

Minutes

ORDINARY COUNCIL MEETING

11 FEBRUARY 2020

By signing these minutes I certify that they were confirmed at the Ordinary Meeting of Council held on 25 February 2020 by resolution of Council.

**CR DAN BULL, MAYOR
CHAIRPERSON**

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MINUTES

Minutes of the Ordinary Meeting of the Bayswater City Council which took place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on **11 February 2020**.

1. OFFICIAL OPENING

The Chairperson, Cr Dan Bull, Mayor, declared the meeting open at 6:30pm.

2. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson, Cr Dan Bull, Mayor, acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid 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 Barry McKenna
Cr Sally Palmer

North Ward

Cr Stephanie Gray
Cr Filomena Piffaretti, Deputy Mayor (from 6:42pm)
Cr Michelle Sutherland

South Ward

Cr Catherine Ehrhardt
Cr Elli Petersen-Pik

Officers

Mr Andrew Brien	Chief Executive Officer
Mr Doug Pearson	Director Works and Infrastructure
Mr Des Abel	Director Community and Development
Mr David Nicholson	Director Corporate and Strategy
Mr Mark Thornber	Senior Governance Advisor
Mrs Karen D'Cunha	Administration Officer

Observers

Press - 1
Public - 12

Leave of Absence

Nil.

4.1 Apologies

Cr Steven Ostaszewskyj
Ms Cassandra Flanigan

Executive Support/Research Officer

4.2 Approved Leave of Absence

Nil.

4.3 Applications for Leave of Absence**COUNCIL RESOLUTION**

That Leave of Absence be granted as follows:

Cr Lorna Clarke from 19 March 2020 to 22 March 2020 inclusive.

**CR MICHELLE SUTHERLAND MOVED, CR CATHERINE EHRHARDT SECONDED
CARRIED UNANIMOUSLY: 9/0**

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.

The following disclosures of interest were made at the meeting:

Name	Item No.	Type of Interest	Nature of Interest
Cr Catherine Ehrhardt	10.4.2	Financial and Proximity	I am a co-owner of the property (no relationship with applicant) and I also live next door to the site of this application.
Cr Lorna Clarke	10.3.1	Impartial	I know the member for Morley, Amber-Jade Sanderson via the ALP in the Morley branch and she also contacted me by text regarding this item.
Cr Stephanie Gray	10.3.1	Impartial	I know the member for Morley, Amber-Jade Sanderson via the ALP in the Morley branch and she also contacted me by text regarding this item.
Cr Dan Bull, Mayor	9.1	Impartial	Local residents effected by the item are known to me and we have children who

			<i>attend the same school, Saint Columba's.</i>
Cr Sally Palmer	9.1	<i>Impartial</i>	<i>A couple of years ago, I sold a couple of residences on the side of Murray Street that is in question.</i>

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 minutes will be considered in the first instance, followed by questions relating to Council business not listed on the minutes.
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 minutes for the following meeting.

6.1 Responses to Public Questions Taken on Notice at the Ordinary Council Meeting of 28 January 2020

Mr Laurence Butler – 20 Langley Road, Bayswater

Question 1

Yes, I am back again! This is in regards to compliance on the development at 39 Hudson Street, Bayswater, again. Condition to this development was that the trees should be protected with barriers to Australian standards. No barriers as specified were ever erected. This was raised at the Council meeting on 23 October 2017, and again with a Council officer a few months later in 2018 when a soft barrier was erected and subsequently ripped down by onsite workers. The tree deteriorated. In March 2019, I again brought this matter up and Council workers again erected a soft barrier which was again ripped down. Due to the final condition of the tree, Council workers removed the tree of concern just before Christmas.

The answers given to me on my questions, the reply I got dated 5 April 2019, are completely different to any apparent action taken. Is the tree to be replaced, and who pays, the ratepayers or the developers, for the removal or the possible replacement?

The answers I was given back in 2019 – developers are required to comply with all conditions of development approval, including implementing protection measures for street verge trees and making provision for stormwater to be contained on site. The City undertakes compliance inspection where required by legislation and providing a response for complaints received. An inspection which was undertaken by the City's officers on 20 March 2018 indicated the street tree protection measures currently being taken on the verge in front of 22 and 24 Langley Road appeared to be inadequate. The matter is being followed up to bring the tree protection to a compliant state. This never happened. Soft barriers and all and they were ripped down.

Answer 1

The building permits for both 22 and 24 Langley Road were conditional on tree protection measures being in place and it was noted to the City's Arborist in late March 2019 that the street box tree between 22 and 24 was insufficiently protected and in failing health.

Accordingly, the City's Consulting Arborist undertook appropriate measures to protect the tree in an effort to improve its condition during the construction of the dwelling, including supplementary watering. Despite these efforts, the street tree had declined to a state that it had to be removed. It is not known at what point the builder/contractor actually removed the tree protection measures and unless there is sufficient documentary evidence that the builder/contractor was responsible for the demise of the tree the City's chances are limited with respect to taking action.

The City's Consulting Arborist has advised that street trees are generally planted in the winter months and that a replacement tree will be allocated in the City's upcoming planting program.

With respect to a street tree being planted at 24 Langley Road, Bayswater as part of the construction of a single house, it is confirmed that the development approval included a condition requiring the planting of a new street tree on the verge in front of the subject property. In this respect the City will follow up this requirement with the landowner to ensure the condition of the development approval is met.

Question 2

The other question is answered there as well and that is the retention of stormwater from the property. I've been given all sorts of answers. Now the paving's all finished and the retaining wall's lower than the drain entrance, and the paving's all graded off to the retaining wall, will one of the Council officers show me how they can retain stormwater on that site? There is already physical evidence of runoff just from the hosepipe and that is nothing like the amount of water you get in a storm. And I've been complaining about this right from the start that no Compliance Officer seems to have followed it up, I've just had excuses, excuses, excuses. I'm not giving up. I don't see why I should have to wear it. It does say something in that condition about stormwater being diverted onto 20 Langley, which is what will happen. The only thing that stopped the other water coming across my garden was the fact that I never demolished my fibro fence. That's the only thing that stopped it. So to me the compliance on this site, I don't know what's going on with it, has been non-existent.

Answer 2

The City undertook works to the verge area between 20 and 22 Langley Road, Bayswater in August 2019 with a view to mitigating stormwater runoff into 20 Langley Road.

The City believes that the works that have been undertaken will significantly address this runoff matter. With regards to the portion of limestone retaining on 22 Langley Road that

runs parallel with the verge, it is considered that this wall will reduce the risk of water flowing onto the verge during a storm event.

Notwithstanding the above, should it be found that during a storm event the works are not providing sufficient containment of storm water runoff, the City will further investigate the matter and take appropriate action.

6.2 Public Question Time

Public Question Time commenced at 6:34pm.

The following question was submitted verbally:

Mr Chris Elgin – 20 Murray Street, Bayswater

Question 1

Are the Councillors aware that in relation to the item on the agenda regarding the parking on Murray Street, all the residents in Murray Street are after is to be able to park in the front of our property in the recessed bays, unaffected by any signage?

Answer 1

Cr Dan Bull, Mayor, advised that Councillors had heard the question and would take the information on board.

The following questions were submitted both in writing/verbally:

Mr David Dyke - 1/8 View Street, Maylands

Question 1

I honour Mayor Dan Bull and Cr Steven Ostaszewskyj for the rendition of singing and play the National Anthem at the Australia Day ceremony. My question is, will you both do this rendition at future Citizenship events?

Answer 1

Cr Dan Bull, Mayor, advised that he would be pleased to do so.

Question 2

My other two questions are about cats.

Is the city going to review and enforce cat registration to ensure the safety of our native species?

Question 3

Will the City enforce the covenant of all regulations pertaining to cats on the Peninsula?

The reason I put forward these two questions is, you are probably aware I do capture frog calls for the frog ID program from Gobba Lake right through to Banks Reserve. The other night the scream of a frog going down a cat's mouth was excruciating. I've seen all sorts of cats in every part from those areas and they are catching birds and all sorts of things. So I ask both of those questions - what can the Council do?

Answers 2 and 3

The Directory Community and Development advised that the questions would be taken on notice and a response provided directly to Mr Dyke.

Mr Lawrence Butler - 20 Langley Road, Bayswater

Question 1

Why wasn't my second question of 28 January 2020 answered? The statement given has no relation to the question asked. I ask for an answer addressing the original question and correcting the question on line 9 in the answer I got - it does not say anything in that condition. The answer I was given was just relating to the verge. I haven't said anything about the verge in my question. The verge is doing good, I even said that at the last meeting, but everything here in the answer relates to the verge, nothing to do with the drainage from the adjoining property, where you can actually see where water has run through already.

Answer 1

The Director Community and Development advised that a further response would be provided to Mr Butler that was more explicit in terms of the impact of the stormwater on the adjoining property, not the verge.

Question 2

I've got correspondence here dated 1 November 2017. I raised this question on 23 October 2017, about the condition of the trees and not being protected. The answer I got was "An inspection of the site was conducted by City officers on 25 October 2017 which indicated that no tree protection fencing had been set up around any of the trees in front of the subject site.

It is known the surface of the soil has been stripped clean of grass and weeds on the verge area. At the time of inspection the development works that had been undertaken had not caused any negative impacts on the verge trees. The developer has been contacted and informed of the requirements to implement the required tree protection going forward. This will be monitored to ensure compliance with the City's requirements or further compliance action will be taken if necessary.

No action was taken. This is going back nearly three years, that tree could have been saved, if the correct protection had been put on.

Who is going to pay for the tree replacement?

Answer 2

The Director Community and Development advised the City of Bayswater would pay for the tree replacement.

Question 3

So it looks as though we are subsidising the developers? They are non-compliant, but we pay.

Answer 3

The Director Community and Development explained that is insufficient evidence to enable the City to take action on other parties regarding the tree. Hence the City will pay for the replacement tree.

The following questions were submitted verbally:

Mr Tony Green – 18 Belfast Street, Morley

Question 1

My question is concerning waste pickup. In view of the press reports I've been reading about your main waste disposal agency just dumping stuff in landfill, are you still going to go ahead with your FOGO program. I mean, there doesn't seem to be any point.

Cr Filomena Piffaretti joined the meeting at 6:42pm.

Answer 1

Cr Dan Bull, Mayor advised his understanding is that the FOGO path is still being worked towards and is a different question as opposed to the recyclables.

The Director Works and Infrastructure explained that as per the information and media release from the City, it is extremely regrettable that there has been a period where recyclables are going to landfill because of the issues associated with the burning down of the Cleanaway facility in South Guildford. The City's understanding is that negotiations between Cleanaway and the South Metropolitan Regional Council (SMRC) are still underway in relation to sending that material to the SMRC facility. Waste was going to the SMRC facility until 24 January 2020, so this is only a relatively new occurrence in terms of it going to landfill. The City is watching those discussions and being kept updated on them regularly and has also talked to Cleanaway about potential interim options if that is not successful.

The bottom line is that this is a short-term impact on recyclables and it is important that people still maintain their activities in terms of recycling properly because it will be reinstated. It is important to meet the objectives of the State Waste Strategy, so we still need to recycle. Council will be considering FOGO at the 25 February 2020 Ordinary Council Meeting.

Cr Dan Bull, Mayor asked the Director Works and Infrastructure to elaborate on the relationship between FOGO and recyclables.

The Director Works and Infrastructure advised the State Waste Strategy talks about diversion of waste from landfill, with a target of 70% by 2025. So to do that you need to do your recycling and also look at other alternatives such as FOGO and reducing waste. All of these are components of meeting that target.

Mr Green commented that he's been doing this for 45 years and is not against FOGO however feels there should be more emphasis on controlling the waste control agency then starting new waste programs.

Mr Harvey Tonkin – harveyt@iinet.net.au

Question 1

What is the penalty if you haven't renewed your pet licence on time and is the penalty under the animal act (dog act) or is it a Council penalty?

Answer 1

The Director Community and Development advised the question would be taken on notice.

Question 2

Can I make a general comment in regards to that? I was speaking to someone who is being charged a penalty of \$5,000, because they hadn't renewed their animal's licence. It brought up the hairs on the back of my neck. I thought that sounds a bit extreme, so I wondered whether it is a State Government or a Local Government penalty.

Answer 2

Cr Dan Bull, Mayor, advised there is some complication in that there is the State regime, including the Dog and Cat Acts but there are also penalties enforced at the Local Government Level. The City will respond to Mr Tonkin to ensure this is clarified.

At 6:46pm Cr Stephanie Gray withdrew from the meeting and returned at 6:48pm.

Mr Harry Bouzidis - 21 Parkinson Street, Noranda

Question 1

Last year the City of Bayswater sought public opinion on two items that are of interest to me - the dog exercise areas in various parks and the building of stages on reserves. I was wondering, has that progressed at all?

Answer 1

The Director Community and Development advised in relation to dog exercise areas, advertising was conducted late 2019. There were numerous submissions which officers are going through. A more detailed response will be given to Mr Bouzidis regarding the next steps.

The Director Works and Infrastructure explained a report was presented to Council within the past four months, and the Council resolution at the time was to investigate a couple of options for a stage.

Question 2

Would the directors please keep me up to date if it progresses?

Answer 2

Cr Dan Bull, Mayor replied that the Directors would keep Mr Bouzidis up to date on the above matters.

Public Question Time was closed at 6:48pm.

7. CONFIRMATION OF MINUTES

7.1 Ordinary Meeting: 28 January 2020

COUNCIL RESOLUTION

The Minutes of the Ordinary Meeting of Council held on 28 January 2020 which have been distributed, be confirmed as a true and correct record.

CR STEPHANIE GRAY MOVED, CR SALLY PALMER SECONDED

CARRIED UNANIMOUSLY: 10/0

7.2 Special Meeting:

Nil.

8. PRESENTATIONS

8.1 Petitions

Council noted and received a petition with 27 signatures from the residents of Murray Street, Bayswater asking the City of Bayswater "...to continue our right to park on the street outside our homes in the recessed bays. This is also in support of those bays remaining open and available for our visitors, be it family or friends to park in these bays without the fear of infringement."

8.2 Presentations

Cr Sally Palmer presented as Chairperson of Bayswater Childcare Association. The Bayswater Childcare Association has now employed a part time Chief Executive Officer (CEO) to run the organisation within the context of independence from the Council with the overarching involvement from some Councillors on the Management Committee. They are Cr Stephanie Gray, Cr Michelle Sutherland and Cr Sally Palmer as Chairperson of the Committee. They went through the normal advertising, interviewing and Committee decisions to enable them to seek out the best CEO for the childcare centre. The new CEO's name is Serina Garbett. She has been involved with the association for the best part of three years and has acted as a part time advisor in business which is her profession and career.

Cr Sally Palmer will forward the new BCCA CEO's contact details to the City. She is pleased to be confident in the new CEO's skills for management, modern social media, strategic planning and information technology.

8.3 Deputations

SUSPENSION OF STANDING ORDERS

That section 6.9 of the *City of Bayswater Standing Orders Local Law 2018* be suspended so deputations will not be heard at this meeting.

CR BARRY MCKENNA MOVED, CR CATHERINE EHRHARDT SECONDED

CARRIED: 8/2

FOR VOTE: *Cr Barry McKenna, Cr Catherine Ehrhardt, Cr Dan Bull, Mayor, Cr Filomena Piffaretti, Deputy Mayor, Cr Stephanie Gray, Cr Michelle Sutherland, Cr Giorgia Johnson and Cr Sally Palmer.*

AGAINST VOTE: *Cr Elli Petersen-Pik and Cr Lorna Clarke.*

The following deputations were listed to be heard at the Agenda Briefing Forum held 4 February 2020:

1. Street Parking on Murray Street

In relation to Item 9.1, Ms Rebecca Young (Resident of 22 Murray Street, Bayswater) was in attendance, however, as she was speaking on the same item, decided not to present.

2. Street Parking on Murray Street

In relation to Item 9.1, Mr John Elgin (on behalf of Resident Chris Elgin 20 Murray Street, Bayswater) was in attendance, speaking against the officer's recommendation.

3. Change of Use to Educational Establishment (Employment – Training Facility) and Associated Alterations – Strata Lots 5 and 6, 5/3 and 6/3 Bookham Street, Morley

In relation to Item 10.4.1, Mr Steven Mateljan (Business and Property Owner - Business Manager/Financial Advisor, Suite 9 and 10 #3 Bookham Street, Throughlife Financial Solutions) was listed to deputise, speaking against the officer's recommendation, however, did not attend the agenda briefing forum.

4. Proposed Change of Use to Liquor Store (Small) and Associated Alterations and Signage at Lot 447, 211 Railway Parade, Maylands

In relation to Item 10.4.2, Mr Paul Heatley (Director and Shareholder of Commune Wine Store, 3 Halifax Road Maylands on behalf of the Applicant Mr Christopher Ford, Commune Wine Store, 110 Coode Street, Maylands) was in attendance, speaking in support of the officer's recommendation.

8.4 Delegates Reports

Nil.

9. METHOD OF DEALING WITH MINUTES 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) on which a Member wishes to make a statement; or
- (e) on which a Member wishes to move a motion that is different to the recommendation.

Withdrawn items:

- | | |
|----------|--|
| 9.1 | A matter on which an interest has been disclosed, is subject of a petition and a deputation and on which a Member wishes to move a motion that is different to the recommendation. |
| 10.4.2 | A matter on which an interest has been disclosed, is subject of a deputation and on which a Member wishes to move a motion that is different to the recommendation. |
| 10.1.1 | A matter on which a Member wishes to move a motion which is different to the recommendation. |
| 10.3.1 | A matter on an interest has been disclosed and on which a member wishes to make a statement. |
| 10.5.2.1 | A matter on which a member wishes to make a statement. |
| 13.1 | A matter on which a member wishes to move a motion that is different from the recommendation. |

9.1 Street Parking on Murray Street

Responsible Branch:	Rangers and Security	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	Nil	
Refer:	Item 10.4.7: OCM 28.1.2020 Item 11.2.11: OCM 20.11.2012 Item 9.1: OCM 23.10.2012 Item 12.3: OCM 8.12.2009	

CR DAN BULL, MAYOR DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Dan Bull, Mayor declared an impartial interest in this item as local residents affected by the item are known to him and they have children who attend the same school as his children, Saint Columba's. Cr Dan Bull, Mayor remained in the room during voting on this item.

CR SALLY PALMER DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Sally Palmer declared an impartial interest in this item as a couple of years ago she sold a couple of residences on the side of Murray Street that is in question. Cr Sally Palmer remained in the room during voting on this item.

SUMMARY

The City has conducted a review of parking restrictions in Murray Street, Bayswater (between Veitch Street and Leake Street) following concerns raised by a community member regarding the appropriateness of parking compliance and enforcement at the location.

Previous Council resolutions approved the issuing of residential parking permits to residents at 14, 20, 22 and 24 Murray Street, Bayswater to enable on street parking during restricted timed parking periods.

Parking conditions have changed since the resolutions were made and it is considered that the current restrictions and permit arrangements should be amended.

It is considered that time restricted parking at the school should remain in place with amendments to the restricted time, to be consistent with other school areas and the timing of 40 km/h school speed zones.

Parking restrictions which were implemented as the result of high volumes of traffic visiting the Sikh Gurdwara Temple on Sundays are no longer considered applicable as the temple has relocated to another area.

As result of these changes and the availability of direct access to onsite parking it is considered the requirement for residential parking permits during restricted periods has been alleviated.

OFFICER'S RECOMMENDATION

That:

1. Council endorses the following changes to the parking restrictions and residential parking permits in relation to street parking on Murray Street, Bayswater:
 - (a) Amending current timed parking restrictions adjacent to the Bayswater Primary School, Murray Street, Bayswater to "No Stopping" from 7.30am to 9.00am and 2.30pm to 4.00pm Monday to Friday, to assist with school children safety.
 - (b) Removing "No Parking 9.00am and 2.00pm Sundays Permit Holders Excepted" parking restrictions in Murray Street, Bayswater.
 - (c) Issuing residential parking permits only to residents of Murray Street where their property does not have on-site parking. Permits that have previously been issued will not be reissued once they expire on 31 December 2020, where on-site parking is available to that resident, including the residents of 14, 20, 22 and 24 Murray Street, Bayswater.
2. The City advises the residents of 14, 20, 22 and 24 Murray Street, Bayswater that their residential parking permits will not be reissued following their expiry on 31 December 2020.

COUNCIL RESOLUTION

That Council endorses the following changes to the parking restrictions and residential parking permits in relation to street parking on Murray Street, Bayswater:

- 1. Amending current timed parking restrictions adjacent to the Bayswater Primary School, Murray Street, Bayswater to "No Stopping" from 7.30am to 9.00am and 2.30pm to 4.00pm Monday to Friday, to assist with school children safety.**
- 2. Removing "No Parking 9.00am and 2.00pm Sundays Permit Holders Excepted" parking restrictions in Murray Street, Bayswater.**

CR GEORGIA JOHNSON MOVED, CR FILOMENA PIFFARETTI, DEPUTY MAYOR SECONDED

CARRIED UNANIMOUSLY: 10/0

REASON FOR CHANGE

Council changed the Officer's Recommendation as it was of the opinion that residents of Murray Street, Bayswater should retain their current parking permits as there are insufficient grounds to change this arrangement.

BACKGROUND

At the Ordinary Council Meeting on 8 December 2009, Council resolved to introduce parking restrictions in Murray Street, Bayswater following community complaints about the high volume of vehicles attending the Sikh Gurdwara Temple, 13 Murray Street, Bayswater, creating significant parking issues each Sunday between 9.00am and 2.00pm.

As a result, the City introduced restricted parking on Sundays between 9.00am and 2.00pm. School parking restrictions from 8.00am to 9.00am and 2.45pm to 3.45pm Monday to Friday were already in place at the location prior to the above Council resolution.

At the Ordinary Council Meeting on 23 October 2012, Council resolved to undertake a review of parking restrictions in Murray Street to consider the impact upon residents who did not have availability of off-street parking. City officers undertook a review and tabled the below findings at the Ordinary Council Meeting on 20 November 2012:

- *“The school parking restriction affects four (4) properties for an hour in the morning and an hour in the afternoon from Monday to Friday on school days. No other restriction applies to these properties during the rest of the day.*
- *The parking restriction on Sunday affects nine (9) properties for a period of five (5) hours. Residents have been issued with parking permits to enable parking outside of their properties during this period and are therefore exempt from the restriction.”*

The City officers provided three options consisting of:

1. Making no changes to the parking restrictions in place;
2. Amending parking restrictions to allow parking for a maximum of 10 minutes during school restricted zone times (between 8.00am and 9.00am, and between 2:45pm and 3:45pm on school days); and
3. Providing resident parking permits to allow parking during the school restricted time zones (between 8.00am and 9.00am, and between 2:45pm and 3:45pm from Monday to Friday) for the residents of the four properties currently affected by the restrictions.

The City officers recommended option 3 as it made no changes to parking conditions for the general public but allowed unrestricted parking for residents who live opposite the Bayswater Primary School. The reviewing officer advised that all affected residents possessed onsite parking via a driveway on Murray Street or via rear lane access, and *“may not utilise such a permit but it would be available to them should they choose to park adjacent to their properties.”* Council agreed with the recommendations and resolved to:

- *“Issue residents of numbers 14, 20, 22 and 24 Murray Street Bayswater amended parking permits allowing them to park adjacent to their properties on Murray Street, Bayswater at all times in accordance with the City's Parking and Parking Facilities Local Law.”*



In November 2017 the City introduced a full time parking officer whose role includes promoting and administering compliance with the *City of Bayswater Parking and Parking Facilities Local Law 2016* through a range of education and enforcement measures.

A focus of the City's parking function is to enhance the safety of children, who are amongst the community's most vulnerable road users. The City has developed a range of strategies to minimise the risk to children at peak times during the school day and these include production of a school parking brochure, communicating responsible parking to school communities and enforcement of parking restrictions.

The dedicated parking officer position has enabled the City to adopt a community safety approach involving a proactive patrol schedule at all schools within the district for several days at a time. The aim is to be highly visible and improve driver behaviour which may contribute to residents noticing the increased presence.

In August 2019 Council adopted the Bayswater Town Centre Short-term Parking Management Plan (PMP) following a parking occupancy count and community consultation. The PMP provided an action plan to deal with the intention of the Public Transport Authority (PTA) to remove the commuter parking bays at the Bayswater Station in early 2020. Action 3 PMP is to provide new time restrictions for the town centre based on the Town Centre Time Restrictions Plan below.

Town Centre Time Restrictions Plan



Town Centre Core Insert



In the PMP Murray Street is proposed to be two hour parking to near the intersection with Leake Street and 5 hour parking from Leake Street to Roberts Street.

The City recently introduced the two hour parking restrictions between 8.00am and 5.00pm from Monday to Friday on the southern side of Murray Street, in accordance with the PMP, however the current restrictions on the northern side have been retained for the time being.

The modifications to the time restrictions in the section between Leake Street and Roberts Street will be implemented when the PTA has constructed and open the new parking bays at Ashfield and Meltham Stations.

The introduction of residential parking permits across the Bayswater town centre was one of the options put to the community during the consultation on the PMP. Of the responses received, 47% were “happy” with considering requests for parking permits, 37% were “neutral” and 29% were “unhappy”. In ranking the options available, parking permits was ranked 9th (of 12 options) in terms of priorities. Based on the community feedback received, this option was not included in the adopted PMP for action.

At the Ordinary Council Meeting 28 January 2020, Council considered Item 10.4.7 relating to this matter and resolved as follows:

“That this item be deferred to the next Ordinary Council meeting on 11 February 2020.”

EXTERNAL CONSULTATION

The Principal of Bayswater Primary School has been consulted and does not object to the removal of parking restrictions on Murray Street.

Murray Street residents have not been consulted, however prior unrelated communications with residents suggest that permit holders will oppose the removal of permits.

OFFICER'S COMMENTS

School Zone Parking Restrictions

It is common for time restricted “No Stopping” zones to be in place prohibiting vehicles parking opposite schools at peak times. This is considered to be in recognition of the risk posed to children, with limited or no road sense, who may cross uncontrolled roads to access waiting vehicles, without consideration of their surroundings or their own safety. This risk is considered exacerbated by high traffic volumes and motorists who may be distracted and not be fully concentrating on driving.

If the restrictions are removed and an incident resulting in a claim occurs, the City may bear some level of liability if it can be shown that the removal of the restriction contributed in some way to the occurrence, or duty of care responsibilities were not adhered to, although this will be dependent on circumstances arising from individual situations.

The current restricted parking times in Murray Street are between 8.00am and 9.00am and 2.45pm to 3.45pm from Monday to Friday.

This contrasts to restrictions generally in place around other schools which are from 7.30am to 9.00am and 2.30pm to 4.00pm Monday to Friday, aligned to school speed zones which provides uniformity and assists to reduce motorist confusion and misunderstanding.

Removing the “No Stopping” zones in Murray Street will enable additional parking for several vehicles and increase convenience for motorists. It will allow parking for residents at the front of their properties but may also encourage non-residents to park unhindered at the location.

Sikh Gurdwara Temple Parking Restrictions

Timed parking restrictions were introduced to the eastern end of Murray Street in 2009, prohibiting parking between 9.00am and 2.00pm every Sunday. Residents at 14, 20, 22 and 24 Murray Street were provided with parking permits exempting them from the restriction. The restrictions were introduced as the result of complaints made to the City regarding parking issues, created by large numbers of patrons attending the temple, situated at 13 Murray Street.

Approximately five years ago the temple moved from Murray Street and relocated to another area. The property is now leased by the Sai Baba Temple, which is open for one hour during the current parking restriction time. It is open on most days at varying times but does not attract large traffic volumes and to date no evidence of systemic parking issues has been identified.

The City officers favour removing the parking restriction and replacing it with two hour parking restrictions between 8.00am and 5.00pm Monday to Friday, consistent with the opposite side of the road in accordance with the PMP. This may encourage people to visit the area on Sundays to park and walk into the town centre to enjoy the amenity and support local businesses.

Residential Parking Permits

The widespread adoption of residential parking permits through the Bayswater town centre was not one of the options adopted in the PMP. Notwithstanding, it is considered that there may be individual streets, such as Murray Street, where permits may be appropriate given the historic issuing of permits and the presence of dwellings without on-site parking provision.

Parking permits were issued to the residents of 14, 20, 22 and 24 Murray Street in 2009 allowing them to park on the street during restricted parking times each Sunday, due to the lack of access to their properties from Murray Street. Following a review of parking in the street the parking permits were extended, allowing the holders to park adjacent to their property during time restricted school parking periods.

During the current review City officers identified the following onsite parking structures at each of the properties:

- 14 Murray Street: Driveway access from Murray Street, which can accommodate two vehicles;
- 20 Murray Street: Access to existing enclosed single garage from City-owned right of way at rear of property;
- 22 Murray Street: Access to existing single carport and single open parking bay from City-owned right of way at rear of property; and
- 24 Murray Street: Access to existing enclosed double garage from Leake Street.

It is considered that for Murray Street where time restrictions apply, the approach should be that permits will only be issued for properties that do not have onsite parking. In instances where parking for one or more vehicles is available on site, whether it is currently used for that purpose or not, a permit should not be issued and any existing permits should not be reissued once they have expired on 31 December 2020. In Murray Street, the majority of the properties have on-site parking available. It is therefore proposed that the permits for 14, 20, 22 and 24 Murray Street should not be reissued once they have expired.

LEGISLATIVE COMPLIANCE

The City's Parking and Parking Facilities Local Law 2016 applies to this matter as follows:

"Clause 1.10: Powers of the local government"

The local government may, by resolution, prohibit or regulate by the use of signs or other parking control devices, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law."

"Clause 9.6: Revocation of a permit"

1. *The local government may at any time give an eligible person to whom a permit was issued pursuant to the provisions of this local law notice requiring that person to notify the local government of any reason why that permit should not be revoked.*
2. *The local government shall give notice referred to in subclause (1) by serving a notice on the eligible person to whom the permit was issued.*
3. *After 7 days of the serving of a notice referred to in subclause (2), the local government may revoke the permit.*
4. *For the purpose of subclause (3) the date of receipt of the notice shall be the date the notice was served. (5) The local government shall give notice of any revocation by serving a notice on the eligible person to whom the permit was issued."*

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:																											
	<p>1. Council endorses the following changes to the parking restrictions and residential parking permits in relation to street parking on Murray Street, Bayswater:</p> <p>(a) Amending current timed parking restrictions adjacent to the Bayswater Primary School, Murray Street, Bayswater to “No Stopping” from 7.30am to 9.00am and 2.30pm to 4.00pm Monday to Friday, to assist with school children safety.</p> <p>(b) Removing “No Parking 9.00am and 2.00pm Sundays Permit Holders Excepted” parking restrictions in Murray Street, Bayswater.</p> <p>(c) Issuing residential parking permits only to residents of Murray Street where their property does not have on-site parking. Permits that have previously been issued will not be reissued once they expire on 31 December 2020, where on-site parking is available to that resident, including the residents of 14, 20, 22 and 24 Murray Street, Bayswater.</p> <p>2. The City advises the residents of 14, 20, 22 and 24 Murray Street, Bayswater that their residential parking permits will not be reissued following their expiry on 31 December 2020.</p>																											
<table><tr><th>Risk Category</th><th>Adopted Risk Appetite</th><th>Risk Assessment Outcome</th></tr><tr><td>Strategic Direction</td><td>Moderate</td><td>Low</td></tr><tr><td>Reputation</td><td>Low</td><td>Low</td></tr><tr><td>Governance</td><td>Low</td><td>Low</td></tr><tr><td>Community and Stakeholder</td><td>Moderate</td><td>Low</td></tr><tr><td>Financial Management</td><td>Low</td><td>Low</td></tr><tr><td>Environmental Responsibility</td><td>Low</td><td>Low</td></tr><tr><td>Service Delivery</td><td>Low</td><td>Low</td></tr><tr><td>Organisational Health and Safety</td><td>Low</td><td>Low</td></tr></table>		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
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Financial Management	Low	Low																										
Environmental Responsibility	Low	Low																										
Service Delivery	Low	Low																										
Organisational Health and Safety	Low	Low																										
Conclusion	This option is considered to have low risks.																											

	Residents of the four properties which currently have parking permits have other on site parking options available and whilst this option does not affect the wider community, it is possible a negative reaction may result from those affected by the loss of permits.
--	--

Option 2	That Council endorses the City to engage with the landowners on Murray Street, Bayswater between Veitch Street and Roberts Street regarding other changes recommended by Council to the parking restrictions and residential parking permits in relation to street parking on Murray Street.		
Risk Category		Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction		Moderate	Dependent on the proposed modification(s).
Reputation		Low	
Governance		Low	
Community and Stakeholder		Moderate	
Financial Management		Low	
Environmental Responsibility		Low	
Service Delivery		Low	
Organisational Health and Safety		Low	
Conclusion	This level of risk associated with this option are unable to be assessed until recommended change(s) are identified.		

Option 3	That Council endorses no changes to the parking restrictions and residential parking permits in relation to street parking on Murray Street, Bayswater.	
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	<p>It is considered that this option has the above moderate risks as the current time restrictions on Sunday is not required. Maintaining this restriction precludes visitors from utilising five hours of potential parking availability.</p> <p>Also the current school parking restrictions are inconsistent with other school locations.</p> <p>Maintaining the current residential parking permits may be perceived that some residents are in receipt of privileges despite having access to on site parking.</p>	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1:	Amended "No Stopping" signage and installation		
Asset Category:	N/A	Source of Funds:	Municipal
LTFP Impacts:	Not itemised in the LTFP.		

Notes: Four "No Stopping 7.30am – 9.00am and 2.30pm – 4.00pm Monday to Friday" signs to be installed on existing poles to replace redundant signs.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$124	Nil	Nil	Nil	5 years	\$124	\$10,000

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 B1:	Appealing streetscapes.
Outcome B3:	Quality built environment.
Theme:	Our Local Economy
Aspiration:	A business and employment destination
Outcome E2:	Active and engaging town and city centres

The intended outcomes of this review will enable a connected community where traffic management and parking requirements are improved to enhance vibrancy and community safety in the Bayswater Town Centre.

CONCLUSION

The City undertook an investigation into the appropriateness of parking restrictions and enforcement actions on Murray Street, Bayswater, between Veitch Street and Leake Street.

The review identified the timing of “No Stopping” school parking restrictions are not aligned with the timing of similar restrictions at other locations, or with the 40km/h school speed zones and recommends changing the timings to provide consistency with other areas.

The purpose of school parking restrictions is to enhance safety of students by creating an environment where they are not required to cross the street to exit or enter waiting vehicles. The Principal of Bayswater Primary School is not adverse to the restrictions being removed, however the City believes it has a duty of care and removing the restrictions may place the City in a position of liability in the event of a claim being made.

The review identified that the parking conflict which previously existed due to the high volume of patronage at the Sikh Gurdwara Temple between 9.00am and 2.00pm on Sundays no longer exists due to the facility being relocated to another area. It is considered that the current lessee does not have the same issues and the continued Sunday restriction is no longer applicable.

14, 20, 22 and 24 Murray Street all have current on site parking via driveways from the street or a right of way at the rear of the property. Accordingly the City recommends that these existing parking permits should not be reissued, effective from 31 December 2020.

10. REPORTS**10.1 Chief Executive Officer Reports****10.1.1 2020 Australian Local Government Association National Assembly**

Applicant/Proponent:	City of Bayswater	
Owner:	City of Bayswater	
Responsible Directorate:	Office of the Chief Executive Officer	
Authority/Discretion:	<input checked="" type="checkbox"/> Advocacy <input 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. ALGA Discussions Paper – Call for Motions	
Refer:	Nil.	

SUMMARY

For Council to approve the attendance of the Chief Executive Officer, the Mayor and one Councillor to attend the Australian Local Government Association 2020 National General Assembly.

OFFICER'S RECOMMENDATION

That Council approves the attendance of the Chief Executive Officer, the Mayor and Councillor _____ to attend the Australian Local Government Association 2020 National General Assembly.

COUNCIL RESOLUTION

That Council approves the attendance of the Chief Executive Officer, the Mayor and Councillor Catherine Ehrhardt to attend the Australian Local Government Association 2020 National General Assembly.

CR CATHERINE EHRHARDT MOVED, CR MICHELLE SUTHERLAND SECONDED

CARRIED: 6/4

FOR VOTE: *Cr Barry McKenna, Cr Sally Palmer, Cr Catherine Ehrhardt, Cr Filomena Piffaretti, Deputy Mayor, Cr Michelle Sutherland, and Cr Elli Petersen-Pik.*

AGAINST VOTE: *Cr Stephanie Gray, Cr Lorna Clarke, Cr Giorgia Johnson and Cr Dan Bull, Mayor.*

REASON FOR CHANGE

Council nominated Cr Catherine Ehrhardt to attend the Australian Local Government Association 2020 National General Assembly.

BACKGROUND

The Australian Local Government Association (**ALGA**) was founded in 1947 and represents 537 councils across Australia. ALGA represents local government on national bodies and ministerial councils, including the Council of Australian Governments (**COAG**). ALGA raises the concerns of local government at the national level by lobbying the Australian Government and Parliament on specific issues and running campaigns to secure agreed policy objectives

as well as providing information on national issues, policies and trends affecting local government.

The National General Assembly is a key event each year which provides a forum for local governments to guide the development of national local government policies and to advocate on behalf of the sector.

EXTERNAL CONSULTATION

Nil.

OFFICER'S COMMENTS

The ALGA 2020 National General Assembly will be held at the National Convention Centre in Canberra from 14 to 17 June 2020. The theme for the 2020 National General Assembly is "Working Together for our Communities" and a copy of the program can be viewed here: <https://conferenceco.eventsair.com/nga2020/>.

ALGA has written to the City advising that Notice of Motions are now being accepted for the 2020 Assembly. ALGA has produced a discussion paper (**Attachment 1**) to assist Councillors in the consideration and drafting of motions. To be eligible for inclusion and debate on the floor of the Assembly, the motion must meet the following criteria:

1. Be relevant to the work of local government nationally;
2. Be consistent with the themes of the National General Assembly;
3. Complement or build on the policy objectives of your state and territory local government association;
4. Be from a Council which is a financial member of their state or territory local government association;
5. Propose a clear action and outcome; and
6. Not be advanced on behalf of external third parties that may seek to use the National General Assembly to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Council may wish to lodge a notice of motion for consideration at the National General Assembly. It is noted that there is an expectation that should the City put forward a motion, there is a representative from Council to speak to it.

The ALGA National Congress is traditionally held during a sitting week of parliament. This will provide an opportunity for Council to not only advocate for local government at a federal level but to also meet with Ministers or senior staff to advocate for strategic projects for the City. Council adopted an Advocacy Strategy on 12 March 2019 and it is considered timely that Council meet with Ministers or senior staff while in Canberra to advocate on behalf of the City for projects identified in the Strategy. Relevant ministers that Council delegates could meet with include:

- Minister for Regional Services, Decentralisation and Local Government
 - Portfolio responsibilities in relation to local government includes providing financial assistance grants, investment and grant programs and providing essential services and developing effective planning initiatives for local government
- Minister for Youth and Sport

- Portfolio responsibilities includes grants relating to local and community sport facilities and programs
- Treasurer
 - Portfolio responsibilities include economic policy and the government's expenditure and revenue raising
- Minister for Infrastructure, Transport and Regional Development and Assistant Minister for Road Safety and Freight Transport
 - Portfolio responsibilities include the infrastructure investment program and road safety program
- Minister for Finance
 - Portfolio responsibilities include budget policy advice and process and review of government programs, government financial accountability, governance and finance management frameworks, including grants
- Assistant Minister for Community Housing, Homelessness and Community Services
 - Portfolio responsibilities include homelessness and social housing
- Minister for Environment
 - Portfolio responsibilities include natural and built heritage, urban environment, environmental information and research and community and household climate action

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 approves the attendance of the Chief Executive Officer, the Mayor and Councillor _____ to attend the Australian Local Government Association 2020 National General Assembly.		
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	By attending the 2020 ALGA National General Assembly, Council delegates will be able to advocate on behalf of both the City and the sector as a whole at a national level. The opportunity to meet with relevant Federal ministers will allow Council representatives to advocate on behalf of the City as outlined in the Council adopted Advocacy Strategy.		

Option 2	That Council notes the attendance of the Chief Executive Officer at the Australian Local Government Association 2020 National General Assembly, noting that no Councillors will be attending.		
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	Should Council not support the attendance of Council delegates at the 2020 ALGA National General Assembly, the opportunity to advocate on behalf of the sector and the City at a national level will still be addressed through the attendance of the Chief Executive Officer. The timing of the Assembly will allow delegates to meet with key Federal Ministers to advocate for the City in accordance with Council's adopted Advocacy Strategy. In the event that only the Chief Executive Officer is attending and meetings with Ministers are held, the Chief Executive Officer will represent the City. A moderate risk in relation to governance and community and stakeholder has been identified should Council not endorse attendance as this may be perceived as not supporting the Advocacy Strategy.	

FINANCIAL IMPLICATIONS

The Early Bird registration fee of \$989 for the National General Assembly is available until 8 May 2020. Standard fees after this date are to be confirmed but are estimated to be \$1,099 based on last year's fees. Additional costs will include flights and accommodation.

It is proposed that costs associated with the attendance in accordance with the Council resolution be funded out of the City's Advocacy budget. Should any additional Councillors wish to attend the conference, it would be funded out of their conference and professional development allowance in accordance with the Elected Members Conferences, Seminars, Training and Professional Development policy.

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 L3: Strong stewardship and leadership

By attending the Assembly and taking the opportunity to meet with key Federal members, Council will continue to lobby and advocate effectively on behalf of the community consistent with the recently adopted Advocacy Strategy.

CONCLUSION

Given the opportunity to interact and meet with both industry groups and other Councils as well as use the opportunity to advocate with Ministers in Canberra in accordance with Council's adopted advocacy strategy, it is recommended that Council approve a delegation to the Assembly.

Attachment 1

4 December 2019

City of Bayswater
PO Box 467
MORLEY WA 6943

CITY OF BAYSWATER DOCUMENT REGISTRATION			
HWM		SBC	
CEO	CE	MEH	
DCS		LCS	
COM		MRSS	
FIN		REC	
RAT		SPP	
GOV		DWI	
IS		APS	
OS		MBW	
PCS		MES	
DCD		MEW	
CD		DEP	
EVCO		PS	
MDA		SE	
ATT:			

Dear Mayor, Councillors and CEO (please distribute accordingly)

The Australian Local Government Association (ALGA) is now calling for Notices of Motions for National General Assembly 2020 (NGA).

The NGA provides a platform for Local Government to address national issues and advocate to the federal government on critical issues facing our sector.

The theme for the 2020 NGA is *'Working Together for our Communities'*. This theme acknowledges the need to come together and with other partners, including the Federal Government, to deliver for our communities.

ALGA received significant feedback on the motions process and topics from the 2018 and 2019 NGA. In response to the feedback received, ALGA has prepared a discussion paper that explores data that identifies critical areas local government needs to consider now and into the future.

To inform the submission of motions, please read the discussion paper (included with this letter) and ensure motions meet the identified criteria.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;
2. be consistent with the themes of the NGA;
3. complement or build on the policy objectives of your state and territory local government association;
4. be from a council which is a financial member of their state or territory local government association;
5. propose a clear action and outcome; and
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be lodged online at alga.asn.au no later than 11:59pm on Friday 27 March 2020.

Any administrative inquiries can be directed to ALGA by calling 02 6122 9400.

Adrian Beresford-Wylie
ALGA CEO

**WORKING
TOGETHER
FOR
OUR
COMMUNITIES
NGA20**

Call for Motions
Discussion Paper 2020

14-17 June 2020
National Convention Centre Caberra

nga20.com.au



KEY DATES

18 November 2019

Opening of Call for Motions

27 March 2020

Acceptance of motions close

14 - 17 June 2020

National General Assembly

To submit your motion go to:

alga.asn.au/nga20-motions/

SUBMITTING MOTIONS

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda.

To assist you to identify motions that address the theme of the 2020 NGA – Working Together for Our Communities, the Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper. You are encouraged to read all the sections of the paper but are not expected to respond to every question. Your motion/s can address one or more of the issues identified in the discussion paper.

Remember that the focus of the NGA is on partnerships and working together so your questions could focus on how Local Governments can work in partnership with the Australian Government to address the challenges our communities face, or the opportunities that are arising as we approach the crossroads before us.

Criteria for motions

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally
2. not be focussed on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic importance and should be discussed at a national conference
3. be consistent with the themes of the NGA
4. complement or build on the policy objectives of your state and territory local government association
5. be submitted by a council which is a financial member of their state or territory local government association
6. propose a clear action and outcome i.e. call on the Australian Government to do something
7. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

OTHER THINGS TO CONSIDER

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. Motions should commence as follows - This National General Assembly calls on the Australian Government to

e.g. This National General Assembly calls on the Australian Government to restore funding for local government Financial Assistance Grants to a level equal to at least 1% of Commonwealth taxation revenue.

In order to ensure efficient and effective debate where there are numerous motions on a similar issue, the ALGA Board NGA Subcommittee will group the motions together under an overarching strategic motion. The strategic motions have either been drafted by ALGA or are based on a motion submitted by a council which best summarises the subject matter. Debate will focus on the strategic motions. Associated sub-motions will be debated by exception only.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. **Motions should be received no later than 11:59pm AEST on Friday 27 March 2020.**

Please note that for every motion it is important to complete the background section on the form. Submitters of motions should not assume knowledge. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee, as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Sub-Committee considers the importance and relevance of the issue to local government.

Please note that motions should not be prescriptive in directing how the matter should be pursued. With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

There is an expectation that any Council that submits a motion will be present at the National General Assembly to move and speak to the motion.



INTRODUCTION

The purpose of this discussion paper is to provide guidance to councils developing Motions for Debate at the 2020 National General Assembly (NGA). This NGA will focus on working together for our communities and how local governments can achieve success through partnerships. It will consider how strategic partnerships can assist councils to address the challenges and opportunities we are facing today and tomorrow.

Some of the challenges and opportunities facing Australia were outlined in the CSIRO's Australian National Outlook 2019. Many of the challenges have direct implications for local governments and the communities they represent and provide services for. These challenges can also be opportunities that, if seized and managed appropriately, can ensure that our councils and communities thrive. This will require long-term planning, significant effort, and a cultural shift that will rebuild trust in institutions and all tiers of government, encourage healthy risk taking, and incorporate environmental and social outcomes in decision-making.

Collaboration and partnerships across sectors and with a diverse range of organisations will be vital to develop and implement solutions to the challenges ahead and to seizing the opportunities that emerge.

The National Outlook

The Australia National Outlook 2019 released by the CSIRO¹ revealed that Australia is at a crossroads. The research highlighted that we need to think and act differently if we are to ensure a bright future where GDP per capita could be as much as 36% higher in 2060 and growth is environmentally sustainable and inclusive. Failure to adequately address the significant economic, environmental and social challenges identified would result in a slow decline.

The CSIRO identified six important challenges that are already taking hold or on the horizon:

- **The rise of Asia** – The development boom in China that fuelled strong demand for Australian commodities (particularly resource and energy exports) is tapering off as China transitions to a new phase of growth fuelled by domestic consumption and services. However, growth in Asia could also create significant opportunities for Australia. By 2030, the Asia-Pacific region is set to consume more than half of the world's food, 40% of its energy, and be home to an estimated 65% of the world's middle class, resulting in increased demand for Australia's quality produce and service exports including tourism, education, health and aged care services, entertainment and financial and professional services.

How can local government position its communities to reap the benefits of the rise of the Asian middle class and manage any impacts? What partnerships are important?

- **Technological change** – New disruptive technologies are transforming industries and the way people live, work, and interact with each other. They are also changing the skills that will be needed in the workforce of the future. In the face of declining academic results Australia faces difficulties in ensuring that the workforce is prepared for the jobs of the future. With adaptation strategies in place embracing technology can have a net positive outlook for jobs.



What are the pre-requisites for commitments to take advantage of technological change?

What adaptation strategies are required at a local level to ensure councils and local communities are ready for the jobs of the future? What partnerships may be required?

- **Climate change and environment** – a broad range of impacts will be experienced in Australia as a result of global climate change, the severity of which will depend on the effectiveness of global emission reductions and local adaptation. The impacts include more extremely high temperatures and few extremely low temperatures, less rainfall and more droughts in southern Australia, less snow, more intense rainfall and fire weather, and fewer but stronger cyclones, and sea level rise. These changes will increase stress on Australia's ecosystems that are already threatened, and significantly affect agriculture, forestry, fisheries, transport, health, tourism, finance and disaster risk management. It is possible to strive towards zero emissions through a range of actions that target key sectors including energy, land use, urban infrastructure and industrial systems.

How do we work together to ensure that there is local adaptation to climate change and climate extremes? What partnerships are available to achieve zero emissions?

- **Demographics** – Australia's population is estimated to reach 41 million by 2060. This increase will be accompanied by an ageing of the population resulting in a reduction in the proportion of working age people from 66% in 2018 to an estimated 60% in 2060. This will impact economic output and infrastructure requirements and place pressure on government budgets. The impacts of population growth are likely to be felt most strongly in urban environments, with Sydney and Melbourne projected to be home to 8-9 million people and Brisbane and Perth increasing to 4-5 million people. If density does not increase, more and more people will be distanced from jobs, higher education, health services and transport.

What partnerships and forward planning are required to manage the impact of population growth in urban areas? How do regional and rural areas work in partnership to realise the benefit of population growth?

- **Trust** – Trust in institutions including governments, businesses, non-government organisations and the media has declined significantly since 1993 when 42% trusted government compared with just 26% in 2016. The loss of trust threatens the social licence to operate for Australia's institutions, restricting their ability to enact long term strategies.

How can local governments utilise partnerships to strengthen our social licence to operate?

- **Social cohesion** – like trust, social cohesion has declined falling from a baseline of 100 in 2007 to 88.5 in 2017, according to the Scanlon Foundation Index. This index considers survey respondents' sense of belonging and worth, social justice and equity, political participation and attitudes towards minorities and newcomers. The drivers of social cohesion are not fully understood but the following factors may all play a role: issues related to trust; financial stress, slow wage growth; poor housing affordability and its disproportionate affect on low income earners; and the rise of inequity.

How can local governments work in partnership with their communities and others to build and maintain social cohesion?

If Australia tackles these six challenges head on using a collaborative approach, we can achieve a bright future as a nation. However, there are five major shifts or changes that must occur. Each of these shifts have several “levers” that support their attainment. Local government has a role in some of the levers.

- An industry shift to enable a productive, inclusive and resilient economy with new strengths in both the domestic and export sectors
 - o Increase the adoption of technology to boost productivity in existing industries that have historically supported Australia’s growth, as well as new industries.
 - o Invest in skills to ensure a globally competitive workforce that is prepared for technology-enabled jobs of the future.
 - o Develop export-facing growth industries that draw on Australia’s strengths and build competitive advantage in global markets and value chains.

What can be achieved through partnerships that can address the gap between regions that are struggling and those that are well-off?

- An urban shift to enable well-connected, affordable cities that offer more equal access to quality jobs, lifestyle amenities, education and other services.
 - o Plan for higher-density, multicentre and well-connected capital cities to reduce urban sprawl and congestion.
 - o Create mixed land use zones with diverse high-quality housing options to bring people closer to jobs, services and amenities.
 - o Invest in transportation infrastructure, including mass-transit, autonomous vehicles and active transit, such as walking and cycling.

Rural communities are essential to Australia’s wellbeing. What is required to ensure equitable access to quality jobs, lifestyle amenities, education and other services? What role do partnerships have to play in this?

Local governments are vital partners in achieving the urban shift? What needs to be brought to the partnerships by other parties? What policies need to be developed or changed?

- An ENERGY shift to manage Australia’s transition to a reliable, affordable, low-emissions energy economy that builds on Australia’s existing sources of comparative advantage.
 - o Manage the transition to renewable sources of electricity, which will be driven by declining technology costs for generation, storage and grid support.
 - o Improve energy productivity using available technologies to reduce household and industrial energy use.
 - o Develop new low-emissions energy exports, such as hydrogen and high-voltage direct current power.



What role do local governments play in the energy shift? How will local governments and communities benefit?

- A LAND shift to create a profitable and sustainable mosaic of food, fibre and fuel production, carbon sequestration and biodiversity.
 - o Invest in food and fibre productivity by harnessing digital and genomic technology, as well as using natural assets more efficiently.
 - o Participate in new agricultural and environmental markets, such as carbon forestry, to capitalise on Australia's unique opportunities in global carbon markets.
 - o Maintain, restore and invest in biodiversity and ecosystem health, which will be necessary to achieve increased productivity.

How can rural and regional communities' benefit from the land shift? What partnerships are required to achieve this shift?

- A CULTURE shift to encourage more engagement, curiosity, collaboration and solutions, and should be supported by inclusive civic and political institutions.
 - o Rebuild trust and respect in Australia's political, business and social institutions.
 - o Encourage a healthy culture of risk taking, curiosity and an acceptance of fear of failure to support entrepreneurship and innovation.
 - o Recognise and include social and environmental outcomes in decision-making processes.

How can local governments build partnerships with their local communities that also benefit the nation as a whole?

How can local governments work in partnership with the Australian Government and other key stakeholders to achieve these shifts and other significant policy challenges?

Can a partnership approach address the current infrastructure backlog and ensure that infrastructure (including transport infrastructure) is available and fit for the future?

Trust

To effectively implement the scale of change and reform that will be required for the growing Australian population, government needs to focus on rebuilding trust. According to the *Edelman Trust Barometer*², trust in government around the world fell to record lows in 2018. While modest increases were reported in the 2019 study including in Australia, citizens around the world are struggling to trust that their governments are working in their best interest.

The 2018 report *Trust and Democracy in Australia: Democratic decline and renewal*³ revealed that Members of the Australian Parliament (MPs) in general are distrusted by nearly half the population (48 per cent) with only one in five (21 per cent) are willing to express that they trust them "a little bit". For State MPs and local councillors, the figure is slightly better with 31 % and 29 % respectively indicating they "trust them a little bit". Table 1 details the level of trust in different generations.



	Generation Z (1995-present)	Millennials (1980-94)	Generation X (1965-79)	Baby Boomers (1946-64)	Builders (1925-45)
State/Territory Government	38.5%	40.0%	26.7%	35.7%	44.1%
Federal Government	39.5%	31.5%	21.5%	30.8%	39.2%
Political parties	26.9%	15.6%	12.2%	16.7%	15.7%
Local Government	66.5%	47.1%	33.6%	47.5%	54.9%
Government ministers	27.5%	24.5%	15.7%	24.3%	31.1%
MPs in general	26.9%	23.2%	16.1%	20.2%	22.3%
Local Councillors	33.8%	31.7%	24.7%	27.2%	33.3%
Public Servants	45.4%	40.4%	34.4%	39.4%	35.9%
Your local MP	29.2%	30.5%	27.5%	31.2%	39.8%

Table 1: Levels of political trust in different generations (source: Stoker et al 2018)

The report revealed that one thing that appears to unite most Australians is complaining about their politicians with the three biggest grievances being:

- politicians are not accountable for broken promises;
- that they don't deal with the issues that really matter; and
- that big business/trade unions have too much power.

Professor Ken Smith, the Dean and CEO of the Australia and New Zealand School of Government (ANZSOG), is intent on understanding the factors that drive distrust in government and developing innovative ways to counter some of these trends. He has highlighted⁴ that people look at central government and see bureaucrats far removed from their own local circumstances. In Australia, where people live in very varied conditions, it is crucial for policymaking to be based in local realities. Yet locally-based solutions have not been the method of choice so far in Australian politics. The answer, according to Professor Smith, is devolved government, or subsidiarity where "policies are driven by and tailored to the needs of the local community – to avoid the problem of service provision that completely misses the mark".

Some commentary suggests that declining trust and confidence is driven by a perceived failure of our institutions to uphold promises and deliver outcomes. Research undertaken for *Trust and Democracy in Australia: Democratic decline and renewal*⁵ revealed a significant appetite for reform including the co-design of policies with ordinary Australians, citizen juries, to solve complex problems that parliament can't fix, and reforms aimed at creating a stronger community or local focus to decision-making.

The Review into the Australian Public Service (APS) had a focus on delivering local solutions⁶ not only in terms of place-based policy making but also by paying attention to communities (often specific communities determined by interest or identity). The review found that there is currently no guiding set of administrative principles or coordinated holistic architecture either within the APS or across the APS and other levels of government to fully support and enable local delivery solutions.

The report⁷ went on "evidence suggest the need for increasing localised solutions in genuine partnership with communities to achieve best social, economic and environmental outcomes. Top down policy making is no longer sufficient alone to deal with community expectations or the complexity of challenges faced in community settings. Communities themselves need to be part of the solutions, right from problem conception to design, implementation and evaluation". "There are opportunities for the APS to get closer to the communities it services directly and indirectly (through effective partnerships with other levels of government and civil society".

How can local governments address the trust deficit with their local communities and assist the Australian Government to do the same?

How can the Australian Government and local governments maximise the strengths and abilities of the public service (including council staff) and deliver in partnership for our communities?

How can we draw on the strengths and resourcefulness of local governments and local communities to work in partnership with the Australian Government to tackle issues of national significance and lift key economic and social indicators?

What do local governments bring to the table to tackle issues of national significance?

REFERENCES

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1. CSIRO (2019) Australian National Outlook 2019 Commonwealth Scientific and Industrial Research Organisation

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3. Stoker, G; Evans, M and Halupka, M (2018) Trust and Democracy in Australia: Democratic decline and renewal. Report No.1 Democracy 2025 Canberra

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4. Centre for Public Impact (2019) Subsidiarity, leadership and an empowered public service: keys to rebuilding trust in government. <https://www.themandarin.com.au/98763-subsidiarity-leadership-and-an-empowered-public-service-keys-to-rebuilding-trust-in-government/>

5. Stoker, G; Evans, M and Halupka, M (2018) Trust and Democracy in Australia: Democratic Decline and Renewal. Report No.1 Democracy 2025 Canberra

6. Althaus, C and McGregor C (2019) Ensuring a world-class Australian Public Service: delivering local solutions. An ANZSOG research paper for the Australian Public Service Review Panel Australian & New Zealand School of Government ANZSOG.EDU.AU

7. Ibid.





**AUSTRALIAN
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10.2 Corporate and Strategy Directorate Reports

Nil.

10.3 Works and Infrastructure Directorate Reports**10.3.1 Funding Options Morley Sport and Recreation Centre Redevelopment**

Responsible Branch:	Project Services	
Responsible Directorate:	Works and Infrastructure	
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 type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Refer:	Item 10.3.1 OCM 29.01.2019 Item 10.3.1 OCM 12.02.2019 Item 10.3.1 OCM 14.05.2019 Item 10.3.2 OCM 03.09.2019 Item 14.1.1 OCM 03.12.2019	

CR LORNA CLARKE DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Lorna Clarke declared an impartial interest in this item as she knows the member for Morley, Amber-Jade Sanderson via the ALP in the Morley branch and Ms Amber-Jade Sanderson also contacted her by text regarding this item. Cr Lorna Clarke remained in the room during voting on this item.

CR STEPHANIE GRAY DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Stephanie Gray declared an impartial interest in this item she knows the member for Morley, Amber-Jade Sanderson via the ALP in the Morley branch and Ms Amber-Jade Sanderson also contacted her by text regarding this item. Cr Stephanie Gray remained in the room during voting on this item.

SUMMARY

This report considers the funding options available to progress staged redevelopments at and around Morley Sport and Recreation Centre as part of the Pat O Hara Reserve Masterplan. The final designs were approved by Council on 3 September 2019.

COUNCIL RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council:

1. Considers the following funding for the Morley Sport and Recreation Centre Redevelopment (Stage 1) during the formulation of the 2020-21 budget:

YEAR	FACILITY DEVELOPMENT	GRANT FUNDING	MUNICIPAL CAPITAL	MUNICIPAL CASH / RESERVES	TOTAL
2020-21	Two Additional Basketball Courts and Rugby Main Pitch Lighting	\$2M (Confirmed)	Nil	\$3.5M	\$5.5M

2. Continues to advocate at State and Federal level to try and obtain additional funding for future stages of the redevelopment.

CR BARRY MCKENNA MOVED, CR MICHELLE SUTHERLAND SECONDED

CARRIED UNANIMOUSLY: 10/0

BACKGROUND

A Master Plan to direct and inform the future use and development of Pat O'Hara Reserve, including Morley Sport and Recreation Centre (MSRC) has been developed.

In 2017, the City received a State Government commitment of a \$2M grant to redevelop Morley Sport and Recreation Centre. This funding is to be accessed by February 2021.

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

"That Council:

- Approves the final design for an additional two courts and associated ablution facilities within Morley Sport and Recreation Centre.*
- Notes the Pat O'Hara Reserve Masterplan.*
- Requests officers to further investigate funding options in relation to a staged delivery approach including utilisation of accrued reserves, the reallocation of State funding from CSRRF to come from consolidated revenue and any option to borrow."*

The following staged delivery model is proposed:

STAGE	FACILITY DEVELOPMENT	ESTIMATED COST	CONFIRMED FUNDING	POTENTIAL FUNDING SOURCE	FUNDING SHORTFALL
Stage1 2020-21	Two Court Sports Hall Additions. Realigned Rugby Main Pitch Lighting	\$5.5M	\$2M	Municipal Capital, Municipal Reserves, Treasury Loan, Additional External Grants	\$3.5M
Stage2 2021-22	Toilets / Changing / First Aid / Corridors / Seating	\$3.1M	Nil	Municipal, Community Sport and Recreation Facility Fund \$500k - \$1mill	\$3.1M
Stage3 2022-23	Externals / Car Parking	\$0.9M	Nil	Municipal	\$0.9M
TOTAL PROJECT COST		\$9.5M			\$7.5M

EXTERNAL CONSULTATION

Officers have liaised with the following:

AGENCY	AGENCY INTEREST IN PROJECT	OUTCOME
YMCA	Manage Morley Sport and Recreation Centre on behalf of the City.	Support a three staged redevelopment of Morley Sport and Recreation Centre.
East Perth District Basketball Association	Requested additional Basketball courts to cater for growing player demand	Support a three staged redevelopment of Morley Sport and Recreation Centre.
Department of Local	State Government Funding	\$2million commitment to stage 1 of the

Government, Sport and Cultural Industries	Agency	redevelopment and welcome an application to Community Sport and Recreation Facility Funding for stage 2 of the redevelopment.
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OFFICER'S COMMENTS

Council may wish to consider the following sources in relation to funding the identified \$7.5M project shortfall.

Long Term Financial Plan

The following amounts are listed in the Long Term Financial Plan (LTFP) for Morley Sport and Recreation Centre Redevelopment:

- \$500,000 in 2024/25, and
- \$4.5M million in 2025-26

Although \$5,000,000 over two years is listed in the LTFP, funding for the redevelopment of Morley Sport and Recreation Centre is yet to be approved in any forthcoming annual budget.

The LTFP covers a ten year period from 2016-17 to 2026-27. The final detail and timeline of projects highlighted within the LTFP had not been specifically confirmed in 2016 when the plan was conceived and the plan needs to be reviewed in light of changes in projected income and expenditure.

Some building related projects listed within the LTFP for the period 2020-21 to 2025-26 may be deferred or not progressed due to either the ongoing acceptable condition of the asset, alternative operational outcomes such as leasing the facility with tenants responsible for fit out, or other strategic considerations such as asset disposal.

Ongoing review determines whether or when identified projects are to be delivered. A review of the LTFP may present Council with an opportunity to fund redevelopment works at Morley Sport and Recreation Centre prior to the anticipated LTFP timeline of 2024-25 and 2025-26.

CSRFF

The Department of Local Government Sport and Cultural Industries provides financial assistance to community groups and local government authorities through the Community Sport and Recreation Facilities Fund (CSRFF) to develop basic infrastructure for sport and recreation.

\$12M is available annually State-wide with maximum funding of \$2M available to any single project. Given that the \$2M State Government funding commitment is through CSRFF, the City has written to the Minister for Seniors and Ageing; Volunteering; Sport and Recreation to clarify whether additional funding may be available through CSRFF.

The Minister has advised that as the redevelopment of Morley Sport and Recreation Centre is planned to be delivered in three separate stages, the City, despite receiving \$2M towards the sports hall in Stage 1, would be eligible to apply for additional funding in Stage 2 attributed to the changing rooms required to support the new sports hall.

Funding is available for up to one third of the project cost. Although the total projects identified to be delivered within Stage 2 are valued at approximately \$3.1M, the change room component is envisaged to cost around \$2.25M.

Council may wish to consider an application to the Department of Local Government Sport and Cultural Industries CSRFF for a \$750,000 grant toward the change room component. Any

application would require the endorsement of Council and would be submitted to the Department by August 2020. If successful with the application, funding would be released in July 2021.

Stage 2 is planned to be delivered within the 2021-22 financial year, subject to Council approval and project funding. If the CSRFF application was successful, Stage 2 costed at \$3.1M would potentially comprise of \$2.35M City funding (municipal or loan) and \$750,000 CSRFF grant funding. Stage 2 would also need to be considered during the review of the LTFF.

State Treasury Loan

Council may wish to consider borrowing in order to fund the required capital works. Council Policy - Loan Borrowing outlines a range of options and considerations in order to ensure:

- Transparent and accountable decision-making by the City; and
- The City's financial resources are appropriately managed.

Whilst Council could consider borrowing to fund the proposed works, the requirements to borrow under the terms of the policy may not be met as the current and predicted future operations would not generate sufficient cash flow necessary to meet loan repayments.

If Council were to borrow the full \$7.5M at the current rate of 3.28%, the following repayments including both principal and interest to be paid over various examples of loan terms would apply:

TERM	MONTHLY REPAYMENT	TOTAL REPAYMENTS
10 Years	\$73,394	\$8,807,274
20 Years	\$42,654	\$10,236,937

Given that the additional sports hall provision at Morley Sport and Recreation Centre is likely to generate an operational surplus of \$6,386 per month, any loan listed above would not meet the requirements of Council's policy and is therefore not recommended.

The anticipated operational monthly surplus could fund the following loan options:

TERM	LOAN AMOUNT	MONTHLY REPAYMENT	TOTAL REPAYMENTS
5 Years	\$350,000	\$6,333	\$379,961
10 Years	\$650,000	\$6,361	\$763,297
20 Years	\$1,100,000	\$6,256	\$1,501,417

Council Reserve Funds

The City has a variety of cash reserve funds for the purpose of preserving and renewing a range of assets. Cash reserves are invested or identified amounts withdrawn at the discretion of Council.

The following Reserve Funds may be applicable and considered to fund elements of the staged redevelopment:

RESERVE FUND	CURRENT BALANCE AS AT 31 OCTOBER 2019	PURPOSE
Building Furniture and Equipment	\$675,500	To provide a cash-backed reserve for the purpose of furniture and equipment required in the City's buildings.
City Buildings and Amenities	\$1,986,404	To set aside funds for the purpose of preserving and renewing the City's buildings.

		\$800,000 allocated to a variety of projects in 2019-20 budget.
Les Hansman Community Centre Redevelopments	\$5,081,919	To set aside funds for the redevelopment of the Les Hansman Community Centre.
Major Capital Works	\$4,025,394	To finance the cost of major capital works programs as approved by Council. \$54,000 allocated to a number of individual projects in 2019-20. \$1.169M expected to be allocated to the reserve during 2019-20.
Morley Sport and Recreation Centre	\$600,757	To set aside funds for the asset management requirements of the Morley Sport and Recreation Centre. \$65,000 allocated to the site in the 2019-20 budget.
Road and Drainage	\$516,991	To set aside funds for the asset management requirements of the City's road and drainage infrastructure.
Streetscapes	\$710,661	To provide for the renewal of urban streetscapes. \$200,000 allocated to streetscape updates and \$10,000 to Maylands Sculpture in 2019-20 budget

In order to fund Stage 1 and potentially an element of Stage 2 of the Morley Sport and Recreation Centre redevelopment, Council may wish to consider approving the use of the Les Hansman Community Centre Reserve Fund. Any redevelopment of the Les Hansman Community Centre is not anticipated to occur for at least five years. Whilst the outcome of the site consolidation around the community centre is still not known at this stage, if that matter does progress in the short term, there may be the option for a deferred payment on any land settlement. Any potential land settlement payment is likely to be funded from the Les Hansman Community Centre Reserve Fund.

It should be noted that should Council wish to change the purpose of a reserve account, section 6.11 of the *Local Government Act 1995* will apply:

"6.11. Reserve accounts

- (1) *Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (2) *Subject to subsection (3), before a local government —*
 - (a) *changes* the purpose of a reserve account; or*
 - (b) *uses* the money in a reserve account for another purpose,**it must give one month's local public notice of the proposed change of purpose or proposed use.*
** Absolute majority required.*
- (3) *A local government is not required to give local public notice under subsection (2) —*
 - (a) *where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or*
 - (b) *in such other circumstances as are prescribed.*
- (4) *A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.*

- (5) *Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account."*

If the option to use the reserve funds is taken, there would be an opportunity for the reserve fund to be replenished in future budgets so that the necessary funds are available for a future redevelopment of the Les Hansman Community Centre.

This option facilitates the acceptance and utilisation of the \$2M State Government funding within the timeframe of the grant to be progressed and committed by February 2021.

Club Contribution

East Perth District Basketball Association are not in a position to contribute capital funding toward the project. The club along with other stakeholders were instrumental in securing the \$2 million State Government grant. The club may be in a position to assist with storage fit out and the provision of additional player benches etc.

Additional External Grant Aid

Apart from CSRFF there appears to be no applicable grants available relevant to the level of project funding required. The City continues to advocate for external funding for a range of major capital projects including the redevelopment of MSRC.

Staged Project Funding

Should no further external grant funding become available, Council may wish to consider the following funding model:

YEAR	FACILITY DEVELOPMENT	GRANT FUNDING	MUNICIPAL CAPITAL OR LOAN	MUNICIPAL CASH RESERVES	TOTAL
2020-21	Two Additional Basketball Courts and Rugby Pitch Lighting	\$2M	Nil	\$3.5M (Les Hansman Community Centre)	\$5.5M
2021-22	Toilets, Changing, Corridors, Seating	\$750,000	\$1,85M	\$500,000 (Building Furniture and Equipment)	\$3.1M
2022-23	Externals and Car Parks	Nil	\$650,000	\$250,000 (Road and Drainage)	\$900,000
TOTAL		\$2.75M	\$2.5M	\$4.25M	\$9.5M

LEGISLATIVE COMPLIANCE

- *Local Government Act 1995.*
- Policy - Loan Borrowing.

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:
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	1. Considers the following funding for the Morley Sport and Recreation Centre Redevelopment (Stage 1) during the formulation of the 2020-21 budget:					
	YEAR	FACILITY DEVELOPMENT	GRANT FUNDING	MUNICIPAL CAPITAL	MUNICIPAL CASH / RESERVES	TOTAL
	2020-21	Two Additional Basketball Courts and Rugby Main Pitch Lighting	\$2M (Confirmed)	Nil	\$3.5M	\$5.5M
	2. Continues to advocate at State and Federal level to try and obtain additional funding for future stages of the redevelopment.					
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	This option presents the least risk to Council however the modest risk rating for financial management should be noted to reflect the high level of capital investment required to match the \$2million State Government Funding attributed to the project.					

Option 2	That Council does not progress the stage 1 redevelopment of Morley Sport and Recreation Centre in the 2020-21 financial year.	
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	Moderate
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
Conclusion	This option presents a higher than accepted risk given the \$2M State Government Funding toward the project is to be committed by February 2021. Council should note the increased demand for sports hall facilities as reported to the Ordinary Council Meeting of 3 September 2019. Should project funding not be approved in the 2020-21 financial year the City may have to decline the \$2M State Government funding offer.	

Option 3	That Council requests the CEO to investigate further funding options and a report be provided in sufficient time to allow for consideration as part of the 2020-21 budget deliberations.	
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	Moderate
Organisational Health and Safety	Low	Low
Conclusion		

	This option presents a Moderate risk in a number of categories and presents a higher risk than the accepted risk levels.
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FINANCIAL IMPLICATIONS

The identified Stage 1 project to construct two additional basketball courts at Morley Sport and Recreation Centre and replace floodlighting to the main rugby pitch at Pat O Hara Reserve as listed in the Pat O Hara Reserve Masterplan is costed at \$5.5M.

The City has received a \$2M State Government funding commitment toward the project to be committed by February 2021. The Stage 1 project has a funding shortfall of \$3.5M. Approximately \$5.082M is held in the Les Hansman Community Centre and a portion of the reserve may be utilised by negotiating a deferred payment on any land settlement relating to site consolidation.

To date, no municipal funding is confirmed. Council may wish to consider the following funding:

YEAR	FACILITY DEVELOPMENT	GRANT FUNDING	MUNICIPAL CAPITAL	MUNICIPAL CASH RESERVES	TOTAL
2020-21	Two Additional Basketball Courts and Rugby Pitch Lighting	\$2M	Nil	\$3.5M (Les Hansman Community Centre)	\$5.5M

STRATEGIC IMPLICATIONS

In accordance with the 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.

The City recognises the importance of providing appropriate sporting facilities.

CONCLUSION

In 2017, the City received a State Government grant commitment of a \$2 million to redevelop Morley Sport and Recreation Centre. This funding is to be accessed by February 2021.

Stage 1 redevelopment of Morley Sport and Recreation Centre as identified in the Pat O Hara Reserve Masterplan and noted by Council (OCM 03/09/2019) is costed at \$5,500,000. This leaves a funding shortfall of \$3,500,000.

Council may wish to consider the release of Municipal Cash Reserves in order to progress Stage 1 of the Morley Sport and Recreation Centre redevelopment. The cash reserve can then be replenished in future budgets.

In order to realise the \$2,000,000 State funding commitment the following funding model is proposed in the 2020-21 budget to deliver the Stage 1 redevelopment:

YEAR	FACILITY DEVELOPMENT	GRANT FUNDING	MUNICIPAL CAPITAL	MUNICIPAL CASH RESERVES	TOTAL
2020-21	Two Additional Basketball Courts and Rugby Pitch	\$2M	Nil	\$3.5M (Les Hansman Community Centre)	\$5.5M

	Lighting				
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The City will continue to advocate at State and Federal level to try and obtain additional funding for future stages of the redevelopment.

10.4 Community and Development Directorate Reports**10.4.1 Change of Use to Educational Establishment (Employment - Training Facility) and Associated Alterations - Strata Lots 5 and 6, 5/3 and 6/3 Bookham Street, Morley**

Applicant/Proponent:	Kevin Vizzutti (Roberts Day Group Pty Ltd)	
Owner:	Luigi & Susan Salomone	
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. Development plans Confidential Attachment 2. Submission location plans	
Refer:	Item 11.1.5: OCM 22.05.2012	

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

SUMMARY

This application relates to the retrospective consideration of a change of use to educational establishment at 5/3 and 6/3 Bookham Street, Morley. The matter was raised to the City's attention via complaints received early 2019 relating to parking and traffic issues on Bookham Street.

The educational establishment is considered to provide a valuable service to the Morley area, providing training and employment services to assist jobseekers as part of the Federal Government's Skills for Education and Employment (SEE) program. The applicant and City's Rangers have been working to address the parking issues affecting Bookham Street, which are now considered to have been satisfactorily addressed. Accordingly the educational establishment is not considered to unduly impact the area and is supported subject to appropriate conditions.

COUNCIL RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council grants development approval for the change of use to educational establishment (employment training facility) and associated alterations at strata Lots 5 and 6, 5/3 and 6/3 Bookham Street, Morley in accordance with the development application dated 24 June 2019 and associated plans dated 1 August 2019 subject to the following:

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 educational establishment is permitted to have a maximum of 40 students permitted on site at any one time.
3. Within 28 days of the issue date of this 'approval to commence development', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:
 - (a) A car parking management plan, detailing how car parking associated with the educational establishment will be managed to minimise the impact on the surrounding area shall be submitted to, and to the satisfaction of, the City of

Bayswater. The approved car parking management plan shall be implemented thereafter to the satisfaction of the City.

- (b) One street tree is to be planted on the Bookham Street verge adjacent the development site, at the full cost of the applicant/owner and to the specifications and satisfaction of the City of Bayswater.
- (c) A refuse and recycling management plan shall be submitted to, and to the satisfaction of the City of Bayswater. The plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring. The approved management plan shall be implemented thereafter to the satisfaction of the City.
- (d) All vehicle parking allocated for the use of the educational establishment shall be line marked, and clearly signposted as dedicated for use of the educational establishment to the satisfaction of the City of Bayswater.

Advice Notes:

1. 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.

**CR MICHELLE SUTHERLAND MOVED, CR CATHERINE EHRHARDT SECONDED
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

BACKGROUND

Application Number:	DA19-0287
Address:	Strata Lots 5 and 6, 5/3 and 6/3 Bookham Street, Morley
Town Planning Scheme Zoning:	Morley Centre - Precinct 2 - Outer Core
Use Class:	Educational Establishment - 'D' (Discretionary Use)
Existing Land Use:	Showroom
Surrounding Land Use:	Commercial, Industrial, Drainage Reserve
Proposed Development:	Change of Use to Educational Establishment

On 7 March 2019 the City received a complaint in respect of illegal parking and increased traffic to Bookham Street, Morley. This was followed by a further complaint on 29 April 2019 in respect of an alleged unauthorised educational establishment operating from 3 Bookham Street, Morley. Following investigation by the City into the concerns the operator was requested to cease the unauthorised use of educational establishment or alternatively seek retrospective approval.

An application was submitted on 1 July 2019 for the retrospective consideration of a change of use to educational establishment and associated alterations at 5/3 and 6/3 Bookham Street, Morley (ground floor of the front building). The educational establishment (known as MAX Solutions) operates in conjunction with the first floor (7/3 and 8/3 Bookham Street, Morley) which is being utilised as an office for the same business, however as the upper floor is already approved for the use of office, only the ground floor educational establishment component is subject to this application.



EXTERNAL CONSULTATION

The City sought comment for the proposal from the owners and occupants of nearby affected properties for a period of 14 days. At the completion of the advertising period eight submissions were received, two (25%) in support and six (75%) objecting to the proposal. A summary of the submissions and applicant response is provided in the table below.

Comment Received	Applicant Response
<p><u>Educational Establishment</u></p> <ul style="list-style-type: none"> • Since this facility has been running the clients of the business occupying Units 5 and 6 and the first floor have created a number of issues for other owners and businesses on Bookham Street, primarily to do with parking. • The application is not accurate because schooling and training occurs on both the ground and first floor of the building, with more than 40 students attending. 	<p>The first floor of the building is excluded from the current application as its current use is consistent with an existing approval for 'Office' use. Advice confirms that 'Office' is the predominant use of this floor, with the use of the computer stations and the board room by job seekers on this level constituting an incidental use to the approved Office use. As such this comment is considered to be unsubstantiated.</p>
<p><u>Car Parking</u></p> <ul style="list-style-type: none"> • Any property should have adequate on-site parking for the business to service clients and staff. If not then they should pay the provider of public infrastructure compensation to provide adequate parking for that business. • The application is opposed because the present parking problems in the area are being caused by the educational establishment. There is insufficient parking available for it. • On an average day there are 10 – 30 vehicles using other business premises and verge to park either all day, several hours or sometimes less than 15 minutes. Request for people to not park in premises or verges have been met with hostility. • Many job seekers continue to park illegally on the street or verges of next door properties and in the parking lots of next door businesses. • The application could be supported if sufficient parking is provided on site. • New street signage limiting parking has resulted in more illegal parking within the private bays of surrounding tenants and the street still ends up full of cars for the one business. • Parking fines do not address the long term problem because when new students attend, the same issues re-occur. 	<p>The current use complies with Scheme minimum parking requirements, being four bays for the Ground Floor Educational Establishment and five bays for the upper floor Office Use. A total of 12 dedicated bays are provided on site. A travel survey indicates that over 60% of visitors take public transport or use other alternate modes of travel to driving to access the site. These findings indicate that the current level of parking demand is reasonable and the number of parking bays provided are sufficient to meet demand.</p> <p>Numerous businesses in the surrounding locality generate a high level of short- and long-term parking demand, consistent with the area's status as a Strategic Metropolitan Centre. The broader influences on parking availability and need for wider parking management strategies to be implemented as set out by the Morley Activity Centre Car Parking Management Plan is acknowledged.</p> <p>Concerns regarding the parking behaviour of site visitors are acknowledged and MAX is committed to working with the City and neighbouring tenants to ensure parking is effectively managed. Recent policy changes have been implemented to ensure visitors are made aware of parking restrictions through induction. This is noted as a parking compliance and enforcement matter.</p>
<p><u>Support</u></p> <ul style="list-style-type: none"> • There are few, if any, similar tenancies within the local area that will accommodate this activity and it will be a shame to lose this type of community support in the area. • The office staff and students support local businesses such as the nearby lunch bar. • It is noted that there have been some parking concerns in the area however the owners of some of the units on the site have been working with the tenants to review parking arrangements on site and to ensure the shared car park is well- 	<p>Noted and acknowledged.</p>

<p>managed.</p> <ul style="list-style-type: none"> • The parking demand is not a major issue on site and this view is shared by the other tenants on the property. • Based on discussions with tenants it is believed the installation of no standing signs by Ranger in front of the property has been a success and has resolved parking issues in the street. • There are many businesses on Bookham Street that generate a high level of short and long term parking including a large 'crossfit' gymnasium, a multi-cultural services centre, a lunch bar, a panel beater, a mechanic and a tyre store and generate very high levels of traffic, with numerous cars banked up on the verge and on the street itself. It is considered these businesses contribute significantly to traffic issues on the street and parking is a shared responsibility for all businesses in the area, not just MAX Employment. 	
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OFFICER'S COMMENTS

Key Scheme Provisions	Required	Provided	Assessment
Car Parking:			
Educational Establishment (ground floor)	4 car bays	12 car bays (total)	Compliant
Office (upper floor)	5 car bays		

Site Context

The subject site is located within the Outer Core Precinct of the Morley Centre Zone, in an area predominantly occupied by commercial and industrial development, comprising offices, warehouses, and service industries (formerly the Central Precinct under Town Planning Scheme 23). Bookham Street is a relatively short cul-de-sac street, which connects with Rudloc Road, and is located approximately 200m from the Morley Bus Station.

Nature of Proposed Use

The proposed educational establishment occupies part of the ground floor of the front building on site. The operator is MAX Solutions which is a registered training organisation which provides vocational, educational and professional training services to a variety of industries from more than 250 locations nationally.

The Morley facility operates as an educational establishment in providing training and employment services to assist jobseekers as part of the Federal Government's Skills for Education and Employment (SEE) program. Using face to face and web-based training, the facility delivers language and literacy training to Morley residents, improving their skills and chances of gaining sustainable employment.

Specific details of the operation include:

- The facility provides training services to a maximum cohort of 40 students;

- The facility operates between 8:00am and 5:00pm Monday to Friday and is closed on weekends; and
- The facility comprises two training rooms/classrooms, a breakout area, a kitchen, lunchroom and a bathroom, totalling approximately 154m². A second bathroom is also available for use within the building's shared common area.

The nature of the use is considered to provide a valuable service, assisting vulnerable persons to find employment, within a highly accessible location in the City, walking distance from the Morley Bus Station. Staff and visitors to the educational establishment will contribute to activation of the local area, with people visiting the site throughout the day, and there is likely to be additional benefits to local businesses benefiting from the passing trade.

Majority of the submissions from the advertising period relate to the parking and enforcement issue within Bookham Street, with some objections specifically stating that the use would be supported if the parking issues were addressed. Operation of the use in itself is not considered to present any undue implications to the locality. Accordingly the use is supported, subject to appropriate parking management, which is discussed below.

Car Parking

The car parking provision has been assessed to comply based on the parking requirements of the Morley Centre Zone. A provision of one car bay per 10 students applies to the educational establishment (40 students require four car bays), and provision of one car bay per 50m² net lettable area (NLA) applies to the associated office component (204m² NLA requires five car bays).

Notwithstanding the above, car parking and the number of students was raised as a significant concern in the objections received during the advertising period. It is considered that through actions of both the applicant and the City's Rangers to address the parking issues within the street, the significance of this issue has considerably reduced.

Given the large number of operators and relatively limited space within Bookham Street, it is still considered appropriate that a parking management plan be imposed as a condition of approval to ensure the parking arrangements for the educational establishment are maintained and do not unduly impact on the streetscape and surrounding businesses.

LEGISLATIVE COMPLIANCE

- City of Bayswater Town Planning Scheme No. 24

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

Not applicable.

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.

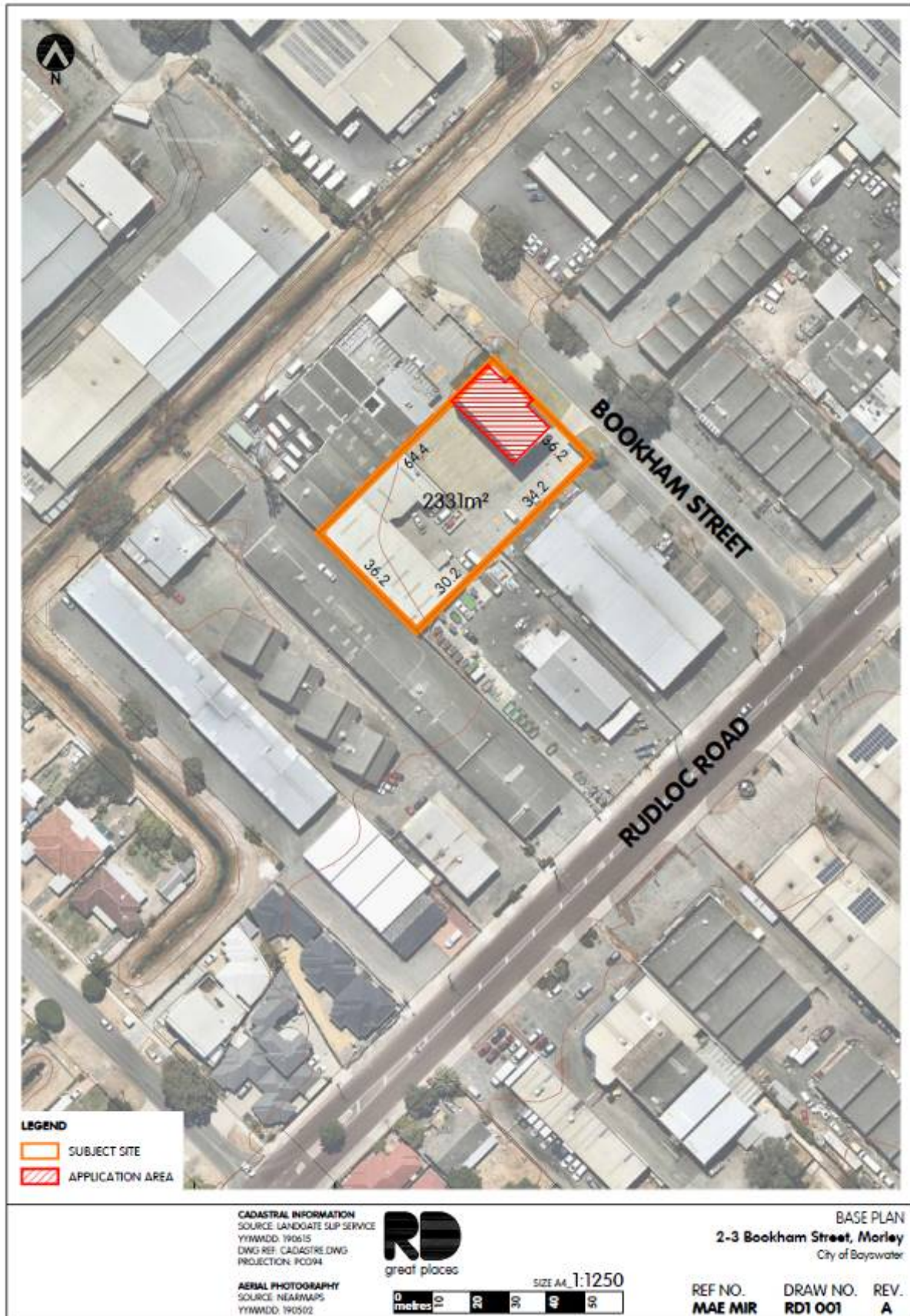
Theme: Our Local Economy
Aspiration: A business and employment destination.
Outcome E2: Active and engaging town and city centres.

The change of use will provide a valuable service, assisting vulnerable persons to find employment, and increase activity and activation of the area.

CONCLUSION

In light of the above assessment, it is recommended that the application for change of use to educational establishment and associated alterations be approved subject to appropriate conditions.

Attachment 1



10.4.2 Proposed Change of Use to Liquor Store (Small) and Associated Alterations and Signage at Lot 447, 211 Railway Parade, Maylands

Applicant/Proponent:	Christopher Ford	
Owner:	Andrew and Catherine Ehrhardt	
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. Development Plans 2. Heritage Statement of Significance (current and draft) Confidential Attachment 3. Submission Location Plans	
Refer:	Nil	

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

CR CATHERINE EHRHARDT DECLARED A FINANCIAL INTEREST

In accordance with section 5.60A of the Local Government Act 1995, Cr Catherine Ehrhardt declared a financial interest in this item as she is a co-owner of the property (no relationship with applicant), and also lives next door to the site of the application. At 7:02pm, Cr Catherine Ehrhardt withdrew from the meeting.

CR CATHERINE EHRHARDT DECLARED A PROXIMITY INTEREST

In accordance with section 5.60b of the Local Government Act 1995, Cr Catherine Ehrhardt declared a proximity interest in this item as she is a co-owner of the property (no relationship with applicant), and also lives next door to the site of the application. At 7:02pm, Cr Catherine Ehrhardt withdrew from the meeting.

SUMMARY

This application relates to a change of use to liquor store (small) and associated alterations and signage at 211 Railway Parade, Maylands. The business is described by the applicant as a small, boutique store focused primarily on wines from small family owned producers and uncommon grape varieties. It will be marketed as the opposite of a generic corporate owned/franchise bottle shop.

Liquor store (small) is an 'A' use, requiring advertising prior to consideration. A total of 25 submissions were received, 83% in support of the proposal. The use is considered to be substantially different in operation from a generic liquor store, and likely to provide a number of benefits to the locality, and is considered appropriate within the activity centre setting.

Signage is also proposed for the business, one sign of which departs from an established approach to signage on site. To maintain an appropriate level of amenity the signage is only supported to the extent which it aligns with the existing approach.

OFFICER'S RECOMMENDATION

That Council grants development approval for the proposed change of use to liquor store (small) and associated alterations and signage at Lot 447, 211 Railway Parade, Maylands in accordance with the development application dated 1 October 2019 and associated plans dated 10 October 2019, subject to the following:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. Revised plan(s) demonstrating removal of the horizontal sign above the verandah of the premises shall be submitted to, and to the satisfaction of the City of Bayswater prior to occupation of the premises. The revised plans may include signage to the outside fascia of the verandah, in a consistent form and finish with the existing signage on site, to the satisfaction of the City.
3. A refuse and recycling management plan shall be submitted to, and to the satisfaction of the City of Bayswater, prior to occupation of the premises. The plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring, and be implemented thereafter to the satisfaction of the City.
4. The use of reflective or obscure glazing is not permitted on the windows and/or openings facing the street.

Advice Notes:

1. 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.

COUNCIL RESOLUTION

That Council grants development approval for the proposed change of use to liquor store (small) and associated alterations and signage at Lot 447, 211 Railway Parade, Maylands in accordance with the development application dated 1 October 2019 and associated plans dated 10 October 2019, subject to the following:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. A refuse and recycling management plan shall be submitted to, and to the satisfaction of the City of Bayswater, prior to occupation of the premises. The plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring, and be implemented thereafter to the satisfaction of the City.
3. The use of reflective or obscure glazing is not permitted on the windows and/or openings facing the street.

Advice Notes:

1. 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.

CR BARRY MCKENNA MOVED, CR MICHELLE SUTHERLAND SECONDED

CARRIED UNANIMOUSLY: 9/0

REASON FOR CHANGE

Council changed the Officers Recommendation by removing the clause regarding signage, as it was of the opinion that the applicant should be able to install appropriate signage for the business without the restrictions imposed by the clause.

At 7:08pm, Cr Catherine Ehrhardt returned to the meeting.

BACKGROUND

Application Number:	DA19-0480
Address:	Lot 447, 211 Railway Parade, Maylands
Town Planning Scheme Zoning:	Maylands Activity Centre - Special Control Area 3 - Town Centre Extension Precinct
Use Class:	Liquor Store - Small - 'A'
Existing Land Use:	Shop
Surrounding Land Use:	Residential, Commercial, Maylands Station
Proposed Development:	Change of Use to Liquor Store – Small and Associated Alterations and Signage

An application for change of use to liquor store (small) and associated alterations and signage at the south-western most unit on Lot 447, 211 Railway Parade, Maylands has been received. The proposal is for a boutique store focused primarily on wines from small family owned producers and uncommon grape varieties, and will include associated signage. As the parking requirement matches the existing use of shop, the primary considerations in respect of this proposal are the use permissibility and proposed signage.





EXTERNAL CONSULTATION

The City sought comment for the proposal from the owners and occupants within 150m of the subject site for a period of 14 days. At the completion of the advertising period 25 submissions were received, 21 (84%) in support, 3 (12%) objecting to the proposal, and one (4%) of general comment. A summary of the submissions received is provided in the table below.

Submissions Received	Applicant Response
<p><u>Liquor Store (Small) Use - Objection</u></p> <ul style="list-style-type: none"> There are already numerous liquor stores in walking distance of the proposed site, one is only 100m away at the Peninsula Hotel, do we need more places in Maylands selling alcohol? Council previously refused an application for a Dan Murphy outlet at the Peninsula Hotel, it would be hypocritical to approve this liquor store 100m away from the site. 	<p>Within walking distance from our store are three bottleshops:</p> <ul style="list-style-type: none"> BWS Peninsula Tavern a "Drive-through" bottleshop (190 metres away). BWS Maylands - Closing in 2020 (400 metres away). Liquorland Maylands (1000 metres away). <p>Our store is focused on selling artisanal, boutique wine from family owned, independent producers from within Australia and overseas. The range of goods within our store is not comparable with those on offer elsewhere within Maylands, it will be significantly smaller than BWS and Liquorland and will be selling less variety at a higher average price point.</p> <p>The Dan Murphy's application included demolition of the peninsula hotel and creation of a combined Tavern (489m²) and Dan Murphy's outlet (1117m²). Dan Murphy's actively markets itself as being the cheapest place to buy alcohol and the outlet alone would be almost ten times the size of our entire wine</p>

<ul style="list-style-type: none"> The proposed liquor store will encourage street drinking and alcohol related harm. Street drinking is already a problem in the area. Does this business have other sites, have there been problems with drunk/noisy/antisocial behaviour? 	<p>store. We are in no way comparable to a Dan Murphy's outlet in almost every aspect. Commune wine store is significantly smaller, more expensive and with much more restrictive trading hours and a completely different trading ethos.</p> <p>Our product range, target market, business ethos and prices are not conducive to encouraging this type of behaviour, we will not be selling cask wine, cleanskins or cheap spirits nor we will be aggressively marketing any "specials". In addition to this we have a robust in-house harm minimisation policy coupled with an exemplary track record with the department of Racing, Gaming and Liquor for previously managed venues with Liquor licenses.</p> <p>No, this will be our first wine store. I (the applicant) have worked in hospitality for 10 years and have run award winning small bars and as previously mentioned have an exemplary record with the department of RGL.</p>
<p><u>Liquor Store (Small) Use - Support</u></p> <ul style="list-style-type: none"> The proposed boutique liquor store would be a unique offering to the Maylands area. The shops at this location have struggled to attract a viable business mix, every encouragement should be given to support this proposal. This proposal is in keeping with the activation of the area around the Maylands Station. The previous liquor store refused by Council was due to its scale, this proposal is a small boutique store and the type of business this area needs. The development will be a great asset to the neighbourhood and complement the existing café and bar scene on Eighth Avenue and Whatley Crescent. The development will provide for extra foot traffic and activation of the local area, and lighting at night will help add to the safety this side of Railway Parade. The market placement of the shop, which is to encourage a responsible and educational attitude to wine, and would attract consumers that are seeking alternative types of wine rather than consumers seeking cheap alcohol. Other nearby similar developments such as King Somm, Devine Cellars, The Wine Thief, Gangemi's and Wise Child do not contribute to antisocial behaviour, and have shown to be 	<p>Noted</p>

successful and important businesses in their respective areas.	
<p><u>Parking and Traffic</u></p> <ul style="list-style-type: none"> Parking and pedestrians have become challenging since the opening of Dome, The Little Shop of Plenty, Honey I am Home bee store and the Hairdressers. These are in 50m of the proposed outlet. Parking provided is adequate to support the proposed use. 	<p>The City of Bayswater's own survey found that there are 204 parking bays within the Railway parade area and maximum occupancy only reached 30%, identifying that overall there is sufficient parking. Further to this there are an additional 10 private car parking bays located to the rear of the wine store that are exclusively for customer use only.</p>

OFFICER'S COMMENTS

Site Context

The subject site is located within the Maylands Activity Centre Zone, approximately 70m from the Maylands Station, and 100m from the Maylands town centre strip on Eighth Avenue. The site adjoins a vacant lot, and residential dwellings, and is 70m from the Peninsula Hotel, and 100m from the Peninsula Tavern, both also located on Railway Parade. To the north-west of the site is primarily residential development. Two of the three shops on the site are currently vacant.

Nature of Proposed Use

The proposal is for change of use to a liquor store (small), which means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of not more than 300m². The business has been described by the applicant as a small, boutique store focused primarily on wines from small family owned producers and uncommon grape varieties. It will be marketed as the opposite of a generic corporate owned/franchise bottle shop.

The proposed hours of trade are as follows:

Monday	Closed
Tuesday	Closed
Wednesday	12:00pm - 9:00pm
Thursday	12:00pm - 9:00pm
Friday	12:00pm - 9:00pm
Saturday	12:00pm - 10:00pm
Sunday	12:00pm - 9:00pm

The submissions received from the advertising period were strongly in favour of the proposal, with 84% supporting the change of use. Numerous comments related to the benefits of small boutique stores over generic liquor store outlets, citing other similar type examples where there has been no apparent increase in anti-social behaviour, whilst at the same time improving activation and providing a unique offering.

In respect of the objections, concerns were raised about the number of liquor stores in the area, and that an additional liquor store would further increase the risk of anti-social behaviour. Council's strong opposition to the liquor store at the nearby Peninsula Tavern site was also raised as justification.

The proposal is considered to present a use which differs significantly from the typical liquor store operation. The business is not centred on inexpensive wholesale liquor which is considered to present greater risks for anti-social behaviour, but rather focusing on a niche market, and offering a unique product and service. Additionally the premises has a floor area of 120m². The location of the site, within an activity centre, and close to various other commercial, dining and

entertainment options is considered appropriate, and the proposed use is considered to fit in well, contributing to and complementing the activity centre. Accordingly the change of use to liquor store (small) is supported subject to appropriate conditions.

Signage

Two signs are proposed as part of the application which includes a horizontal sign addition to the building facade (above verandah), and reinstatement/reface of the existing under verandah sign. The under verandah sign is already existing, and consistent with existing under verandah signage for the other two units on the site. The works will be limited to refacing the sign to align with the new business.

The horizontal sign above the verandah is a new sign addition to the site, and fully complies with the sign specific requirements for a horizontal sign under the City's Signage Policy. The sign is similar to a sign previously existing on site approximately 10 years ago; a comparison of the past and current facade is shown below.



Google street view November 2009



Google street view April 2018

The 2009 facade displayed a lack of consistency between the facade of units on site, with varying sign types, sizes and colours used. This is considered to have resulted in a relatively low level of amenity in terms of presentation to the street. More recently it is apparent that a coordinated approach has been taken to ensure a consistent design and appearance for signage and the facades on site, which is considered to present a considerable improvement to site amenity.

The applicant has advised that the horizontal sign (above verandah) has been proposed instead of the verandah fascia, to have the business signage displayed prominently and stand out from the other businesses. The applicant also noted that the other two businesses will be ceasing

operation in the near future which will mean that their signage will be removed altogether, making it more imperative to have a highly visible sign so people are aware businesses are still operating on site.

Whilst acknowledging the desire of the applicant to have their business stand out, it remains part of the overall site which comprises three units, forming a heritage listed place. The horizontal sign (above verandah) and verandah fascia signage are considered to present a similar level of prominence and visibility (similar size, setback and viewing angle), and therefore it is not considered necessary to depart from the existing coordinated approach to signage on site.

Supporting signage contrary to the existing approach would be considered to detract from the amenity of the site, and also potentially impact on the heritage value of the property. Accordingly the horizontal sign (above verandah) is not supported.

Heritage Considerations

The property at 211 Railway Parade, Maylands is currently listed as a Classification 4 heritage place on the City's Municipal Inventory of Heritage Places (MI), and consists of three shops constructed in 1922. A recent review of the City's MI recommends that the place be designated a Category 2 heritage place, and stated that the place is in good condition, with moderate integrity and high authenticity.

The proposal does not include any structural modifications or changes to the facade other than the signage outlined above. In considering the proposed signage, the potential impact on heritage value was taken into account. Accordingly it is not considered necessary to apply any further conditions to address heritage considerations for the site.

LEGISLATIVE COMPLIANCE

- City of Bayswater Town Planning Scheme No. 24; and
- City of Bayswater local planning policies including Signage Policy.

OPTIONS

The following options are available to Council:

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

FINANCIAL IMPLICATIONS

Not applicable.

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.

Theme: Our Local Economy
Aspiration: A business and employment destination.
Outcome E2: Active and engaging town and city centres.

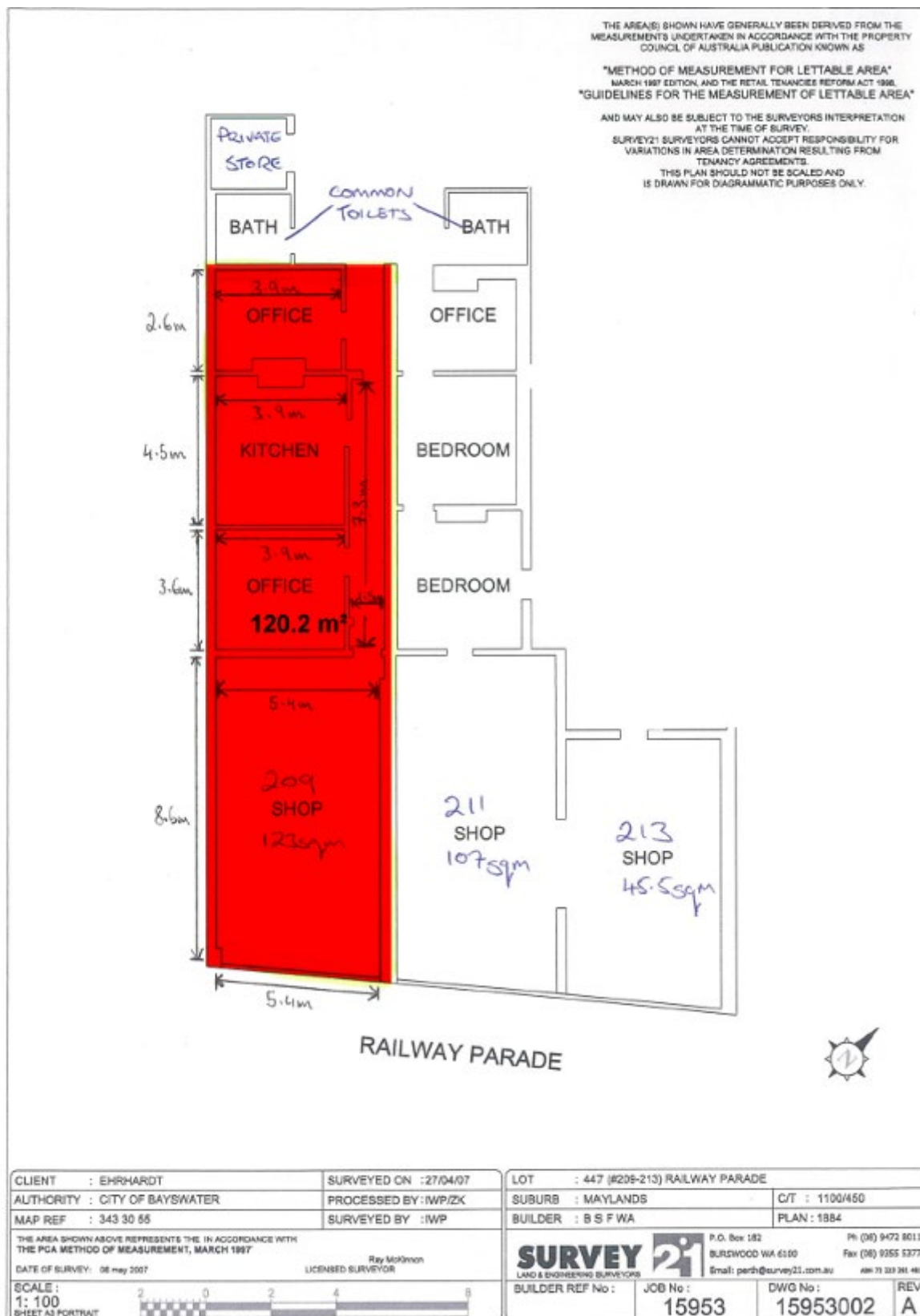
The proposal will assist to maintain occupancy and viability of the commercial units, improving activation and vibrancy within the immediate area, and providing a service to local area.

CONCLUSION

In light of the above assessment, it is recommended that the application for proposed change of use to liquor store (small) and associated alterations and signage be approved subject to appropriate conditions including deletion of the proposed horizontal sign (above verandah).

Total Retail/Office Area is 2955sqm
Actual total retail use is approximately 110sqm. Actual used office is approximately 40sqm. The remainder is storage/ kitchen/toilets etc





Appendix 1: Proposed Signage

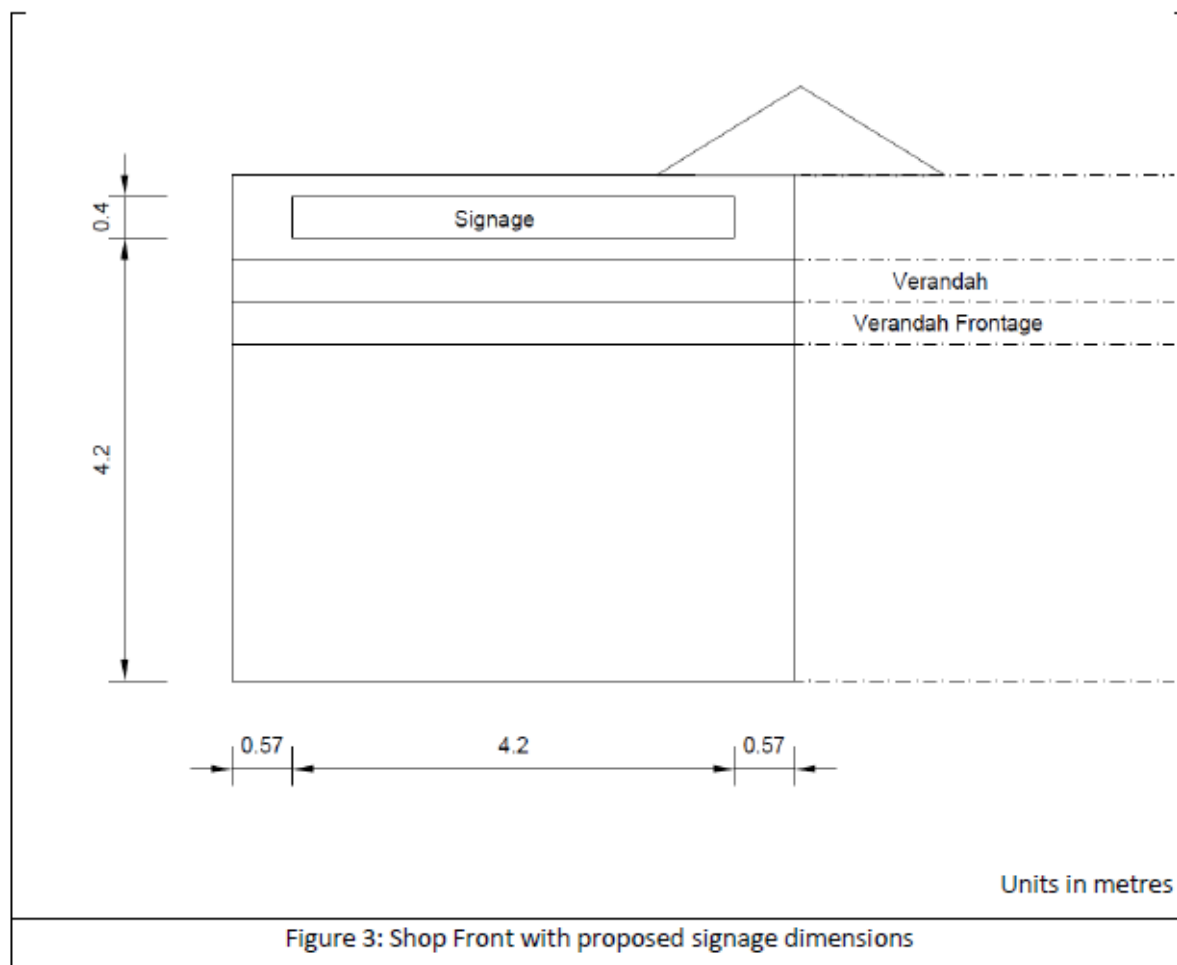
1. Shopfront Signage



Figure 1: Current Shop Front – 209 Railway Parade



Figure 2: Shop Front with indicative proposed signage



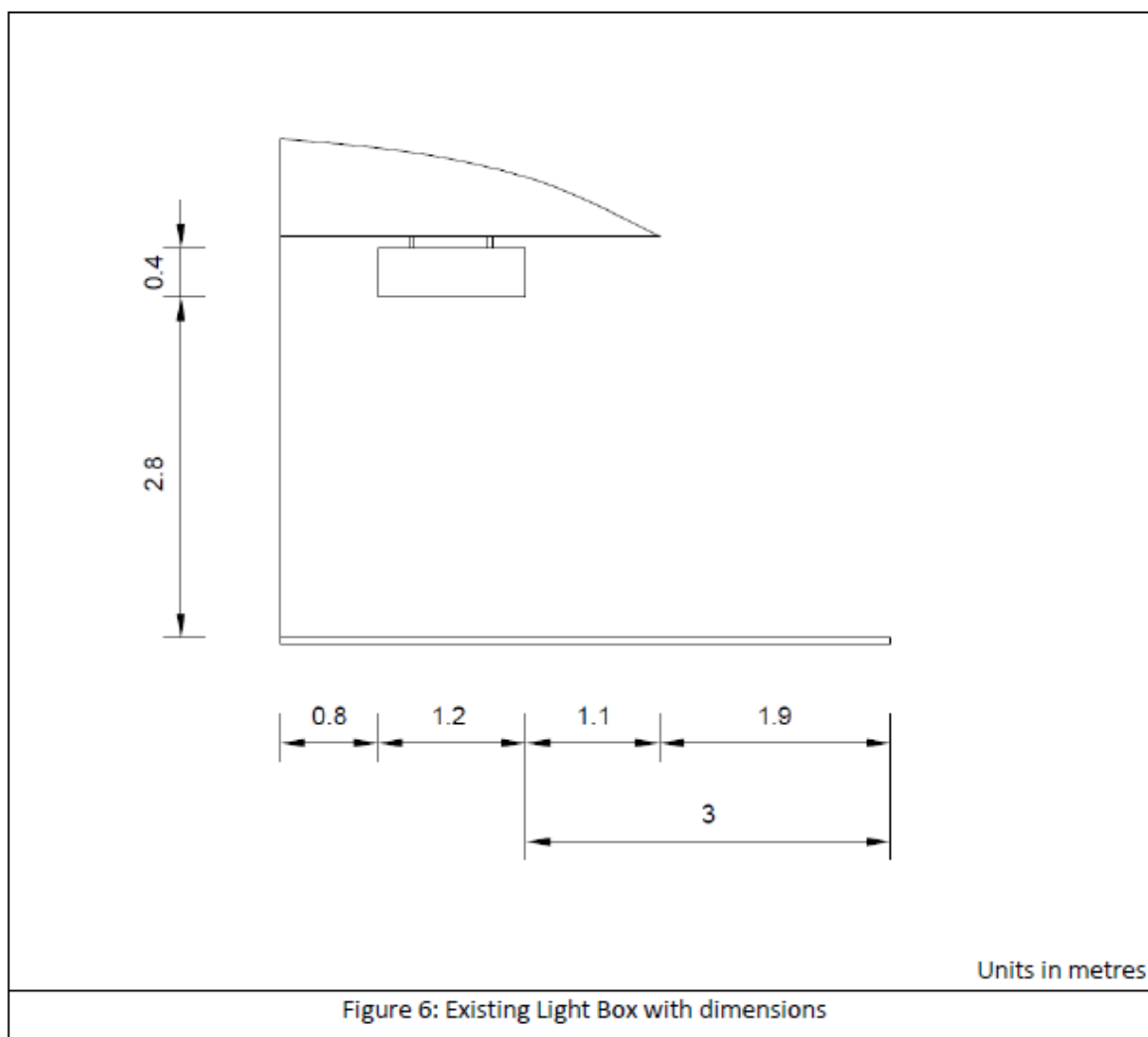
2. Light Box Signage



Figure 4: Existing Light Box – 209 Railway Parade



Figure 5: Light Box with indicative proposed signage



Attachment 2**Place Number: 159**

Heritage Council Ref: 9832

COB ID: 1165343

**SITE DETAILS**Place Name: **Three Shops & Dwellings**

Other Names:

Street Number: 211

Lot Number: 447

Street Name: Railway Pde

Suburb/Town: Maylands

Postcode: 6051

Reserve No.	Lot/Location No.	Plan/Diag	Vol/Folio
	Lot 447	P0001884	110/450

DESCRIPTION OF PLACE

Construction Year: 1922

Architectural Style:

Description Notes: A group of three shops and rear residences with an integrated overall pedimented classically derived facade with original shop fronts, lead lighting, stained glass and glazed plinth tiles and authentic half glazed doors. The interiors are little affected by time. It has rendered and face brick walls, glazed walls tiles and an iron roof.

Historical Notes: A good example of inter-war commercial development and a very important part of the streetscape.

Condition: Fair condition

Integrity/ Integrity - High
Authenticity: Authenticity - High

LISTINGS

Listing Type	Status	Date	Entry
Municipal Inventory	Adopted	17/06/1997	City of Stirling Municipal Inventory adopted 1997

SIGNIFICANCE

Statement of Significance:	This place is a representative example of an early shop and has historic value for its association with early commercial development in the area.
Management Category:	Classification 4
Management Category Description:	These sites have some importance but are not considered to be essential to the understanding of the development of the locality. This classification includes places that have been substantially modified over time such that the heritage values of the site have been reduced. The retention of these properties is not necessary, although it is recommended that they be recorded prior to demolition so that the historical information can be retained.

OTHER IMAGES



Three Shops & Dwellings, 211 Railway Parade, Maylands

Place No: 206



SITE INFORMATION			
Place Name:	Three Shops & Dwellings, 211 Railway Parade		
Other Names:	209, 211, 213 Railway Parade; 193-195 Railway Parade		
Street Address:	211 Railway Parade		
Land Information:	Lot: 447	Plan: P1884	C/T: 1100/450
Landgate PIN:	120337		
COB identity:	1165343		
inHerit database No:	9832		
Other Heritage Listings:			

PLACE TYPE	Individual building or Group
Original Use:	Commercial: Shop/retail store
Current Use:	Commercial: Shop/retail store
Other Use:	Residential: single storey residence

CONSTRUCTION DETAILS	
Construction Date:	1922



Walls:	Brick: painted
Roof:	Metal: zincalume
Architectural Style:	Inter War Stripped Classical
Physical Description:	<p>A set of three single storey shops of brick construction that have been rendered to the front façade. The building has no front set back and adjoins the footpath.</p> <p>The shopfront to the left (209) has a centrally located, double door front entry. The slightly larger shop in the centre (211) has a centrally located single door. The shop on the right has a single front entry door on its left. Each of the shopfronts are divided by an engaged pier, with an additional engaged pier on either side of the buildings frontage.</p> <p>All three shops have a glazed tile dado with large shopfront glazing and a strip of leadlight glazing above the clear glazing, excluding above doors and one of the panes to the shop on the right which are clear glazing. These finishes all appear to be original finishes.</p> <p>A simple parapet stretches across all three shops with a small pediment above the pier between the left and middle shop. A flat roof awning also stretches across the entire frontage of the building and sits over the adjoining footpath.</p>
Condition:	Good
Integrity:	Moderate
Authenticity:	High

HISTORICAL INFORMATION	
Historical Notes:	<p>The subdivision plan for this portion of Maylands was approved by the Department of Lands and Surveys in 1899. Development of this area was driven largely by the need to provide housing for the numbers of workers occupied in the vicinity. Two of the biggest employers were the Midland Railway Workshops and the Mephan Ferguson Factory.</p> <p>From the readily information there is no indication this site was built on until 1922 when the three shops and residential premises were constructed. No detail of the builder or architect of the place has been found in this research. The date of construction is drawn from the date on gable above the premises at 209 and 211. It appears the three premises were built at the same time as the façade is consistent although the shop at 213 Railway Parade was a much smaller shop with apparently no adjoining residential premises.</p> <p>It is probable the place was built as an investment as the occupants changed regularly. During the 1920s and 1930s, the street numbering for these premises were 193a (209), 193b (211) and 195 (213) and the first occupants noted in the Post Office Directories in 1924 were:</p> <ul style="list-style-type: none"> • 193a David Wells, Store • 193b Douglas C Phillips, newsagent • 195 J Kemp, dentist <p>Aerial photography indicates the form and extent of the original premises can still be determined despite the large addition to the rear of the original premises at 209 and 211 Railway Parade. That addition has been present since the mid 20th century.</p>
Historic Theme:	<p>Demographic Settlement and Mobility: Settlements</p> <p>Occupations: Domestic activities</p> <p>Occupations: Commercial services and utilities</p>
Associations:	
Sources:	<p>City of Bayswater Municipal Inventory, 2006.</p> <p>Aerial photographs, 1953-2017, Landgate</p> <p>Western Australian Post Office Directories, 1893-1949.</p> <p>Australian Electoral Rolls, 1903-1980.</p>



Municipal Inventory of Heritage Places

2019

SIGNIFICANCE	
Statement of Significance:	<ul style="list-style-type: none"> • The place has aesthetic value for as a largely intact example of the form, scale and detail of combined commercial and residential premises built in the 1920s. • The place has historic value for its association with the development of Maylands in the 1920s. • The place has social value as a demonstration of the type of combined commercial and residential premises built in the 1920s. • The place has social and aesthetic value for the members of the Maylands community as landmark in the streetscape which had a commercial function from the 1920s until recent decades.
Level of Significance:	Considerable
Management Category:	<p>Category 2</p> <p>Very important to the heritage of the locality. High degree of integrity/authenticity.</p> <p>Conservation of the place is highly desirable. Any alterations or extensions should reinforce the significance of the place.</p> <p>Included on the Town Planning Scheme No 24 Heritage List</p>

ADDITIONAL PHOTOGRAPHS



10.5 Sub Committee Reports**10.5.1 Policy Review and Development Committee - 28 January 2020****10.5.1.1 Planning Policy Review - Non Residential Uses in Residential Zones**

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. Proposed Non-Residential Uses in Residential Zones Policy	
Refer:	Item 10.5.3.1: OCM 14.5.2019	

SUMMARY

Council consideration is sought in relation to the proposed Non-Residential Uses in Residential Zones Policy, which would replace and expand upon the existing Child Day Care Centres Policy and Consulting Rooms in Residential Areas Policy.

The proposed Non-Residential Uses in Residential Zones Policy is intended to:

- (a) ensure that development is consistent with, and will not detract from established and future residential character and amenity; and
- (b) ensure that any potential amenity impacts are appropriately managed.

The requirements of the policy will more effectively assist applicants in the design of their proposals to achieve these objectives.

The proposed policy was advertised from 18 June to 13 July 2019, and no submission was received in response.

COUNCIL RESOLUTION
(COMMITTEE/OFFICER'S RECOMMENDATION)

That Council:

1. **Adopts the proposed Non-Residential Uses in Residential Zones Policy as advertised with no modification as contained in Attachment 1 to this report.**
2. **Revokes the following local planning policies:**
 - (a) **Child Day Care Centres Policy; and**
 - (b) **Consulting Rooms in Residential Areas Policy.**

CR MICHELLE SUTHERLAND MOVED, CR CATHERINE EHRHARDT SECONDED
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0

BACKGROUND

The City has a large number of local planning policies, which have not been comprehensively reviewed for approximately 10 years. Many of these local planning policies are now considered outdated or have become irrelevant due to subsequent legislative and State planning policy changes. Therefore, City officers are now undertaking a comprehensive 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 Child Day Care Centres Policy and the Consulting Rooms in Residential Areas Policy guide the development of these uses in residential areas, to ensure that they do not negatively impact upon local character and amenity. The policies have been identified by City officers as requiring review. At present a number of other non-residential uses may be considered in residential zones and are not currently subject to any policy. Consequently, the scope of the review was extended to the development of a more comprehensive Non-Residential Uses in Residential Zones Policy, which will achieve the same objectives in relation to all such uses.

At the Ordinary Meeting held on 14 May 2019 Council considered the draft Non Residential Uses in Residential Zones Policy for advertising and resolved:

"That Council, pursuant to Schedule 2, Part 2, clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts for public advertising the proposed Non-Residential Uses in Residential Zones local planning policy, as included in Attachment 3 to this report."

EXTERNAL CONSULTATION

The proposed Non-Residential Uses in Residential Zones Policy was advertised from 18 June to 13 July 2019, in accordance with the requirements of the Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* by way of:

- Notification being published in the local newspaper;
- Information being placed on the City's engagement website; and
- Hard copies of the draft policy documentation made available for inspection at the City of Bayswater Civic Centre and the City's libraries.

No submission was received in response to the advertisement of the proposed policy.

In the event Council adopts the proposed Non-Residential Uses in Residential Zones Policy and revokes the above existing policies, appropriate notifications are required to be published in the local newspaper.

OFFICER'S COMMENTS

The proposed Non-Residential Uses in Residential Zones Policy is intended to guide the development of all non-residential uses that may be considered in residential zones and to ensure that these uses will not unduly impact upon the amenity of the surrounding residential area.

The provisions contained in the proposed policy are broadly similar to those contained in the existing Child Day Care Centres and Consulting Rooms in Residential Areas policies; however, the provisions are now more general in nature to guide the broader range of land uses that can be considered in residential zones under Town Planning Scheme No. 24, which are:

- | | |
|-------------------------------|---|
| • Car Park; | • Hospital; |
| • Child Day Care Centre; | • Hostel; |
| • Civic Buildings; | • Infant Health Clinic; |
| • Club Premises; | • Motel (Medium and High Density Residential only); |
| • Consulting Rooms (Medical); | • Public Utility; |
| • Display Home Centre; | • Public Worship; |
| • Educational Establishment; | • Radio Equipment; and |

- Home Store;
- Veterinary Consulting Rooms.

In light of the above, it is considered that no modification is required to the proposed policy and it can be approved as previously adopted by Council for public advertising, and that the Child Day Care Centres Policy and Consulting Rooms in Residential Areas Policy can be revoked.

LEGISLATIVE COMPLIANCE

The *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, Part 2, clauses 4 and 6 set out the procedures for making a local planning policy and revoking a local planning policy respectively.

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:	
	1. Adopts the proposed Non-Residential Uses in Residential Zones Policy as advertised with no modification as contained in <u>Attachment 1</u> to this report.	
	2. Revokes the following local planning policies: (a) Child Day Care Centres Policy; and (b) Consulting Rooms in Residential Areas Policy.	
Risk Category		
Adopted Risk Appetite		
Risk Assessment Outcome		
Strategic Direction		
Reputation		
Governance		
Community and Stakeholder		
Financial Management		
Environmental Responsibility		
Service Delivery		
Organisational Health and Safety		
Conclusion	It is considered that this option has a low risk as the proposed Non-Residential Uses in Residential Zones Policy is consistent with the broad objectives of the existing policies, but has been expanded to cover a broader range of permissible land uses, and no submission was received during the public advertising.	

Option 2	That Council:		
	1. Adopts the proposed Non-Residential Uses in Residential Zones Policy as contained in <u>Attachment 1</u> to this report, with modification(s).		
	2. Revokes the following local planning policies: (a) Child Day Care Centres Policy; and (b) Consulting Rooms in Residential Areas Policy.		
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: 1. Does not adopt the proposed Non-Residential Uses in Residential Zones Policy as contained in Attachment 1 to this report. 2. Does not revoke the Child Day Care Centres Policy and Consulting Rooms in Residential Areas Policy.	
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 and community and stakeholders as a lack of clarity on how to assess other types of non-residential land use in residential zones could lead to complaints about 'red tape' delaying or limiting development.	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1: Advertise the adoption of the Non-Residential Uses in Residential Zones Policy and the revocation of the Child Day Care Centres Policy and Consulting Rooms in Residential Areas 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 (\$)		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 Non-Residential Uses in Residential Zones Policy will assist in achieving these aspirations, as it will ensure that these uses are of a scale and character that reflect their surroundings and do not unduly impact upon the amenity expected by neighbouring residents. In addition, the clearly stated requirements for development proposals would ensure that they are assessed in a more consistent manner.

CONCLUSION

The proposed Non-Residential Uses in Residential Zones Policy focusses on ensuring that all non-residential developments that may be considered in residential zones are consistent with the character and amenity of the area and that any potential undue amenity impacts can be appropriately managed. The requirements of the policy will more effectively assist applicants in the design of their proposals to achieve these objectives.

In light of the above, it is recommended that the proposed Non-Residential Uses in Residential Zones Policy as advertised be adopted with no modification, and that the Child Day Care Centres Policy and Consulting Rooms in Residential Areas Policy be revoked.

Attachment 1 - Proposed Non-Residential Uses in Residential Zones Policy**NON-RESIDENTIAL USES IN RESIDENTIAL ZONES POLICY**

Responsible Division	Community and Development
Responsible Business Unit/s	Development Approvals
Responsible Officer	Manager Development Approvals
Affected Business Unit/s	Development Approvals

**PURPOSE**

This policy is intended to guide the development of those non-residential uses that may be considered in the City of Bayswater's residential zones.

OBJECTIVES

The objectives of this policy are to:

1. Ensure that development is consistent with, and will not detract from residential character and amenity.
2. Ensure that any potential undue amenity impacts are appropriately managed.

INTRODUCTION

The City of Bayswater's town planning scheme includes a number of non-residential uses that may be considered in residential zones.

The primary purpose of the City's residential zones is to accommodate residential uses; therefore, non-residential uses will only be considered favourably where it can be adequately demonstrated that they will not unduly impact upon the amenity of the surrounding residential area.

SCOPE

This policy is applicable to any non-residential use in a residential zone within the City of Bayswater.

REQUIREMENTS**Location**

1. Non-residential uses in residential zones shall be located adjacent to established commercial, industrial or mixed-use zones and facing the same street as those land uses, to act as a transition between them and surrounding residential areas.
2. Proposals to locate non-residential uses in residential zones on local access roads, in culs-de-sac and/or situated in isolation between residential uses will generally not be supported.
3. Non-residential uses shall be restricted to lots, buildings or parts of a building that have direct frontage to a street or public right-of-way, i.e. not accessed via a battle-axe or shared driveway.
4. Notwithstanding the above, specific locational requirements will not be applied to:
 - (a) The extension of an existing, approved non-residential use;
 - (b) Car park (only when in association with a Display Home Centre or Home Store);
 - (c) Display Home Centre;
 - (d) Home Store;



- (e) Public Utility; or
- (f) Radio Equipment.

Operation

1. A non-residential use in a residential zone shall not unduly impact upon local amenity through traffic generation, car parking difficulties, or emissions including, but not limited to noise, odour or waste.
2. Non-residential uses in residential zones will generally be permitted to operate between the hours of 7:00 a.m. and 7:00 p.m. and not on Sundays or public holidays.
3. Proposals are to be accompanied by a management plan, detailing how the use will be operated and what measures will be taken to minimise undue amenity impacts on adjoining residential uses.
4. Any approved development is to be operated in accordance with the management plan and any subsequent variation will require the submission of a new application for development approval.

Development

1. The development is to be of a scale and form that is consistent with the surrounding residential area, taking into account the requirements of the town planning scheme and the Residential Design Codes of Western Australia (as amended).
2. Car parking is to be contained entirely within the site, ideally located to the rear of the building and arranged in such a way that all vehicles can leave the site in a forward gear.
3. Only one crossover will be permitted per lot.
4. The public road verge is not to be developed or relied upon for car parking.
5. Landscaping is to be used to enhance the streetscape, especially where car parking is proposed within the street setback area.
6. A single sign of up to 0.2m² in area will be permitted. Larger signs may be considered where it can be adequately demonstrated that there will be no detrimental impact on residential character or amenity.

Advertising development applications

Applications for non-residential uses may be advertised for public comment at the discretion of the City of Bayswater.

RELATED LEGISLATION

This policy is adopted under all Local Planning Schemes in force within the City of Bayswater, in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Relevant Delegations	TP-D01	
Council Adoption	Date	

10.5.1.2 Planning Policy Review - Temporary Uses and Minor Works

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. Proposed Temporary and Minor Development Policy	
Refer:	Item 10.5.4.1: OCM 3.9.2019 Item 10.4.10: OCM 27.11.2018 Item 10.11: OCM 21.6.2016	

SUMMARY

Council consideration is sought in relation to proposed modifications to the City's Temporary Uses and Minor Works Policy.

The proposed Temporary and Minor Development Policy modifies the existing Temporary Uses and Minor Works Policy to:

- More effectively identify what constitutes a temporary development;
- More effectively identify what constitutes a minor development;
- Expand exemptions for the location of temporary structures on development sites to include sea containers;
- Clarify the exemptions that extend to the alteration of signs;
- Provide specific exemptions for the installation of solar collectors on buildings;
- Expand exemptions that apply to the installation of water tanks; and
- Remove unnecessary provisions that duplicate other policy or legislation, thereby cutting "red tape".

The proposed Temporary and Minor Development Policy was advertised from 14 November 2019 to 5 December 2019, and no submission was received in response.

COUNCIL RESOLUTION**(COMMITTEE/OFFICER'S RECOMMENDATION)**

That Council adopts the proposed Temporary and Minor Development Policy as advertised with no modification as contained in Attachment 1 to this report.

**CR MICHELLE SUTHERLAND MOVED, CR CATHERINE EHRHARDT SECONDED
CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0**

BACKGROUND

The City has a large number of local planning policies, which have not been comprehensively reviewed for approximately 10 years. Many of these local planning policies are now considered outdated or have become irrelevant due to subsequent legislative and State planning policy changes. Therefore, City officers are now undertaking a comprehensive 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 Temporary Uses and Minor Works Policy was adopted by Council on 21 June 2016. It aims to streamline the development application process by identifying characteristics and types of developments which are considered minor in nature and therefore do not require development approval.

Prior to commencement of the local planning policy review, the City contemplated what could be done to reduce the number of vacant shops in town centres. It was determined that modifying the Temporary Uses and Minor Works Policy, to allow temporary developments for a longer period than the 20 days in a 12 month period currently permitted, could go some way toward combatting this issue. Consequently, on 27 November 2018, Council resolved in part to:

"5. Adopt for public advertising a modification to the 'Temporary Uses and Minor Works' Policy to increase the time that a temporary use does not require planning approval from 20 days to 3 months in a 12 month period."

At the Ordinary Meeting on 3 September 2019, Council resolved:

"That Council, pursuant to Schedule 2, Part 2, clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts for public advertising the draft modified Temporary and Minor Development Policy, as included in Attachment 2 to this report, with the following amendments:

- 1. The reference to '3 months' being changed to '6 months' in the definition of temporary development under Definitions and point 2. under Temporary developments.*
- 2. The deletion of point 6. under Temporary developments and point 4. under Minor developments."*

EXTERNAL CONSULTATION

The proposed Temporary and Minor Development Policy was advertised from 14 November 2019 to 5 December 2019, in accordance with the requirements of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* by way of:

- Notification being published in the local newspaper(s);
- Information being placed on the City's engagement website; and
- Hard copies of the draft modified policy made available for inspection at the City of Bayswater Civic Centre and the City's libraries.

No submission was received in response to the advertisement of the proposed policy.

Should Council adopts the proposed Temporary and Minor Development Policy appropriate notifications is required to published in the local newspaper(s).

OFFICER'S COMMENTS

The proposed Temporary and Minor Development Policy is intended to define temporary and minor developments that are exempt from requiring development approval, while also ensuring that they do not have any undue impacts upon local amenity. Such developments can be undertaken in accordance with the established planning framework and can also contribute to the vitalisation of activity centres and local neighbourhoods, by activating streetscapes and encouraging interactions between local residents.

In light of the above it is considered that no modification is required to the proposed policy and it can be approved as previously adopted by Council for public advertising.

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, unless, in the opinion of the local government, the amendment is a minor amendment.

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 Temporary and Minor Development Policy as advertised with no modification as contained 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	It is considered that this option has a low risk as it consistent with the existing policy. The City has not received any complaints about temporary and minor developments, but has received feedback from various groups seeking to activate underutilised spaces within their communities which is considered the proposed policy will support, and no submission on the proposed policy was received during public advertising.	

Option 2	That Council adopts the proposed Temporary and Minor Development Policy as contained in <u>Attachment 1</u> to this report with further modification(s).		
Risk Category		Adopted Risk Appetite	Risk Assessment Outcome Dependent on the modification(s) proposed.
Strategic Direction		Moderate	
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 does not adopt the proposed Temporary and Minor Development Policy as contained in <u>Attachment 2</u> to 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	It is considered that this option has a moderate risk as there could be complaints about 'red tape' delaying or limiting many types of temporary or minor development.	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1: Advertise the adoption of the Temporary and Minor Development 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 Temporary and Minor Development Policy will help to secure the delivery of a quality built environment. The policy would ensure that temporary and minor developments will be facilitated where they will activate vacant spaces and improve streetscapes in town centres and industrial areas, while simultaneously mitigating any undue impacts on local character and amenity.

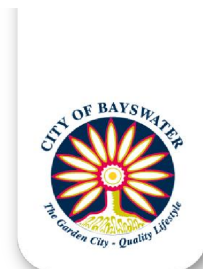
CONCLUSION

The proposed Temporary and Minor Development Policy will more accurately define temporary and minor developments that are exempt from requiring development approval, while also ensuring that they do not have any undue impacts upon local amenity. It will also facilitate a broader range of acceptable developments and avoid duplication of other policy and legislation, thereby reducing 'red tape'.

In light of the above, it is recommended that the proposed Temporary and Minor Development Policy as advertised is adopted with no modification.

Attachment 1 - Proposed Temporary and Minor Development Policy**TEMPORARY AND MINOR DEVELOPMENT**

Responsible Division	Community and Development
Responsible Business Unit/s	Development Approvals
Responsible Officer	Manager Development Approvals
Affected Business Unit/s	Development Approvals

**PURPOSE**

This policy is intended to define temporary and minor developments that are exempt from requiring development approval by the City of Bayswater.

OBJECTIVES

The objectives of this policy are to:

1. Facilitate temporary and minor developments that have no undue impact upon local character and amenity.
2. Ensure the preservation of local character and amenity.
3. Activate vacant spaces in town centres and industrial areas.
4. Improve streetscapes in town centres and industrial areas.
5. Maintain public safety.

INTRODUCTION

Many temporary and minor developments will have no undue impact on local character or amenity and can be undertaken in accordance with the established planning framework. Temporary and minor developments can also help to vitalise activity centres and local neighbourhoods, by activating streetscapes and encouraging interactions between local residents.

The City of Bayswater considers it desirable to facilitate such developments by exempting them from requiring development approval by the City where possible.

SCOPE

This policy is applicable to defined temporary and minor developments on all land within the City of Bayswater; however, it does not override the requirements of building and environmental health legislation, local laws or the City's event approval process.

DEFINITIONS

Temporary development means a development that is in place for no more than 6 months cumulatively within a 12 month period. Examples of temporary developments include community markets, fairs, festivals, garage sales, pop-up shops and galleries and temporary buildings or structures, such as marquees or site offices.

Minor development means development that, in relative terms, will not have any material effect on the operation of a land use or on the appearance of the land or buildings on which it is installed or constructed. Examples of minor development include ancillary uses, small garden structures, solar collectors and water tanks.



REQUIREMENTS

Development approval

Development approval is not required for any temporary or minor development, unless:

1. The development site is:
 - (a) Entered on the State Register of Heritage Places under the *Heritage Act 2018*;
 - (b) The subject of an order under the *Heritage Act 2018* Part 4 or Part 11, Division 4;
 - (c) Included on a heritage list prepared in accordance with the City of Bayswater town planning scheme(s);
 - (d) Within an area designated under the town planning scheme(s) as a heritage area; or
 - (e) The subject of a heritage agreement entered into under *Heritage Act 2018* section 90;or
2. The development would, in the opinion of the City of Bayswater:
 - (a) Be detrimental to the streetscape or day-to-day activities of the local community;
 - (b) Unduly impact upon local amenity through traffic generation, car parking difficulties, or emissions including, but not limited to noise, odour or waste;
 - (c) Unduly impact upon pedestrian or vehicular accessibility; or
 - (d) Unduly impact upon on the health and safety of the general public.

Temporary developments

Development approval will generally not be required for temporary developments where:

1. The development will not be located in a residential zone;
2. The development will not be in place for more than 6 months cumulatively within a 12 month period;
3. The development will not operate outside of the hours of 7:00 a.m. to 10:00 p.m.;
4. Any works component will be small in scale;
5. Any works component will not involve the alteration of, or addition to existing buildings;
6. The development will not compromise the safety of those using the space where it will be conducted;
7. The development will not require the placement of more than one temporary sign with a maximum area of 1.5m²; and
8. The development will not involve the removal of trees.

Minor developments

Development approval will generally not be required for minor developments where:

1. Any use component is listed as a 'P' or 'D' use in the town planning scheme and is of a minor, incidental nature when compared to the approved use of the land or buildings;
2. Any works component will be small in scale;
3. Any works component will not involve the alteration of, or addition to existing buildings;
4. The development will not compromise the safety of those using the space where it will be conducted; and
5. The development will not involve the removal of trees.

Alfresco dining on public thoroughfares

Development approval is not required for alfresco dining areas on public thoroughfares where:

1. The alfresco dining area is located adjacent to the associated business;
2. A minimum clear footpath width of 2m is maintained for pedestrians; and
3. An alfresco dining permit has been approved under the City's *Activities on Thoroughfares and Public Places and Trading Local Law*.

Temporary site and sales offices, sheds and sea containers on development sites

Development approval is not required to locate a temporary site or sales office, shed or sea container on a development site where:

1. The structure will be located so as not to compromise lines of sight necessary for the safe access and egress of motor vehicles to and from the site;
2. The structure will only be located on the development site while works are actively ongoing, or for a longer period as agreed in writing with the City of Bayswater; and
3. The location of the structure will not involve the removal of trees.

Signs

Development approval is not required to alter the content of existing, approved signage where:

1. The content will be consistent with the relevant provisions of any other applicable City of Bayswater local planning policies; and
2. The dimensions of the sign face will not be altered.

Solar collectors

Development approval is not required for the installation of a solar collector where:

1. The collector will be installed on the roof of a building.

Water tanks

Development approval is not required for the installation of a water tank where:

1. The tank will not be located between any building and the primary street, unless entirely underground;
2. The tank will be set back from other boundaries in accordance with the town planning scheme or Residential Design Codes of WA, as appropriate, unless entirely underground;
3. The tank will have a maximum height of 3m, measured from natural ground level; and
4. The tank will be located so that it is not directly visible from the primary street.

RELATED LEGISLATION

This policy is adopted under all Local Planning Schemes in force within the City of Bayswater, 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	Date	21 June 2016
Reviewed / Modified	Date	

10.5.1.3 Planning Policy Review - Construction Materials

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 Construction Materials Policy 2. Proposed modified Construction Materials Policy 3. Tracked changes version of proposed modified Construction Materials Policy	
Refer:	Item 10.5.4.3: OCM 3.9.2019	

SUMMARY

Council consideration is sought in relation to proposed modifications to the City's Construction Materials Policy.

Town Planning Scheme No. 24 (TPS 24) requires that the ground floor level of all buildings, other than outbuildings, in Residential zones shall be constructed of brick, stone or concrete. The increasing need to build environmentally sustainable and affordable houses and buildings has seen an increase in the use of building materials other than brick, stone or concrete. When a landowner or builder seeks to use an alternative building material, this necessitates an application for development approval to vary the scheme standard and the Construction Materials Policy is intended to provide guidance on the use of alternative building materials in such circumstances.

Due to the requirements of TPS 24, it is considered necessary to maintain the policy; however, modify it to bring it into line with the City's current practices and policy format.

COUNCIL RESOLUTION**(COMMITTEE/OFFICER'S RECOMMENDATION)**

That Council adopts for public advertising the proposed modified Construction Materials Policy as contained in Attachment 2 to this report.

CR MICHELLE SUTHERLAND MOVED, CR CATHERINE EHRHARDT SECONDED

CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0

BACKGROUND

The City has a large number of local planning policies, which have not been comprehensively reviewed for approximately 10 years. Many of these local planning policies are now considered outdated or have become irrelevant due to subsequent legislative and State planning policy changes. Therefore, City officers are now undertaking a comprehensive 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.

Currently, clause 8.5.6 of TPS 24 requires that the ground floor level of all buildings, other than outbuildings, in Residential zones shall be constructed of brick stone or concrete. However, the use of building materials other than brick, stone or concrete has become more common due to the increasing need to build environmentally sustainable and affordable houses and buildings. As a result of this, the existing Construction Materials local planning policy was adopted by Council in November 2008 to provide guidance on the use of alternative building materials.

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 this item be deferred to the next Policy Review and Development Committee meeting dealing with planning policies."

The Committee changed the Officer's Recommendation to obtain further information as to whether the policy should address the ground floor, first floor, other upper floors and/or roof and the implications in terms of clause 8.5.6 of TPS 24 and the structure of the policy.

Council adopted the above Committee recommendation at the Ordinary Meeting held on 3 September 2019.

EXTERNAL CONSULTATION

No consultation has yet occurred with the public or other agencies on this matter. In the event that Council adopts the proposed modified Construction Materials policy for the purpose of advertising for public comment, the policy will be advertised in accordance with the requirements of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for at least 21 days by way of:

- Notification being published in the local newspaper(s);
- Information being placed on the City's engagement website; and
- Hard copies of the draft modified policy being made available for inspection at the City of Bayswater Civic Centre and the City's libraries.

OFFICER'S COMMENTS

Clause 8.5.6 of TPS 24 applies to residential development and states that:

"The ground floor level of all buildings, other than outbuildings, shall be constructed of brick stone or concrete. Ground and first floor levels may be constructed of lighter framed materials if the materials, design and anticipated final appearance of these structures is approved by the Council".

When a developer seeks to use an alternative building material on the ground floor, this necessitates an application for development approval to vary the scheme standard. The City's Construction Materials Policy is intended to provide guidance on the use of alternative building materials in such circumstances.

Clause 8.5.6 does not explicitly state that upper floors must be constructed of brick, stone or concrete. For this reason, lighter framed materials have been permitted on upper floors as a matter of course. However, to provide greater clarity that lighter framed materials are permitted on all floors the Clause 2 of the policy has been further modified as follows:

2. *"Alternative building materials that can be considered for approval on all floors include, but are not limited to:...."*

Roofing materials are not specifically mentioned in clause 8.5.6 or the existing Construction Materials Policy. Clause 8.5.6 refers to "ground floor level" and "first floor levels", which has been interpreted to mean the exterior walls of buildings, as opposed to the roofs above. Rather than expand the Construction Materials Policy to deal with roofing materials, the City is currently developing 'Cool Roofs' and 'Green Roofs and Walls' policies to encourage the use of materials with a low solar absorption rate, and 'green' roofs (those covered with living vegetation).

The proposed modified policy has been updated in accordance with the City's current policy format and now includes a set of objectives and a scope. The purpose, introduction and policy

requirements remain as per the existing policy, with only minor adjustments to wording to improve readability and to futureproof the document insofar as possible.

The objectives of the proposed modified policy were drawn from the policy requirements of the current policy but have removed references to the Building Code of Australia (BCA) and other legislative requirements, as a local planning policy is created under the *Planning and Development (Local Planning Schemes) Regulations 2015* and does not apply in other legislative contexts. The scope states that the policy will apply to the erection of all buildings, other than outbuildings, within the City of Bayswater.

Since the adoption of TPS 24, the BCA and subsequent National Construction Code (NCC) have been updated to require housing to be designed to meet energy efficiency requirements, meaning that home designs have become more focussed on energy efficiency, which has in turn lead to the introduction of new building materials. This has been compounded by the rising cost of housing, which has also driven a need to find alternative, more cost-effective methods of construction.

Although there have been recent issues around combustible cladding being fitted to some buildings, further changes have been made to the NCC 2019 to address this issue. Compliance with the NCC will be checked as part of the certification and building permit processes and the builder is then obligated to ensure that the materials comply with the permit and the relevant codes and technical standards.

Due to the requirements of the NCC, increasing costs and the proliferation of alternative construction materials, it could be considered that clause 8.5.6 has become outdated and restrictive; however, this will be examined in more detail as part of a future review of TPS 24.

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, unless, in the opinion of the local government, the amendment is a minor amendment.

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 for public advertising the proposed modified Construction Materials Policy as contained in <u>Attachment 2</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	It is considered that this option has a low risk as it is consistent with the existing policy, and the City has not received any complaints about alternative building construction materials.		

Option 2	That Council adopts for public advertising the proposed modified Construction Materials Policy, as contained in <u>Attachment 2</u> 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 does not adopt for public advertising the proposed modified Construction Materials Policy as contained in <u>Attachment 2</u> to this report.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
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 moderate risk to the City's strategic direction as the existing policy is an effective means of facilitating alternative construction materials, though it requires updating in line with the City's current policy format.	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1: Advertise 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.

Amendment of the Construction Materials policy will have no undue impact on the delivery of a quality built environment. The proposed modified policy will ensure continuity in the approach taken to considering the use of alternative building materials where appropriate.

CONCLUSION

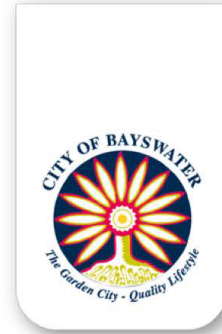
The existing Construction Materials local planning policy is necessary to provide guidance on the use of alternative building materials where a variation of clause 8.5.6 of TPS 24 is sought.

Therefore, the purpose, introduction and policy requirements of the proposed modified policy remain as per the existing, with only minor adjustments to wording to improve readability and to futureproof the document insofar as possible. A set of objectives and a scope have also been added to the modified policy to assist with its application.

Attachment 1 - Existing Construction Materials Policy

CONSTRUCTION MATERIALS 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 provide direction and clarity to developers and the community on the use of building materials other than brick, stone or concrete.

To facilitate the use of alternative building materials that:

- Comply with the Building Codes of Australia;
- Comply with all other legislative requirements and standards; and
- Have no adverse impact on the amenity of the locality.

POLICY STATEMENT:

Clause 8.5.6 of Town Planning Scheme No.24 requires that the ground floor level of all buildings, other than outbuildings, shall be constructed of brick, stone or concrete. Where a proposal included the use of materials other than brick, stone or concrete for the ground floor, the application has been referred to Council for determination.

The use of building materials other than brick stone or concrete is becoming common because of the increasing need to build environmentally sustainable and affordable houses and buildings. The Building Code of Australia (BCA) requires housing to be designed to energy efficiency requirements. This has made both designers and builders look at home designs focusing on energy efficiency and led to the introduction of new building materials.

The purpose of this policy is to provide direction and clarity to developers and the community on the use of building materials other than brick, stone or concrete.

1. The use of alternative building materials is permitted provided that they:

- Comply with the Building Codes of Australia;
- Comply with all other legislative requirements and standards;
- Are finished to a high quality standard; and
- Enhance the character of the streetscape and the amenity of the locality to the satisfaction of the City of Bayswater.

Alternative building materials that can be considered for approval include, but are not limited to:

- a) Cast fibreglass reinforced panels (like Rapid Wall);
- b) Aerated, reinforced concrete panels;
- c) Fibre cement / compressed sheeting;
- d) Colourbond, aluminium and zincalume sheeting; and
- e) Weatherboard / linearboard.



Attachment 2 - Proposed modified Construction Materials Policy**CONSTRUCTION MATERIALS 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 provide guidance on the use of building materials other than brick, stone or concrete.

OBJECTIVES

The objectives of this policy are to:

1. Facilitate the use of alternative building materials.
2. Ensure that buildings are finished to a high standard.
3. Ensure that development is consistent with, and will not detract from established and future residential character and amenity.

INTRODUCTION

The City's town planning scheme requires the ground floor level of all residential buildings, other than outbuildings, to be constructed of brick, stone or concrete. Where a proposal has included the use of materials other than brick, stone or concrete for the ground floor, the application requires development approval. However, the use of building materials other than brick, stone or concrete is becoming more common due to the increasing need to build environmentally sustainable and affordable houses and buildings. The Building Code of Australia (BCA) requires housing to be designed to energy efficiency requirements and this has required home designs focusing on energy efficiency and led to the introduction of new building materials.

SCOPE

This policy applies to the erection of all buildings, other than outbuildings, in Residential zones within the City of Bayswater.

REQUIREMENTS

1. The use of alternative building materials is permitted provided that they:
 - (a) Are finished to a high standard; and
 - (b) Enhance the character of the streetscape and the amenity of the locality.
2. Alternative building materials that can be considered for approval on all floors include, but are not limited to:
 - (a) Cast fibreglass reinforced panels (such as Rapid Wall);
 - (b) Aerated, reinforced concrete panels;
 - (c) Fibre cement / compressed sheeting;
 - (d) Colorbond, aluminium and zincalume sheeting; and
 - (e) Weatherboard / linearboard.

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	Date	25 November 2008
Reviewed / Modified	Date	1 March 2016

DRAFT

Attachment 3 - Tracked changes version of proposed modified Construction Materials Policy

CONSTRUCTION MATERIALS POLICY

Responsible Division	Community and Development
Responsible Business Unit/s	Development Approvals
Responsible Officer	Manager Development Approvals
Affected Business Unit/s	Development Approvals



PURPOSE

~~To provide direction and clarity to developers and the community~~The purpose of this policy is to provide guidance on the use of building materials other than brick, stone or concrete.

OBJECTIVES

~~To facilitate the use of alternative building materials that~~The objectives of this policy are to:

- ~~• Comply with the Building Codes of Australia;~~
 - ~~• Comply with all other legislative requirements and standards; and~~
 - ~~• Have no adverse impact on the amenity of the locality.~~
1. Facilitate the use of alternative building materials.
 2. Ensure that buildings are finished to a high standard.
 3. Ensure that development is consistent with, and will not detract from residential character and amenity.

INTRODUCTION

~~Clause 8.5.6 of Town Planning Scheme No.24~~The City's town planning scheme requires ~~that~~ the ground floor level of all residential buildings, other than outbuildings, ~~shall to~~ be constructed of brick, stone or concrete. ~~Where a proposal included the use of materials other than brick, stone or concrete for the ground floor, the application has been referred to Council for determination.~~ The use of building materials other than brick, stone or concrete is becoming common ~~because of~~due to the increasing need to build environmentally sustainable and affordable houses and buildings. The Building Code of Australia (BCA) requires housing to be designed to meet energy efficiency requirements. ~~This has made both designers and builders look at, meaning that~~ home designs have become more focusing focussed on energy efficiency ~~and, in turn leading led~~ to the introduction of new building materials.

SCOPE

This policy applies to the erection of all buildings, other than outbuildings, in Residential zones within the City of Bayswater.

REQUIREMENTS

1. The use of alternative building materials ~~is will be~~ permitted provided that buildings are, in the opinion of the City of Bayswater they:
 - ~~• Comply with the Building Codes of Australia;~~
 - ~~• Comply with all other legislative requirements and standards;~~
 - ~~• (a) Are~~ finished to a high quality standard; and
 - ~~• (b) Enhance the character of the streetscape and the amenity of the locality to the satisfaction of the City of Bayswater.~~

2. Alternative building materials that can be considered for approval on all floors include, but are not limited to:

- (a) ~~a~~ Cast fibreglass reinforced panels (like Rapid Wall);
- (b) ~~b~~ Aerated, reinforced concrete panels;
- (c) ~~c~~ Fibre cement / compressed sheeting;
- (d) ~~d~~ Colou**u**rbond, aluminium and zincalume sheeting; and
- (e) ~~e~~ Weatherboard / linearboard.

RELATED LEGISLATION

This policy is adopted under all Local Planning Schemes in force within the City of Bayswater, in accordance with Schedule 2, Part 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. 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	Date	<u>25 November 2008</u>
<u>Reviewed / Modified</u>	<u>Date</u>	<u>1 March 2016</u>

10.5.2 Access, Inclusion and Walkability Advisory Committee 5 February 2020**10.5.2.1 Disability Access and Inclusion Plan 2016 - 2020 Final Report**

Responsible Branch:	Community Development	
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 type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	Nil	
Refer:	Item 10.5.1.1: OCM 03.09.2019 Item 10.5.1.1: OCM 25.06.2019 Item 10.5.1: OCM 12.03.2019 Item 10.5.1: OCM 29.01.2019 Item 13.2: OCM 25.09.2018 Item 13.18: OCM 28.08.2018	

SUMMARY

For Council to note the City of Bayswater's Disability Access and Inclusion Plan (DAIP) (2016–2020) final report for July to December 2019, relating to the progression of strategies and actions across the eight Outcome Areas.

OFFICER'S RECOMMENDATION

That Council:

1. Notes the information provided in this report regarding the progress of the Disability Access and Inclusion Plan 2016-2020 Outcome Areas 1 – 8.
2. Notes the following actions suggested by the Access, Inclusion and Walkability Committee in relation to Disability Access and Inclusion Plan Outcome Areas 1 –8:
 - (a) _____
 - (b) _____
 - (c) _____

COUNCIL RESOLUTION**(ADVISORY COMMITTEE RECOMMENDATION)**

That Council:

1. Notes the information provided in this report regarding the progress of the Disability Access and Inclusion Plan 2016-2020 Outcome Areas 1 – 8.
2. Notes the following actions suggested by the Access, Inclusion and Walkability Committee in relation to Disability Access and Inclusion Plan Outcome Areas 1 – 8:
 - (a) The balance of the funding required to install a lift in the Bayswater Library be considered as part of the 2020/21 budget process.
 - (b) A verbal update from City staff at the next Committee meeting, on the City's compliance and enforcement in relation to trolleys obstructing driveways and pedestrian access areas.
 - (c) The City considers aligning the ramp from the Bayswater Library and Community Centre car park with the ramp from the playground.

CR CATHERINE EHRHARDT MOVED, CR STEPHANIE GRAY SECONDED

CARRIED UNANIMOUSLY: 10/0

BACKGROUND

The Access, Inclusion and Walkability Advisory Committee (AIWAC) Terms of Reference, outlines one of the responsibilities of the Committee, is to consider and make recommendations on the City's DAIP.

The City's DAIP 2016-2020 outlines eight desired Outcome Areas and associated strategies which are progressed each financial year over the term of the Plan.

The City's DAIP 2016-2020 expires in March 2020. At this time it will be superseded by the City of Bayswater Access and Inclusion Plan 2020–2024, following endorsement by Council and approval by the Department of Communities.

Therefore, this is the final report for consideration by AIWAC, and will close the implementation of DAIP 2016–2020 strategies and actions by City branches, across the eight Outcome Areas including:

- Outcome 1 – Services and Events, which relates to people with disability having the same opportunities as other people to access services, and any events, organised by the City of Bayswater.
- Outcome 2 – Buildings and Facilities, which relates to people with disability having the same opportunities to access buildings and other facilities by the City of Bayswater.
- Outcome 3 – Information, which relates to people with disability receiving information from the City in a format that will enable them to access the information as readily as other people are able to access it.
- Outcome 4 – Quality Customer Services, which relates to people with disability receiving the same quality of service from staff of the City of Bayswater as other people receive from staff.
- Outcome 5 – Complaint Mechanisms, which ensures that people with disability have the same opportunities to make complaints to the City of Bayswater.
- Outcome 6 – Consultation Processes, which generally relates to people with disability having the same opportunities as others to participate in any public consultation.
- Outcome 7 – Employment, which relates to people with disability have the same opportunities as other people to obtain and retain employment with the City of Bayswater.
- Outcome 8 – Needs and Entitlements, relating to people with disability having the same opportunities as others to have their needs and entitlements considered in all City of Bayswater processes.

EXTERNAL CONSULTATION

Community consultation was not required for this report.

OFFICER'S COMMENTS

Below are the DAIP (2016–2020) Outcome Area updates progressed from July to December 2019, for consideration by the AIWAC and Council.

Outcome 1 – Services and Events

DAIP Strategy: All services and events to be conducted in buildings and facilities are accessible to everyone

- The City has established a partnership with service provider 'Therapy Focus' which resulted in the inclusion of a young person with a disability attending two 'How to Adult workshops' – Interview Skills and Good with Money workshops. These workshops were held at

accessible venues – Galleria Shopping Centre and Multicultural Services Centre of WA during September 2019.

- The City contracted two AUSLAN interpreters for the 'Carols by Candlelight' event on 14 December 2019, to provide sign language interpreting for the speeches and Christmas carols. This initiative aims to encourage people who are deaf or with a hearing impairment to participate in a large scale community event.



- Environmental Health staff have undertaken assessments of events in accordance with the Public Building Regulations and WA Department of Health guidelines. Officers involved in the approval process broadened their scope of assessment to consider the general accessibility of the entire premise for all events. This has resulted in raising staff awareness and understanding, and improving accessibility at City events.
- The City has introduced the use of the 'Companion Card' at Embleton Golf Course and Maylands Driving Range.

DAIP Strategy: All staff and relevant contractors involved in services and events to have an effective working knowledge of disability awareness and DAIP competency.

- The City has actively promoted access and inclusion issues and opportunities to community event organisers and contractors. Staff involved in the event approval process have increased awareness and understanding of their responsibilities in-line with DAIP strategies. This is contributing to enhanced accessibility at events held across the City.

Outcome 2 – Buildings and Facilities

DAIP Strategy – Ensure that all City buildings comply with the 'access to premise' standard requirement in the Building Code of Australia.

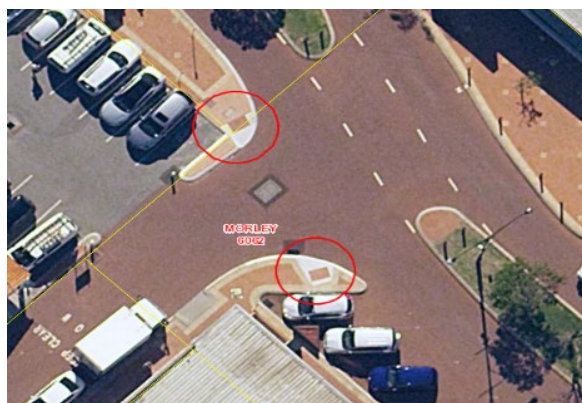
- The City has continued to provide advice and guidance to relevant departments, when requested, to ensure that the City meets its obligations for access to buildings both new and old. In November 2019, cost estimates were sought to install a lift to the Bayswater Library mezzanine floor for consideration as part of the budget submission for stage 2 in 2020/21 of \$40,000.

DAIP Strategy – Ensure that all future regional and district playground renewal projects have at least one piece of equipment in each playground that is accessible and inclusive for all people, including children with a disability.

- The City has endorsed the 'Play Space Strategy (July 2019) as a framework to guide the planning, design and management of play spaces across the City. To this end, the following initiatives have been implemented:
 - Accessible and inclusive play equipment has been installed at Bardon Park, Maylands;
 - Accessible pathways and tennis courts provided at Hampton Park, Morley and Bayswater Tennis Club;
 - A new accessible clubroom at Bayswater Tennis Club; and
 - Accessible vehicle access and drop off point at Morley Sports Club Pavilion, RA Cook Reserve, Morley.

DAIP Strategy – Ensure that all City facilities and infrastructure comply with minimum access standards as required by Australian Standards on Access and Mobility (ie: AS 1428 suite) and are physically accessible and safe: particularly pedestrian facilities such as footpaths, bus stops, parks, reserves, and gardens.

- The Community Access and Advisory Committee identified an access and inclusion improvement opportunity to provide better access to the City's foreshore area in line with the objectives of the DAIP. A pathway is currently located on the foreshore at the rowing club, however, a new ramp is required in order to make it accessible. The City obtained Council endorsement in September 2019 to apply to the Western Australian Planning Commission (WAPC) to utilise cash-in-lieu (CIL) funds. If successful, these funds will be used to construct a multi-user access ramp at Hinds Reserve, providing access to the river.
- The City has increased compliance and enforcement in relation to vehicles and trolleys obstructing driveways and pedestrian access areas. A review has commenced of local parking signage, to ensure it is clearly readable and not placed in areas which restrict access. ACROD bays are also being investigated. Whilst on patrol, Rangers actively identify and report maintenance and lighting issues which may be hazardous.
- The City has completed due diligence and design verification to install wheel stops at parking bays in front of Dome Café. Remedial works have also been undertaken to a ramp at the Rangers and Security building, to enable easy access to the office by customers.
- Kerb ramps at Coles Maylands and Progress Street, Morley have been installed.



- Kerb ramps have been installed at Coles Maylands



- A new footpath has been installed at Maylands Yacht Club and on Park Street between Grand Promenade and Rosebery Street, Bedford.



- The City has addressed an issue at the Bayswater Library and Community Centre car park, where tree roots lifted bitumen and kerbing, resulting in the area becoming hazardous for patrons. The driveway is used as a walkway and there are a large volume of community members accessing this area. The City will remove the root that is causing the damage and consideration will also be given to surfacing of the path, as a measure to make it safe.
- The City has collaborated with the Public Transport Authority to upgrade bus stops and bus shelter to access standard on Guildford Road – Newton Street/Guildford Road, Bayswater.



- In September 2019, works were undertaken to increase the accessibility of the Noranda Sporting complex, with the installation of a new pathway and crosswalk to connect the back of Hawaiian's Noranda Shopping Centre to the Noranda Nook, Morley Noranda Recreation Club, adjacent public toilets and the surrounding sporting complex. To complement this new pathway, a range of colourful and contemporary 'Age Friendly' seating was installed at

Noranda Nook. The seating specifically accommodates the physical needs of older people and is a great addition for people of any age and ability to interact and enjoy the space.

Outcome 3 – Information

DAIP Strategy: The City's website complies with W3C Web Accessibility Guidelines and provides downloadable information in a range of file formats.

- The City has reviewed and updated all of the information on relevant City of Bayswater website pages. This information is now available in various formats (i.e. Browse Aloud).

Outcome 4 – Quality Customer Services

DAIP Strategy: Ensure that staff involved in front line customer service roles receive additional training on appropriate communication techniques and personal interaction skills.

- Over the past six months, the City has empowered its Age Friendly Ambassador volunteers to connect with people in a wide range of social settings, including local shopping centres, community centres, club and groups, community events and the local neighbourhood. This has provided increased opportunities to engage with a wide cross section of people, including people with disability, who may not normally get involved in City of Bayswater events and activities.

Additionally, the Age Friendly Ambassadors reflect the diversity and multiculturalism of the City of Bayswater, most of whom speak at least two languages, including Urdu, Hindi, Ukrainian and Italian. For example, the City partnered with Morley Galleria Shopping Centre during Seniors Week (10 to 17 November), to host an information stall with Ambassadors chatting and handing out information about local services and activities to a diverse range of residents.

- Environmental Health staff have undertaken training in regards to customer service and dealing with people that have disability which is improving skills and knowledge for staff.

Outcome 5 – Complaint Mechanisms

DAIP Strategy: Complaints available to be lodged in a range of different methods and formats.

- The City's Customer Service Charter is made available on the website and is available at the Civic Centre in a hard copy format. The Customer Service Charter includes a range of methods to lodge a complaint including contacting the City by phone, email, facsimile or by mail. Information to support people with disability is provided including the National Relay Service, provision of information in alternative formats, and AUSLAN interpreters. In addition, people from culturally and linguistically diverse backgrounds are supported to lodge a complaint through the provision of information on how to access translation services.

DAIP Strategy: All premises offered for the lodgement of complaints to be physically accessible

- The City's Customer Service Charter is in the process of review. This includes updating customers on accessible premises where complaints/feedback can be lodged in person such as the Civic Centre.

Outcome 6 – Consultation Processes

DAIP Strategy: Opportunities for participation in public consultation by people with disability are widely and appropriately promoted and accessible.

- The City undertook community consultation for the review of the DAIP 2016-2020 to support the development of the City's Access and Inclusion Plan 2020-2024. Promotion of the review was undertaken using following platforms: Two community forums at City buildings, Engage Bayswater website, City of Bayswater website, Facebook page,

advertisement in local newspaper, flyers at all customer service areas at City buildings, flyers at selected events, and direct emails to organisations associated with people with a disability.

On 21 November 2019, two community feedback forums were held at two separate City locations (one day event and one in the early evening). The City engaged disability consultants *E-Qual* to facilitate the forums.

In partnership with Morley Galleria Shopping Centre, the City, along with VisAbility and Specsavers undertook the final day of the Access and Inclusion Plan community consultation by hosting an interactive booth at the Galleria on 3 December 2019.

Additionally, a Councillor workshop was delivered on 25 November 2019, where a snapshot of DAIP 2016-2020 achievements were presented and community feedback received over the lifetime of the Plan. This provided an opportunity for Councillors to provide feedback to inform the development of the Access and Inclusion Plan.

Outcome 7 – Employment

DAIP Strategy: All venues used for recruitment and / or employment are accessible.

- The City obtained funding and arranged installation of four automated doors to improve accessibility within the Civic Centre for employees and visitors with physical impairments.

DAIP Strategy: The City continues to offer employment opportunities directly to people with disability via Disability Employment Agencies.

- The City partnered with disability employment provider 'Edge Employment Solutions' to place a person with a disability into a position at the Bayswater WAVES Recreation Centre resulting in increased employment of people with a disability and increased organisational knowledge.

Outcome 8 – Needs and Entitlements

- No strategies progressed between July - December 2019. Note, this Outcome Area is not a legislative requirement.

LEGISLATIVE COMPLIANCE

- *Disability Services Act 1993 (amended 2004)*; and
- Disability Access and Inclusion Plan (DAIP) 2016-2020.

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:</p> <ol style="list-style-type: none"> Notes the information provided in this report regarding the progress of the Disability Access and Inclusion Plan 2016-2020 Outcome Areas 1 – 8. Notes the following actions suggested by the Access, Inclusion and Walkability Committee in relation to Disability Access and Inclusion Plan Outcome Areas 1 –8: <ol style="list-style-type: none"> _____ _____ _____
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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 there are low risks associated with the information provided in this report, as it meets the outcomes and objectives of the DAIP. The information will be used to inform the City's Annual Progress Report to the Department of Communities for 2019/20. The risks associated with any AIWAC suggested actions are unknown at this stage.	

Option 2	That Council:		
	1. Notes the information provided in this report and provides other comments regarding the progress of the Disability Access and Inclusion Plan 2016-2020 Outcome Areas 1 – 8.		
	2. Notes the following actions suggested by the Access, Inclusion and Walkability Committee in relation to Disability Access and Inclusion Plan Outcome Areas 1 –8:		
	(a)	_____	
	(b)	_____	
(c)	_____		
Risk Category		Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction		Moderate	Dependent on comments 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	It is considered that the risk levels for this option is unknown at this stage, as it would be dependent on the nature of any other comments made 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: Our Community
 Aspiration: An active and engaged community.
 Outcome C1: A strong sense of community through the provision of quality services and facilities
 Outcome C2: Accessible services that recognise diversity.

The City, through the implementation of the eight Outcome Areas in the DAIP (2016–2020) progresses community aspirations through:

- Outcome 1, the City delivers community programs that encourage community interaction and participation.

- Outcome 2, the City provides facilities that meet current and future needs.
- Outcome 3, the City provides quality services are accessible and inclusive.
- Outcome 4, the City delivers community programs that encourage community interaction and participation.
- Outcome 5, the City encourages feedback from the community to assist with provided accessible services that recognise diversity.
- Outcome 6, the City encourages an active and engaged community that participates in public consultation.
- Outcome 7, the City encourages a more diverse workforce with accessible services.
- Outcome 8, the City encourages an active and engagement community which supports accessible services that recognise diversity.

CONCLUSION

This report provides Council the final City of Bayswater DAIP (2016–2020) report, to be incorporated into the Department of Communities Annual Progress Report for 2019/20.

In light of the above, it is recommended that Council notes the information provided in this report regarding the progress of the Disability Access and Inclusion Plan 2016-2020 Outcome Areas 1 – 8, as detailed in Option 1 above.

COUNCIL RESOLUTION - ADOPTION BY EXCEPTION

That the recommendations relating to items: 10.4.1, 10.5.1.1, 10.5.1.2, 10.5.1.3 and 10.5.2.2 contained in the agenda be adopted by exception as per section 5.5 of the *City of Bayswater Standing Orders Local Law 2018*.

CR MICHELLE SUTHERLAND MOVED, CR CATHERINE EHRHARDT SECONDED

CARRIED UNANIMOUSLY: 10/0

10.5.2.2 Draft City of Bayswater Access and Inclusion Plan 2020 - 2024

Responsible Branch:	Community Development	
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:	1. Draft City of Bayswater Access and Inclusion Plan 2020 - 2024	
Refer:	Nil	

SUMMARY

For Council to approve the draft City of Bayswater Access and Inclusion Plan 2020-2024 for compliance review by the Department of Communities and public comment.

OFFICER'S RECOMMENDATION

That Council approves the Draft City of Bayswater Access and Inclusion Plan 2020-2024 as contained in Attachment 1 to this report for compliance review by the Department of Communities and public comment.

COUNCIL RESOLUTION**(ADVISORY COMMITTEE RECOMMENDATION)**

That Council approves the Draft City of Bayswater Access and Inclusion Plan 2020-2024 as contained in Attachment 1 to this report for compliance review by the Department of Communities and public comment subject to the following amendments being made to the Plan:

1. On page 10 under the heading "Outcome 2: Buildings and Facilities", the first sentence of the second bullet point to read: "Improve access on pathways and crossings".
2. On page 15, Strategy 2.4, Action (a) to read "Define and audit pedestrian network accessibility within the City's town centre precincts of Morley, Maylands and Noranda (Bayswater pending) e.g. Kerb ramps, tactile ground surface indicators and creation of safe crossings."

CR MICHELLE SUTHERLAND MOVED, CR CATHERINE EHRHARDT SECONDED

CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 10/0

BACKGROUND

The *Disability Services Act 1993* (amended 2004) (the Act) requires public authorities to ensure that its owned and managed services, events, buildings, facilities and information are accessible to people with disability. Strategies and actions relating to access are required to be managed through an Access and Inclusion Plan. The City is required to include seven desired outcome areas in its Plan as in accordance with the Disability Services Regulations 2004 Schedule 3 (r 8) which are as follows:

- People with disability have the same opportunities as other people to access the services of, and any event by, a public authority.
- People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

- People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.
- People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.
- People with disability have the same opportunities as other people to make complaints to a public authority.
- People with disability have the same opportunities as other people to participate in any public consultation by a public authority.
- People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

In accordance with the requirements of the Act, public authorities are to review their Disability Access and Inclusion Plans at least every five years. The City's current Disability Access and Inclusion Plan 2016-2020 expires in March 2020.

The City has conducted a comprehensive review of its current Disability Access and Inclusion Plan, and following community consultation, has drafted a new four year Plan for public comment and compliance review by the Department of Communities - Disability Services.

EXTERNAL CONSULTATION

Community consultation to inform the development of the Access and Inclusion Plan 2020-2024 commenced on Tuesday 1 November and closed on Tuesday 3 December 2019.

The consultation invited comment from people with disability, their families and carers, City of Bayswater Councillors and staff, disability service providers, and local community groups, to support the formal review of the Access and Inclusion Plan.

The consultation process was promoted through:

- A public notice in the "The Eastern Reporter" newspaper;
- Engage Bayswater;
- Civic Centre
- Library displays (Bayswater, Morley and Maylands);
- City of Bayswater website;
- City of Bayswater social media platforms;
- City of Bayswater Club Connections e-newsletter;
- Bayswater Beat quarterly newsletter;
- Eventbrite; and
- Direct email to staff, networks and community groups

Feedback was encouraged through a range of mechanisms, including electronic or hard copy surveys, via telephone, attendance at one of two Access and Inclusion community forums; or by attending the interactive engagement event held at Morley Galleria Shopping Centre on the 3 December.

A total of 72 completed Access and Inclusion Plan Surveys were submitted. Of those, 19 were completed by people who identified as having a disability, and 22 by family members or carers of people with disability. A further 19 people participated in one of the two community forums.

INTERNAL CONSULTATION

A Councillor workshop was delivered on 26 November 2019 providing an opportunity for Councillors to have input and provide feedback into the development of the draft Plan.

City staff were encouraged to attend an internal Access and Inclusion workshop on 25 November 2019 and also had the opportunity to provide feedback through an internal Employee Pulse Survey in December 2019.

There were 193 staff who provided one or more responses to the Employee Pulse Survey with key themes arising to improve the following:

Ability to Confidently Interact with People with Disability:

- Confident – 104
- Moderately confident – 75
- Not confident – 14

Employment Practice:

- More accessible facilities.
- Flexible and inclusive work practices.
- Education and awareness.
- Identification of suitable / potential roles for people with disability.
- Leadership and culture.
- Work experience in partnership with Disability Employment Services.
- More inclusive recruitment processes.

Training:

- Tailored to employee or customers' needs.
- More training in the areas of mental health and effective communication.
- More disability awareness training generally, although satisfied with current training.
- Involve specialist providers and people with lived experience.

ANALYSIS

Below is a summary of key community consultation themes in each of the seven Access and Inclusion outcome areas:

Outcome 1: Services and Events
<ul style="list-style-type: none"> • Provide more information about the accessibility of events and access to services, including pathways, locations, timing and opening hours, parking, and access for Companion Card holders. • Provide information about services and events in a variety of formats. • Investigate providing easy English classes for people with low literacy.

Outcome 2: Buildings and Facilities
<ul style="list-style-type: none"> • Improve access to, and around, public transport in precinct areas. • Improve access on pathways. This may include wider paths, pruning vegetation, and eliminating parking on pedestrian footpaths. • Improve access to facilities and natural environments with input from users. • Increase the inclusion of accessible and inclusive play equipment in public spaces and at community hubs, including BBQs, recharge points, a Changing Places toilet, and seating. • Improve accessible parking facilities and identify opportunities for shelter at the City's community centres. • Share a map of accessible parking in a range of formats. • Provide facilities for people with hearing impairment, such as audio loops.
Outcome 3: Information
<ul style="list-style-type: none"> • Ensure the City's website is more user friendly and accessible to all (currently there are too many clicks and it is not intuitive). • Ensure consistency between social media and the website. • Offer a greater variety of communication formats using plain English, including visuals, graphics, interpreters, newsletters, Facebook, email, and postal mail. • Provide information at high traffic services and facilities, such as shopping centres, and disability or culturally and linguistically diverse service providers. • Include alternative communication methods in staff training (National Relay Service, and Translating and Interpreting Service).
Outcome 4: Customer Service
<ul style="list-style-type: none"> • Provide better information about what the City can offer, such as an annual information forum. • Provide increased or ongoing training for staff on topics including, mental health, and effective communication. Consider involving specialist providers and people with lived experience of disability.
Outcome 5: Complaints
<ul style="list-style-type: none"> • Make it easier for people to make a complaint by offering a variety of feedback methods. • Focus on feedback, not complaints, to encourage positive feedback. • Ensure there is a consistent processes for handling complaints. • Invite people who provide feedback to be part of consultation projects. • Create opportunities for people to provide feedback at commonly used services or facilities, rather than City venues.
Outcome 6: Consultation
<ul style="list-style-type: none"> • Increase awareness of consultation opportunities. • Link with disability service providers or networks to reach more people. • Avoid jargon when promoting consultation. • Ensure consultation is accessible for all.
Outcome 7: Employment

- Establish more inclusive and flexible recruitment processes and work practices.
- Improve accessibility of work facilities (universal design, ergonomics).
- Provide education and training to raise awareness about the benefits of employing people with disability.
- Foster an inclusive leadership style and organisational culture so staff feel confident sharing information about a disability or mental health issue.
- Employ more people with disability.
- Conduct work experience in partnership with Disability Employment Services.

Feedback to inform the development of the City of Bayswater Access and Inclusion Plan 2020-2024, indicates progress has been made by the City to increase access and inclusion in the community. In particular, people who provided feedback were generally satisfied with the quality of customer service for people with disability. Staff were also generally satisfied with disability awareness training.

Findings from the consultation process have been used to develop the strategies and prioritised actions detailed in the draft Access and Inclusion Plan 2020–2024 (see **Attachment 1**).

OFFICER'S COMMENTS

The draft City of Bayswater Access and Inclusion Plan 2020-2024 has been developed following an extensive consultation with staff and the community.

A copy of the draft Access and Inclusion Plan 2020-2024 will be advertised through a public notice in The Eastern Reporter newspaper and through other City social media platforms for a two week period in February 2020.

Following compliance review by the Department of Communities – Disability Services, and public review period, the draft Access and Inclusion Plan 2020-2024 will be amended (as required), and presented for Council endorsement in March 2020. The final Plan, will then, be formerly lodged with the Department of Communities - Disability Services for approval.

LEGISLATIVE COMPLIANCE

- *Disability Services Act 1993 (amended 2004);*
- *Equal Opportunity Act 1994;*
- *Disability Discrimination Act 1992 (Commonwealth);*
- *Carers Recognition Act 2004;* and
- Access to Premises Standards (2010).

OPTIONS

In accordance with the City of Bayswater'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 Draft City of Bayswater Access and Inclusion Plan 2020-2024 as contained in <u>Attachment 1</u> to this report for compliance review by the Department of Communities and public comment.	
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 meets the legislative requirement under the <i>Disability Services Act 1993</i> .	

Option 2	That Council does not approve the draft City of Bayswater Access and Inclusion Plan 2020-2024 as contained in <u>Attachment 1</u> to this report for compliance review by the Department of Communities and public comment.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
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	It is considered this option has a moderate Strategic Direction risk, as the City's Strategic Community Plan 2017-2027 (as revised) lists one of its strategies as, "ensure services and facilities are accessible and inclusive". By not approving the draft Plan, there would be a delay in its implementation, therefore not meeting the intent of the strategy listed above. In addition, it is considered a high reputation, governance and community and stakeholder risk, as the City would not be able to meet its legislative requirement to have its Access and Inclusion Plan formerly lodged by the Department of Communities by end of March 2020 and would equally not meet community expectation on progressing access and inclusion matters.	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1: Estimated costs associated with the implementation of the City's draft Access and Inclusion Plan in its first year (2020/21); second year (2021/22); third year (2022/23); and fourth year (2023/24).

Asset Category: N/A

Source of Funds: Municipal

LTFP Impacts: Item is not listed on the City's Long Term Financial Plan.

Notes: The anticipated budget amounts listed in the table below are indicative only and are subject to further investigation, as the implementation plan is progressed. Each year, the anticipated budget will be reviewed and considered as part of the City's standard annual budget process.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$35,800 (year 2020/21)	N/A	N/A	N/A	N/A	N/A	\$0
	\$130,800 (year 2021/22)						
	\$196,400 (year 2022/23)						

	\$197,800 (year 2023/24)						
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STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), the following applies to the outcome areas of the City's Access and Inclusion Plan 2020 - 2024:

Theme: Our Community

Aspiration: An active and engaged community.

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

Outcome C2: Accessible services that recognise diversity.

The City, through implementation of the seven outcome areas within the Access and Inclusion Plan 2020 - 2024 encourages an active and engaged community whilst continuously building on the provision of accessible services and facilities that recognise diversity.

CONCLUSION

It is recommended that Council approves the draft City of Bayswater Access and Inclusion Plan 2020-2024 for release for compliance review by the Department of Communities - Disability Services, and for public comment to support a final Council report for endorsement of the Plan.

Attachment 1

Draft Access and Inclusion Plan 2020 - 2024

Acknowledgement

Message from the Mayor

Message from the Chief Executive Officer

About the City of Bayswater

People with disability living in the City of Bayswater

State Disability Strategy

National Disability Insurance Scheme

Planning for better access and inclusion

Progress since Disability Access and Inclusion Plan 2016 - 2020

Development of the Access and Inclusion Plan

Consultation process

Findings of the consultation

Responsibility for implementation

Review, monitoring and reporting of the DAIP

Alternative formats

Strategies to improve Access and Inclusion 2020 - 2024

Implementation plan

Acknowledgment

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

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.

DRAFT

Message from the Mayor

As a Council, we have a firm belief that the very fabric of our community lies with the respect we show each other. This is why we are dedicated to creating a welcoming, accessible and inclusive City in the heart of the inner east.

We are determined the City of Bayswater be a home for people of all abilities; where everyone can enjoy the same experiences and opportunities, and have equal access to all the City has to offer.

We want a community and workforce diverse in culture, age, ability and life experience, and our Access and Inclusion Plan 2020 - 2024 will help us achieve this goal.

I would like to extend my gratitude to everyone involved in the development of this plan - our community, local organisations, my fellow Councillors, and City staff for their valuable contribution.

By working together, we can remove barriers and achieve a more accessible and inclusive community, creating a place where we see people aspiring to reach their human potential.

Message from the Chief Executive Officer

The City of Bayswater is committed to demonstrating best practice in access and inclusion planning, and we are proud to present our Access and Inclusion Plan 2020 - 2024.

We acknowledge that it is not the disability that limits a person's ability to fully participate; it is the barriers that exist in our community. As a local government, we have an important role to play in creating equal access for all, and this plan is testament to our determination to do so.

Extensive consultation with internal and external stakeholders was carried out to assist in the development of this plan. Their feedback, views and aspirations have been incorporated and are reflected throughout.

Additionally, the process has been overseen by the City's Advisory Committee, comprising Councillors and community representatives - including people with disability, carers, and disability service providers; and we believe our plan is stronger as a result.

As an organisation, we look forward to sharing the achievements of this plan with you. I encourage all staff, customers and the community to embrace and participate in the implementation and further development of our City's access and inclusion journey.

INSERT IMAGE

About the City of Bayswater

The City of Bayswater spans an area of 34.6km² on the banks of the Swan River (the Derbal Yerrigan) and at its closest boundary is only 4 kilometres from the Perth Central Business District. The City of Bayswater is bounded by the City of Swan in the north, the Town of Bassendean in the east, the Swan River and the City of Belmont in the south, and the Cities of Stirling and Vincent in the west.

The City of Bayswater maintains approximately 380 hectares of public open space, with 24 sporting parks and 145 reserves. This, together with the diverse range of facilities and major landmarks within the suburbs, provides many opportunities for community participation.

People with disability living in the City of Bayswater

The Australian Bureau of Statistics survey of Disability, Ageing and Carers (2015), estimates that 18.3% of Australians identify as having some form of disability.

According to the Australian Bureau of Statistics 2016 Census, it was estimated 2,888 people living within the City of Bayswater reported a need for assistance due to a disability.

State Disability Strategy

The Department of Communities is in the process of developing a 10 year State Disability Strategy, co-designed by people living with disability. The City will refer to the State Disability Strategy to develop its Access and Inclusion Plan strategies, to help build an inclusive community that supports and empowers people with disability.

National Disability Insurance Scheme

The National Disability Insurance Scheme (NDIS) was introduced in the Perth North East Metropolitan area in 2019. The policy framework includes '*Information, Linkages and Capacity Building*' (ILC), which promotes collaboration and partnership with local communities to create greater inclusivity of people with disability.

NDIS funding aims to give people with disability access to a range of mainstream, community and government initiatives, ensuring they have the same fundamental rights and opportunities as all members of the community.

The City welcomes partnerships with disability service providers to support ILC initiatives that align with this plan. Working together, we will connect the local community with resources and positively impact those who live, work and visit the City.

Planning for Better Access and Inclusion

The City's Access and Inclusion Plan 2020-2024 builds on the progress and success achieved since the first plan was implemented by the City in 1996.

This plan meets the requirements of the *Disability Services Act 1993*. It is underpinned by the Western Australian *Equal Opportunity Act 1984*, and the Commonwealth *Disability Discrimination Act 1992*.

The City of Bayswater is committed to achieving the seven desired outcomes of the Disability Services Regulations 2004 Schedule 3 (r 8).

These outcomes are that:

1. People with disability have the same opportunities as other people to access the services of, and any event by, the City of Bayswater.
2. People with disability have the same opportunities as other people to access the buildings and other facilities by the City of Bayswater.
3. People with disability receive information from the City of Bayswater in a format that will enable them to access the information as readily as other people are able to access it.
4. People with disability receive the same level and quality of service from the employees of the City of Bayswater as other people.
5. People with disability have the same opportunities as other people to make complaints to the City of Bayswater.
6. People with disability have the same opportunities as other people to participate in any public consultation by the City of Bayswater.
7. People with disability have the same opportunities as other people to obtain and maintain employment with the City of Bayswater.

Progress since Disability Access and Inclusion Plan 2016 - 2020

Since the implementation of the City's Disability Access and Inclusion Plan 2016 -2020, a number of initiatives have improved access and inclusion.

This includes:

Outcome 1: Services and Events

- Additional temporary, accessible parking spaces are provided at events run by the City.
- Accessible matting was purchased to create a continuous pathway at outdoor events where grass may be a barrier for people with disability.
- The Community Grants Program ensures successful applicants design and host events that are accessible for all.
- A presentation was held for employees at the City to learn how to use the City's accessible events information checklist.
- Contractors engaged for City events are given a copy of the Disability Service Commission 'A Guide to Disability Access and Inclusion Plans for Local Government Contractors'; and a copy of the DAIP.
- Less people are invited to attend Citizenship ceremonies to ensure there is space for people with a physical disability.

Outcome 2: Buildings and Facilities

- An access audit of the City of Bayswater Civic Centre was carried out to increase accessibility for employees. This resulted in automatic doors being installed.
- The new grandstand at Bayswater Waves is compliant with Australian standards and includes tactile ground surface indicators.
- An accessible change room was built at the Bayswater Waves hydrotherapy facilities.
- Access compliant customer service pods were installed at the Bayswater Library.
- Automated entry doors were installed at the Bayswater and Morley Libraries.
- Hampton Square in Morley was upgraded, with works including improved lighting; a continuous, accessible pathway to picnic benches; and accessible parking bays.
- Proactive intervention by Rangers to address footpath obstructions.

Outcome 3: Information

- A corporate Brand Style Guide was developed with consideration given to fonts, contrasting colours and minimum font sizes.
- A self-service loan station with radio frequency identification technology was installed at each of the City's libraries. These have accessible features including large screens for people with low vision, touch screens, content in simple language, height adjustable tables, and information displayed in 16 languages.
- The City's website was redeveloped.

- The City's website was redeveloped and further improvements are planned in the City's Access and Inclusion Plan 2020-2024.
- A captioned video was produced to promote the City's 2019 Have a Go Day event.

Outcome 4: Customer Service

- An accessible community initiative - Little Libraries - was launched in Noranda, providing all-hours access to books at no charge.
- In 2019, employees participated in a team wheelchair challenge to raise funds for Rebound WA and to raise awareness of the challenges that people with physical disability experience in everyday life.

Outcome 5: Complaint Mechanisms

- The community is encouraged to report access issues with the reply paid Creating Accessible and Inclusive Communities feedback postcard.
- Promotion of the feedback postcards was done through advertorials, the local newspaper, social media posts, direct mail to health care providers, and articles in City of Bayswater publications.
- Feedback and complaints can be lodged using a number of methods including email, on paper, and through the National Relay Service for people with speech or hearing impairment.

Outcome 6: Consultation Processes

- Providing a range of accessible opportunities to give people more than one way to participate, being conscious of different accessibility needs, offering multiple opportunities for in-person events, and providing documents in Word and PDF.
- The City's inaugural Participatory Budgeting project included pop up sessions at the City's libraries to educate people about the project and provide access to an online budget allocator tool.
- Community groups and service providers are regularly provided with information on City projects to help get information about consultation opportunities out to the community.
- The City promotes opportunities for public participation through access and inclusion networks, including Mission Australia NDIS.

Outcome 7: Employment

- New employees attend the City's corporate induction program, staff disability awareness training, dementia awareness training, and mental health workshops.
- Improved workplace flexibility to ensure people with disability are included in the workforce, and by supporting work experience opportunities.

- The City continues to meet and establish partnerships with Disability Employment Service providers.
- The City applies for grants to build a disability confident workplace.

INSERT PHOTOS FOR EACH OF THE OUTCOME AREAS - REFER TO BANNER SERIES

DRAFT

Development of the Access and Inclusion Plan

Consultation Process

The external consultation period started on Tuesday, 1 November and closed on Tuesday, 3 December 2019.

The external consultation was designed to educate the community and invite comment from people with disability, their families and carers, City staff, disability service providers and community groups in order to support the review of the Access and Inclusion Plan.

The external consultation process was advertised through:

- Public notice in “The Eastern Reporter” newspaper;
- Engage Bayswater;
- Library displays (Bayswater, Morley and Maylands);
- The City’s website;
- The City’s social media platforms;
- City of Bayswater Club Connections e-newsletter;
- Bayswater Beat quarterly newsletter;
- Eventbrite; and
- Direct email to networks and community groups.

Feedback could be provided in electronic or hard copy surveys, over the telephone, by attending one of two Access and Inclusion Community Forums; or at the interactive engagement event held at the Galleria shopping centre on 3 December. This event coincided with the International Day of People with Disability.

Internal consultation was also held through the delivery of an access and inclusion workshop and staff survey to assist the City to improve employment practices and training.

The feedback has been analysed and used to develop the strategies and actions detailed in this Plan.

Findings of the consultation

Feedback from the Access and Inclusion Plan 2020-2024 consultation indicates progress has been made by the City to increase access and inclusion in the community. In particular, people who provided feedback were generally satisfied with the quality of customer service for people with disability, and staff were generally satisfied with disability awareness training.

Opportunities for Improvements include:

Outcome 1: Services and Events

- Provide more information about the accessibility of events and access to services, including pathways, locations, timing and opening hours, parking, and access for Companion Card holders.
- Provide information about services and events in a variety of formats.
- Investigate providing easy English classes for people with low literacy.

Outcome 2: Buildings and facilities

- Improve access to and around public transport in precinct areas.
- Improve access on pathways. This may include wider paths, pruning vegetation, and eliminating parking on pedestrian footpaths.
- Improve access to facilities and natural environments with input from users.
- Increase the inclusion of accessible equipment in public spaces and at community hubs, including BBQs, play equipment, recharge points, a Changing Places toilet, and seating.
- Improve accessible parking facilities and identify opportunities for shelter at community centres.
- Share a map of accessible parking in a range of formats.
- Provide facilities for people with hearing impairment, such as audio loops.

Outcome 3: Information

- The City's website is not user friendly or accessible to all (there are too many clicks and it is not intuitive).
- Ensure consistency between social media and the website.
- Offer a greater variety of communication formats using plain English, including visuals, graphics, interpreters, newsletters, Facebook, email, and postal mail.
- Provide information at highly trafficked services and facilities, such as shopping centres, and disability or culturally and linguistically diverse service providers.
- Include alternative communication methods in staff training (National Relay Service, and Translating and Interpreting Service).

Outcome 4: Customer service

- Provide better information about what the City can offer, such as an annual information forum.
- Provide increased or ongoing training for staff on topics including mental health, and effective communication. Consider involving specialist providers and people with lived experience of disability

Outcome 5: Complaints

- Make it easier for people to make a complaint by offering a variety of feedback methods.
- Focus on feedback, not complaints, to encourage positive feedback.
- Consistent processes for handling complaints.
- Invite people who provide feedback to be part of consultation projects.
- Create opportunities for people to provide feedback at commonly used services or facilities, rather than City venues.

Outcome 6: Consultation

- Increase awareness of consultation opportunities.
- Link with disability service providers or networks to reach more people.
- Avoid jargon when promoting consultation.
- Ensure consultation is accessible for all.

Outcome 7: Employment

- More inclusive and flexible recruitment processes and work practices.
- Improve accessibility of work facilities (universal design, ergonomics).
- Provide education and training to raise awareness about the benefits of employing people with disability.
- Foster an inclusive leadership style and organisational culture so staff feel confident sharing information about a disability or mental health issue.
- Employ more people with disability.
- Conduct work experience in partnership with Disability Employment Services.

Responsibility for implementation

The implementation of the Access and Inclusion Plan is the responsibility of all City of Bayswater staff, volunteers, agents and contractors.

The *Disability Services Act 1993* requires City staff, agents and contractors take the needs of people with disability into account, in a manner consistent with this Plan.

Information to support agents and contractors is available on the City's website.

Review, monitoring and reporting of the Access and Inclusion Plan

The City will review the Access and Inclusion Plan at a minimum of every five years, as legislated by the *Disability Services Act 1993*.

The City's Access and Inclusion Plan will be monitored through:

- Quarterly reports to the City's Advisory Committee.
- Statutory reporting to the Department of Communities on the performance of the Access and Inclusion Plan 2020-2024, and strategies used to inform its agents and contractors by 30 June each year.
- A summary of Access and Inclusion Plan activities will be included in the City's Annual Report.

Over the term of the Access and Inclusion Plan 2020- 2024, the City will communicate achievements and seek feedback from staff, people with disability, carers, community members and disability service providers.

Strategies to improve access and inclusion at the City of Bayswater 2020 - 2024

These strategies and actions have been developed following consultation with community stakeholders to increase access and inclusion in the City, across the seven legislated areas.

Implementation Plan 2020 - 2024

Outcome 1:							
People with disability have the same opportunities as other people to access the services of, and any event organised by, the City of Bayswater.							
Strategy	Actions	Who Responsible	Timeline				Anticipated Budget*
			2020/21	2021/22	2022/23	2023/24	
1.1 Increase access and inclusion awareness with City engaged agents, contractors, local businesses and service providers.	(a) Develop and share an information package for agents and contractors, including information on how to make services and events more accessible.	Manager Community Development Manager Environmental Health		●			Operational
	(b) Promote and maintain the City's assisted waste collection service to support the independence of eligible residents in their own homes.	Manager Environmental Health Manager Engineering Services Manager Communications and Marketing	●	●	●	●	Operational
1.2 Build partnerships to support people with disability to participate in their community.	(a) Embed information to improve access and inclusion into City documentation, including grants, donations, sponsorships and events. This includes providing accessible parking, public transport and alternative print.	Manager Community Development Manager Project Services Manager Governance Manager Strategic Planning and Place Manager Library and Customer Services Manager Communications and Marketing	●	●	●	●	Operational
	(b) Investigate hosting Easy English sessions for people with low literacy.	Manager Library and Customer Services	●				Operational
	(c) Investigate and source funding for a business awareness program to improve access and inclusion, such as how to attract more customers by providing better access to businesses.	Manager Community Development Manager Strategic Planning and Place	●	●	●	●	Operational
	(d) Provide and promote information to sporting clubs and community groups to assist with the inclusion of people with disability.	Manager Community Development	●	●	●	●	Operational
	(e) Raise public awareness and understanding of people with disability by celebrating local achievements on 'International Day of People with Disability'.	Manager Community Development Manager Communications and Marketing	●	●	●	●	\$4,000 (\$1,000 p/a)

Outcome 2:							
People with disability have the same opportunities as other people to access buildings and other facilities of the City of Bayswater.							
Strategy	Actions	Who Responsible	Timeline				Anticipated Budget
			2020/21	2021/22	2022/23	2023/24	
2.1 Improve building accessibility in the planning, design and construction phases.	(a) Embed universal access considerations into the Project Management Framework, including procurement, approvals, and construction.	Manager Project Services Manager Governance Manager Building Works Manager Development Approvals	●				Operational
	(b) Review and update City documentation to ensure agents and contractors are aware of their access and inclusion responsibility when providing goods and services to the public on behalf of the City. This will include contracts, service agreements, tenders, and decision-making frameworks.	Manager Governance Manager Community Development	●				Operational
	(c) Engage accredited access consultants to conduct audits and prepare remedial action plans for upgrades to City buildings, including the pedestrian movement network to the nearest public transport infrastructure.	Manager Building Works Manager Engineering Services Manager Engineering Works		●			Operational <i>N.B. Consultancy is already budgeted</i>
	(d) Allocate funds into the draft annual budget to address access barriers from audits to improve City owned buildings and facilities.	Manager Building Works			●	●	Operational
	(e) Advocate for sheltered parking over accessible bay facilities, in close proximity to Bayswater and Morley Community Centres.	Manager Community Development		●			Operational
	(f) Develop a resource to ensure the community, builders and relevant stakeholders are informed of their rights and responsibilities to provide an accessible pedestrian environment.	Manager Community Development Manager Development Approvals		●	●	●	Operational
	(g) Engage a consultant to design a customer service area at the Civic Centre that meets the needs of all employees and customers	Manager Library and Customer Services		●			\$10,000 (one-off)
2.2 Improve the range of accessible restroom facilities.	(a) Consult people with disability and relevant service providers to identify community need and location for a Changing Place facility within the City of Bayswater.	Manager Community Development Manager Project Services Community Engagement Advisor		●			Operational
	(b) Investigate the feasibility of purchasing, hiring or building a Changing Place facility; and funding opportunities.	Manager Building Works		●			Operational
	(c) Investigate installing a supine change table (for an adult person laying face upwards) at the Bayswater Waves, in consultation with service providers and users.	Manager Building Works Manager Recreation		●			Operational
2.3 Improve and promote accessible parking infrastructure.	(a) Audit all City owned and managed accessible parking infrastructure to ensure compliance with Australian Standards.	Manager Engineering Works Manager Engineering Services		●			\$60,000 (one-off)
	(b) Prioritise a capital works program to upgrade City owned and managed designated accessible parking bays to Australian Standards.	Manager Engineering Works Manager Engineering Services			●	●	\$100,000 (\$50,000 p/a)
	(c) City owned and managed accessible parking bays are promoted and identified on City Spatial.	Manager Assets and Mapping Services			●	●	Operational
	(d) Develop and promote an accessible parking resource, including information on use of bays, ACROD permits, and the reporting of access issues.	Manager Community Development Manager Rangers and Security				●	Operational

Outcome 2 (continued...)						
People with disability have the same opportunities as other people to access buildings and other facilities of the City of Bayswater.						
Strategy	Actions	Who Responsible	Timeline			
			2020/21	2021/22	2022/23	2023/24
2.4 Improve the pedestrian network accessibility within town centres.	(a) Define and audit pedestrian network accessibility within the City's town centre precincts of Morley, Maylands and Noranda (Bayswater pending) e.g. Kerb ramps, and tactile ground surface indicators.	Manager Strategic Planning and Place Manager Community Development		●	●	●
	(b) Implement a priority capital works program to improve the pedestrian network within the defined town centre precincts of Morley, Maylands and Noranda (Bayswater pending).	Manager Engineering Services Manager Engineering Works			●	●
	(c) Investigate and source funding to develop and promote a 'City of Bayswater Access and Mobility Map' focusing on the Maylands, Morley and Noranda town centre precincts (Bayswater pending).	Manager Assets and Mapping Services Manager Engineering Works				●
2.5 Improve accessibility in natural recreational environments.	(a) Audit and prioritise high demand natural recreational environments to improve accessibility and wayfinding, including <i>Lightning</i> Swamp, Lightning Park, Claughton Reserve, Maylands Lakes, Baigup Wetlands, Bardon Park, Peninsula Farm, Berringa Park, and Eric Singleton Bird Sanctuary.	Manager Sustainability and Environment			●	
	(b) Prioritise remedial action plans to improve accessibility and wayfinding in natural recreational environments.	Manager Sustainability and Environment Manager Communications and Marketing				●
2.6 Develop accessible design and inclusive play spaces to support social development for people with a range of disability.	(a) Design and develop play spaces in line with the City's <i>Parks and Play Space Classification Hierarchy</i> , providing accessible infrastructure and play equipment in parks, including continuous accessible pathways, fountains, shelter, shade, and seating. Where possible and appropriate, engage education and disability service providers in the design of play spaces across the City.	Manager Project Services	●	●	●	●
2.7 Support people with hearing impairment to enhance engagement and participation.	(a) Purchase portable hearing loops to support community consultations and meetings.	Manager Community Development	●			
	(b) Consult with people with disability on the best locations for the hearing loops - Civic Centre, Council Chamber, recreation facilities, or libraries.	Manager Building Works Manager Community Development Community Engagement Advisor		●	●	
	(c) Investigate the feasibility of installing hearing audio loops at frontline customer service desks.					

with W3C Web Accessibility Guidelines and	Marketing
	Manager Communication Marketing

Outcome 4:						
People with disability receive the same level and quality of service from the staff of the City of Bayswater as other people receive from the staff of the City of Bayswater.						
Strategy	Actions	Who Responsible	Timeline			
			2020/21	2021/22	2022/23	2023/24
4.1 Promote the City's commitment to access and inclusion in the Customer Service Charter.	(a) Provide and promote a range of options for community members to connect and communicate with the City.	Manager Library and Customer Service Manager Communications and Marketing	●	●		Operational
4.2 Build disability confidence to enhance staff and community capacity.	(a) Host an internal staff 'Access and Inclusion Upskiller Session' to increase staff awareness on how the City undertakes access appraisals for streetscapes, parks, and events.	Manager Community Development Manager Engineering Works Manager Project Services Manager Strategic Planning and Place Manager Parks and Gardens	●	●	●	\$3,200 (\$800 p/a)
	(b) Provide disability awareness and mental health training for staff, using specialist providers and people with lived experience.	Manager Community Development Manager People, Culture and Safety	●		●	\$12,000 (\$6,000 p/a)
	(c) Develop and implement an online City of Bayswater access and inclusion induction training program for staff and Councillors.	Manager Community Development Manager People, Culture and Safety	●			\$5,000 (one-off)
	(d) Support and partner with disability service providers to facilitate workshops aligned with the City's access and inclusion outcomes.	Manager Community Development	●	●	●	Operational
	(e) Hold Customer Service Charter staff training, focusing on how to use the National Relay Service, the Translating and Interpreting Service, and ways to support people with disability to provide feedback.	Manager Library and Customer Services Manager Community Development	●			\$1,000 (one-off)

Outcome 5:						
People with disability have the same opportunities as others to make complaints to the City of Bayswater.						
Strategy	Actions	Who Responsible	Timeline			
			2020/21	2021/22	2022/23	2023/24
5.1 Review and improve the City's processes to improve feedback mechanisms.	(a) Invite people with disability to be part of consultations to help the City improve customer service satisfaction levels.	Manager Library and Customer Services Community Engagement Advisory	●	●	●	●
	(b) Establish an online database, such as the Customer Relation Management System, to streamline the City's complaint and feedback processes to support consistent reporting of access and inclusion matters e.g. ECM, social media, phone, and feedback cards.	Manager Information Services Manager Community Development	●			
						Operational
						TBC

Outcome 6:							
People with disability have the same opportunities as other people to participate in any public consultation by the City of Bayswater.							
Strategy	Actions	Who Responsible	Timeline				Anticipated Budget
			2020/21	2021/22	2022/23	2023/24	
6.1 Consider access and inclusion in the planning, design and delivery of public consultation.	(a) Embed access and inclusion in community engagement planning process.	Community Engagement Advisor	●				Operational
	(b) Provide guidance and resources to support internal staff and external agents and contractors to facilitate accessible and inclusive consultations e.g. portable hearing loops, portable ramps and AUSLAN interpreters.	Manager Community Development	●	●	●	●	Operational
6.2 Expand the variety of consultation methods offered by the City.	(a) Review the Community Engagement Framework and consider how to improve online engagements to better inform people with disability and improve public participation.	Community Engagement Advisor	●				Operational
	(b) Monitor the diversity of people, including people with disability, engaging in public consultations by including questions to gauge the diversity of contributors.	Community Engagement Advisor	●	●	●	●	Operational

Outcome 7:						
People with disability have the same opportunities as other people to obtain and maintain employment with the City of Bayswater.						
Strategy	Actions	Who Responsible	Timeline			
			2020/21	2021/22	2022/23	2023/24
7.1 Advance employment practices to increase the employment of people with disability.	(a) Join the Australian Network on Disability and take the Access and Inclusion Index Self-Assessment to maximise employment impact and contribute to a national benchmark.	Manager People, Culture and Safety	●	●	●	●
	(b) Formalise a roadmap for improvement based on the annual Access and Inclusion Index Self-Assessment Comprehensive Report.	Manager People, Culture and Safety	●			
	(c) Investigate and source funding to develop a mentoring program in partnership with a disability employment provider.	Manager Community Development		●	●	●
	(d) Participate in employment expos that showcase how the City of Bayswater is a disability friendly and inclusive workplace.	Manager People, Culture and Safety			●	
7.2 Continue to invest in building and promoting an inclusive workplace culture.	(a) Review recruitment, employment practices and processes in consultation with a reference group, including staff with disability and employment providers, to increase representation and reduce unconscious bias.	Manager People, Culture and Safety		●		
	(b) In consultation with staff, review workplace design and ergonomics to enable reasonable adjustments for staff with disability.	Manager Building Works		●	●	●

*The anticipated budget amounts listed in the table above are indicative only and are subject to further investigation, as the implementation plan is progressed. Each year, the anticipated budget will be reviewed and considered as part of the City's standard annual budget process.

Estimated – Annual financial year budget breakdown

Action	2020/21 \$	2021/22 \$	2022/23 \$	2023/24 \$
1.2(e)	1,000 - MCD	1,000 - MCD	1,000 - MCD	1,000 - MCD
2.1(g)		10,000 - MLCS		
2.3(a)		60,000 - MEW		
2.3(b)			50,000 - MEW	50,000 - MEW
2.4(a)		50,000 - MSPP	50,000 - MSPP	50,000 - MSPP
2.4(b)			50,000 - MES	50,000 - MES
2.4(c)				7,000 - MAMS
2.5(a)			25,000 - MSE	
2.5(b)				25,000 - MSE
2.7(a)	10,000 - MCD			
3.1(a)	3,000 - MCD			
3.1(b)	1,000 - MCD	1,000 - MCD	1,000 - MCD	1,000 - MCD
3.1(c)	1,000 - MCD	1,000 - MCD	1,000 - MCD	1,000 - MCD
3.2(a)			4,600 - MCM	5,000 - MCM
4.2(a)	800 - MCD	800 - MCD	800 - MCD	800 - MCD
4.2(b)	6,000 - MCD		6,000 - MCD	
4.2(c)	5,000 - MCD			
4.2(e)	1,000 - MLCS			
7.1(a)	7,000 - MPCs	7,000 - MPCs	7,000 - MPCs	7,000 - MPCs
Total	\$35,800	\$130,800	\$196,400	\$197,800

Estimated total - \$560,800

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

	Councillor / Question	Response / Action
1	Cr Sally Palmer	Mr Andrew Brien, Chief Executive Officer
	<i>We had last week the Maylands Waterland Working Group. Will this working group's decisions be revisited 100% in acknowledgement that Councillors who were on that Committee were not informed that the meeting venue had been changed and therefore were unable to attend for any of the discussion?</i>	<p>The outcomes of that meeting will be reported through to Council. The recommendations that came from the working groups will be presented to Council for consideration. In relation to the staging, the majority of members were present when this was being discussed</p> <p>Not everyone was present for the appointment of the Chairperson and procedural items, so those decisions will be referred back to the working group to be reconsidered at its next meeting.</p>
2	Cr Sally Palmer	Mr Andrew Brien, Chief Executive Officer
	<p><i>In regards to the timing, why did the managers, or whoever is in charge, place the two community membership groups overlapping, because there was no actual interval between them. We were rushing out from one meeting, which was the Access and Inclusion, and making way, or trying to make way to this Waterlands meeting, which then took place at another venue.</i></p> <p><i>Why isn't there an interval between those two Committee meetings? It wasn't viable, and it is rude.</i></p>	<p>That issue was raised and discussed between the Mayor and the Chief Executive Officer this afternoon. This was an oversight as all minor committee meetings have been set for the year and the City has tried to coordinate around those. In this case we didn't get that right and have taken it on board so it doesn't reoccur in the future.</p>
3	Cr Sally Palmer	Cr Dan Bull, Mayor
	<i>Can you assure that the Maylands Waterland Working Group will abide by the principals of good governance and that we receive the correct and open notes?</i>	This will be taken on board.

13. NEW BUSINESS OF AN URGENT NATURE**COUNCIL RESOLUTION**

CR BARRY MCKENNA MOVED, CR SALLY PALMER SECONDED that item 13.1 be dealt with as urgent business.

CARRIED UNANIMOUSLY: 10/0

13.1 Unplanned Electrical Works at Bayswater Waves

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:	<i>ABSOLUTE MAJORITY REQUIRED</i>	
Attachments:	Nil	
Refer:	N/A	

SUMMARY

- An electrical short in the wave plant room electrical distribution board at Bayswater Waves on 5 February 2020 forced the closure of the wave pool, hydrotherapy pool, toddler pool and spa.
- Contractors have advised that the design of the electrical distribution board does not meet current compliance requirements, lacks appropriate overload protection and is showing significant signs of wear. They have recommended redesign and replacement of the board.

OFFICER'S RECOMMENDATION

That Council authorises the CEO to expend a maximum of \$150,000 from Bayswater Waves Aquatic Centre Reserve for the design and replacement of the wave plant room electrical distribution board and associated electrical work.

COUNCIL RESOLUTION

That Council authorises the CEO to expend a maximum of \$100,000 from Bayswater Waves Aquatic Centre Reserve for the design and replacement of the wave plant room electrical distribution board and associated electrical work.

CR BARRY MCKENNA MOVED, CR MICHELLE SUTHERLAND SECONDED

CARRIED UNANIMOUSLY BY AN ABSOLUTE MAJORITY: 10/0

REASON FOR CHANGE

Council changed the Officer's Recommendation as it was of the opinion that a maximum of \$100,000 would be required for the subject works as the report indicates that the initial estimated cost is between \$50,000 and \$100,000. Should additional funding be required, a further report would need to be presented to Council for consideration.

BACKGROUND

The electrical distribution board in the main wave pool plant room at Bayswater Waves provides power to circulate, chlorinate and heat the wave pool, hydrotherapy pool, toddler pool and spa. The board also runs associated water features such as the spa blowers, feature jets (whirlpool,

lazy river, sprays) and water slide. The board was designed and installed over 20 years ago and has been modified as new/replacement plant has been installed in the plant room. The wave plant room electrical distribution board is showing significant signs of age as well as inconsistent add on works from various contractors.

EXTERNAL CONSULTATION

Nil

OFFICER'S COMMENTS

At approximately 9.00pm on 5 February 2020 staff at Bayswater Waves reported hearing a large bang that seemed to come from the wave plant room. Upon inspection all plant within the room was inoperative and the electrical distribution board front cover had been pushed open from the inside. The plant room was isolated and tagged out whilst the City's electrical contractor were called in to investigate.

Upon initial inspection the contractor identified and removed a number of components within the electrical distribution board that had burnt out. Further inspection revealed that a number of issues were evident with the design, condition and capacity of the board infrastructure. The contractor has recommended a full replacement of the electrical distribution board as in their opinion:

- The board is fed by mains power without sufficient protection.
- Main components of the board infrastructure are showing signs of age and present a risk of future outages and staff safety.
- Individual components within the board are showing signs of wear and tear and present a risk of future outages.
- The design of the board is not compliant with current standards.

The contractor has modified the distribution board to restore basic functionality to all pools with overload protection, however outages may still occur as demand loads fluctuate. Some functionality has not been reinstated including some spa jets, water features in the lazy river and whirlpool, and waterslide. The wave pool wave machine was not affected by the outage as it sits on its own electrical distribution board so wave sessions can continue to run as scheduled.

The contractor has assessed other electrical distribution boards throughout the facility and highlighted that, whilst they are generally in better condition, the infrastructure is showing significant signs of age. The contractor has recommended that annual thermal imaging of electrical distribution boards be included in the proactive maintenance schedule for Bayswater Waves. These works have been incorporated into the annual maintenance schedule. The contractor has further recommended that electrical distribution infrastructure be replaced through the planned staged refurbishment of Bayswater Waves. This will be addressed in the upcoming scoping project for the remaining stages of the planned Bayswater Waves refurbishment.

Patron expectations are currently being managed through regular communication with internal signage, social media posts, messages on City websites and face to face at Bayswater Waves. Staff temporarily relocated all programs and bookings during the outage with no cancellations required.

Quotes are currently being sought from suitable electrical contractors to undertake replacement of the wave plant room electrical distribution board. Initial estimates have ranged between \$50,000 and \$100,000 with a design and construction timeframe of six to eight weeks and an installation period of up to two weeks.

Approval is sought to authorise the Chief Executive Officer (CEO) to expend a maximum of \$150,000 (maximum limit without a formal tender process) from Bayswater Waves Aquatic Centre Reserve for the design and replacement of the wave plant room electrical distribution board and associated electrical work.

LEGISLATIVE COMPLIANCE

Compliance with current electrical standards is not retrospective but is triggered by significant upgrade. It is, however, considered best practice.

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 authorises the CEO to expend a maximum of \$150,000 from Bayswater Waves Aquatic Centre Reserve for the design and replacement of the wave plant room electrical distribution board and associated electrical work.	
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 represents the lowest risk to the City and deals with an immediate requirement to address impacts to service interruptions and staff safety. These works would have been included in the scope for stage 3 of the refurbishment of Bayswater Waves so are consistent with the intended purpose of the Bayswater Waves Aquatic Centre Reserve. There is moderate financial risk due to unplanned expenditure for the works.	

Option 2	That Council requests the CEO to call quotes/tenders for the design and replacement of the wave plant room electrical distribution board and associated electrical work with funding to be sourced from the Bayswater Waves Aquatic Centre Reserve.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
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	Moderate
Conclusion	It is considered that the current condition of the wave plant room electrical distribution board presents moderate risk of service interruption as future outages are likely. This presents further financial risk associated with plant repair / replacement at higher risk of damage / shortening of operational life associated with fluctuating power supply. This compounds service delivery risk, reputation and OSH issues associated with outages. Not authorising the works leaves these risks unmitigated.	

FINANCIAL IMPLICATIONS

The following financial implications are applicable:

Item 1: Design and replacement of electrical distribution board and associated electrical work.

Asset Category: Refurbishment **Source of Funds:** Bayswater Waves Aquatic Centre Reserve

LTFP Impacts: Allocation for stage 3 of the refurbishment of Bayswater Waves would have included these works in the scope. This allocation is included in the LTFP for the 2022-23 financial year. Accordingly the funding is brought forward.

Notes: Nil

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	Up to \$150,000	-	-	N/A	20	Up to \$150,000	Bayswater Waves Aquatic Centre Reserve \$600,340

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.

Replacement of the Bayswater Waves electrical distribution board in the wave pool plant room will allow for the continued provision of quality services and facilities to the community.

CONCLUSION

Whilst the design and condition of the electrical distribution board is not required to be compliant with current standards it presents a significant risk to service delivery, reputation, future unplanned financial implications and staff safety. A reserve for the refurbishment of Bayswater Waves has been put aside and these works have been planned in future years. Given the immediate situation it is recommended that that Council authorises the CEO to expend a maximum of \$150,000 from Bayswater Waves Aquatic Centre Reserve for the design and replacement of the wave plant room electrical distribution board and associated electrical work.

14. MEETING CLOSED TO THE PUBLIC

14.1 Matters for Which the Meeting May be Closed

Nil.

14.2 Public Reading of Resolutions That May be Made Public

Nil.

15. CLOSURE

There being no further business to discuss, the Chairperson, Cr Dan Bull, Mayor, declared the meeting closed at 7:31pm.