considered the impact to visual amenity or light is not unreasonable in the context of the site. The proposal has massed building bulk at the front of the property ensuring the outdoor living area is not subject to overshadowing other than during winter in morning and noon. The 3D modelling also confirms the overshadowing impact is not unreasonable in terms of impact on solar panels. The impacts shown in the modelling is summarised in the table below. Please note the table below lists the total number of panels impacted by the development not the entire panel is overshadowed on each occasion.”

Time	No. of Panels impacted (20 total)	% of Panels Impacted
June 21 - 10am	6	30% (6 panels)
June 21 - midday	6	30% (6 panels)
June 21 - 2pm	2	10% (2 panels)
September 21 - 10am	0	0%
September 21 - midday	0	0%
September 21 - 2pm	0	0%
December 21 - 10am	0	0%
December 21 - midday	0	0%
December 21 - 2pm	0	0%
March 21 - 10am	2	10% (2 panels)
March 21 - midday	0	0%
March 21 - 2pm	0	0%

“Overall it is considered the proposed development has made effective use of this constrained site and the impact on the neighbouring occupants is not unreasonable given the solar panels are largely unaffected.”

*“The City have requested an alternative plan which demonstrates compliance with the overshadowing. An example is included which still does not achieve compliance and incorporates a two storey boundary wall to the north, south facing courtyard and significant reductions to the living areas and bedrooms. The revised design severely compromises the amenity of the house. A basic single proposal is included on a site plan which also does not achieve compliance with overshadowing provisions (**Attachment 2**)”.*

On balance, when compared to a near compliant single or two-storey development, the proposed design has incorporated articulation and a narrow upper floor to reduce the impact on the adjoining property and to achieve maximum sunlight to habitable rooms and solar collectors for significant periods of the year outside of the winter solstice.

The subject property is the only remaining lot within the original subdivision. The adjoining lots also have boundary to boundary construction and overshadowing in excess of a compliant development. The adjoining property at 6/11 Neville Street was approved with an overshadowing variation in excess of the subject development at 45% (140m²) and the property at 4/11 Neville Street in excess of 100m² (4%), but within the permitted overshadowing requirements given the significant size of the adjoining property at 2400m².

Whilst the development does not meet the design principles of the R-Codes, given the lot characteristics and the existing built form of the immediate area of the original subdivided lot, it is considered the proposed overshadowing is not unreasonable for the subject property and that expected for a lot of this size and width and therefore considered supportable.

Open Space

The proposed dwelling provides for a 1.7% or 6.165m² variation to the permitted 50% requirement of the open space requirements of the R-Codes. The presence of a compliant outdoor living area to the rear at an area of 58m² as well as a 20m² internal courtyards will be sufficient for use by the residents. In addition, the close proximity (96m) of the recreational and open space available at Riverside Gardens to the property will provide recreational opportunities for the future residents of the subject dwelling and make up for any shortfall proposed. On this basis, the variation to open space is considered minor and is supported accordingly.

Visual Privacy

The development includes a small Juliet balcony on the upper floor, located off the master suite. The balcony is open on all façades and will enable overlooking to occur to both the northeastern and south-western adjoining properties. On the northeastern elevation, the balcony will overlook the roof of the adjoining property and the affected neighbour has provided support to the variation. The southwestern façade of the balcony will however allow overlooking into habitable rooms and on this basis, a condition is recommended for compliance with the visual privacy requirements of the R-Codes.

LEGISLATIVE COMPLIANCE

- State Planning Policy 7.3 Residential Design Codes Volume 1
- City of Bayswater Town Planning Scheme No. 24; and
- City of Bayswater local planning policies including Trees on Private Land and Street Verges.

OPTIONS

The following options are available to Council:

1. Council approves the development application in accordance with the Officer's Recommendation. The risks associated with this option is considered to be reduced due to the reasons given for the Officer's Recommendation.
2. Council approves the development application subject to deleted or alternate condition(s). The risks associated with this option is considered dependent on the reasons given for the deleted/alternate condition(s) and the nature of the deleted/alternate condition(s).
3. Council refuses the development application. The risks associated with this option is considered dependent on the reasons given for the application to be refused.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

The proposed development will provide an appealing internal streetscape façade and will contribute a quality built environment.

CONCLUSION

In light of the assessment of the proposal, the application is recommended for approval subject to appropriate conditions.

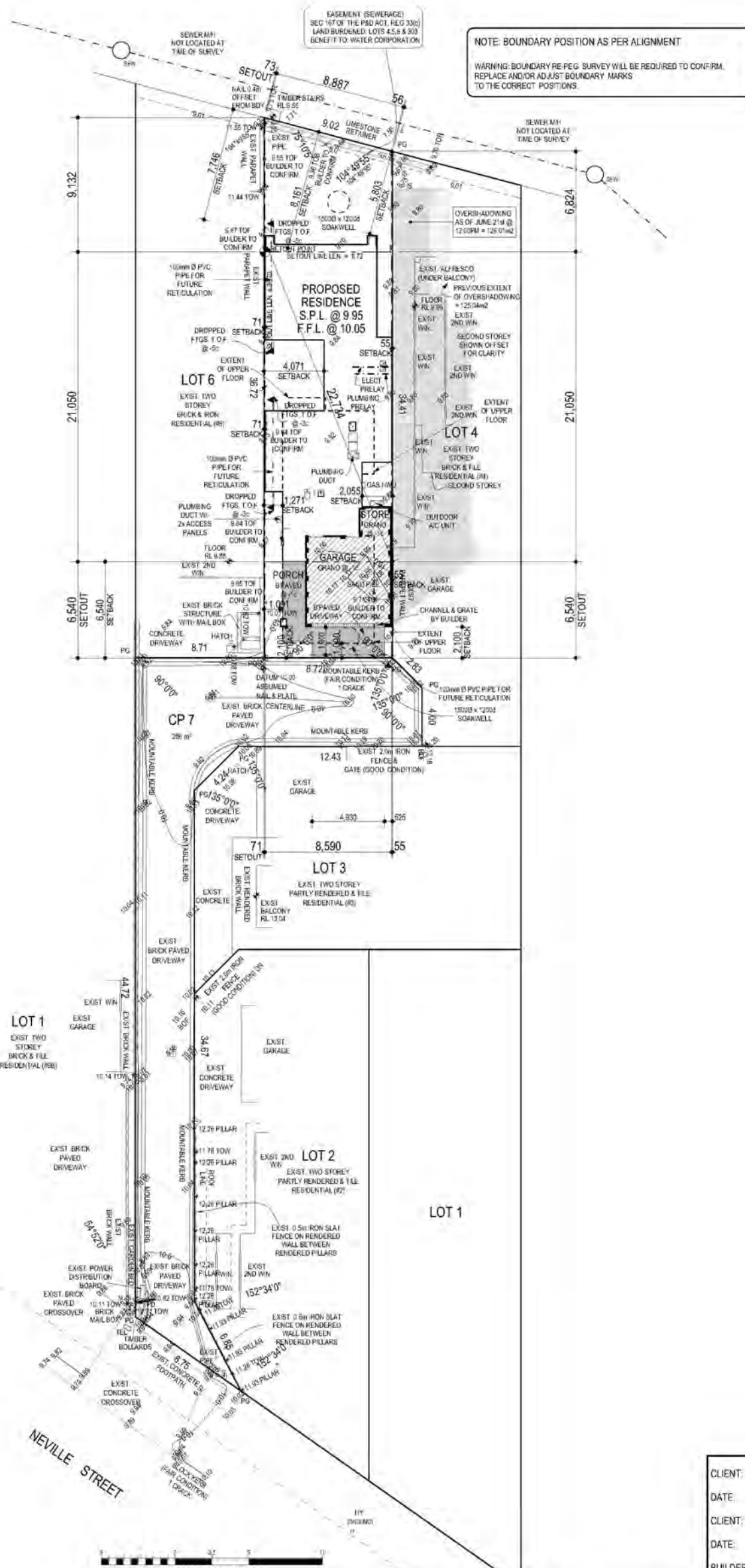
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NOTE:
DEVELOPMENT APPLICATION
REQUIRED DUE TO AN ADJACENT
NATURAL GROUND LEVEL
THERE BEING A POTENTIAL
OVERLOOKING FROM ADJACENT
TO RIGHT HAND SIDE BOULEVARD
AMENDMENTS TO DESIGN
REQUIRED SUBJECT TO CITY
ADVISE

- DEVELOPMENT APPLICATION FOR GROUPED DWELLING/S (LOTS WITH COMMON PROPERTY OR BUILT STRATA)
- DUAL BOUNDARY WALLS TO GROUND FLOOR
- GROUND FLOOR ENTRY SETBACK LIVING
- BOUNDARY WALL HEIGHTS
- FIRST FLOOR WALL LENGTHS VS SETBACKS
- OVERLOOKING FROM BALCONY
- GROUND FLOOR B'DRY WALL LENGTH
- LHS WALL S/B LONGER THAN 9.0m
- UPPER FLOOR FRONT SETBACK LESS THAN 2.5m (TO L.P.)

NOTE:
A LOT TREE TO REAR OF PROPERTY TO BE
PROVIDED BY OWNER AFTER HANDOVER TO LOCAL
COUNCIL REQUIREMENTS

SEWER INVERT LEVEL	555
SEWER BROUGHT UP	11
DEPTH TO CONNECTION	2

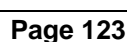


LOT 5	
310 m ² SANDY	
COMMON LEGEND	
	PEG FOUND
	PEG DISTURBED
	PEG CONE
	DATUM / CONTROL
	STOP VALVE
	FLYBRANT
	FLUSH POINT
	WATER TAP
	METER CONNECTION
	WATER METER
	DRAINAGE MANHOLE
	GRATE
	SIDE ENTRY PIT
	SEWER MANHOLE
	INSPECT ON SHAFT
	INSPECTION OPENING
	CONSUMER POLE
	POWER POLE
	LAMP POST
	STAY POLE
	POWER DOME / PILLAR
	TEL / NBN
	TEL / NBN PIT
	GAS METER
	GAS LINE MARKER / P
	TOP OF WALL
	TOP OF RETAINER
	STIL DEEPER
	TOP OF BACKING BLOCK
	TOP OF FOOTING
	BOTTOM OF RETAINER
	BOTTOM OF FENCE FRAME
SERVICE INFORMATION	
SEWERAGE:	YES
WATER:	YES B/C
PRELAD:	
GAS:	B/C
POWER:	YES U/G
NOTE: TO BE SIGNED BY CLIENT (Blander To Control) THE INFORMATION ON THE DRAWING IS CURRENT AS AT THE DATE OF SURVEY. INVOICES AND TOLLS COMPLETED BY THE SURVEYING AUTHORITIES. THE INCLUDES WITHOUT LIMITATION: SURVEYING, WATER SUPPLY, DRAINAGE, POWER SUPPLY, GAS SUPPLY & CONDUIT LAYING. FURTHER IN PAGE(S) NOTIFICATION(S) / ENDORSEMENT(S) MAY BE USED ON THE DRAWING.	

CLIENT: _____	
DATE: _____	
CLIENT: _____	
DATE: _____	
BUILDER: _____	
DATE: _____	

STREET, BAYSWATER	
SHEET: 1 of 1 DRAWING NO.: 231240	USED MAP: 270/32/54 PACKAGE: A SCALE: 1:200 @ A3 REV: A

Page 122



- NOTE:
- 230 CAVITY RENDERED BRICKWORK AS SHOWN ON FLOOR PLAN WITH 230 CAVITY FACE BRICKWORK LAID 1/3 BOND TO REMAINDER
 - 230w STUD FRAMED WALL W/- SELECTED CLADDING & PAINTED TEXTURE COAT FINISH AS SHOWN ON FLOOR PLAN
 - 110w & 230w FACE BRICK IN 1/2 BOND AS SHOWN ON FLOOR PLAN

COLORBOND ROOF ON 24°43'0" (25°) PITCH.

UPPER FLOOR CEILING 5892 (66c+ PLATE)

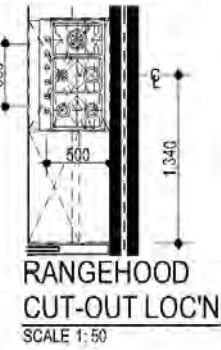
UPPER FLOOR F.F.L. 3000 (35c)

GROUND FLOOR CEILING 2857 (31c)

ELEVATION 1

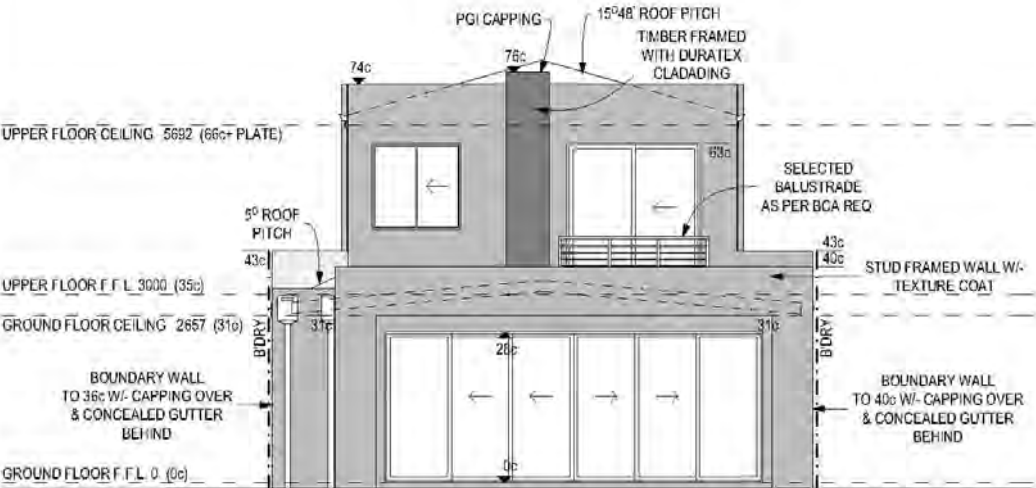
SCALE 1:100

- NOTE:
- SPACE ROOF MEMBERS TO ALLOW FOR 500 x 500 SQ. CLEARANCE FOR RANGEHOOD CUTOUT



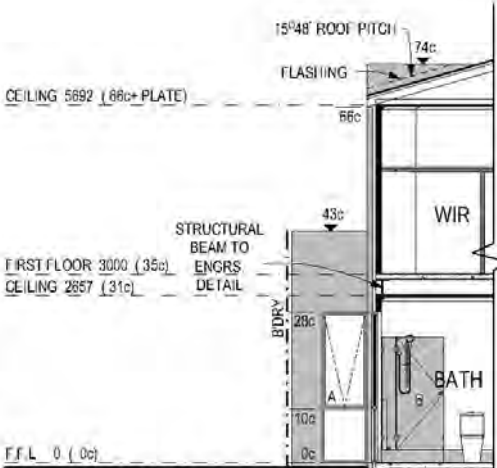
RANGEHOOD CUT-OUT LOC'N

SCALE 1:50



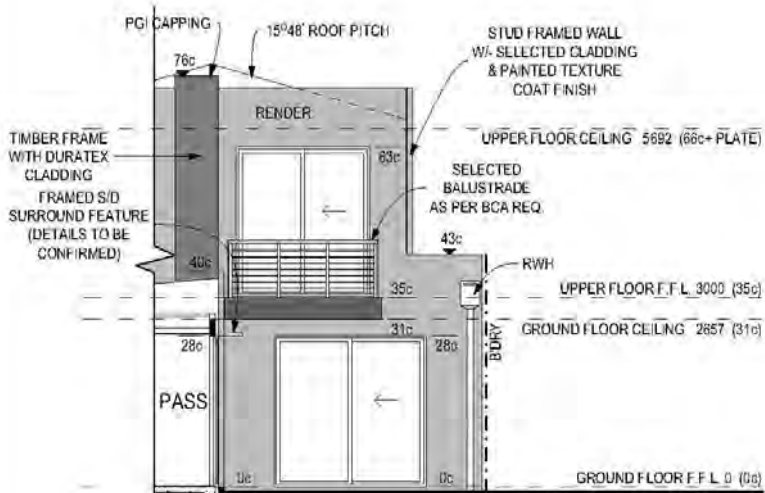
ELEVATION 3

SCALE 1:100



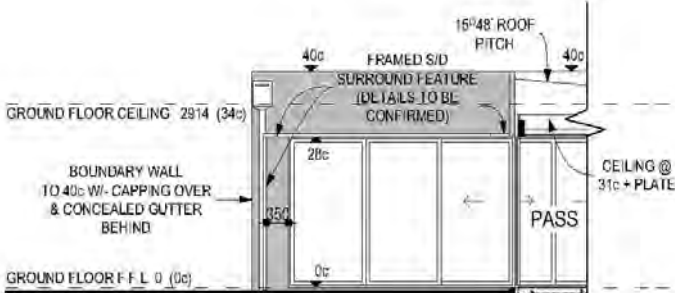
ELEVATION 5

SCALE 1:100



ELEVATION 6

SCALE 1:100



ELEVATION 7

SCALE 1:100

national HOMES
22 MOUNT STREET PERTH PH: 9261 1888
B/C: 9788
A.B.N. 54 052 543 450
BGC RESIDENTIAL PTY LTD

REVISION	VO #	DRN	DATE	CHK
CONTRACT		GL	25.03.20	EP
PRE-CONTRACT		GL	08.03.20	AP
6 STAR AMEND		CY	28.05.20	AP

Sub-contractors to verify all dimensions on site.

ORIGINAL:

CLIENT:
DATE:
CLIENT:
DATE:
BUILDER:
DATE:

CLIENT:
MANCINI
ADDRESS:
Lot 5 SP69778 (#5/11)
NEVILLE STREET
BAYSWATER

CUSTOM 2 STOREY	
MODEL N°	DATE
N/A	28.05.20
RAP REF	WIND RATING
270 32 54	N2
COASTAL CATEGORY	ENGINEERS DETAIL
R1	D10V2
HOME ID	SHEET N°
51041	OF 14

- NOTE:
- 230 CAVITY RENDERED BRICKWORK AS SHOWN ON FLOOR PLAN WITH 230 CAVITY FACE BRICKWORK LAID 1/3 BOND TO REMAINDER.
 - 230w STUD FRAMED WALL W/- SELECTED CLADDING & PAINTED TEXTURE COAT FINISH AS SHOWN ON FLOOR PLAN.
 - 110w & 230w FACE BRICK IN 1/2 BOND AS SHOWN ON FLOOR PLAN.

COLORBOND ROOF ON 24°43'0" (25°) PITCH.

UPPER FLOOR CEILING 5692 (66c+ PLATE)

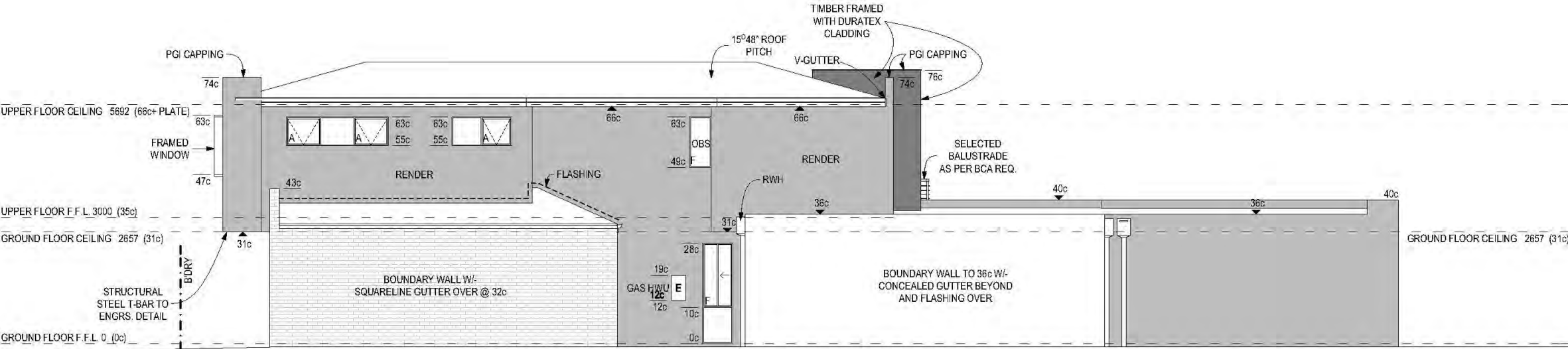
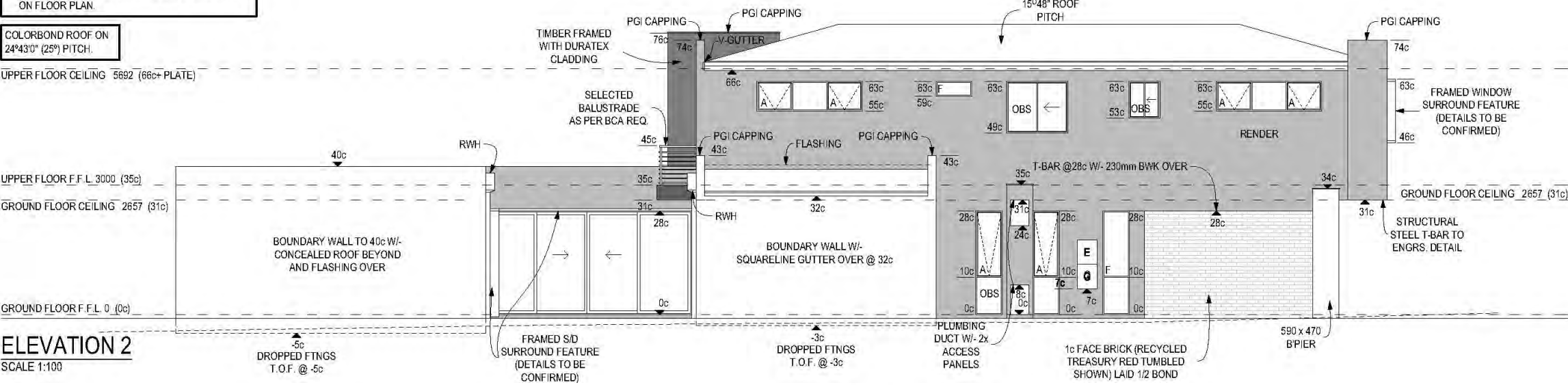
UPPER FLOOR F.F.L. 3000 (35c)

GROUND FLOOR CEILING 2657 (31c)

GROUND FLOOR F.F.L. 0 (0c)

ELEVATION 2

SCALE 1:100



ELEVATION 4

SCALE 1:100

national HOMES

22 MOUNT STREET PERTH PH: 9261 1888
BC: 9769
A.B.N. 54 052 543 450
BGC RESIDENTIAL PTY LTD

REVISION	VO #	DRN	DATE	CHK
CONTRACT		GL	25.03.20	EP
PRE-CONTRACT		GL	08.03.20	AP
6 STAR AMEND		CY	28.05.20	AP

Sub-contractors to verify all dimensions on site.

ORIGINAL:

CLIENT: _____

DATE: _____

CLIENT: _____

DATE: _____

BUILDER: _____

DATE: _____

CLIENT: MANCINI

ADDRESS: Lot 5 SP69778 (#5/11)
NEVILLE STREET
BAYSWATER

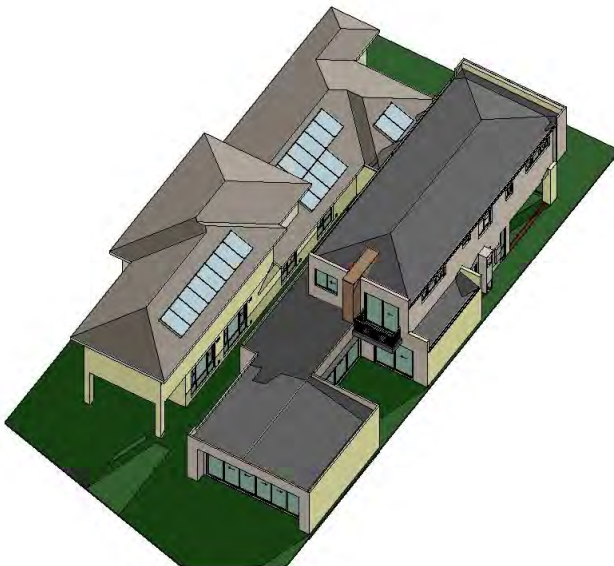
CUSTOM 2 STOREY	
MODEL N°	DATE
N/A	28.05.20
MAP REF.	WIND RATING
270 32 54	N2
COASTAL CATEGORY	ENGINEERS DETAIL
R1	D10V2
HOME ID	SHEET N°
51041	OF 14



JUNE 21ST 10:00am



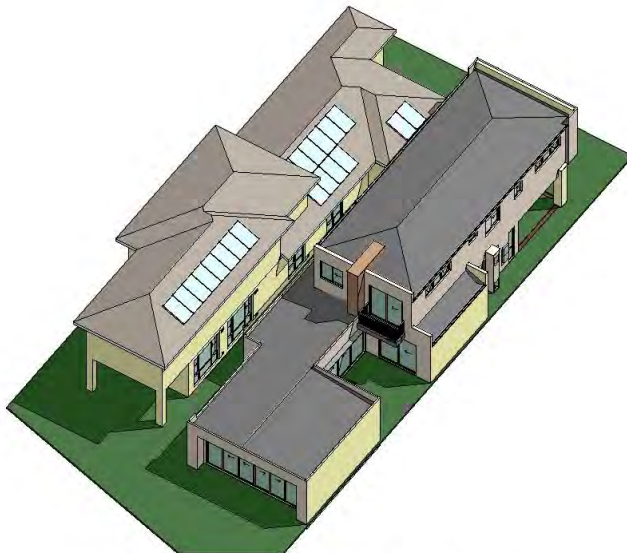
JUNE 21ST 12:00pm



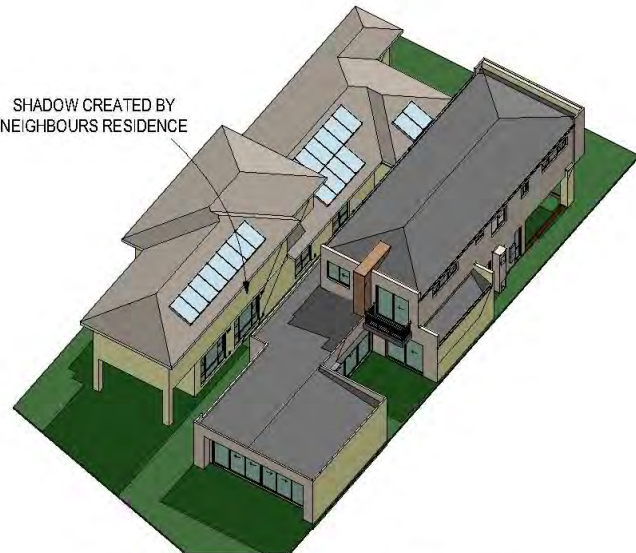
JUNE 21ST 2:00pm




SEPTEMBER 21ST 10:00am



SEPTEMBER 21ST 12:00pm



SEPTEMBER 21ST 2:00pm



22 MOUNT STREET PERTH PH: 9261 1888
BC: 9769
A.B.N. 54 052 543 450
BGC RESIDENTIAL PTY LTD

REVISION	VO #	DRN	DATE	CHK
CONTRACT		GL	25.03.20	EP
PRE-CONTRACT		GL	08.03.20	AP
6 STAR AMEND		CY	28.05.20	AP

CLIENT:

DATE:

CLIENT:

DATE:

BUILDER:

DATE:

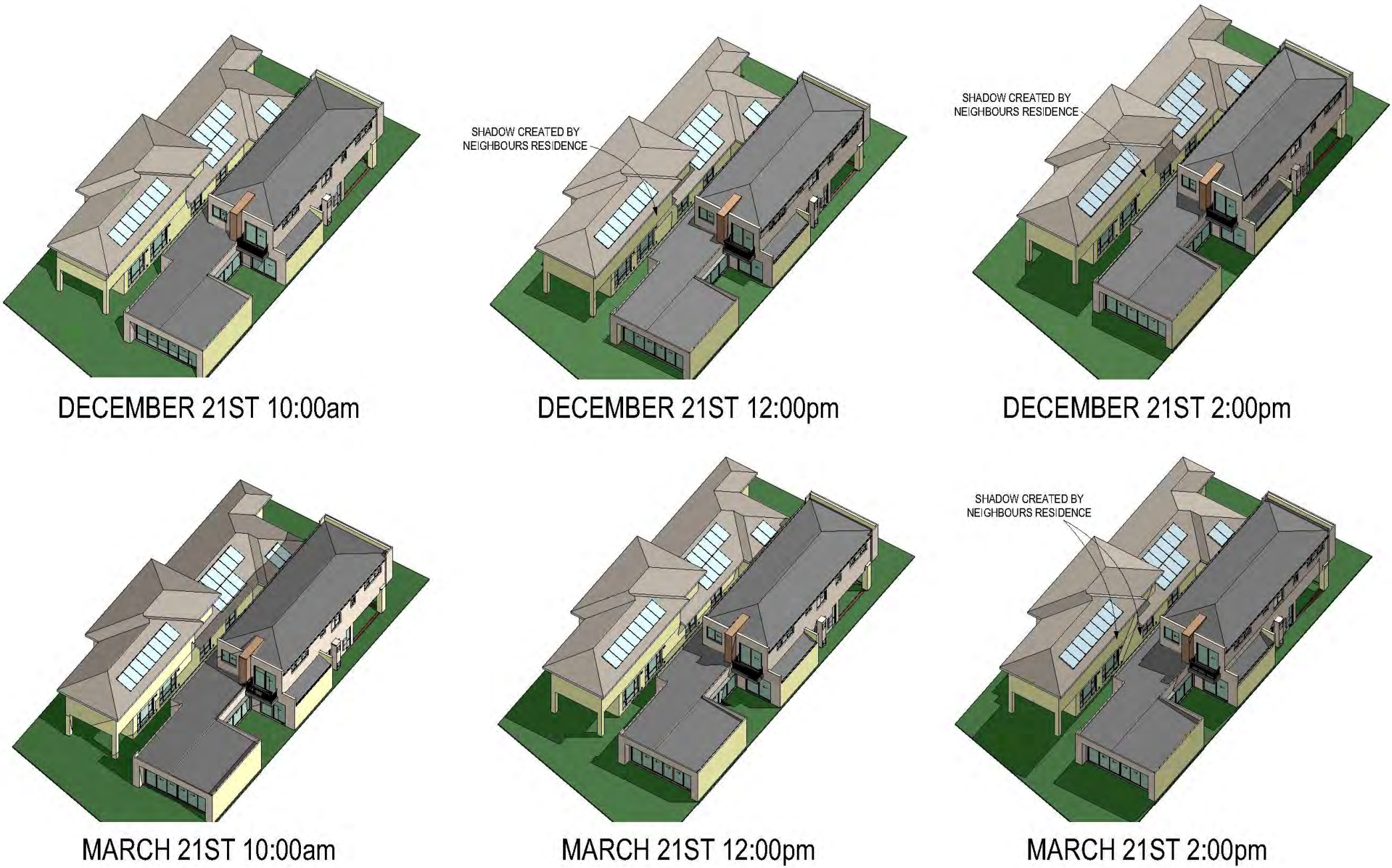
CLIENT: MANCINI


ADDRESS: Lot 5 SP69778 (#5/11)
NEVILLE STREET
BAYSWATER

CUSTOM 2 STOREY	
MODEL N°	DATE
N/A	28.05.20
MAP REF.	WIND RATING
270 32 54	N2
COASTAL CATEGORY	ENGINEERS DETAIL
R1	D10V2
HOME ID	SHEET N°
51041	OF 14

DOCNO:51041:A3:DRAWINGS

ORIGINAL:



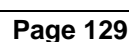
 national HOMES 22 MOUNT STREET PERTH PH: 9261 1888 BC: 9769 A.B.N. 54 052 543 450 BGC RESIDENTIAL PTY LTD	REVISION	VO #	DRN	DATE	CHK	CLIENT:.....	CLIENT: MANCINI ADDRESS: Lot 5 SP69778 (#5/11) NEVILLE STREET BAYSWATER	© COPYRIGHT CUSTOM 2 STOREY MODA	
	CONTRACT		GL	25.03.20	EP	DATE:.....		MODEL N°	DATE
	PRE-CONTRACT		GL	08.03.20	AP	CLIENT:.....		N/A	28.05.20
	6 STAR AMEND		CY	28.05.20	AP	DATE:.....		MAP REF.	WIND RATING
						BUILDER:.....		270 32 54	N2
Sub-contractors to verify all dimensions on site.						DATE:.....	COASTAL CATEGORY	ENGINEERS DETAIL	
ORIGINAL:							R1	D10V2	
							HOME ID	SHEET N°	
							51041	OF 14	

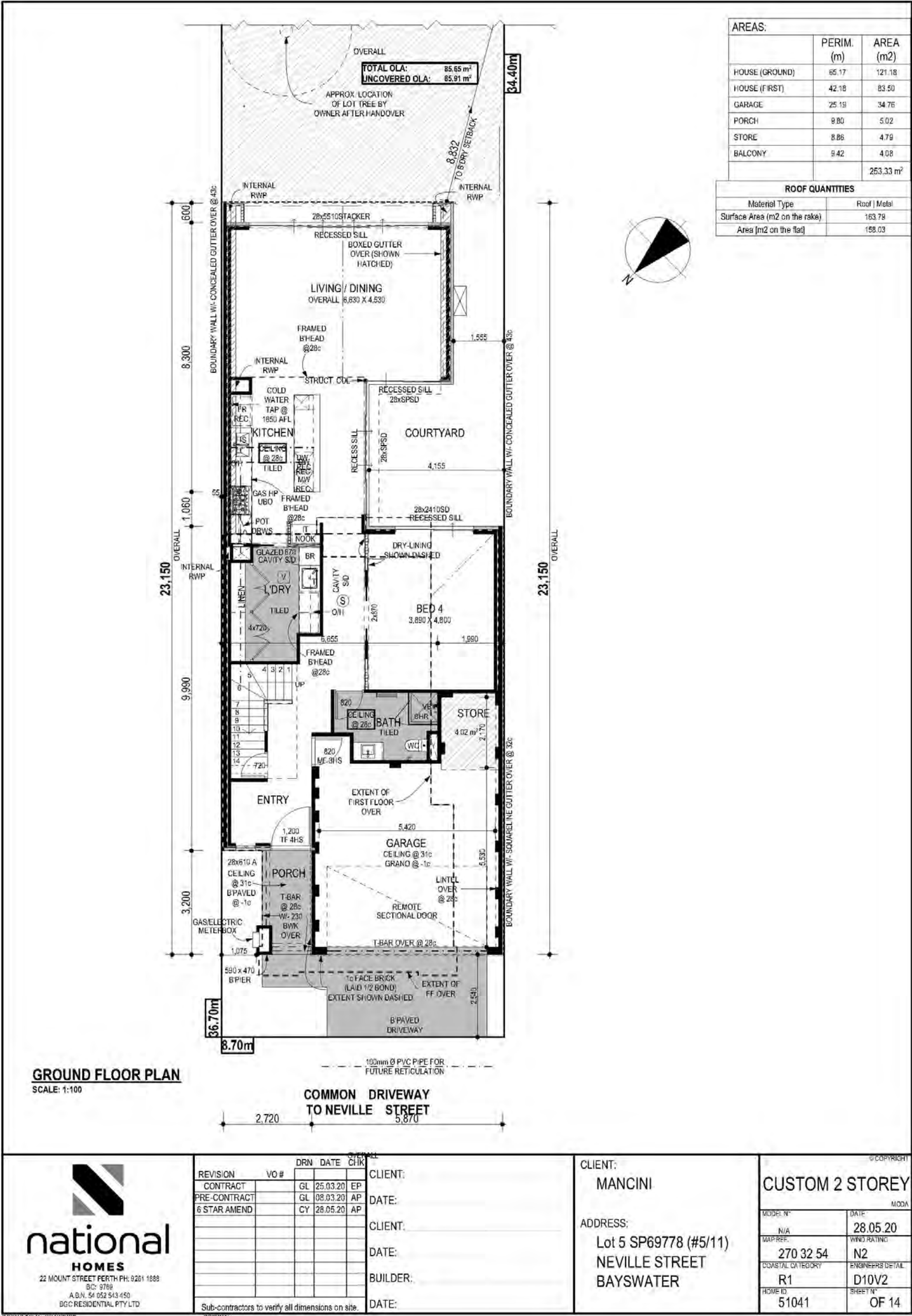
Attachment 2



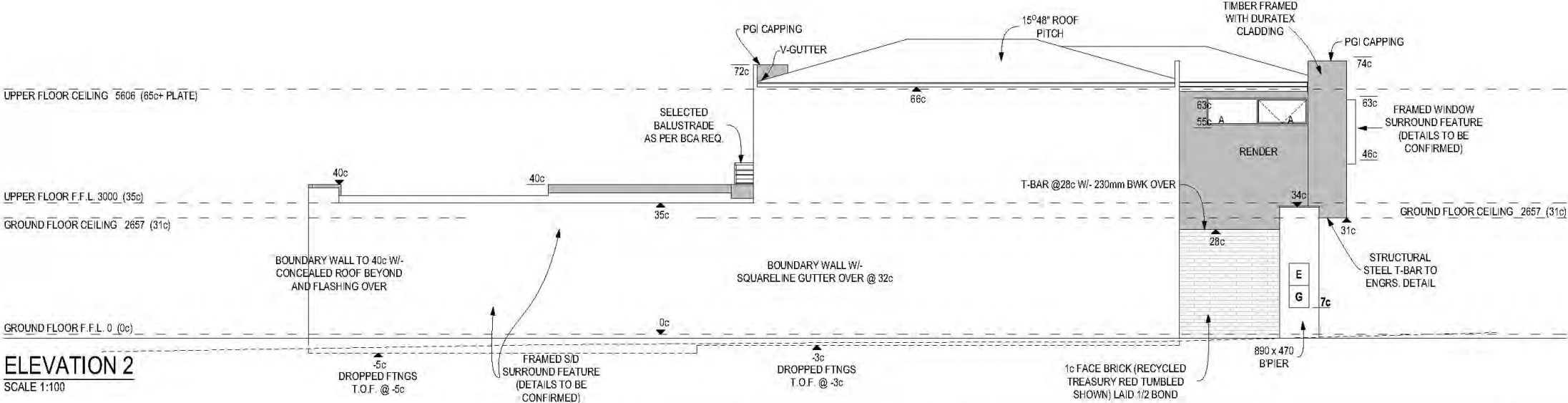
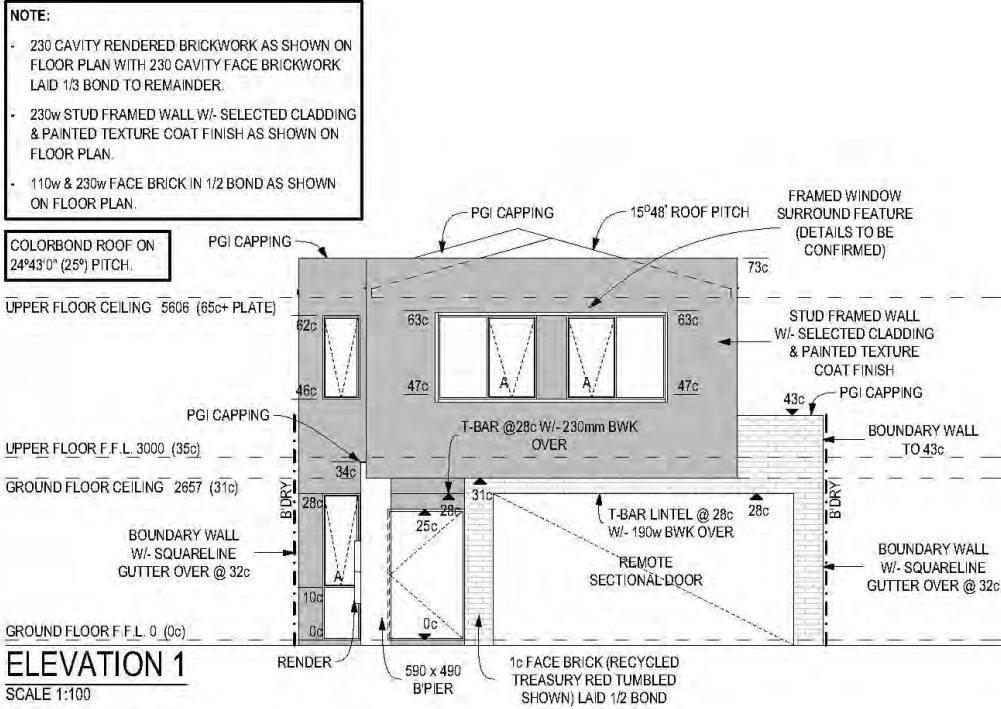
Appendix 3 – Alternative Two Storey Design


(08) 9261 1866 | reception@bgchousinggroup.com
67 Walters Drive, Osborne Park WA 6017 | bgchousinggroup.com.au | BC9769





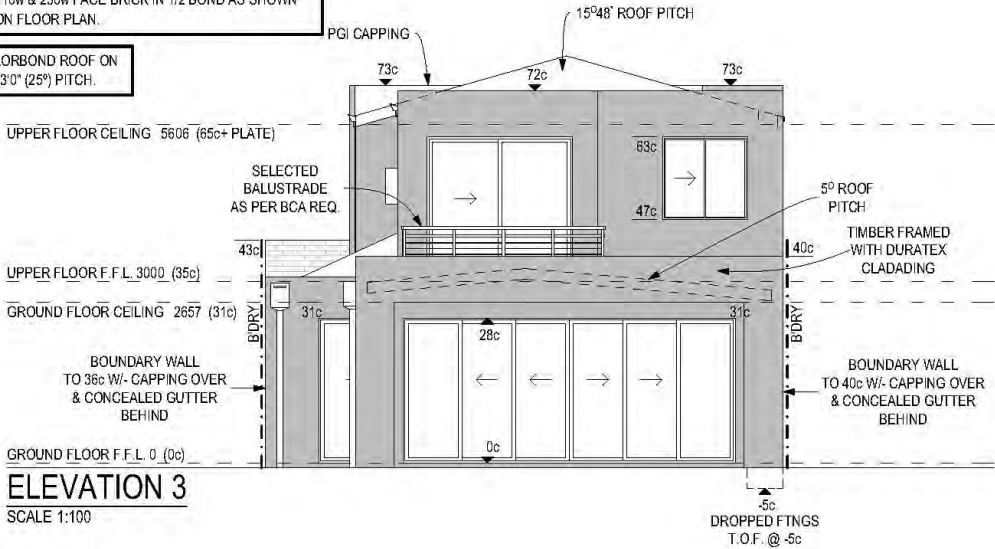




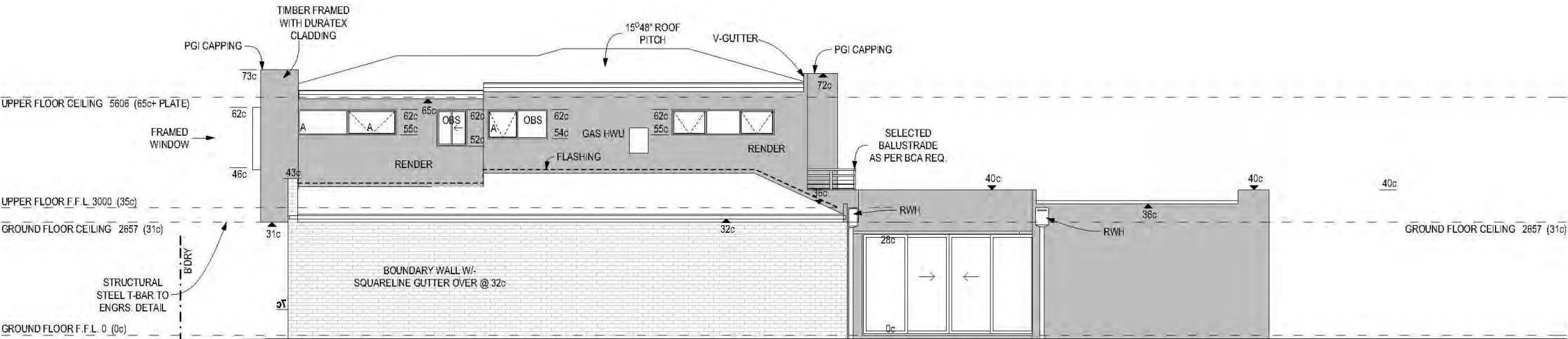
 national HOMES 22 MOUNT STREET PERTH PH: 9261 1888 S.C. 9769 A.B.N. 54 052 543 450 BGC RESIDENTIAL PTY LTD	REV/SION	VO #	DRN	DATE	CHK	CLIENT:	CLIENT: MANCINI	© COPYRIGHT CUSTOM 2 STOREY MODA
	CONTRACT		GL	25.03.20	EP	DATE:	ADDRESS: Lot 5 SP69778 (#5/11)	
	PRE-CONTRACT		GL	08.03.20	AP	CLIENT:	NEVILLE STREET	
	6 STAR AMEND		CY	28.05.20	AP	DATE:	BAYSWATER	
						BUILDER:		
Sub-contractors to verify all dimensions on site.						DATE:		MODEL N° N/A
ORIGINAL:								DATE 28.05.20
DOCNO:51041: DRAWINGS								MAP REF. 270 32 54
								WIND RATING N2
								COASTAL CATEGORY R1
								ENGINEERS DETAIL D10V2
								HOME ID 51041
								SHEET N° OF 14

- NOTE:
- 230 CAVITY RENDERED BRICKWORK AS SHOWN ON FLOOR PLAN WITH 230 CAVITY FACE BRICKWORK LAID 1/3 BOND TO REMAINDER.
 - 230w STUD FRAMED WALL W/ SELECTED CLADDING & PAINTED TEXTURE COAT FINISH AS SHOWN ON FLOOR PLAN.
 - 110w & 230w FACE BRICK IN 1/2 BOND AS SHOWN ON FLOOR PLAN.


COLORBOND ROOF ON 24°43'0" (25°) PITCH.



ELEVATION 3
SCALE 1:100



ELEVATION 4
SCALE 1:100



national
HOMES
22 MOUNT STREET PERTH PH: 9261 1888
BC: 9769
A.B.N. 54 052 543 450
BGC RESIDENTIAL PTY LTD

REVISION	VO #	DRN	DATE	CHK
CONTRACT		GL	25.03.20	EP
PRE-CONTRACT		GL	08.03.20	AP
6 STAR AMEND		CY	28.05.20	AP
Sub-contractors to verify all dimensions on site.				

CLIENT: _____

DATE: _____

CLIENT: _____

DATE: _____

BUILDER: _____

DATE: _____

CLIENT: **MANCINI**

ADDRESS: **Lot 5 SP69778 (#5/11)
NEVILLE STREET
BAYSWATER**

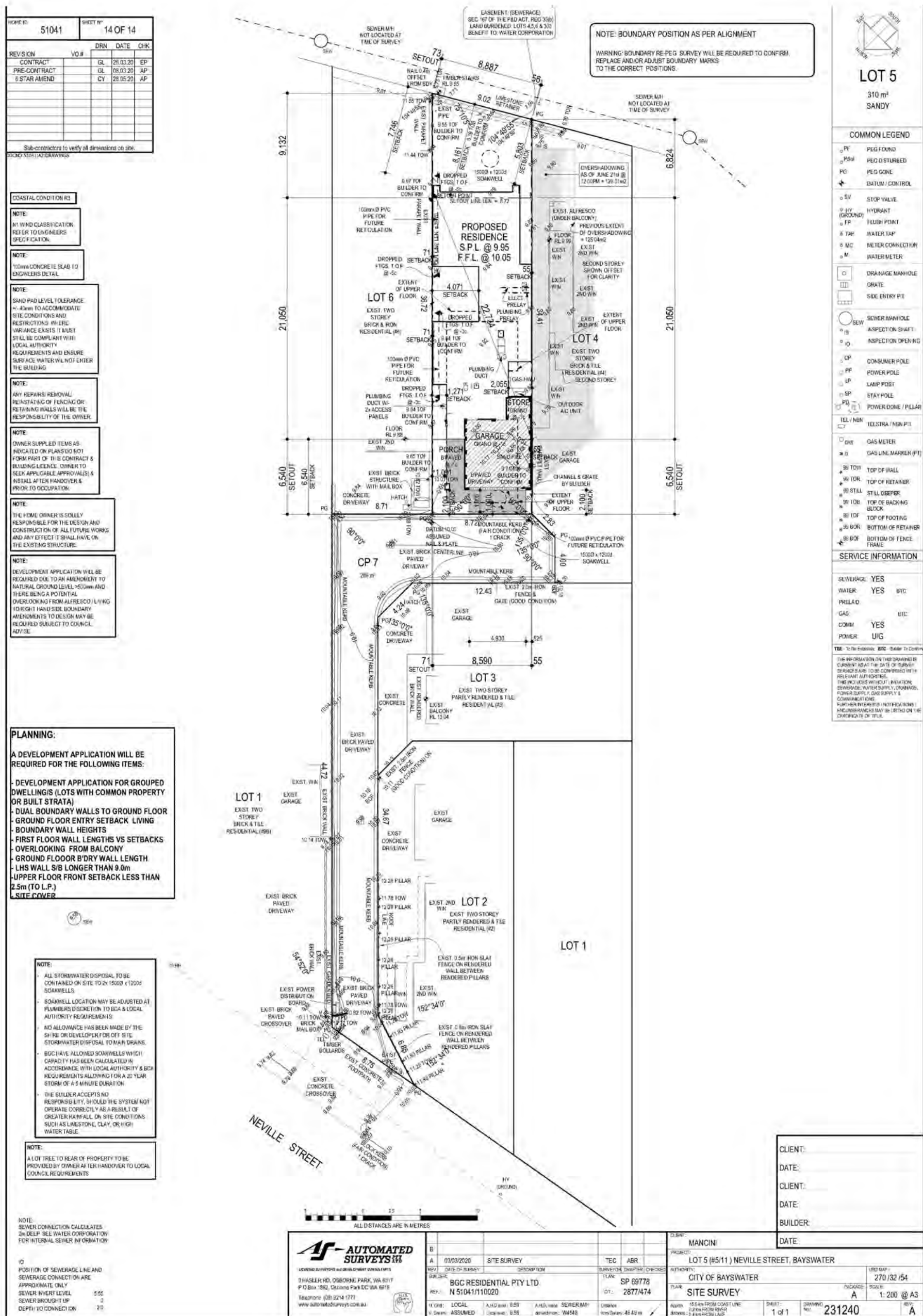
CUSTOM 2 STOREY

MODEL N°	DATE
N/A	28.05.20
MAP REF.	WIND RATING
270 32 54	N2
COASTAL CATEGORY	ENGINEERS DETAIL
R1	D10V2
HOME ID	SHEET N°
51041	OF 14



Appendix 4 – Alternative Single Storey Design

(08) 9261 1866 | reception@bgchousinggroup.com
67 Walters Drive, Osborne Park WA 6017 | bgchousinggroup.com.au | BC9769



10.4.5 Proposed Land Acquisition - Rights of Way 66 and 67 Hill Street, Bayswater

Applicant/Proponent:	Catholic Archdiocese of Perth	
Owner:	Catholic Archdiocese of Perth	
Responsible Branch:	Strategic Planning and Place	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. Letter of offer from owner Confidential Attachment 2. Lot 88 and 89 Certificate of Title	
Refer	Item 13.2.2: OCM 24 May 2005	

Confidential Attachment(s) – in accordance with Section 5.23(2) (b) of the Local Government Act 1995 – personal affairs of any person.

SUMMARY

Council consideration is sought regarding a request from the owner to sell two Rights of Way (ROW) to the City. Lots 66 and 67 Hill Street, Bayswater are owned and registered to the Perth Catholic Archdiocese (PCA). Both land parcels have been deemed surplus to the needs of the PCA in accordance with the church's policy on existing ROW and the lots are being offered for sale to the City for a nominal fee of \$1 per lot.

OFFICER'S RECOMMENDATION

That Council:

- 1. Approves the acquisition by purchase (non-major land transaction) of Lot 66 Hill Street, Bayswater by private treaty for dedication as a road, for a nominal fee of \$1, subject to the owner being responsible for their costs associated with the sale.**
- 2. Approves the acquisition by purchase (non-major land transaction) of Lot 67 Hill Street, Bayswater by private treaty from the owner for a nominal fee of \$1, subject to the owner being responsible for their costs associated with the sale.**

BACKGROUND

In June 2019, the City received correspondence from the owner of Lots 66 and 67 Hill Street, Bayswater (**Attachment 1**) advising of their interest in selling both rights of way. The City investigated the matter and found that Lot 66 was part of a private street that was closed and developed and that Lot 67 was part of a larger parcel of land, which was subdivided.

LOT 66, Hill Street, Bayswater

This site comprises 121m² of paved land and is owned in freehold by the PCA. Under the City's Town Planning Scheme No.24 (TPS24) it is zoned "Medium and High Density Residential – R25" and is "Urban" under the Metropolitan Region Scheme (MRS).

Council, at its Ordinary Council Meeting held 24 May 2005 resolved to dedicate both the subject Lot 61 and the adjoining privately owned Lot 51 as a public road. The City sent correspondence to the Department of Planning Lands and Heritage (DPLH) requesting the dedication of both parcels of land in accordance with Section 56 (1) (c) of the *Land Administration Act 1997* (the Act) however, no correspondence was received from the DPLH

and Lot 66 currently remains a privately owned ROW. It is noted that Lot 51 was dedicated as a road and is included in Landgate's system as Cross Street.

LOT 67, Hill Street, Bayswater

This site comprises 120m² vacant land that is owned in freehold by the PCA. Under the City's TPS24, it is zoned "Medium and High Density Residential – R25" and is "Urban" under the MRS.

The ROW is unpaved and would be required to be brought up to the minimum standard as a part of the City's right of way upgrade program. Additionally, it would be required to be maintained at a cost to the City thereafter. It is currently 3.02m wide and appears to be used as pedestrian access to the abutting properties.

There are services located beneath both Lots; Lot 66 contains a water pipe and Lot 67 contains a sewage pipe.

Ariel View



EXTERNAL CONSULTATION

No public consultation has been undertaken by the City on this matter. As the land is being sold by a private land owner the City is not required to undertake any consultation.

OFFICER'S COMMENTSLot 66 Hill Street, Bayswater

In May 2005, Council resolved to acquire both Lot 51 and Lot 66 for dedication as a road. However, only Lot 51 appears to have been dedicated, with Lot 66 remaining as a private ROW.

The ROW was not identified within the City's Rights of Way Study – June 2007 (ROW Study). It is understood that Lot 66 was not included in the ROW study as it was assumed to have been dedicated in 2005 as a road along with the adjoining Lot 51.

The ROW is paved, requiring little or no maintenance per year.

In light of the above, it is recommended that Council accept the offer of sale for Lot 66 Hill Street, Bayswater for \$1. It is proposed that the City acquire Lot 66 and finalise the road dedication process for both Lots 51 and 66.

Lot 67 Hill Street, Bayswater

The ROW has been identified as ROW # 35 within the ROW Study; the Study provides the following information and states that no action is required:

"None of the adjoining lots have development potential. However, the ROW provides access to Lot 88 Almondbury Street, which does not have any other legal road access. This lot is developed in conjunction with the adjoining Lot 89 and a single residential dwelling spans across the lot boundary between the two. The ROW is to be retained; however, no action is to be taken at this time. Future requests to close the ROW could be considered favourably, provided that Lot 88 is provided with alternative legal access."

An investigation into the access rights to Lot 88 (No 12) Almondbury Street has revealed that Lot 88 (12) Almondbury Street does not currently have legal rights to use the ROW as access. As shown in **Confidential Attachment 2**, there is a legal condition/restriction registered against the certificate of title for lots 88 and 89 Almondbury Street, preventing separate titles from being issued without subdivision approval first being granted by the West Australian Planning Commission (WAPC). A subdivision would only be approved if Lot 88 has alternative legal access to a public road, via either Lot 89 or the ROW.

The ROW is currently providing secondary pedestrian access to four single residential lots. To provide formal access the ROW would be required to be constructed as a laneway which would include paving and draining, which is estimated to cost \$25,000. It is noted that the ROW would not be constructed as a laneway until access is required. Additionally, to maintain it thereafter it is estimated to cost between \$300 and \$500 per year.

If the City were to dedicate it as a road/laneway, land would be required from adjoining landowners (usually obtained at the time of subdivision).

Given that the ROW is being offered for a nominal fee of \$1 and may provide access to Lot 88 (No 12) Almondbury Street in the future, it is recommended the City accept the offer of sale for Lot 67.

Purchase Requirements

As the land is privately owned by the PCA the City may negotiate the purchase of the land for a nominal fee. The transfer of the land will then proceed through the standard land purchasing procedure.

LEGISLATIVE COMPLIANCE

The transfer of the ownership of land is administered by the *Transfer of Land Act 1893*.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council: <ol style="list-style-type: none"> Approves the acquisition by purchase (non-major land transaction) of Lot 66 Hill Street, Bayswater by private treaty for dedication as a road, for a nominal fee of \$1, subject to the owner being responsible for their costs associated with the sale. Approves the acquisition by purchase (non-major land transaction) of Lot 67 Hill Street, Bayswater by private treaty from the owner for a nominal fee of \$1, subject to the owner being responsible for their costs associated with the sale. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	It is considered that this option has a moderate financial risk as the acquisition of Lots 66 and 67 Hill Street, Bayswater would incur additional costs to be brought up to standard and has ongoing annual maintenance and costs.	

Option 2	That Council does not approve the acquisition of Lots 66 and 67 Hill Street, Bayswater.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	There is a moderate reputational risk should Lots 66 and 67 Hill Street, Bayswater not be acquired as this could potentially limit the access to adjoining lots which may limit development potential.	

FINANCIAL IMPLICATIONS

Item 1: Public notice, Settlement Agent and Survey Costs – Lots 66 and 67 Hill Street, Bayswater.

Asset Category: N/A

Source of Funds: Municipal

LTFP Impacts: Not itemised in LTFP

Notes: N/A

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$500-600						\$14,000

STRATEGIC IMPLICATIONS

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: Accountable and good governance

Option 1 is considered to be good governance as it aligns with the City's Rights of Way Study, which sets out the process for the acquisition of ROW.

CONCLUSION

In light of the above, it is recommended that the City purchase Lots 66 and 67 Hill Street, Bayswater for \$1 per lot and to dedicate Lot 66 as a part of Cross Street.

Attachment 1 - Letter of Offer from Owner

CATHOLIC ARCHDIOCESE OF PERTH



Administration Centre

11 June 2019

City of Bayswater
Planning Department
P O Box 467
MORLEY WA 6943

Email Address: mail@bayswater.wa.gov.auTo Whom It May Concern

Dear Sir/Madam

Rights of Way – Lots 66 & 67 on Plan 1918
Mathew Gibney of Perth Roman Catholic Bishop

It was recently brought to my attention that the above mentioned Rights of Way (lots 66 & 67 on plan 1918) are still registered in the name of Mathew Gibney of Perth Roman Catholic Bishop.

Mathew Gibney was the third Catholic Bishop of Perth, serving from 1886 to 1910.

I am assuming lots 66 & 67 on Plan 1918 are the remaining Rights of Way from a past subdivision. Unfortunately we have no information on file relating to either of these lots.

I have attached the following documents for your information:

- Certificate of Title 2722/100 – Lot 67 on Plan 1918
- Certificate of Title 2722/59 – Lot 66 on Plan 1918
- Copy of Plan 1918
- Brief description of the two Rights of Way
- Current map indicating the location of both Rights of Way
- Photo's

Please note, both these lots have been deemed to be surplus to our needs. In accordance with the Church's policy on existing Rights of Way, I am writing to ascertain whether you have an interest in acquiring lots 66 and 67 on Plan 1918 for the nominal fee of one dollar.

If so, I will instruct Kott Gunning solicitors to draw up the documents required to transfer lots 66 and 67 on Plan 1918 to the City of Bayswater.

Address:
Catholic Administration Centre
Document Set ID: 3428088
245 Adelaide Terrace, Perth WA 6001, Australia

Mailing Address:
GPO Box M062
Perth WA 6849

Telephone: +61 8 6104 3600
Facsimile: +61 8 6162 0345

Email: adm@perthcatholic.org.au
Website: www.perthcatholic.org.au

I look forward to your response.

In the meantime should you wish to discuss this matter, please do not hesitate to contact myself, Theresa Carroll. My direct telephone number is 6104 3645.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Theresa Carroll', with a stylized flourish at the end.

Theresa Carroll
Manager Property

Enc.

10.4.6 Council Recess Period 2020-2021 - Delegated Authority to the Chief Executive Officer

Responsible Branch:	Development Approvals	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	ABSOLUTE MAJORITY REQUIRED	
Attachments:	Nil	
Refer:	N/A	

SUMMARY

The City of Bayswater Development Approvals branch are dealing with a high volume of development applications due to state and federal government stimulus-building grants. Although the state government has extended the timeframe for the grants until June 2021, the federal government has not given any indication that their grant timeframe will be extended beyond 31 December 2020. Therefore, extraordinary delegation is sought to enable the determination of development applications throughout the Council recess period to avoid delays, to ensure that development applications are processed in a timely manner and to facilitate grant applicants.

OFFICER'S RECOMMENDATION

That Council delegates to the Chief Executive Officer, pursuant to section 5.42 of *the Local Government Act 1995*, the power to deal with any items of a planning nature that would normally be considered by Council under *TP-D01 Local Planning Schemes* and subject to the Council's resolution dated 9 December 2014 in relation to tree removal, that may arise throughout the December 2020 - January 2021 Council recess period and which are not the subject of delegated authority already granted by Council, subject to:

1. Reports being issued to all Councillors for a period of three business days prior to the delegated decision being made and no requests for 'call-in' of the matter being received from Councillors;
2. Reports being displayed on the City's website for a period of three business days prior to the delegated decision being made;
3. A report summarising the items of a planning nature dealt with under delegated authority being submitted for information to Council at its Ordinary Meeting to be held on 27 January 2021; and
4. A register of Items Approved under this Delegated Authority being kept and made available for public inspection on the City's website during the period that the delegation applies.

BACKGROUND

In response to COVID-19, both the state and federal governments are offering significant grants for the construction of new dwellings up to \$750,000 in value and extensions to existing houses exceeding \$150,000 in value. The state government grants have been extended until June 2021, however, the federal government has not given any indication that their grant timeframe will be extended beyond 31 December 2020. The City's Development Approvals branch has received a significant increase in the number of development applications lodged for new dwellings and additions to existing dwellings from applicants who are seeking to take advantage of the state and federal government grants. Delegation is sought to determine

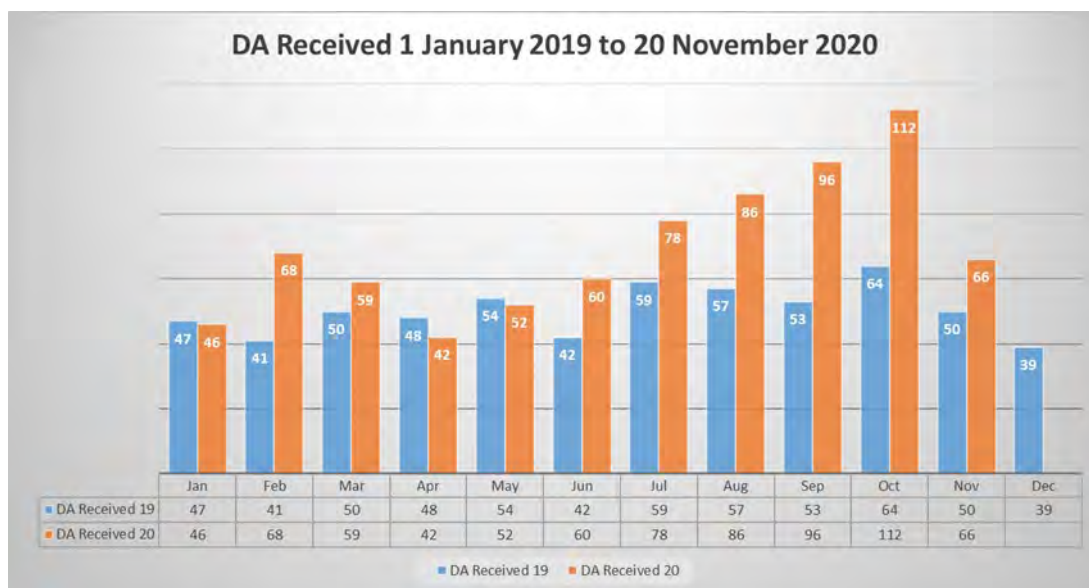
development applications and other planning matters that are outside the officers' delegation throughout the Council recess period to ensure that development applications are processed in a timely manner and to facilitate grant applications.

EXTERNAL CONSULTATION

Nil.

OFFICER'S COMMENTS

The City's Development Approvals branch has received a significant increase in the number of development applications lodged for new dwellings and additions to existing dwellings with many from applicants who are seeking to take advantage of the state and federal government grants. The graph below refers to a 59% increase from the first trimester of 2020 to the last 3 full months available to survey (Aug, Sep, Oct).



Some of these development applications will require referral to Council for determination as they are outside of the officer's delegation. There are no Council meetings between 8 December 2020 and 27 January 2021 and it is common in the building industry that landowners do not enter into a contract with the building until after planning approval has been granted for the final design. This means that if planning approval is not granted before the close of (federal) grant applications on 31 December 2020, some applicants may miss out on being able to claim the federal government grant of up to \$25,000.

There are also other planning applications which are currently in the system that have been lodged for change of use or unlisted uses which will not be able to referred to Council until 27 January 2021 resulting in delays of up to two months. In order to continue providing a high level of customer service, delegation is being sought during the Council recess period for planning related matters outside of the delegation afforded by *TP-D01 Local Planning Schemes* and any proposed street tree removal to facilitate a crossover, normally subject to the Council's resolution dated 9 December 2014, in relation to tree removal.

Council's resolution of 9 December 2014 states as follows:

"That the City obtains an independent arborist's report detailing the condition and options available with associated costs for retention prior to the removal of any trees on land under the control of the City and consultation be undertaken with affected community members and included in reports presented for Council consideration in relation to tree removal."

It is requested that any street tree removal that facilitates a crossover where no viable alternative exists, that the referral to Council be included in the extraordinary delegation being sought over the Council recess period. In the instances where no viable alternative exists for a crossover due to the presence of a street tree, applicants would be required to await the return of Council before a determination of a development application could be made.

Accordingly, this discretion and the proposed Local Planning Schemes delegation would be delegated to the Chief Executive Officer and enacted under an administrative process. To ensure accountability is maintained and that Council remain aware of matters being considered under this delegation, the following process is proposed:

1. A 'delegated' report will be prepared and issued to all Councillors for a period of three business days prior to the delegated decision being made.
 - (a) Councillors have the ability to 'call in' a matter and decline the matter being dealt with under delegated authority.
 - (b) Reports will be displayed on the City's website for a period of three business days prior to the delegated decision being made;
 - (c) A report summarising the items of business dealt with under delegated authority will be reported to Council for information at its Ordinary Meeting to be held on 27 January 2021; and
 - (d) A register of Items Approved under this Delegated Authority being kept and made available for public inspection on the City's website during the period that the delegation applies.

LEGISLATIVE COMPLIANCE

- *Local Government Act 1995; and*
- *Planning and Development Act 2005*

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	<p>That Council delegates to the Chief Executive Officer, pursuant to section 5.42 of the <i>Local Government Act 1995</i>, the power to deal with any items of a planning nature that would normally be considered by Council under <i>TP-D01 Local Planning Schemes</i> and subject to the Council’s resolution dated 9 December 2014 in relation to tree removal, that may arise throughout the December 2020 - January 2021 Council recess period and which are not the subject of delegated authority already granted by Council, subject to:</p> <ol style="list-style-type: none">1. Reports being issued to all Councillors for a period of three business days prior to the delegated decision being made and no requests for ‘call-in’ of the matter being received from Councillors;2. Reports being displayed on the City’s website for a period of three business days prior to the delegated decision being made;3. A report summarising the items of a planning nature dealt with under delegated authority being submitted for information to Council at its Ordinary Meeting to be held on 27 January 2021; and4. A register of Items Approved under this Delegated Authority being kept and made available for public inspection on the City’s website during the period that the delegation applies.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low

Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	This option would allow continuity of service delivery over the Council recess period.	

Option 2	That Council adopts the officer’s recommendation with modifications.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Dependant on the modifications determined by Council.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	This option, subject to modifications, may allow continuity of service delivery over the Council recess period.	

Option 3	That Council does not delegate to the Chief Executive Officer, pursuant to section 5.42 of the Local Government Act 1995, the power to deal with any items of a planning nature that would normally be considered by Council under TP-D01 Local Planning Schemes and subject to the Council's resolution dated 9 December 2014 in relation to tree removal, that may arise throughout the December 2020 - January 2021 Council recess period.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	High
Governance	Low	Low
Community and Stakeholder	Moderate	High
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	High
Organisational Health and Safety	Low	Low
Conclusion	There is a risk that most applicants will be aggrieved as a result of delaying determinations until the next available Ordinary Council Meeting.	

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil.

CONCLUSION

That the officer's recommendation to undertake a process of extraordinary delegation to the Chief Executive Officer for planning related matters during the Council recess period be approved.

10.4.7 Lease for Cafe at Bert Wright Park

Responsible Branch:	Strategic Planning and Place	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Refer:	Item 10.4.9: OCM 27.10.2020 Item 10.7: PDSCM 04.12.2018 Item 9.5: PDSCM 08.05.2018 Item 9.1: OCM 23.05.2017	

Under Separate Cover

10.5 Major Projects Directorate Reports**10.5.1 Closure of Whatley Crescent Bayswater**

Responsible Directorate:	Major Projects	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. Bayswater Town Centre Time Restriction Plan	
Refer:	Item 10.5.1: OCM 27.10.2020	

SUMMARY

Council's final endorsement following public advertising is sought for the proposed temporary closure of a portion of Whatley Crescent between King William Street and Hamilton Streets, Bayswater. The proposed closure is part of the construction works and modifications to the road network associated with the new Bayswater Station.

The proposal was advertised for 21 days and two submissions were received; one from a service agency and one from a landowner on the section of Whatley Crescent proposed to be closed requesting that the City waives the applicable rates charges during the period of the construction of the station.

OFFICER'S RECOMMENDATION

That Council endorses the temporary closure to all vehicles, in accordance with Section 3.50 of the *Local Government Act*, of the following portions of Whatley Crescent, Bayswater:

- 1. Partial closure to eastbound traffic only from 4 January 2021 to 14 March 2021 as shown in Figure 1 in this report; and**
- 2. Full closure of the road from 15 March 2021 to 15 May 2022 as shown in Figure 2 in this report.**

BACKGROUND

In November 2019 the Western Australian Planning Commission (WAPC) approved a development application for the new Bayswater Station. The approval at that time was for two platforms to accommodate the Midland and Forresterfield lines. The approval included modifications to the road network and intersections on Whatley Crescent, King William Street, Coode Street, Beechboro Road South, Railway Parade, Rose Avenue and Hamilton Street. In particular, a new road linking Whatley Crescent and Beechboro Road South was approved under the raised station. To facilitate the ultimate layout a portion of Whatley Crescent in its current form will need to be permanently closed to traffic at Hamilton Street, however this will be the subject of a separate future report once the closure date has been confirmed.

In May 2020 the State Government announced their updated concept design for the Bayswater Station incorporating four platforms to accommodate the Morley-Ellenbrook Line. The associated road and intersection changes remained as per the approved 2019 development application.

On 7 October 2020, town planning consultants, Element, on behalf of the Evolve Bayswater Alliance (Evolve) lodged a new development application reflecting that concept design for the new Bayswater Station. Council considered the development application at a Special Meeting

on 10 November 2020 and resolved to support it subject to conditions. The WAPC is scheduled to determine the application on 9 December 2020.

At its Ordinary Meeting on 27 October 2020, Council considered a report in relation to the proposed temporary closure of a portion of Whatley Crescent and resolved as follows:

“That Council:

1. *Endorses the undertaking of consultation in accordance with Section 3.50 of the Local Government Act regarding the temporary closure to all vehicles of the following portions of Whatley Crescent, Bayswater:*
 - (a) *Partial closure to eastbound traffic only from 4 January 2021 to 14 March 2021 as shown in Figure 1 in this report; and*
 - (b) *Full closure of the road from 15 March 2021 to 15 May 2022 as shown in Figure 2 in this report.*
2. *Advises the Public Transport Authority that prior to Council’s final consideration of the temporary closure of Whatley Crescent the alternative access arrangements to private property and the laneway are to be resolved.”*

EXTERNAL CONSULTATION

The City undertook consultation inviting comments for 21 days via the following methods:

- Letters sent to Main Roads (MRWA), service agencies and all landowners with property fronting the relevant section of Whatley Crescent and the adjacent laneway.
- A notice in the Eastern Reporter on 5 November 2020.
- Information and maps on the City’s website.

Two submissions were received during the comment period. Western Power replied that they had no comments on the proposal. A landowner on Whatley Crescent requested that the City waives their rates charges during the period of the construction of the station. They outline that the tenant in their property will be impacted by the loss of the parking out the front of their business and that they have made rent concessions to the tenants to assist them.

OFFICER'S COMMENTS

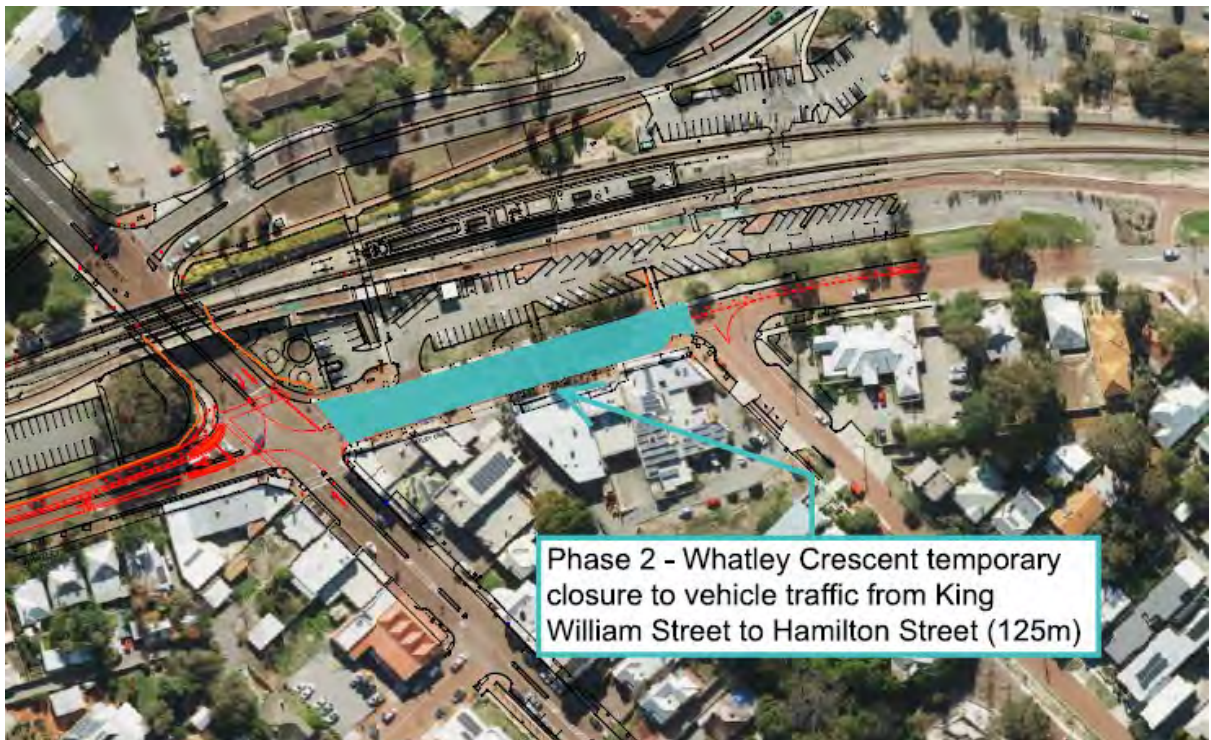
The proposed road closure that was advertised is indicated in the two plans below. It consists of an initial partial closure to eastbound vehicular traffic from 4 January 2021 to 14 March 2021, followed by a Phase 2 full closure of the road to all traffic from 15 March 2021 to 15 May 2022.

Pedestrians and cyclists (including via the relocated PSP) will still be able to move through this area and access the business frontages.

Figure 1: Partial closure area



Figure 2: Full closure area



Response to Submissions

The closure of this section of Whatley Crescent will result in the temporary loss of 14 parking bays and it is acknowledged that this will have an impact on the adjoining businesses.

The loss of this parking was anticipated and in response Council adopted the Bayswater Town Centre Short-term Parking Management Plan in August 2019. The Plan outlines a range of measures, including the marking of additional bays along King William Street and introduction of time restrictions throughout the town centre (see **Attachment 1**), to ensure that more bays are available for visitors to the town centre, rather than being filled by commuters. All of the measures outlined in the Plan are on track to be completed by the time Whatley Crescent is proposed to be closed.

The City is also working with the Bayswater Traders Association (previously known as the Bayswater Village Traders Association), Evolve and the Public Transport Authority (PTA) on a parking action plan prepared by the Association which contains a range of measures to increase awareness of the availability of parking elsewhere in the town centre and options for staff parking.

Evolve have employed a business engagement manager to work with all of the businesses in the Bayswater town centre. They are preparing individualised engagement plans with each of the participating businesses which will set out how Evolve will minimise impacts and interact with them during the construction phase.

Evolve is partnering with the Traders Association on a number of initiatives to support businesses to maintain their customers during the disruption, including the following:

- Piloting a program which offers the opportunity for customers who spend money at businesses in the town centre to win a prize, and an associated promotional campaign.
- Promotion of businesses through a business offering list for their workforce and the community.
- Buy local messaging in project communications and on the construction fencing.
- Linking businesses with business support organisations such as the Small Business Development Commission.

The waiving of rates charges for landowners in the Bayswater town centre is not supported for the following reasons:

- The foregone rates income would have to be made up by increased charges to all other ratepayers in the City. The construction of the new station is a three and a half year project so it would result in no rates income from those properties for three or four financial years.
- The impact is being created by the State government and it should be their responsibility to mitigate it, not the other ratepayers of the City.
- The level of impact will vary from business to business throughout the town centre and therefore it is not an equitable means of compensating businesses. There may be businesses that will benefit from having a large construction workforce in the town centre.
- Determination of the boundary of the impact would not be straight-forward and some residents may believe it should also extent to residential properties in the wider Bayswater area too.
- It would add to the complexity of rates administration.
- It would set a precedent for requests for rates to be waived for other State government or City projects. There are multiple other state projects underway in the district where there will be some impact on businesses and residents, for example the Tonkin Highway Gap, and new stations at Morley and Noranda as part of the Morley-Ellenbrook Line.

The City is not aware of other instances where a local government in Western Australia has waived rates in response to major capital works occurring in an area.

The measures that the City and Evolve are undertaking, as outlined above, will have a direct benefit for the businesses in the Bayswater town centre. They address the issues at hand for the impacted businesses, such as access to alternative parking options for their customers.

Private Property and Laneway Access

The strata property at the intersection of King William Street and Whatley Crescent (1 and 3 King William Street and 87 Whatley Crescent) is the sole property with direct vehicular access from Whatley Crescent. Evolve has proposed solutions for changes to the access and parking arrangements on the private property. There is general agreement between the parties about the proposed layout, however this is currently being refined in discussion with the City.

The full closure will also prevent vehicular access and egress from Whatley Crescent to the laneway between Hamilton Street and King William Street. Whilst there are two other entrances to this laneway, this exit onto Whatley Crescent is currently used for rubbish collection. The City has presented options to Evolve which will enable the rubbish truck to turn around in the laneway and exit to Hamilton Street.

The City is satisfied that rubbish collection and alternative access for the private property are capable of being resolved by Evolve prior to full closure of Whatley Crescent in March 2021. Further, in its consideration of the Bayswater station development application, Council recommended that the WAPC apply the following condition:

"5. Prior to the commencement of site works, any property access, service vehicle access and waste collections affected by closure of access to the ROW bounded by Whatley Crescent, King William Street and Hamilton Street (Lot 166 on Plan 2621) shall be resolved by the applicant to the satisfaction of the City of Bayswater."

On the basis that this matter will be resolved through a condition of the development approval, it is considered that the road closure can be approved.

LEGISLATIVE COMPLIANCE

Section 3.50 of the *Local Government Act 1995* outlines the requirements relating to the closure of roads to vehicles. The provisions include that prior to approving a closure exceeding 4 weeks, the local government is to:

- "(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and*
- (b) give written notice to each person who —*
 - (i) is prescribed for the purposes of this section; or*
 - (ii) owns land that is prescribed for the purposes of this section; and*
- (c) allow a reasonable time for submissions to be made and consider any submissions made."*

The consultation was undertaken by the City to comply with the requirements of the Act.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council endorses the temporary closure to all vehicles, in accordance with Section 3.50 of the Local Government Act, of the following portions of Whatley Crescent, Bayswater: <ol style="list-style-type: none"> Partial closure to eastbound traffic only from 4 January 2020 to 14 March 2021 as shown in Figure 1 in this report; and Full closure of the road from 15 March 2021 to 15 May 2022 as shown in Figure 2 in this report. 	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	The closure is considered to carry a moderate risk in terms of community and stakeholders as although it is necessary for the development of the new station, there may be some landowners, businesses and residents who remain opposed to the closure.	

Option 2	That Council resolves to maintain Whatley Crescent, Bayswater open to vehicular traffic during the redevelopment of the Bayswater Station upgrade.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	High
Reputation	Low	High
Governance	Low	Low
Community and Stakeholder	Moderate	High
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	Preventing the temporary road closure is considered to carry high risks in terms of strategic direction, reputation and community and stakeholders as this would be contrary to the City's previous position on the 2019 development application and may delay the construction of a State Government project or result in other mechanisms being used to facilitate the closure with a less favourable outcome to the City.	

FINANCIAL IMPLICATIONS

There are no financial implications that are applicable. All costs associated with the road closure, including further public notice to the community, are the responsibility of the Evolve Bayswater Alliance.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), 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.

The closure will facilitate the construction of the new Bayswater Station and redevelopment of the surrounding precinct, which is a step-change for public transport access in the Bayswater town centre.

CONCLUSION

To enable the construction of the new Bayswater Station it is necessary to close a portion of Whatley Crescent to vehicles. It is recommended that Council endorse the temporary closure of Whatley Crescent as identified in Figures 1 and 2.

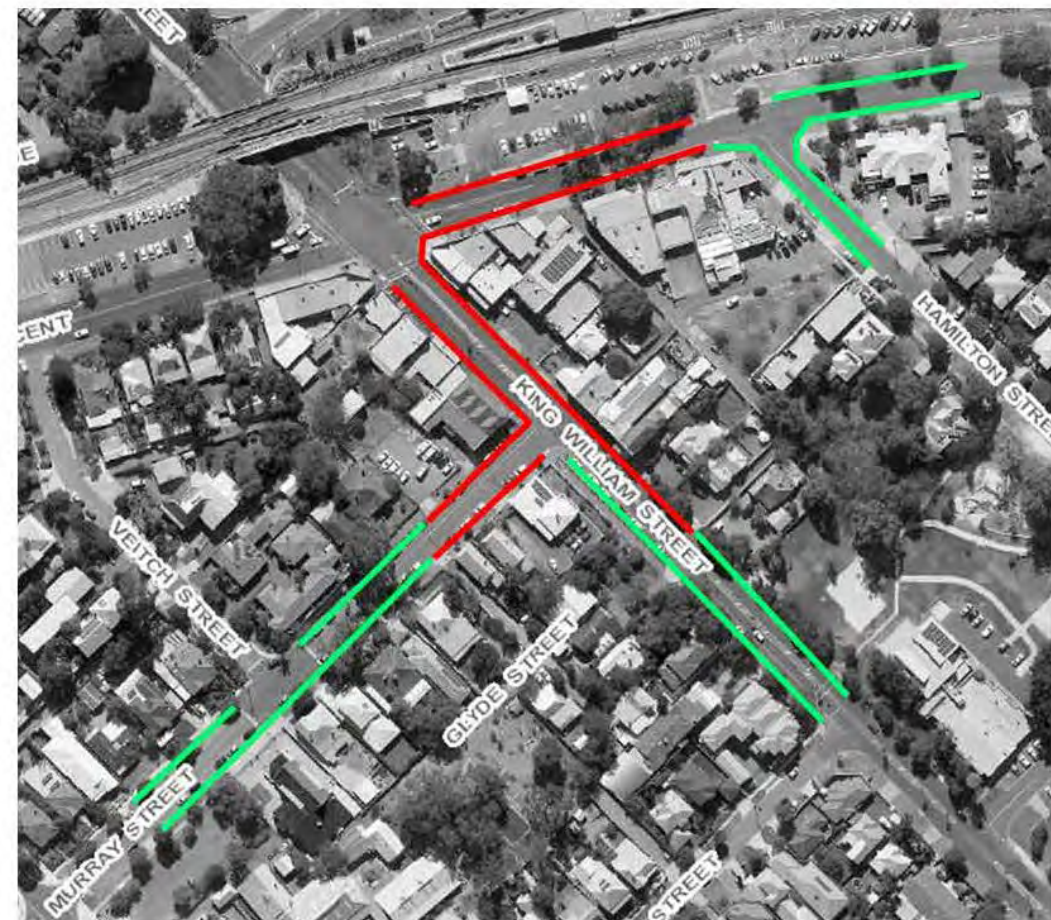
Attachment 1

Town Centre Time Restrictions Plan



	See Town Centre Core Insert
	30P Mon-Fri 8am-5pm
	2P Mon-Fri 8am-5pm
	5P Mon-Fri 8am-5pm
	5P Mon-Fri 10am-5pm and 2P Sat 8am-11am

Town Centre Core Insert



10.6 Sub Committee Reports**10.6.1 Policy Review and Development Committee – 24 November 2020****10.6.1.1 Attendance at Events Policy**

Applicant/Proponent:	City of Bayswater	
Owner:	City of Bayswater	
Responsible Directorate:	Office of the Chief Executive Officer	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Absolute Majority Required	
Attachments:	1. Draft Attendance at Events Policy 2. DLGSCI Operational Guideline – Attendances at Events Policy	
Refer:	Nil.	

SUMMARY

For Council to adopt an Attendance at Events Policy in accordance with new legislative provisions as a result of the review of the *Local Government Act 1995* (WA). As this is a legislative requirement, the Policy has been brought direct to Council rather than through the Policy Review and Development Committee.

OFFICER'S RECOMMENDATION

That Council adopt the Attendance at Events Policy as outlined in Attachment 1.

COMMITTEE RECOMMENDATION TO COUNCIL

That Council adopt the Attendance at Events Policy as outlined in Attachment 1 and further amended by the Committee to replace clause 1(a) and 1(b) of the policy with the following:

- '1(a) All invitations of offers of tickets for a council member or CEO to attend an event should be in writing and addressed to the Council.
- 1(b) Any invitation or offer of tickets not addressed to the Council is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act'.

BACKGROUND

In 2017, the State Government announced a review of the *Local Government Act 1995* (WA). This review is the first significant review of the Act in more than two decades.

The *Local Government Legislative Amendment Bill 2019* was tabled in Parliament on 14 March 2019 and given royal assent on 5 July 2019. The new framework came into operation from 20 October 2019.

The draft policy was presented to Council at the Ordinary Council Meeting on 28 January 2020 and Council resolved as follows:

“COUNCIL RESOLUTION
(PROCEDURAL MOTION)

That this item be deferred to the next Policy Review and Development Committee Meeting for consideration in order to make a recommendation to Council at a future Council meeting.”

The draft policy was presented to the Policy Review and Development Committee on 15 September 2020. The Committee deferred the item to the next Policy Review and Development Committee due to time constraints.

EXTERNAL CONSULTATION

Nil.

OFFICER'S COMMENTS

One of the changes made to the *Local Government Act 1995* (WA) was the addition of s 5.90A which required Local Governments to adopt an Attendance at Events Policy. Section 5.90A provided:

5.90A Policy for attendance at events

1. *In this section —
 event includes the following —*
 - (a) *a concert;*
 - (b) *a conference;*
 - (c) *a function;*
 - (d) *a sporting event;*
 - (e) *an occasion of a kind prescribed for the purposes of this definition.*
2. *A local government must prepare and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —*
 - (a) *the provision of tickets to events; and*
 - (b) *payments in respect of attendance; and*
 - (c) *approval of attendance by the local government and criteria for approval; and*
 - (d) *any prescribed matter.*

** Absolute majority required.*
3. *A local government may amend* the policy.*

** Absolute majority required.*
4. *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*
5. *The CEO must publish an up-to-date version of the policy on the local government's official website.*

[Section 5.90A inserted: No. 16 of 2019 s. 44.]

The City has drafted a policy (**Attachment 1**) in accordance with the new provisions. The draft policy is based upon the model provided in the Department of Local Government, Sport and

Cultural Industries Operational Guideline on Attendance at Events Policy which was released in December 2019 (**Attachment 2**).

The only diversion between the City's draft policy and the model policy is the creation of a register on the City's website which will be updated with approved attendance. The model recommended inclusion of an 'Attachment A' however this would require amending the Policy on every occasion an attendance is approved. A register on the City's website that can be updated by staff following approval of attendance will be more efficient and ensure transparency to the community.

LEGISLATIVE COMPLIANCE

The adoption of the Attendance at Events Policy ensures Council's compliance with the new provisions of the Local Government Act.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council adopt the Attendance at Events Policy as outlined in <u>Attachment 1</u>.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	This option represents the lowest risk to Council as it ensures compliance with the new requirements of the <i>Local Government Act 1995</i> (WA) and provides transparency and accountability to the community by maintaining a register of approved attendance on the City's website.	

Option 2	That Council adopt the Attendance at Events Policy as outlined in <u>Attachment 1</u> and further amended by Council.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	Council will need to ensure that any amendments made to the Policy are in accordance with the legislative provisions.	

Option 3	That Council does not adopt an Attendance at Events Policy.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	High
Governance	Low	High
Community and Stakeholder	Moderate	High
Financial Management	Low	Low
Environmental Responsibility	Low	Low

Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	This option represents the highest risk to Council as it does not confirm with legislative requirements under the <i>Local Government Act 1995</i> (WA).	

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

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

Theme: Leadership and Governance
Aspiration: Open, accountable and responsive service
Outcome B1: Accountable and good governance

Adoption of the Attendance at Events Policy will ensure compliance with mandatory legislative requirements leading to accountability and good governance.

CONCLUSION

To ensure compliance the new legislative requirements, it is recommended that Council adopt the draft Attendance at Events Policy.

Attachment 1

Attendance at Events Policy



Responsible Division	Office of the CEO
Responsible Business Unit/s	Office of the CEO, Governance
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All Business Units
Document Ref	3579617

Purpose

The purpose of this Policy is to provide a clear framework and guidelines for the acceptance of tickets or invitations by Elected Members and the Chief Executive Officer ('CEO') to attend events or functions. This policy will ensure that the City of Bayswater ('the City') both meets community expectations and meets the legislative requirements under section 5.90A of the Local Government Act 1995 (WA) which requires all Local Governments to prepare and adopt an Attendance at Events Policy.

Policy Statement

1. Invitations

- a) All invitations or offers of tickets for a council member or CEO to attend an event should be in writing and addressed to the Council.
- b) Any invitation or offer of tickets not addressed to the Council is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.
- c) A list of events and attendees authorised by the City in advance of the event will be maintained in a Register available on the City's website.

2. Approval of Attendance by Council

- a) In making a decision on attendance at an event, the Council will consider:
 - i) Who is providing the invitation or ticket to the event;
 - ii) The location of the event in relation to the City (within the district or out of the district);
 - iii) The role of the Elected Member or CEO when attending the event (for example as participant, observer presenter etc) and the value of their contribution;
 - iv) Whether the event is sponsored by the City;
 - v) The benefit of Local Government representation at the event;
 - vi) The number of invitations/tickets received; and
 - vii) The cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.
- b) Decisions to attend events in accordance with this policy will be made by simple majority or by the Mayor in accordance with clause 3 below.

3. Approval of Attendance by Mayor

- a) Where an invitation has been received and a response is required prior to the next Ordinary Council Meeting, the Mayor will be authorised to approve attendance.
- b) In approving attendance, the Mayor will consider the following:
 - i) Who is providing the invitation or ticket to the event;
 - ii) The location of the event in relation to the City (within the district or out of the district);
 - iii) The role of the Elected Member or CEO when attending the event (for example as participant, observer presenter etc) and the value of their contribution;
 - iv) Whether the event is sponsored by the City;
 - v) The benefit of City representation at the event;
 - vi) The number of invitations/tickets received; and
 - vii) The cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.
- c) All approvals made by the Mayor will be reported to the subsequent Ordinary Meeting along with the assessment made in accordance with the above criteria.

4. Payments in respect of attendance

- a) Where an invitation or ticket to an event is provided free of charge, the City may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if Council determines attendance to be of public value.
- b) For any events where a member of the public is required to pay, unless previously approved and listed in the Register available on the City's website, Council will determine whether it is in the best interests of the City for an Elected Member or the CEO to attend on behalf of the City.
- c) If Council determines that an Elected Member or CEO should attend a paid event, the City will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- d) Where partners of an authorised City representative attend an event, any tickets for that person, if paid for by the City, must be reimbursed by the City representative unless expressly authorised by Council.

Definitions

Elected Members includes the Mayor and all Councillors

Event is defined as a:

- Concert;
- Conference (that is not included in the *Elected Members Attendance at Conferences, Seminars, Training and Professional Development Policy*, or in the case of the Chief Executive Officer, the *Senior and Executive Staff attendance at Conferences, Seminars and Training*);
- Function; or
- Sporting Event.

Related Legislation

Local Government Act 1995 (WA) s 5.90A

Related Documentation

Nil

Relevant Delegations	Nil.
Risk Evaluation	Nil.
Council Adoption	Pending
Review/Modified	
Review/Modified	
Review/Modified	

Attachment 2



Department of
Local Government, Sport
and Cultural Industries

Local Government Operational Guidelines

December 2019

Attendance at events policy



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Department of Local Government, Sport and Cultural Industries

Leederville office

246 Vincent Street
Leederville WA 6007

Postal address: PO BOX 8349,

Perth Business Centre WA 6849

Email: info@dlgsc.wa.gov.au

Website: www.dlgsc.wa.gov.au

About DLGSC

The DLGSC works with partners across government and within its diverse sectors to enliven the Western Australian community and economy through support for and provision of sporting, recreational, cultural and artistic policy, programs and activities for locals and visitors to the State.

The department provides regulation and support to local governments and the racing, gaming and liquor industries to maintain quality and compliance with relevant legislation, for the benefit of all Western Australians. This publication is current at December 2019.

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1. Introduction

Council members are expected to make decisions in the best interests of their community. To do this, they must consider each issue on its merits.

Decision-making could be influenced – or perceived to be influenced – in a number of ways, including through financial relationships, personal relationships and the receipt of gifts. The *Local Government Act 1995* sets out requirements on council members, Chief Executive Officers (CEOs) and other employees to ensure transparency and accountability in decision-making.

Certain gifts received by council members and CEOs are specifically excluded from the conflict of interest provisions (section 5.62(1B)), including a gift that is received in accordance with an Attendance at Events policy. This guideline gives an overview of matters which could be included in the Attendance at Events policy.

Note: this guideline does not apply to the gift provisions in the code of conduct that relates to employees (other than the CEO).

Other related operational guidelines:

- Operational Guideline: Disclosure of gifts and disclosure of interests relating to gifts
- Operational Guideline: Disclosure of interests affecting impartiality
- Operational Guideline: Primary and annual returns

2. Gifts

A gift is defined under section 5.57 of the Act as a conferral of a financial benefit (including a disposition of property) made by one person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral. It includes any contributions to travel.

For the purposes of both disclosure of receipt and disclosing an interest when a matter comes before council, a gift is any gift valued at over \$300 or a cumulative value of \$300 where the gifts are received from the same donor in a 12-month period.

2.1. Interests in matters before council

The interest provisions are aimed at ensuring that decision-making is free from influence and so decisions can be made in the best interests of the community.

An interest created from receipt of a gift recognises that a relationship is formed between the donor and a recipient of a gift which could be perceived to affect decision-making. This applies to any gift received, not just a gift that must be disclosed under sections 5.87A and 5.87B.

The basic principle is, that unless the gift is an excluded gift (section 5.62(1B) and Administration Reg. 20B), the council member who has received the gift is not to participate in any part of the meeting dealing with the matter. They must be absent from any deliberations (unless approval is granted by the council or the Minister).

If the council member has such an interest they must disclose this interest before the meeting to the CEO or to the presiding member before the matter is discussed.

If it is the CEO who has the interest due to receipt of a gift, they are not to provide advice to council or prepare reports for council, either directly or indirectly. They must disclose their interest to the mayor or president.

2.2. Gifts excluded from the interest provisions

Any gift received over \$300 is specifically excluded from the conflict of interest provisions if:

- the gift relates to attendance at an event where attendance has been approved by the council in accordance with the council endorsed Attendance at Events policy, or
- the gift is from specified entities.

Regulation 20B of the *Local Government (Administration) Regulations 1996* prescribes the specified entities as WALGA (but not LGIS), ALGA, LG Professionals, a State public service department, a Commonwealth, State or Territory government department or another local government or regional local government.

Excluded gifts are still a gift that must be disclosed and published on the gifts register if over the value of \$300 and received in the capacity of council member or CEO.

3. Attendance at events policy

Section 5.90A of the Local Government Act requires that local governments have an attendance at events policy. The purpose of the policy is for the council to actively consider the purpose of and benefits to the community from council members and CEOs attending events.

The policy provides a framework for the acceptance of invitations to various events and clarifies who will pay for tickets or the equivalent value of the invitation.

The tickets should be provided to the local government and not individual council members. A ticket or invitation provided by a donor to an individual in their capacity as a council member or CEO is to be treated as a gift to that person, unless the tickets or invitation is referred to the local government to be considered in accordance with the policy.

3.1. The legislation [section 5.90A]

5.90A. Policy for attendance at events

- (1) In this section —

event includes the following —

- (a) a concert;
 - (b) a conference;
 - (c) a function;
 - (d) a sporting event;
 - (e) an occasion of a kind prescribed for the purposes of this definition.
- (2) A local government must prepare and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —
- (a) the provision of tickets to events; and
 - (b) payments in respect of attendance; and
 - (c) approval of attendance by the local government and criteria for approval; and
 - (d) any prescribed matter.
- * Absolute majority required.
- (3) A local government may amend* the policy.
- * Absolute majority required.
- (4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (5) The CEO must publish an up-to-date version of the policy on the local government's official website.

4. Matters for consideration in developing the policy

In developing the policy, there are a number of matters which need to be considered. Principally, the council needs to consider what is the benefit to the community or local government in having members of council or the CEO attend the event.

The Attendance at Events policy is to enable council members to attend events as a representative of council without restricting their ability to participate in council meetings. It is not intended to be used as a mechanism to avoid conflict of interest provisions where significant matters are likely to come before council from the provider of the invitation.

While attending events is generally considered an important function for council members and the CEO to represent the local government, if there are costs involved, especially significant costs, it can lead to criticism from the community for spending ratepayer's money if the tangible benefits are not identified. Similarly, if the council is accepting tickets, including those as a result of sponsorship, there can be a perception of bias when matters affecting that organisation come before council.

The policy should also consider the role that the person attending will have at the event - for example, speaking, giving an award or being a member of the audience – especially if there are significant costs associated with attendance. The community perception will be different for a person attending to undertake a specific role or function versus being a member of the audience.

Note that examples are provided in the legislation of what constitutes an event: concerts, conferences, functions and sporting events. This is not an exhaustive list and councils should consider the full range of events that may be relevant to their local government, such as agricultural shows, field days, school awards nights and cultural events.

Ultimately, it is the decision of the council as to what is contained within the policy and this will vary between local governments.

Matters that could be included are:

- To whom invitations are to be directed,
- Who authorises attendance at an event, including how the decision is made for a council member or CEO to attend an event,
- How many people are authorised to attend an event,
- Who is responsible for the cost of attending (if any), including whether there is a requirement for the council member or CEO to contribute to the cost, particularly if the person's partner is also attending;
- Whether there are any events that are authorised in advance by council (preauthorised events),
- Whether the location of the event is within the district,
- Attendance at sponsored events, and
- Attendance at events that are outside the policy.

The council, with accountability to the local community, is in the best position to determine the design and content of the policy. Some local governments have requested guidance from the Department. To this end a sample policy is included on the following pages.

The policy may provide authorisation for the CEO to be the decision maker where decisions align with the policy intent. In that case, the policy must set out clear criteria by which the CEO may make such determinations.

5. Concluding remarks

In developing the Attendance at Events policy, councils need to actively consider the purpose of and benefits to the community from council members and CEOs attending events. The policy should not be used to intentionally circumvent conflict of interests which may arise from attending events hosted by a provider who will have a significant matter before council.

Local governments are encouraged to use this template as a guide and to adapt it to reflect the needs and expectations of their communities. The policy can also be adapted to include attendance at events by employees other than the CEO.

The community's trust in local government is crucial to its success.

Attendance at Events – template policy

Introduction

Section 5.90A of the *Local Government Act 1995* provides that a local government must prepare and adopt an Attendance at Events policy.

This policy is made in accordance with those provisions.

Purpose

This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of council members and the chief executive officer (CEO).

Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above \$300 and the donor has a matter before council. Any gift received that is less than \$300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.

Legislation

5.90A. Policy for attendance at events

- (1) In this section —
event includes the following —
 - (a) a concert;
 - (b) a conference;
 - (c) a function;
 - (d) a sporting event;
 - (e) an occasion of a kind prescribed for the purposes of this definition.
 - (2) A local government must prepare and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —
 - (a) the provision of tickets to events; and
 - (b) payments in respect of attendance; and
 - (c) approval of attendance by the local government and criteria for approval; and
 - (d) any prescribed matter.
- * Absolute majority required.

- (3) A local government may amend* the policy.
* Absolute majority required.
- (4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (5) The CEO must publish an up-to-date version of the policy on the local government's official website.

Provision of tickets to events

1. Invitations

- 1.1 All invitations or offers of tickets for a council member or CEO to attend an event should be in writing and addressed to the [Click or tap here to enter text.]
- 1.2 Any invitation or offer of tickets not addressed to the [Click or tap here to enter text.] is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.
- 1.3 A list of events and attendees authorised by the local government in advance of the event is at Attachment A.

2 Approval of attendance

- 2.1 In making a decision on attendance at an event, the council will consider:
 - a) who is providing the invitation or ticket to the event,
 - b) the location of the event in relation to the local government (within the district or out of the district),
 - c) the role of the council member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
 - d) whether the event is sponsored by the local government,
 - e) the benefit of local government representation at the event,
 - f) the number of invitations / tickets received, and
 - g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.
- 2.2 Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation provided in this policy.

Guidance Note: If the local government is proposing to provide authorisation to the CEO to determine matters in accordance with this policy, then it will be necessary for the policy statement to include specific principles / criteria by which the CEO may make such determinations.

3 Payments in respect of attendance

- 3.1 Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the council determine attendance to be of public value.
- 3.2 For any events where a member of the public is required to pay, unless previously approved and listed in Attachment A, the council will determine whether it is in the best interests of the local government for a council member or the CEO or another officer to attend on behalf of the council.
- 3.3 If the council determines that a council member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- 3.4 Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the council.

Attachment A – events authorised in advance

Event	Date of event	Approved Attendee/s	Approved local government contribution to cost	Date of council resolution or CEO authorisation
Example: Greater Westralia Regional Agricultural Ball	20 December 2019	<ul style="list-style-type: none"> President Cr Brown and partner Deputy President Cr Green and partner CEO and partner 	6 tickets @ \$190 each Total cost \$1,140	Ordinary Council Meeting 4 November 2019

10.6.1.2 Elected Member Request for Information Policy

Applicant/Proponent:	City of Bayswater	
Owner:	City of Bayswater	
Responsible Directorate:	Office of the Chief Executive Officer	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. Current Elected Member Request for Information Policy 2. Tracked changes version of Elected Member Request for Information Policy 3. Clean version of proposed Elected Member Request for Information Policy	
Refer:	Item 13.5 OCM 28.08.2018	

SUMMARY

For Council to consider proposed amendments to the Elected Member Request for Information Policy.

OFFICER'S RECOMMENDATION

That Council amends the Elected Member Request for Information Policy as outlined in Attachment 3.

COMMITTEE RECOMMENDATION TO COUNCIL

That Council amends the Elected Member Request for Information Policy as outlined in Attachment 3 and further amended by the Committee to include the group email address for the Directors.

BACKGROUND

At the Ordinary Council Meeting of 28 August 2018, Council adopted the Elected Member Request for Information Policy. The Policy has not been reviewed since its adoption.

EXTERNAL CONSULTATION

Nil.

OFFICER'S COMMENTS

The Elected Member Request for Information Policy, also known as the CHD system, was introduced in 2018 due to Council's request for increased communication and responsiveness to enquiries sent through to staff.

The CHD system has been in place for two years and it is considered timely to undertake a review of the system. The current process for CHD is as follows:

- All Councillor enquiries are sent to the CHD email.
- The Mayor and Council Support Officer registers all enquiries received and allocates them to the appropriate Directorate.
- The relevant Director or Chief Executive Officer will arrange for a response to be provided within 5 days (save where the matter is deemed confidential as per the policy)

- Where the matter has not been resolved in 5 days, an update will be provided every 10 days until the matter is resolved.

Issues noted following review of Policy

A review has been undertaken of the policy, with the following issues having been identified:

- Enquiries which have been sent to mail@bayswater and cc'ed to Councillors are being forwarded to CHD. This causes a double up as the matter is registered by both the Information Management team and via CHD and tasked out twice to Officers. In addition, the City's standard 10 day response timeframe is effectively halved when it is forwarded to CHD which causes confusion and issues with prioritisation of enquiries.
- There have been instances where responses have been sent and the CHD email cc'ed. Residents/ratepayers have then responded to CHD directly, circumventing the City's dedicated mail@bayswater email address.
- Questions in relation to agenda items and Notices of Motion are being forwarded to CHD rather than the relevant Director. This can cause delays if queries are sent to CHD the day of the Ordinary Council Meeting, as the inbox is not being actively monitored as normal in the lead up to the Ordinary Council Meeting.
- There have been instances of doubling up, where multiple Councillors forward the same enquiry to CHD.
- The City has received feedback that not all Councillors are across strategic issues as different queries are sent by different Councillors to CHD.

The following changes are therefore proposed to the policy:

- Any external enquiry forwarded to CHD that has also been sent to mail@bayswater will not be registered.
- Matters relating to Notices of Motion or questions relating to items on the agenda should be forwarded to the relevant Director or CEO as appropriate rather than CHD. Responses to questions relating to items on the agenda will be cc'ed to all Councillors to ensure all Councillors are kept up to date on the matter.
- Enquiries relating to a particular Ward will have the respond cc'ed to all Ward Councillors
- Enquiries relating to strategic issues will be cc'ed to all Councillors.

Minor typographical errors have also been rectified in the proposed amendments to the Policy.

LEGISLATIVE COMPLIANCE

The Elected Member Request for Information Policy ensures Councillors direct operational and strategic enquiries to the Chief Executive Officer, who has appropriately delegated the ability to respond to the Directors, in compliance with the *Local Government Act 1995* (WA) and associated subsidiary legislation.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council amends the Elected Member Request for Information Policy as outlined in Attachment 3.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low

Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	The proposed changes to the Elected Member Request for Information Policy ensures issues identified since the adoption of the Policy are addressed to ensure appropriate governance and continued consistent strategic direction.	

Option 2	That Council amends the Elected Member Request for Information Policy as outlined in <u>Attachment 3</u> and as further amended by the Policy Review and Development Committee.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	Moderate
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	Council may wish to further amend the policy. Risks will be noted by the Officers at the meeting should further changes be requested.	

Option 3	That Council does not amend the Elected Member Request for Information Policy.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	High
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	A number of issues have been identified in the City in relation to the operation of the Policy which will continue to exist should the policy not be amended.	

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), 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

The proposed changes to the Elected Member Request for Information Policy ensures continued accountability and good governance to the community whilst providing a mechanism to effectively provide information to Council, enabling strong stewardship and leadership.

CONCLUSION

The proposed amendments to the Elected Member Request for Information Policy addresses issues which have been identified in a review of the policy since its inception in 2018.

Attachment 1

Elected Member Request for Information Policy



Responsible Division	Office of the Chief Executive Officer
Responsible Business Unit/s	Office of the Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Governance, Office of the Chief Executive Officer
Document Ref	3228076

Purpose

The City will respond to requests made by the Elected Members in a timely and professional manner in accordance with the details stipulated in this Policy.

Policy Statement

- Any Elected Member wishing to make enquiry or obtain any information regarding an operational/strategic issue shall contact the City through the established Elected Member enquiries process, being that all matters are referred to the Mayor and Council Support Officer in the first instance, with email being the preferred method of contact.
- The Mayor and Council Support Officer will register all enquiries received from Elected Members.
- Upon registration of the enquiry, a response shall be coordinated by the relevant Director or Chief Executive Officer as appropriate or as requested by the Elected Member.
- A response will be provided directly to the Elected within five (5) working days, and a record of the response saved.
- Should the matter not be resolved within the nominated timeframe of five (5) working days, the Manager, Director or Chief Executive Officer (as appropriate) shall provide an update report every ten days (10) (or as otherwise agreed with the Elected Member) on the matter until resolved.
- In addition to the process outlined above, any Elected Member who wishes to raise a matter on a confidential basis is to send the request direct to the Chief Executive Officer only, with a specific request that the matter be dealt with in confidence and a reason/s outlining why. Where there is conjecture as to the sensitivity or otherwise of such matters raised, the Chief Executive Officer will consult with the Mayor to ascertain whether the request be dealt with as being confidential.
- Matters relating to Council meetings, agendas or are time critical may be forwarded directly to the relevant Director or the Chief Executive Officer appropriate.

Definitions

Nil

Related Legislation

Nil

Related Documentation

Nil

Relevant Delegations

Risk Evaluation

Council Adoption	28 August 2018
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Review/Modified	Insert Date
-----------------	-------------

Review/Modified	Insert Date
-----------------	-------------

Review/Modified	Insert Date
-----------------	-------------

Attachment 2

Elected Member Request for Information Policy



Responsible Division	Office of the Chief Executive Officer
Responsible Business Unit/s	Office of the Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Governance, Office of the Chief Executive Officer
Document Ref	3228076

Purpose

The City will respond to requests made by the Elected Members in a timely and professional ~~manager~~ manner in accordance with the details stipulated in this Policy.

Policy Statement

1. Any Elected Member wishing to make ~~enquiry or obtain any information~~ Elected Member Request regarding an operational/strategic issue shall contact the City through the established Elected Member enquiries process Member Request process, being that all matters are referred to the Mayor and Council Support Officer in the first instance, with email being the preferred method of contact Councillor Help Desk email ('CHD').
2. The Mayor and Council Support Officer will register all ~~enquiries received from Elected Members~~ CHDs.
- 2.3. Any external enquiry which has also been sent to the City's email address, being mail@bayswater, will not be registered as a CHD.
- 3.4. Upon registration of the ~~enquiry~~ CHD, a response shall be coordinated by the relevant Director or Chief Executive Officer as appropriate or as requested by the Elected Member.
- 4.5. A response will be provided directly to the Elected Member within five (5) working days, and a record of the response saved.
- 5.6. Should the matter not be resolved within the nominated timeframe of five (5) working days, the Manager, Director or Chief Executive Officer (as appropriate) shall provide an update report every ten days (10) (or as otherwise agreed with the Elected Member) on the matter until resolved.
- 6.7. In addition to the process outlined above, any Elected Member who wishes to raise a matter on a confidential basis is to send the request direct to the Chief Executive Officer only, with a specific request that the matter be dealt with in confidence and a reason/s outlining why. Where there is conjecture as to the sensitivity or otherwise of such matters raised, the Chief Executive Officer will consult with the Mayor to ascertain whether the request be dealt with as being confidential.
8. Matters relating to Council meetings, including Notices of Motions or questions relating to items on an agenda should not be submitted to CHD. Questions relating to Council meetings are to be

~~agendas or are time critical may be~~ forwarded directly to the relevant Director or the Chief Executive Officer as appropriate. Responses relating to questions on agenda items will be cc'ed to all Elected Members.

9. Matters relating to a particular ward will have the response cc'ed to all Ward Councillors.

7-10. Matters relating to strategic issues will be cc'ed to all Councillors.

Definitions

Nil "Elected Member Request" means a request for information, or request for advice in relation to either an operational or strategic issue.

Related Legislation

Nil Regulation 9(1) of the Local Government (Rules of Conduct) Amendment Regulations 2020 prohibits an Elected Member from undertaking a task that contributes to the administration of the local government. This policy provides a process to ensure that Elected Members do not breach this regulation.

Related Documentation

Nil

Relevant Delegations

Risk Evaluation

Council Adoption	28 August 2018
------------------	----------------

Review/Modified	Insert Date
-----------------	-------------

Review/Modified	Insert Date
-----------------	-------------

Review/Modified	Insert Date
-----------------	-------------

Attachment 3

Elected Member Request for Information Policy



Responsible Division	Office of the Chief Executive Officer
Responsible Business Unit/s	Office of the Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Governance, Office of the Chief Executive Officer
Document Ref	3228076

Purpose

The City will respond to requests made by the Elected Members in a timely and professional manner in accordance with the details stipulated in this Policy.

Policy Statement

- Any Elected Member wishing to make an Elected Member Request shall contact the City through the established Elected Member Request process, being that all matters are referred to Councillor Help Desk email ('CHD').
- The Mayor and Council Support Officer will register all CHDs.
- An external enquiry, which has also been sent to the City's email address, being mail@bayswater, will not be registered as a CHD.
- Upon registration of the CHD, a response shall be coordinated by the relevant Director or Chief Executive Officer as appropriate or as requested by the Elected Member.
- A response will be provided directly to the Elected within five (5) working days, and a record of the response saved.
- Should the matter not be resolved within the nominated timeframe of five (5) working days, the Manager, Director or Chief Executive Officer (as appropriate) shall provide an update report every ten days (10) (or as otherwise agreed with the Elected Member) on the matter until resolved.
- In addition to the process outlined above, any Elected Member who wishes to raise a matter on a confidential basis is to send the request direct to the Chief Executive Officer only, with a specific request that the matter be dealt with in confidence and a reason/s outlining why. Where there is conjecture as to the sensitivity or otherwise of such matters raised, the Chief Executive Officer will consult with the Mayor to ascertain whether the request be dealt with as being confidential.
- Matters relating to Council meetings, including Notices of Motions or questions relating to items on an agenda should not be submitted to CHD. Question relating to Council meetings are to be forwarded directly to the relevant Director or the Chief Executive via COB_DIRECTORS@bayswater.wa.gov.au. Responses relating to questions on agenda items be cc'ed to all Elected Members.

9. Matters relating to a particular ward will have the response cc'ed to all Ward Councillors.
10. Matters relating to strategic issues will be cc'ed to all Councillors.

Definitions

"Elected Member Request" means a request for information, or request for advice in relation to either an operational or strategic issue.

Related Legislation

Regulation 9(1) of the *Local Government (Rules of Conduct) Amendment Regulations 2020* prohibits an Elected Member from undertaking a task that contributes to the administration of the local government. This policy provides a process to ensure that Elected Members do not breach this regulation.

Related Documentation

Nil

Relevant Delegations

Risk Evaluation

Council Adoption	28 August 2018
------------------	----------------

Review/Modified	Insert Date
-----------------	-------------

Review/Modified	Insert Date
-----------------	-------------

Review/Modified	Insert Date
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10.6.1.3 Planning Policy Review - Height Restriction, Neville Street, Bayswater

Responsible Branch:	Strategic Planning and Place	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	1. Existing Height Restriction - Neville Street, Bayswater Policy 2. Tracked changes version of the advertised Height Restriction – Neville Street, Bayswater Policy 3. Proposed Height Restriction - Neville Street, Bayswater Policy	
Refer	Item 13.1.3: OCM 22.9.2020 Item 10.5.4.2: OCM 3.9.2019	

SUMMARY

Council consideration is sought in relation to the final approval of the proposed modifications to the City's existing Height Restriction - Neville Street, Bayswater local planning policy.

Council at its Ordinary Meeting held 22 September 2020 adopted for public advertising the proposed modified Height Restriction - Neville Street, Bayswater Policy.

The proposed modified policy was advertised for a period of 22 days. One submission was received during the consultation period.

COMMITTEE RECOMMENDATION TO COUNCIL
(OFFICER'S RECOMMENDATION)

That Council adopts the proposed Height Restriction - Neville Street, Bayswater Policy as contained in Attachment 3 to this report.

BACKGROUND

City officers are currently undertaking a review of the existing local planning policies, in order to improve the City's policy framework and reduce "red tape" associated with development application processing.

The review found that the content of the Height Restriction - Neville Street, Bayswater policy remains current; however, it requires updating to reflect the current City of Bayswater policy format and remove outdated references.



The Policy Review and Development Committee considered the proposed modified policy at its meeting held 21 August 2019, and made the following recommendation to Council:

"That Council requests the Chief Executive Officer to present a report to a future Policy Review and Development Committee in relation to all the current design guidelines policies for residential estates and the like."

The Committee changed the Officer's Recommendation as it was considered appropriate to consider this policy in the context of the other design guidelines policies for residential estates, and the variance of their development requirements to those prescribed in the Residential Design Codes (R-Codes) that apply to the other residential areas in the City.

Council adopted the above Committee recommendation at its Ordinary Meeting held 3 September 2019.

Council at its Ordinary Meeting held 22 September 2020 resolved:

"That Council adopts for public advertising the proposed modified Height Restriction - Neville Street, Bayswater Policy as contained in Attachment 2 to this report."

EXTERNAL CONSULTATION

The City advertised the proposed modified policy for 22 days from 1 October 2020 to 23 October 2020 in accordance with Council's resolution of 22 September 2020. One submission was received during the consultation period, which is addressed in the officer's comments section below.

OFFICER'S COMMENTS

One submission was received during the consultation period requesting to amend the scope section of the proposed modified policy to clarify that only Units 11 to 15 of Lot 700, Nos. 5 to 7 Neville Street, Bayswater are impacted by the policy provisions and that Units 1 to 10 are not impacted.

The below map illustrates that Units 1 to 10 are not within the area where the policy provisions apply. On further review of the proposed policy that was advertised, it is considered necessary to revise the scope section as follows:

- The text refers to construction, which should be development.
- The advertised policy referred to Lot 103 (for No. 9 Neville Street, Bayswater) on the map, which should be Lot 3.
- Refer to Lot 700 Units 11 to 15, Nos. 5 - 7 Neville Street, Bayswater, which was referred to as Lot 700, Nos. 5 - 7 Neville Street, Bayswater in the advertised policy version.
- The advertised policy referred to Lot 103 (for No. 3D Neville Street, Bayswater) in the text and Lot 3 on the map, which should be Strata Lot 3 in both the text and map.
- Link the text description of the lots to the map to better clarify which properties are subject to the policy provisions.



As the proposed revisions do not change the objectives or requirements of the policy, it is not considered necessary to readvertise the policy.

Due to the above, it is recommended to modify the advertised version of the proposed policy as detailed in **Attachments 2 and 3**.

LEGISLATIVE COMPLIANCE

Schedule 2, Part 2, clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for amending a local planning policy, including the requirement to give local public notice of a decision to amend a local planning policy.

OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Option 1	That Council adopts the proposed Height Restriction - Neville Street, Bayswater Policy as contained in Attachment 3 to this report.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	It is considered that this option has a low risk, as it is consistent with the existing policy. Further, the City has not received any complaints about the height limits imposed by the existing policy, only a submission to clarify which properties are subject to the policy provisions.	

Option 2	That Council adopts the proposed Height Restriction - Neville Street, Bayswater Policy, as contained in Attachment 3 to this report with further modification(s).	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Dependent on the modification(s) proposed.
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	It is considered that the risks of this option are dependent on the modification(s) proposed	

Option 3	That Council endorses the continuation of the existing policy with no modification.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Moderate
Governance	Low	Moderate
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
Conclusion	It is considered that this option has a moderate risk to the City's reputation, community and stakeholders and governance, as the existing policy is inconsistent with the City's current policy format and contains outdated references to the R-Codes.	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1:	Publishing of public notice of the adoption of the proposed modified policy		
Asset Category:	N/A	Source of Funds:	Municipal
LTFP Impacts:	Not itemised in the LTFP		

Notes: Nil

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$400	-	-	-	-	-	\$14,000

STRATEGIC IMPLICATIONS

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

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

The proposed modified policy will assist with the delivery of a quality built environment. The draft policy will maintain the restriction on the height of buildings to ensure that the scale of buildings transitions from the residential area to the north to the adjacent Parks and Recreation reserve to the south.

CONCLUSION

The existing Height Restriction - Neville Street, Bayswater Policy is considered necessary to ensure that the scale of buildings transitions from the residential area to the north to the adjacent Parks and Recreation reserve to the south. The proposed modified Height Restriction - Neville Street, Bayswater Policy is considered to improve upon the original, as it is consistent with the current City of Bayswater policy format and incorporates various improvements that enhance its ease of use and effectiveness. It is therefore recommended that the proposed modified policy be adopted.

Attachment 1 - Existing Height Restriction - Neville Street, Bayswater Policy**HEIGHT RESTRICTION - NEVILLE STREET,
BAYSWATER POLICY**

Responsible Division	Planning and Development Services
Responsible Business Unit/s	Planning Services
Responsible Officer	Planning Manager
Affected Business Unit/s	Planning Services

**PURPOSE:**

To ensure that development of the portion of the following sites closest to the Regional Reserve are limited to single storey in scale to ensure that the development blends in with the surrounding residential area and the Park and Recreational Reserve.

POLICY STATEMENT:

In accordance with the provisions of the R-Codes (Clause 3.7.1 – Building Height Requirements), where provided for in a Local Planning Policy pursuant to Clause 2.6.2 of the Codes, development may be restricted in height.

1. This policy is made pursuant to Clause 2.6.2 of the Residential Design Codes 2002 and shall have effect for applications made for residential development as defined by the City of Bayswater Town Planning Schemes (as amended). This policy does not alter or change in any way the acceptable development criteria of the codes.
2. All residential development on the following Lots, as defined on the attached plan, shall be restricted to Category A dwellings (single level development) as defined under Clause 3.7.1 of the R-Codes:
 - a) Lot 103 (Strata Lot 3) No. 3D Neville Street;
 - b) Lot 700 No. 5-7 Neville Street; and
 - c) Lot 3 No. 9 Neville Street.
3. Finished ground levels to be approved by Council based on the average level of the site, and to be above the 100 year flood level.



4. Excessive filling of the site is not considered appropriate.



DEFINITIONS:

Nil

RELATED LEGISLATION:

Clause 2.6.2 of Residential Design Codes (2002).

RELATED DOCUMENTATION:

Development of Lots - Neville Street Policy (Environmental Health)

Relevant Delegations	
Risk Evaluation	
Council Adoption	Date 22 May 2001
Reviewed / Modified	Date 22 June 2004
Reviewed / Modified	Date 1 March 2016
Reviewed / Modified	Date



Attachment 2 - Tracked changes version of the advertised Height Restriction – Neville Street, Bayswater Policy



Responsible Division	Community and Development
Responsible Business Unit/s	Development Approvals
Responsible Officer	Manager Development Approvals
Affected Business Unit/s	Development Approvals

Purpose

The purpose of this policy is to ensure that development on a portion of the identified lots adjacent to the Regional Reserve are limited to a single storey, so that the scale of development creates a transition from the residential area to the north to the adjacent Parks and Recreation Reserve to the south.

Objectives

The objectives of this policy are to:

1. Ensure that the scale of development is in keeping with the established local development context.
2. Ensure that development does not unduly impact upon local amenity.

Introduction

The Residential Design Codes allows a local planning policy to contain provisions that amend or replace the deemed-to-comply provisions set out in the Codes. As it is considered necessary to restrict building height on the identified lots, this policy contains a requirement that varies the relevant building height provisions of the Residential Design Codes.

Scope

This policy applies to the ~~construction development~~ of all buildings on:

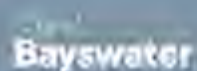
- ~~Lot 103 (Strata Lot 3), No. 3D Neville Street, Bayswater,~~
- Lot 700, ~~Units 11 to 15, Nos. 5- to 7 Neville Street, Bayswater, and~~
- Lot 3, ~~No. 9 Neville Street, Bayswater,~~

~~as shown on the below map.~~



Requirements

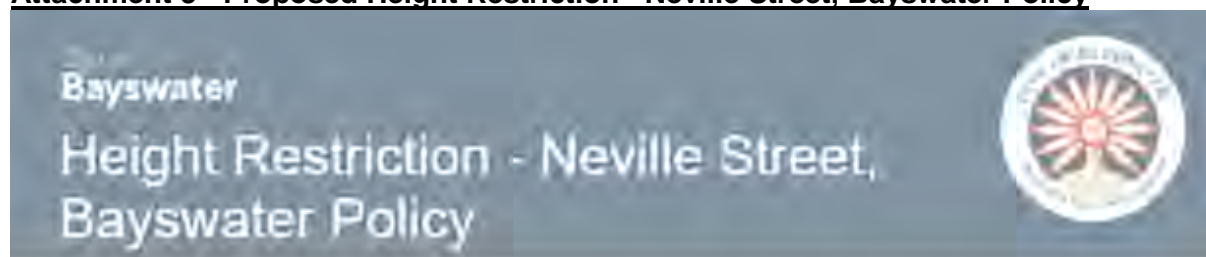
1. All residential development on the lots identified in the scope and the plan above, shall be restricted to Category A (single storey) dwellings as specified in Table 3 of the Residential Design Codes.
2. Excessive filling of the site is not considered appropriate.



Related legislation

This policy is adopted under City of Bayswater Town Planning Scheme No. 24, in accordance with Schedule 2, Part 2, clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Relevant Delegations	TP-D01
Council Adoption	22 May 2001
Reviewed / Modified	22 June 2004
Reviewed / Modified	1 March 2016

Attachment 3 - Proposed Height Restriction - Neville Street, Bayswater Policy

Responsible Division	Community and Development
Responsible Business Unit/s	Development Approvals
Responsible Officer	Manager Development Approvals
Affected Business Unit/s	Development Approvals

Purpose

The purpose of this policy is to ensure that development on a portion of the identified lots adjacent to the Regional Reserve are limited to a single storey, so that the scale of development creates a transition from the residential area to the north to the adjacent Parks and Recreation Reserve to the south.

Objectives

The objectives of this policy are to:

1. Ensure that the scale of development is in keeping with the established local development context.
2. Ensure that development does not unduly impact upon local amenity.

Introduction

The Residential Design Codes allows a local planning policy to contain provisions that amend or replace the deemed-to-comply provisions set out in the Codes. As it is considered necessary to restrict building height on the identified lots, this policy contains a requirement that varies the relevant building height provisions of the Residential Design Codes.

Scope

This policy applies to the development of all buildings on:

- Strata Lot 3, No. 3D Neville Street, Bayswater;
- Lot 700, Units 11 to 15, Nos. 5 to 7 Neville Street, Bayswater; and
- Lot 3, No. 9 Neville Street, Bayswater;

as shown on the below map:



Requirements

1. All residential development on the lots identified in the scope and the plan above, shall be restricted to Category A (single storey) dwellings as specified in Table 3 of the Residential Design Codes.
2. Excessive filling of the site is not considered appropriate.

Related legislation

This policy is adopted under City of Bayswater Town Planning Scheme No. 24, in accordance with Schedule 2, Part 2, clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Relevant Delegations	TP-D01
Council Adoption	22 May 2001
Reviewed / Modified	22 June 2004
Reviewed / Modified	1 March 2016

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 Cr Filomena Piffaretti, Deputy Mayor - Referendum on Method of Election of Mayor**

In accordance with clause 5.3(1) of the City of Bayswater's *Standing Orders Local Law 2018*, Cr Filomena Piffaretti, Deputy Mayor raised the following motion:

That Council:

- 1. *Requests the Chief Executive Officer engage the Western Australian Electoral Commission to undertake a referendum at the 2021 Local Government Elections on changing the method of election of the Mayor of the City of Bayswater from election by the Council to election by the Electors.***
- 2. *Requests the Chief Executive Officer to provide a report to Council on the results of the referendum.***

MATERIAL FACTS

In accordance with clause 5.3(3) of the City of Bayswater *Standing Orders Local Law 2018*, the Chief Executive Officer may provide relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.

The *Local Government Act 1995* (WA) ('LGA') provides guidance for the method of election of the method and how the method can be changed.

Section 2.11 relates to alternative methods of filling the office of mayor or president and provides the following:

- '(1) when an order is made under section 2.1 declaring an area of the State to be a district, the Governor is, by order, to specify whether the first mayor or president of the local government is to be -*
- (a) elected by the electors of the district under Part 4; or*
 - (b) elected by the Council from amongst the councillors under Schedule 2.3, Division 1.*
- (2) A local government may change* the method of filling the office of mayor or president used by the local government from the election by the council method to election by the electors method.*

**Absolute majority required'*

There are currently 25 local governments in Western Australia who elect their Mayor via popular election, including:

- City of Albany
- City of Bunbury
- Town of Cambridge
- City of Canning
- Shire of Carnarvon
- Town of Claremont
- City of Cockburn
- Town of Cottesloe
- Town of East Fremantle

- City of Fremantle
- City of Greater Geraldton
- City of Joondalup
- City of Kalgoorlie-Boulder
- City of Mandurah
- City of Melville
- Town of Mosman Park
- Shire of Narrogin
- City of Nedlands
- Town of Port Hedland
- City of South Perth
- City of Stirling
- City of Subiaco
- Town of Victoria Park
- City of Vincent
- City of Wanneroo

Officer's Comment

Voting in local government elections is optional in contrast to Federal and State government elections in which voting is compulsory. As a result, voter turnout in local government elections is significantly lower compared to other jurisdictions. In most local government elections, less than one-third of eligible electors cast a vote. A review of the voter turnout at elections when the Mayor is to be elected by the community, the voter turnout is higher in most cases.

Referendums on Election of Mayor

Two of the City's neighbouring Councils, being the Town of Vincent and the City of Stirling, have conducted a referendum or plebiscite on the method of election of Mayor. The results are below.

2003 - Town of Vincent

A plebiscite was conducted with the following question:

'Which method of filling the office of the mayor do you prefer?'

Elected by the Electors	5,632
Elected by the Council from amongst the Councillors	582
Total Valid Votes	6,214
Informal	24
Total Votes Received	6,238

2017 - City of Stirling

A referendum was conducted with the following question:

'Do you support changing the method of electing the City of Stirling Mayor from 'by the Councillors' to 'by the electors'?''

Responses	Votes	Percentage
Yes	27,465	71.62%
Informal	10,884	28.38%
Total valid votes	38,349	

Engagement options

Given that the referendum is proposed to be undertaken at the same time as the 2021 Local Government elections, the above figures indicate there may be high voter turnout for the referendum. It is also noted that the above engagement numbers significant outweigh those achieved via a City-led engagement through the EngageBayswater portal. A sample of the number of people who have participated in a survey, forum, quick poll etc. in the last 12 months on EngageBayswater is provided below for comparison:

- Ward Boundary and Councillor Representative Review - 81
- Metlham Suburb - 474
- Maylands Waterland Redevelopment - 30
- Environment and Liveability Framework - 10
- Fenced Dog Exercise Area - 985
- Parking in Bayswater Town Centre - 0

LEGISLATIVE COMPLIANCE

The proposed referendum complies with the sections 2.11 and 2.12 of the *Local Government Act 1995* (WA) which relate to the method of election of the Mayor and how to change the method.

FINANCIAL IMPLICATIONS

It is noted that having WAEC undertake the referendum will cost approximately \$12,000 which would need to be included in the 2021/2022 budget should the motion be adopted. This includes the preparation of the ballot papers, posting and counting post-election. Should the City undertake the referendum in house, it is estimated it would be at a higher cost in consideration of staff time and resources.

STRATEGIC IMPLICATIONS

The motion proposes to hold a referendum on changing the method of election of the Mayor to election by the electors, which demonstrates to proactively communicating and consulting with the community and strong stewardship and leadership.

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 L2:	Proactively communicates and consults
Outcome L3:	Strong stewardship and leadership

CONCLUSION

The Notice of Motion proposes to hold a referendum for the residents and ratepayers to vote on whether the method of election of the Mayor should be changed from election by the Council to election by the electors, which is currently the method amongst 25 local governments in Western Australia. Should the motion be supported, provision will be made in the 2021/2022 budget for the referendum and the City will engage the WAEC to conduct it on the City's behalf.

12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Due to the timing of the next Ordinary Council Meeting, questions from members without notice will be distributed ***Under Separate Cover.***

13. NEW BUSINESS OF AN URGENT NATURE

Nil.

14. MEETING CLOSED TO THE PUBLIC**14.1 Matters for Which the Meeting May be Closed****14.1.1 City Casual Employees**

Responsible Branch:	People, Culture and Safety	
Responsible Directorate:	Corporate and Strategy	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	Nil.	
Refer:	N/A	

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with section 5.23(2)(a) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following - *a matter affecting an employee or employees;*

OFFICER'S RECOMMENDATION

That the recommendation as contained in the attached "Confidential Report" be adopted.

14.2 Public Reading of Resolutions That May be Made Public

Nil.

15. CLOSURE